



Public Service Commission of Wisconsin

Ellen Nowak, Chairperson
Mike Huebsch, Commissioner
Lon Roberts, Commissioner

610 North Whitney Way
P.O. Box 7854
Madison, WI 53707-7854

November 3, 2017

VIA ELECTRONIC MAIL (susanhall54@gmail.com)

Susan Hall

Re: Request for Information 2017-052

Dear Ms. Hall:

I am writing in response to email that you sent to the Public Service Commission of Wisconsin (Commission) through the Public Records email address on October 29, 2017. Your email requests answers to various questions regarding a Bayfield Second Circuit Transmission Project. The Commission does not consider your email requesting answers to be a public records request.

The public records law “is designed to make existing records available to the public unless withholding such documents is specifically authorized by law.” *State ex rel. Gehl v. Connors*, 2007 WI App 238, ¶ 13, 306 Wis.2d 247, 742 N.W.2d 530. However, “the public records law does not require an authority to provide requested information if no record exists, or to simply answer questions about a topic of interest to the requester.” *Journal Times v. Police & Fire Comm'rs Bd.*, 2015 WI 56, ¶ 55, 362 Wis. 2d 577, 608–09, 866 N.W.2d 563, 577. In addition the public records law “does not require the custodian to ... create a record for the benefit of a requester.” *George v. Record Custodian*, 169 Wis.2d 573, 579, 485 N.W.2d 460 (Ct.App.1992). While a record will always contain information, information may not always be in the form of a record. *Journal Times v. Police & Fire Comm'rs Bd.*, 2015 WI 56, at ¶ 55.

While we do not consider your email to be public records request, I understand that Commission staff did contact you in regards to your questions to provide information.

Thank you for contacting the Commission. Please do not hesitate to contact me in the event you have any questions or concerns.

Sincerely,

 on behalf of

Cynthia Smith
Chief Legal Counsel

DL: 01599633