

FREEDOM OF INFORMATION ACT APPEAL GRANTED

The West Virginia Highlands Conservancy's appeal of the denial of its Freedom of Information Act request to the United States Forest Service has been granted.

As reported in earlier issues of the *Voice*, the Conservancy had heard rumors of possible windfarm development on the Monongahela National Forest. To verify these rumors, the Conservancy made a Freedom of Information Act Request to the Forest Service for records of inquires, applications, etc. The Forest Service replied that, while there were records, they were exempt from disclosure as Confidential Business Information, one of the exceptions to the FOIA.

The Conservancy appealed this decision to the next level within the Forest Service, the appeal was granted, and we got the records. The "records" consist of two slips of paper with names and phone numbers. One of the records is dated September, 2002; the other is undated. One of the names is a known wind power developer. No one on the Wind Power Committee recognized the other name.

This leaves us about where we were before. We had rumors of windmills on the Monongahela. Now we have confirmation that somebody was at least interested enough in the possibility to call the Forest Service.