

# MADISON SUBURBAN UTILITY DISTRICT

## Public Records Access and Notification Policy

(Revised April, 2000)

### GENERAL

In accordance with the Tennessee Public Records Act which is designed to give persons the right to inspect public records, the Madison Suburban Utility District (MSUD) will allow manual inspection of public records during regular business hours and days by any citizen of Tennessee. Information released via manual inspection or photocopy shall be deemed confidential and not subsequently released in part or whole to any agency or person for commercial or profit-making purposes. Inspection will be permitted under conditions that will prevent alteration or mutilation of the records.

#### Records open to public inspection include:

Records, files, documents, and other material which contain information directly related to employees, customers, or utility services.

#### Records open to public inspection include all records except:

- (A) Records relating to employee medical treatment or medical testing;
- (B) Treatment or referrals for treatment that are maintained by the Employee Assistance Program; and
- (C) Any record exempted from disclosure by law.

#### Charges and fees:

A requesting customer or employee will not be charged to view his/her own records, but if the request is by a party other than the owner, the requesting party will be charged.

Businesses, i.e., mortgage companies, lending institutions, and collection agencies will not be charged if a requester has executed a release form to that agency. If not, the agency will be charged.

Cost incurred in providing requested information will be assessed the requester as follows:

A \$10.00 minimum charge is required from the requester which is applied against the first hour of research, plus \$7.00 for each item on the account (i.e., each billing item or portion or component thereof).

A \$5.00 minimum charge for certification of a true and accurate copy of the document, consisting of one page, and a \$2.50 charge for each additional page of the certified copies will be charged.

A minimum charge of \$10.00 per hour research fee.

A \$1.50 charge per page for copies after the first page.

All costs over the minimum \$10.00 charge must be paid in advance of receipt of requested information.

All fees shall be paid in U.S. Currency or Certified or Cashier's Check.

Normal business exchanges of information are not a part of "records" considered and may take place as provided by contract or other policy of the District.

Federal, State, and Local governments may also submit their requests in writing.

Requests by law enforcement agencies involving an active investigation may be submitted to the general management. Upon request, the investigation shall be treated as confidential. The parties involved shall not be notified, and the conditions of the request will be fully documented. Otherwise, the request must be in writing and the appropriate parties will be notified.

Written or notarized request:

Residential customers may request information in person or submit a notarized affirmation. If the requested information is on another party and no release has been signed, the third party will be notified in writing.

Unless otherwise noted, all individuals and agencies requesting access to records must do so in writing stating the purpose of the request and the legitimate interest that the person or agency has in obtaining the information. The General Management must approve all requests. Proper identification will be required and the appropriate parties will be notified, in writing, of the request.

Subpoenas and request for production:

This policy shall not apply to record access when a duly issued subpoena has been served or when a request for production is made in pending litigation when MSUD is a party to the litigation.

All employees are expected to abide by this policy. Any violation could subject an employee to disciplinary action set forth in the policies of the District.

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### PROCEDURE

- REQUESTER** 1. Contacts the Madison Suburban Utility District (MSUD) requesting access to customers, employees or utility service record(s).
- DISTRICT** 2. Refers the request to General Management.
3. Verifies the requester is a citizen of Tennessee.
4. Ascertains the nature of information requested.
- NOTE:** General Management, or a proper designate, must approve all requests prior to the information being released.
5. Obtains the \$10.00 minimum fee from requester.
6. Asks the requester to complete, sign, and return the Public Records Access and Notification Request Form.
- NOTE:** If the request is not in person, the requester may secure the above form and have it notarized. The notarized form should be returned to the General Management along with the \$10.00 fee.
- REQUESTER** 7. Completes, signs, and returns the request form.
8. Pays the \$10.00 processing fee.
9. Pays \$1.50 charge per pay for standard copies.
10. Pays a \$5.00 minimum charge for certification of a true and accurate copy of a document, consisting of one page, and a \$2.50 charge for each additional page of the certified copies will be charged.
- NOTE:** The requester must pay in advance for any additional charges assessed.
- DISTRICT** 11. Receives the completed request form and the \$10.00 fee.
12. Notifies the appropriate department.

**APPROPRIATE  
DEPARTMENT**

- 13. Blocks the confidential information out of the record(s).
- 14. Makes copies, if needed.

**If records are to be inspected during business hours:**

**DISTRICT**

- 14A. Directs the requester to designated viewing area.
- 14B. Allows the requester to examine records.
- 14C. Remains in the viewing area at all times.

**REQUESTER**

- 15. Inspects the record(s).

**APPROPRIATE  
DEPARTMENT**

- 16. Forwards the copies, extracts, photographs or photostats to the General Management as deemed necessary.
- 17. Returns the record(s) to appropriate filing area, if applicable.

**DISTRICT**

- 18. Notifies the customer/employee, in writing, of the release of public records.