



# United States Department of the Interior

FISH AND WILDLIFE SERVICE  
Washington, D.C. 20240

AUG 26 2004

In Reply Refer To:  
FWS/AEA/18601

Mr. Charles A. Zdebski  
Attorney at Law  
Troutman Sanders LLP  
401 9<sup>th</sup> Street, NW, Suite 1000  
Washington, DC 20004-2134

Dear Mr. Zdebski:

On August 23, 2004, you submitted to the U.S. Fish and Wildlife Service (Service) an appeal of our August 3, 2004, decision that your request for correction of information pursuant to the Information Quality Act (IQA) concerning allegedly unsupported information disseminated by the Service in connection with re-licensing of the Osage Hydroelectric Project (FERC No. 459) did not meet the requirements under our IQA Guidelines.

Our response, which was coordinated with OMB, indicated that the information you were addressing was exempt from IQA standards as stipulated in OMB, DOI and Service's IQA Guidelines that exempts information submitted as part of an adjudicative process. Since the Service's April 22, 2004 correspondence was submitted to FERC as part of the FERC re-licensing process for the Osage Hydroelectric Project (FERC No. 459), which is an administrative adjudication, information contained therein is exempt from the Service's IQA Guidelines. Therefore, your request for an appeal of that decision does not meet our IQA guidelines.

Sincerely,

Thomas O. Melius  
Assistant Director-External Affairs