REGULATION SETTING FORTH PROCEDURES AND FEES FOR THE PRODUCTION OF PUBLIC RECORDS OF THE PEARL RIVER VALLEY WATER SUPPLY DISTRICT PURSUANT TO THE STATE PUBLIC RECORDS ACT.

8.1 Inspection and Copying of Public Records Pursuant to the State Public Records Act.

8.1.1 Policy. It is the policy of the Pearl River Valley Water Supply District (the "District") to provide for inspection and copying of its identifiable public records by all people of the State of Mississippi who request such inspection or copying, consistent with the provisions of the Mississippi Public Records Act, § 25-61-1 through § 25-61-17, Mississippi Code of 1972, as amended ("Public Records Act"), and other applicable laws and judicial decisions.

8.1.2 Definitions.

Identifiable Public Record: A public record is identifiable if a reasonably specific description of the record, such as the date, the subject matter and persons involved, or other identifier that will permit location or retrieval of the record, is given in the request for production. Identification of leases or assignments of leases require a subdivision name and lot number.

Working Day: A working day is any day other than a weekend, state holiday, federal holiday, or other day on which by executive order the District is authorized to be closed.

8.1.3 Procedure.

(a) Records Available: All identifiable public records of the District not exempt pursuant to §25-61-9 and §25-61-11 of the Public Records Act or other applicable law or judicial decision are available for inspection or copying, or both, pursuant to the procedures herein.

(b) Request in Writing: All requests shall be in writing, shall request the production or copying of identifiable public records, shall be signed by the person or persons requesting the records, and shall list the requester's address and telephone number.

(c) District Response: Within three working days after the date of the receipt of the request, the District shall notify the requesting party whether the record(s) requested can be located and whether the record(s) can be legally disclosed. If the record is to be disclosed, the District shall give an estimate of the total fee for compliance with the request. Upon payment of the fee estimate, the District shall produce the record(s) requested for inspection or copying no later than eleven (11) working days from the date of payment of the fee estimate, but in no event shall production of the record(s) be later than fourteen (14) working days from the date of

request for the production of the records, provided the total estimated fee has been collected in advance of production.

(d) Denials: Any denial of a request shall be in writing signed by the General Manager of the District, and shall contain a statement of the specific reason for denial.

8.1.4 Confidentiality Notice.

(a) Notice of Request: For the purpose of providing notice of a request for inspection, examination, copying or reproduction to a third party that has submitted trade secrets or confidential commercial or financial information, pursuant to §25-61-9 of the Public Records Act, twenty-five (25) days from the mailing of written notice to the third party shall be deemed a reasonable period after which the requested identifiable public record(s) shall be released, unless otherwise exempt from the Public Records Act. Notice to the third party of such request shall be made by the District within three (3) working days from the date of the request for production.

8.1.5 Fees.

(a) Costs: A fee reasonably calculated to reimburse the District the actual cost of searching, reviewing, reproducing and transmitting copies of public records shall be paid in advance of complying with a request, as follows:

(i) Basic search, review and reproduction charge: $10.00 minimum search fee plus $.50 per page. Search, review and reproduction must be performed at District offices during a work day, and must be performed by District personnel except as provided in Section 8.1.5 (a) (vii). Search, review and reproduction fee includes transmittal by U.S. first class mail.

(ii) Certification of authenticity: $5.00 for each certificate.

(iii) Records delivered via FAX: additional charge per transmission of $1.00 per page.

(iv) Records delivered by overnight delivery: additional charge of $25.00 per delivery. This charge will be waived for customers who provide an account number for direct billing through Federal Express.

(v) Additional charge of $5.00 per item for documents retrieved from off-site storage.

(vi) Database printout requests from available database will be charged a fee calculated on a per-request basis, depending on the volume and complexity of information requested, but not less than $.50 per page.

(vii) For extensive searches and reproduction of records, the General Manager may allow the person making the request to perform a search and reproduction on

District premises in lieu of these tasks being performed by staff of the District, provided it is done in a non-disruptive manner.

(b) Search: There shall be a minimum search charge of $10.00 if the record requested is not found, or if it is determined to be exempt from public disclosure. An additional charge of $30.00 per request shall be made for staff hours spent in resolving any legal or policy questions concerning the request, but no other charge for staff time shall be made.

8.2 **Miscellaneous.**

8.2.1 Expedited Requests. Expedited requests for services in emergency situations that cannot wait for scheduled handling will be charged an additional handling fee of $20.00.

8.2.2 Method of Payment. Fees and charges shall be paid by check or money order made payable to the District or by Visa or MasterCard credit or debit cards. A charge of $40.00 per item will be assessed for checks returned for insufficiency.

8.2.3 Repeal of Previous Rules and Regulations.

(a) All previously promulgated rules or regulations that are inconsistent with any provisions set forth above are hereby repealed.

(b) Conflicts between this regulation and existing statutes or statutes hereinafter make relating to access to public PRVWSD records and fees charged shall be resolved in favor of the statute as then in effect.