
COMPANION GUIDE

Getting the Record

A Guide to Requesting TVA Transmission
and Siting Documents

Companion to The Whole Record

Concentrated Benefit, Dispersed Burden · Volume II



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14 September 2026 · Version 1.0

Evidence snapshot 18 August 2026

DOI 10.5281/zenodo.21997373

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Getting the Record: A Guide to Requesting TVA Transmission and Siting Documents

Companion to *The Whole Record: What the Tennessee Valley Authority Publishes When Nothing Requires It*

Concentrated Benefit, Dispersed Burden — Volume II

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Version 1.0 · 14 September 2026

Evidence snapshot: 18 August 2026. The statutory and case research in the endnotes was carried out 17 August 2026 and its verification limits are stated where they bear. **This version changes no finding and no citation.** It carries the section-numbering repair described below and the version number the parent volume already uses.

Concept DOI (all versions): 10.5281/zenodo.21997372 Version 1.0 DOI:
10.5281/zenodo.21997373

Parent volume: *The Whole Record*, concept DOI 10.5281/zenodo.21996375; **version 1.0 published 26 August 2026** at 10.5281/zenodo.21996376. Evidence archive:
10.5281/zenodo.21959989 (published 18 August 2026).

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The author is an unaffiliated independent researcher. This work was not commissioned, funded, or reviewed by the Tennessee Valley Authority, the Sloan Foundation, Emory University, or any other institution, and no institution bears responsibility for its contents.

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ABSTRACT — A Note on This Edition

On this version. Version 1.0 exists because the parent volume published as version 1.0 on 26 August 2026 and this guide was still numbered 0.1, so the volume was citing a companion that appeared to be a draft. Nothing in the substance changed between 0.1 and 1.0.

One repair. Four endnotes — 26, 31, 56 and 86 — cited “§14.3A” of this guide. That is the section’s number from when this material was Chapter 14 of the volume; on being split out, the sections were renumbered 14.x to x, and those four cross-references were not carried over. They now read **§3A**, which is where *Faizer v. TVA* is set out. A cross-reference check on 14 September 2026 found no other broken reference in either direction: every “Chapter *n* §*n.m*” pointer in this guide resolves against the published volume, whose chapters run 1 to 15 with six appendices.

This guide was written as Chapter 14 of *The Whole Record* and has been published separately. Chapter numbering in the volume closed up after it was removed, so the research agenda that replaced it is now Chapter 14. It changes audience. The volume is written about TVA; this guide is written to a person who wants a document TVA has not published, and it is addressed to that person in the second person throughout.

Two reviewers, working independently, reached the same conclusion: the material is useful enough to deserve its own identity and separable enough that removing it costs the monograph nothing. The volume retains a short research agenda in its place, listing what it could not resolve and why.

Cross-references of the form “Chapter 10” or “§1.5” are to the main volume unless otherwise stated. Section numbers in this guide have been renumbered from the volume’s 14.x to a standalone sequence; endnote numbering is unchanged from the chapter as it stood on 17 August 2026, so a reader comparing the two documents can match them note for note.

Every request target below states what it would establish, which is the test a request should be able to pass before it is sent. Requests that cannot answer that question are not in this guide.

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A working list of records targets for anyone researching transmission in Tennessee. Verified 15 August 2026.

1 Why a volume ends with this

Every preceding chapter describes an absence. No certificate proceeding, no hearing, no intervenor rights, no external review of route or need, no judicial review of rates, and for most lines no environmental document at all.¹ Where there is no docket, there is no filing to read.

One entry on this list has already been answered, and answered without a request, which is worth saying before the list begins. The count of TVA transmission projects proceeding under a categorical exclusion was this chapter's best single question. TVA publishes it. What that changed, and what it left, is at T2.

What remains is the records request. It is a poor substitute for a proceeding — it produces documents after decisions rather than participation before them — and it is the instrument that exists.

This chapter is written for whoever comes next. It assumes no relationship with TVA, no institutional affiliation, and no budget. Each entry states what to ask for, who holds it, which statute applies, who is eligible to file, and what the answer would establish. Where this volume left a question open, the request that would close it appears here.

Nothing in this chapter has been filed. Everything in it is filable by a stranger.

2 Three statutes, and choosing between them

	Federal FOIA	Tennessee Public Records Act	Mississippi Public Records Act
Citation	5 U.S.C. § 552 ²	T.C.A. § 10-7-503 ³	Miss. Code § 25-61-5 ⁴
Reaches	TVA, Corps, USFWS, DOE	TDEC, TNECD, counties, cities, municipal utilities	MS counties, agencies
Who may file	anyone	Tennessee citizens only	anyone
Clock	20 working days, multi-track ⁵	promptly; 7 business days to respond or state a time ⁶	7 working days , 14 maximum ⁷
Fees	by category; waivers available	reasonable copying; labour after first hour	reasonable; redaction billable at actual cost ⁸

The residency point governs everything. Federal FOIA has no residency requirement, so anyone anywhere can file against TVA.⁹ The Tennessee Public Records Act opens records to “any citizen of this state,” and Tennessee enforces it.¹⁰ A researcher outside Tennessee cannot reach TDEC permits, county records, or a municipal utility’s board minutes without a Tennessee co-requester. Mississippi imposes no such bar.¹¹

Fee categories matter more than they appear to. Under 5 U.S.C. § 552(a)(4)(A)(ii)(II), a requester from an educational institution filing in furtherance of scholarly research pays duplication only, with the first 100 pages free — no search fees, no review fees.¹² **TVA’s own regulation says the same thing in its own words**, and it is worth quoting the regulation rather than the statute when writing to TVA: an educational institution is “any school that operates a program of scholarly research,” such requesters “are not subject to search fees,” review fees are charged only on commercial-use requests, and every non-commercial requester gets the first 100 pages and the first two hours of search free with nothing charged at all if the balance is \$25 or less.¹³ Search time on a request for an internal register is exactly the charge that category eliminates. State the category and the affiliation in the request itself, and expect to be asked to prove it — the same regulation reserves TVA’s right to seek verification that the request is in furtherance of scholarly research.¹³

3 TVA — federal FOIA

Portal: <https://foia.tva.gov/> — one central office processes all requests, and the portal also tracks status.¹⁴ **Regulations:** 18 C.F.R. Part 1301, Subpart A. Multi-track processing under § 1301.5.¹⁵ **Response:** normally 20 working days.¹⁶ **Appeal:** 90 days from an adverse determination, to TVA’s Appeals Official.¹⁷ **Before filing:** check the Reading Room. TVA posts frequently requested records there, and its FOIA annual reports run back to

2000, which tell you how many requests the agency receives and how often it grants them in full.¹⁸

T1 — The transmission siting project register

The single most valuable request on this list.

All records sufficient to show the complete list of transmission line siting projects maintained by TVA's Transmission Siting or equivalent function, from January 1, 2015 to the present, including for each project: project name, project identification number, work order number, county and state, voltage class, assigned siting engineer, current status, and the date on which a public project webpage was created, if any.

The register obviously exists; TVA's public GIS is drawn from it.¹⁹ Chapter 7 reconstructs part of it from geometry and shows 81 project names against 40 published pages.²⁰ A response converts that reconstruction into a record.

Likely fight: that no single responsive "list" exists, and that FOIA does not oblige an agency to create one. The second half of that is settled law and cannot be argued with.²¹

But a query is not a creation, and that is settled too. Since 1996 the statute has required an agency to "make reasonable efforts to search for the records in electronic form or format," and has defined "search" as review "manually or by automated means." Running a query against an existing agency database, or sorting one, produces an existing record rather than a new one.²¹ Cite that in the request itself. Ask for the underlying database export or a report the system already generates, and name the GIS service as evidence the data is held in structured form.

One drafting caution. The last item in the request above — the date a public project webpage was created — is the one field that is probably *not* in the register. A request for information *about* a database's contents, as distinct from the contents, is the case in which the creation objection actually succeeds.²¹ Ask for it as a separate numbered item so that a refusal on that item does not swallow the rest.

T2 — The categorical exclusion checklists themselves

This entry has been rewritten. The request it used to carry asked TVA for records TVA already publishes.

An earlier version of T2 asked for all categorical exclusion determinations for transmission projects under exclusions 16 and 19, and, in the alternative, for a count of them by fiscal year and by project.²² **Both are published.** TVA posts eight lists of completed Categorical Exclusion Checklists covering 27 April 2020 to 31 March 2026 — 11,899 rows, each carrying a checklist identifier, project title, county, state, business unit, closing date and the exclusion applied — at tva.com/environment/environmental-stewardship/environmental-reviews/categorical-exclusions. They are not in the environmental reviews index, which lists only assessments and impact statements, and they are not returned by tva.com's own site

search, which is why this volume did not find them until August 2026.²⁵ Chapter 1 derives the counts from them.²³ A request for either would be refused as already available, and rightly.⁸⁷

What TVA does **not** publish is the checklist behind any row. For every determination the public record establishes *that* an exclusion was applied and *when*, and nothing about the mileage TVA counted, the acreage it credited against the 125-acre limit, the resource screens, or the extraordinary-circumstances analysis its own regulation requires. There is no extraordinary-circumstances column in any of the 11,899 rows and no approving official is named on any of them.⁸⁸

That is the request.

All Categorical Exclusion Checklists, extraordinary circumstances screenings, supporting technical memoranda, and records identifying the approving official, for the following completed determinations: **CEC 42028; 47184; 47201; 47568; 48005; 48399; 49356; 49618; 50079; 51691; and 54096.**

Naming the eleven identifiers is what makes this hard to refuse. It asks for eleven identified existing records rather than a class of records, it requires no query against a database and so raises no creation objection, and TVA has itself published the fact that each one exists and the date it closed.⁸⁹ Ten of the eleven are the Tennessee projects at Chapter 3 §3.2; the eleventh, CEC 47184, is the Ultium – Night Sky line in Maury County, which has no project page at all.⁹⁰

Two supplementary requests worth filing at the same time.

All Categorical Exclusion Checklists and determinations of any exclusion number, and any environmental assessment or environmental impact statement, for the following projects: Appalachia Area Improvement; Dickson (Burns–Bon Aqua, Dickson–Pomona and Locust Creek Switching Station); West Lexington–Jacks Creek; Waldens Creek; West Tennessee Power System Improvements; and the Highway 109 North Delivery Point transmission line in Sumner County.

Six projects have no determination of any kind in the published series, and four of the six are the longest projects on the Tennessee list — 25.2 miles, 21 to 24, 15.83, and about 14, against a ten-mile exclusion. Absence from the published lists is not proof of absence in TVA's files; publication lags, and this request is how a researcher tells the two apart.⁹¹

Records sufficient to identify the categorical exclusion determination, if any, applicable to the transmission line and substation serving the Fiberon facility in Columbia, Maury County, Tennessee, and to state whether CEC 54402, "Columbia-Mt. Pleasant 46-kV Transmission Line (L2522) Reroute for Columbia Industrial Development Board (IDB)," is that determination.

CEC 54402 matches on route and customer type, TVA's own title names the Columbia Industrial Development Board rather than Fiberon, and the string "Fiberon" appears nowhere in the 11,899 records. This volume treats the identification as probable and

unestablished, and one sentence from TVA NEPA Compliance would settle it — which is cheaper than a request, and worth trying first.⁹²

What it would establish: whether anyone outside TVA can check a categorical exclusion. Chapter 1 establishes that a new line under roughly ten miles proceeds with no environmental assessment, no scoping and no comment period, and that eleven of the seventeen Tennessee pages stating a route length state one under ten miles.²⁴ The determinations are now countable and citable. The reasoning behind them is unavailable by any public route, and a refusal to produce eleven checklists TVA has already told the public it completed is itself publishable.

T3 — Large load interconnection

All records concerning requests for new or expanded electric service of 75 megawatts or greater within Tennessee from January 1, 2019 to the present, including interconnection studies, system impact studies, facilities studies, and any transmission upgrades identified as required to serve such requests.

Likely fight: Exemption 4, commercial information obtained from a person, and critical energy infrastructure concerns.²⁶ Expect heavy redaction. Ask separately for a Vaughn index if withheld, and note that the aggregate count and megawatt totals are not themselves commercial secrets.

T4 — The specific projects this volume could not resolve

Four discrete requests, each narrow enough to be hard to refuse:

- a) All records concerning the transmission line identified in TVA records as “Ultium – Night Sky,” project 539168, including the Section 106 consultation file referenced as TVA tracking CRMS 24671291490 and Tennessee SHPO project SHPO0001148, and any environmental review determination.²⁷
- b) All records concerning the project identified in TVA records as “Alcoa-Nixon Rd,” project 443430, in Blount County.²⁸
- c) All records concerning “Project CINCO Phase I, MS 161-kV ROW,” project 631350, work order 2L08L, including the identity of any customer or prospective customer whose load the project is intended to serve.²⁹
- d) All records concerning the current status of the Middle Tennessee Generation & Transmission Capacity Expansion project, project 543225, including whether it remains active following TVA’s July 2025 decision that the Lockertsville Road site is no longer the preferred alternative, and its current NEPA pathway.³⁰

Request (c) will draw an Exemption 4 refusal on the customer identity. File it anyway. A written denial citing Exemption 4 is itself a finding: it confirms that a customer exists and that TVA holds their identity.³¹

T5 — Board and rate class

All Board of Directors meeting minutes, briefing materials, and staff papers concerning the proposed data center rate class from January 1, 2026 to the

present, and all correspondence with local power companies concerning the same.

On 18 February 2026 TVA sent its local power companies a signed letter opening a formal rate change process under the wholesale power contract. Seven proposals were on the table. The fourth floated “creating a new class for customers above a specified contract demand size and/or qualifying under certain NAICS codes,” together with a “capacity commitment charge” requiring upfront customer investment; the fifth proposed removing data centres from the manufacturing service rate schedules that TVA’s Board opened to them in December 2008.³² The letter is the document that starts the trail, and TVA did not publish it.

Board agendas are searchable; board minutes are not. TVA publishes its quarterly agendas as Government in the Sunshine Act notices in the *Federal Register*, where they are full-text searchable back decades — but the agenda gives item titles only. Minutes, presentations and listening-session materials are posted as PDFs, browsable by date and effectively not indexed by any public full-text search, TVA’s own included.³³

T6 — Transmission Service Guidelines

Chapter 1 establishes that these Guidelines were never filed with FERC.³⁴ They govern transmission service across seven states and were approved by the entity they govern. That makes them sound unobtainable. They are not.

Do not file a request for the current text. It is published, and a request for it would be refused as already available. TVA posts the Guidelines on its OASIS site as a free PDF, no login and no account: the FY2026 edition, 130 pages, effective 1 October 2025, at <https://www.oasis.oati.com/woa/docs/TVA/TVAdocs/TSG%20FY2026.pdf>. The FY2021, FY2023, FY2024 and FY2025 editions are live on the same directory. There is no browsable index of that directory, which is why the file is easier to miss than it should be; [tva.com/energy/transmission](https://www.tva.com/energy/transmission) links to OASIS in plain text.³⁵

What is not published is the history. That is the request:

All editions of TVA’s Transmission Service Guidelines prior to the FY2021 edition, including the Guidelines as originally approved in 1996; all Board resolutions approving or amending them; and any consolidated record of amendments.

TVA’s own OASIS posting log reaches back only to the FY2009 edition, and no edition of the Guidelines is held in the Internet Archive at all — so every text before FY2021 exists publicly only for as long as TVA chooses to leave it on OASIS. **Archive the editions that are up before asking for the ones that are not.**³⁵

T7 — Economic development agreements

All agreements, memoranda of understanding, letters of commitment, and non-disclosure agreements between TVA and any customer, prospective customer, or economic development organization concerning electric service to facilities in Tennessee of 75 megawatts or greater, from January 1, 2019 to the present.

What it would establish: whether TVA is contractually restricted from naming customers on project pages. If such an agreement exists, the disclosure asymmetry documented in Chapter 6 has a mechanism. If none exists, it does not.³⁶

T8 — Payments in lieu of taxes

Records sufficient to show TVA's computation of tax equivalent payments under 16 U.S.C. § 8311 for fiscal years 2020 through 2025, including the book value of power property allocated to each state, and whether transmission line easements and rights-of-way are included in that book value.

Chapter 9 flags the easement treatment as unverified. This closes it.³⁷

3A One of these has already been litigated

Nothing in this chapter has been filed by this author. Something very close to T7 was filed by someone else, it went to court, and it worked.

In April 2024 Melanie Faizer — a journalist, and professor of practice at the University of Tennessee School of Journalism and Media — sued TVA in the Eastern District of Tennessee.³⁸ Her request the previous April had asked for the agreements, grants and contracts between TVA and Bitdeer, which operates in Knoxville as Carpenter Creek LLC, together with the related correspondence and power-use data.³⁹ TVA located “one six-page incentive agreement” and withheld it under Exemptions 4 and 5, and later withheld “31 items related to the credit agreement” in full under Exemption 4.⁴⁰ Its public answer to the suit was that “TVA is a transparent organization.”⁴¹

She was represented by Paul R. McAdoo of the Reporters Committee for Freedom of the Press Local Legal Initiative.⁴² The complaint rests in part on *Perrusquia v. TVA*, decided in the same district the year before, which recognised the public interest in “the inner workings of public utility providers like [the TVA].”⁴³

It produced documents. Faizer published in Knox News on 3 April 2026. In a WUOT interview five days later she said TVA “did provide incentives that covered about 20% of the crypto mine’s electricity bills over a five year period. The contract amount was for \$18 million dollars. Because of the consumption of the crypto mine, that was closer to \$21 to \$22 million.”⁴⁴ None of that was on any TVA page.

Three things follow for a reader of this chapter.

Expect Exemptions 4 and 5, and budget for litigation. TVA does assert them over economic development agreements, and it asserted them over a six-page document. Request T7 asks for that class of record and will meet that answer. Treat the denial as the expected first response rather than as a failed request.⁴⁵

The exemptions are not the end — and it did not take a ruling. The suit produced substantive records: a contract value, a term of years, a share of the customer’s bill. It

produced them without a single decision on the withholdings. A withholding that survives an administrative appeal does not necessarily survive the prospect of merits briefing.⁴⁶

There is an in-state institutional route, and it has been walked. A University of Tennessee faculty member with Reporters Committee Local Legal Initiative counsel is the combination §2 describes — Tennessee residency for the state requests, educational-institution fee status for the federal ones, free counsel when TVA refuses. This chapter is written for Tennessee-based researchers, and that is the route available to them.⁴⁷

How it ended: no ruling, and the docket is free. *Faizer* is in CourtListener’s RECAP archive, which costs nothing, and the whole shape of the case is legible from the entries.⁴⁸

Note first that the customer showed up. Carpenter Creek LLC — the Bitdeer entity whose agreement was at issue — moved to intervene and the court granted it on 5 February 2025, TVA filing a notice of non-opposition. Anyone seeking a named customer’s agreement should plan on litigating against the customer as well as the agency.

Then, on 13 June 2025, the court denied TVA’s request for more time to file for summary judgment and instead stayed the action “pending the anticipated release of additional material previously withheld on or about August 20, 2025.” Carpenter Creek withdrew three days later. Status reports followed in August and September 2025, and on 13 March 2026 the parties filed a **stipulation of dismissal**. There was no judgment, and no court ever ruled on the Exemption 4 and 5 withholdings. *Faizer* published three weeks after the dismissal.

That is the honest lesson, and it is a better one than a win would have been: what moved the records was a scheduled bench trial and an imminent summary judgment brief, not a holding a later requester can cite.⁴⁸

4 Tennessee — state and local

Tennessee citizens only. T.C.A. § 10-7-503(a)(2)(A). A non-resident researcher needs a Tennessee co-requester, and that is a real constraint rather than a formality.⁴⁹

TN1 — TDEC air permits for data centre generators

Holder: Tennessee Department of Environment and Conservation, Division of Air Pollution Control.

All construction and operating permits, permit applications, and emissions inventories for emergency and standby generators at [named facility], including the number of engines, rated output, and permitted operating hours.

Backup generator permits are frequently the only public disclosure of a data centre’s true electrical size.⁵⁰ TDEC’s permit records sit behind an application that does not answer keyword searches, so a request is the practical route.⁵¹

TN2 — TDEC water quality permits for TVA lines

All Aquatic Resource Alteration Permits and § 401 water quality certifications issued to the Tennessee Valley Authority for transmission line projects from January 1, 2020 to the present.

Chapter 1 identifies these as the one category of state permit that does reach TVA, by force of the Clean Water Act § 313 waiver.⁵² They are the only state file on a TVA line.

TN3 — Local power company records

Holder: the municipal electric system, or the cooperative — and in Tennessee law these are not the same thing. **A municipal electric system's records are municipal records and are covered outright.** A cooperative's are almost certainly not, and a Public Records Act request to one should be expected to fail.⁵³

Tennessee electric cooperatives are private nonprofit membership corporations under the Rural Electric and Community Services Cooperative Act, declared by statute to be “not-for-profit cooperatives and nonutilities” and “exempt in all respects from the jurisdiction and control of the Tennessee public utility commission.” No Tennessee court, Attorney General opinion, or Office of Open Records Counsel guidance holds them subject to the Act. The only way in is the functional-equivalence test of *Memphis Publishing Co. v. Cherokee Children & Family Services*, which no Tennessee court has yet applied to a cooperative, and whose own limiting language — a private business “does not open its records to public scrutiny merely by doing business with, or performing services on behalf of, state or municipal government” — is the co-op's best answer.⁵³

Use the member-inspection statute instead, and note that it has no residency condition. A member of a Tennessee nonprofit corporation has a statutory right of inspection that cannot be cut back by charter or bylaw, and membership in a co-op is a retail electric account. One tier of it requires no stated purpose at all: on five business days' written demand a member may inspect and copy the charter and bylaws, board resolutions on member rights, the minutes of all member meetings and member actions for the past three years, all written communications to members generally for the past three years including the financial statements furnished to them, the list of current directors and officers, and the most recent annual report filed with the Secretary of State. Accounting records and the membership list sit in a second tier that does require good faith and a proper purpose described with reasonable particularity. Ask for the first tier first.⁵³

To a municipal system, under the Public Records Act: board minutes, wholesale power cost reports, and revenue by rate class or customer class, for fiscal years 2020 through 2025.

To a cooperative, under Tenn. Code Ann. § 48-66-102(a): the charter and bylaws as currently in effect, the minutes of all member meetings and all actions approved by the members for the past three years, and all written communications to members generally for the past three years, including the financial statements furnished under § 48-66-201.

For Gallatin Department of Electricity specifically, this is the request that would establish whether Meta is a retail customer of GDE or takes service directly from TVA — a question Chapter 10 leaves open.⁵⁴ **Expect a competitive-information redaction on any single large customer's load.** Design the request to ask for rate-class aggregates rather than a named customer, which is both harder to refuse and sufficient.⁵⁵

TN4 — Economic development incentives

Holder: Tennessee Department of Economic and Community Development; county and city industrial development boards.

All incentive agreements, FastTrack grant documentation, payment-in-lieu-of-tax agreements, and local option economic development agreements concerning [facility], including any commitments regarding electric infrastructure.

Local industrial development boards frequently hold the substantive agreement while the state holds only the announcement.⁵⁶

TN5 — County records

Holder: county commission, planning commission, register of deeds, property assessor.

Minutes and agendas establish when a local body first learned of a project. The register of deeds holds recorded easements, which establish what TVA actually acquired and when, and are usually searchable online without a request.⁵⁷

5 Mississippi, and the other five states

Mississippi imposes no residency requirement and runs a seven-working-day clock, which makes it the fastest jurisdiction on this list.⁵⁸

MS1 — Lowndes County

All Board of Supervisors minutes, correspondence, and agreements concerning the CINCO Megasite from January 1, 2023 to the present, including any prospective tenant, and all records concerning electric infrastructure to serve the site.

Chapter 13 leaves the CINCO tenant unnamed. This is the request most likely to name them.⁵⁹

Anticipate the tolling provision. Miss. Code § 25-61-5(4) suspends the time limits while a public body is “preparing or conducting a competitive procurement.”⁶⁰ If economic development activity is underway, expect tolling rather than denial. Tolling suspends the clock without killing the request, and invoking it is itself an admission that a procurement is running.⁶¹

And use the denial log. § 25-61-5(3) requires a written denial citing the specific exemption, requires the body to keep a file of all denials for three years, and makes that file

a public record.⁶² A refusal produces a citable document, and the log can be requested separately.

Alabama, Georgia, Kentucky, North Carolina, Virginia

The same TVA-side federal requests apply, since FOIA is federal. State-side, each has its own public records statute and its own residency posture, and none was surveyed for this volume.⁶³ Anyone extending this work to those states should check residency and clock before assuming Tennessee's answers transfer.

6 Federal agencies other than TVA

U.S. Army Corps of Engineers — Nashville and Memphis Districts. Section 404 permit files for stream and wetland crossings on TVA lines.⁶⁴ The Corps is an external decision-maker with its own record, which makes it one of the few places a TVA project generates a file TVA does not control.⁶⁵

U.S. Fish and Wildlife Service — Section 7 consultation records and biological opinions for TVA transmission projects.⁶⁶

Department of Energy, Loan Programs Office — the full administrative record for the Ultium loan, of which the published environmental assessment is a part. Chapter 11 relies on an appendix to that assessment; the underlying file will contain more.⁶⁷

U.S. Forest Service — special use authorisations where a line crosses national forest. The authority is Title V of the Federal Land Policy and Management Act, and the Forest Service provision that actually reaches an electric transmission right-of-way is 36 C.F.R. § 251.53(l)(4), which covers permits, leases and easements for rights-of-way for “[s]ystems and related facilities for generation, transmission, and distribution of electric energy.” Application procedure is at § 251.54. Ask for the authorisation, the application file and the operating plan by that citation.⁶⁸

Advisory Council on Historic Preservation and the **Tennessee Historical Commission** — Section 106 consultation files.⁶⁹ THC is a state body and therefore subject to the Tennessee residency rule; the ACHP is federal and is not.

7 Courts

No request required, and — this matters for a researcher with no budget — **no PACER account required either.** Federal condemnation cases are on PACER, which charges per page, but a large part of the TVA condemnation record is already mirrored free in CourtListener's RECAP archive.⁷⁰ These filings are the only forum where a TVA line generates an adversarial record with a landowner on the other side.

Search the Middle, Eastern and Western Districts of Tennessee for civil cases with the United States as plaintiff and TVA as the real party in interest.⁷¹ The caption is formulaic

and searchable: *United States of America upon the relation and for the use of the Tennessee Valley Authority v. ...*, with the defendant named either as the landowner or as the interest itself — “An Easement and Right-of-Way Over [n] Acres of Land ... in [county] County, Tennessee,” or “A Temporary Right to Enter Upon Land in [county] County.”

Two things live in different documents, and conflating them will waste a search. The complaint identifies the authority, the public use, the tract by TVA tract number and by county tax parcel and deed book, and the interest taken. It does **not** state a compensation figure. The estimated compensation is in the declaration of taking filed alongside it, which by statute must contain “a statement of the amount of money estimated by the acquiring authority to be just compensation for the land taken.” Chapter 12’s ten-dollar figure is a declaration-of-taking figure.⁷²

A systematic pull by district and year is the natural next step — a count of how often TVA condemns rather than negotiates, and what it estimates the takings are worth. No such count was located by the searches described at note 73, and the raw material is largely free rather than behind PACER.⁷³

8 What needs no request at all

Four sources are open, free, and immediate, and this volume was largely built from them.

TVA’s ArcGIS organisation.

<https://services.arcgis.com/w8auYAijfGK1Mydj/arcgis/rest/services?f=json> returns the complete service directory. Any service accepts ?f=json for its definition and /<layer>/query?where=1=1&outFields=*&f=geojson for its contents. No token, no authentication, no rate limit encountered.⁷⁴ The item catalogue is at <https://www.arcgis.com/sharing/rest/search?q=orgid:w8auYAijfGK1Mydj>, paginated at 100 of 764.⁷⁵ Appendix D documents the method.⁷⁶

The Internet Archive CDX API.

<http://web.archive.org/cdx/search/cdx?url=<url>&output=json&collapse=digest> returns only the captures where content changed, which turns a page’s edit history into a short list. Chapter 6’s finding that TVA never removed a customer name rests on it.⁷⁷ One warning that was not true when this chapter was first drafted: on 16 August 2026 the Internet Archive declined to archive tva.com at all, so the CDX record of these pages may be closed as of April 2025.⁷⁸

The Federal Register. Full-text searchable by agency, which is how Chapter 12 establishes that an environmental impact statement was noticed and never completed.⁷⁹

TVA’s SEC filings. TVA files a Form 10-K. Transmission plant book value, tax equivalent payments and long-term contract terms are in it, and it is the one TVA document prepared under an external disclosure standard with liability attached.⁸⁰

9 Practical notes

File narrow requests, in parallel, rather than one broad one. A single omnibus request enters the slow track and stays there. Six narrow requests can be processed on different tracks and any one of them may land first.⁸¹

Name the fee category and justify it in the request. Educational institution status is a status question rather than a discretionary judgment, which makes it more reliable than a public-interest fee waiver.⁸²

Ask for the denial, not just the records. Where a refusal is likely, request that any withholding be accompanied by a specific exemption citation and a description of the withheld material. In Mississippi that is statutory. Under federal FOIA it must be asked for, and it converts a dead end into a document.⁸³

Log everything and publish the log. Request date, tracking number, response date, outcome. A published record of what was asked and refused is a finding in its own right, and it is the only way anyone can tell whether the absence of information is an absence of activity.⁸⁴

Expect the interconnection queue and customer identity to be the hardest. Exemption 4 and critical energy infrastructure will be asserted. The aggregate is more obtainable than the specific, and the aggregate is usually what the argument needs.⁸⁵

And expect to have to sue. §3A is the worked example: a six-page document, two exemptions, a complaint, and eventually a contract value on the record.⁸⁶

Endnotes

Grades: [P] primary, [S] corroborated secondary, [S¹] single source, [I] author inference.

1. Chapters 1 through 13 and their notes. The absence of a certificate proceeding, of intervenor rights, of external route or need review and of judicial review of rates is established at Chapter 1; the environmental-document gap at Chapters 1 and 12. **Narrowed 17 Aug. 2026.** “No environmental document at all” is now measured rather than asserted: of the eighteen Tennessee projects, nine have a categorical exclusion determination and no document, two have a full environmental assessment and finding of no significant impact, six have neither, and one — Columbia (Fibron) — has a determination graded probable and not established. Chapter 3 §§3.2–3.3. [P]
2. 5 U.S.C. § 552 (2024). [P]
3. Tenn. Code Ann. § 10-7-503 (2025). [P]
4. Miss. Code Ann. § 25-61-5 (2024). [P]
5. 5 U.S.C. § 552(a)(6)(A)(i) (2024) (twenty working days). Multi-track processing is TVA’s, under 18 C.F.R. § 1301.5; see note 15 on the state of verification of that citation. [P for the statute; S for the multi-track description]

6. Tenn. Code Ann. § 10-7-503(a)(2) (2025). The seven-business-day provision is at subsection (a)(2)(B); the subsection letter was taken from a secondary description and not confirmed against the authoritative text. On the pre-print cite-check list. **[P for the section; S for the pinpoint]**
7. Miss. Code Ann. § 25-61-5(1) (2024): production within seven working days, or a written explanation “specifying with particularity why the records cannot be produced,” with fourteen working days as the outside limit absent mutual agreement. Text as read and recorded at FOIA_Note_v0_1.md. **[P]**
8. Federal fee categories at 5 U.S.C. § 552(a)(4)(A) (2024). The Tennessee row (reasonable copying; labour billable after the first hour) and the Mississippi row (reasonable; redaction billable at actual cost) are summaries whose statutory or schedule basis was not identified in the draft; flagged for the pre-print cite check. **[P for the federal row; unsourced for the two state rows]**
9. 5 U.S.C. § 552(a)(3)(A) (2024) (“any person”). No residency or citizenship condition appears in the statute. Recorded at FOIA_Note_v0_1.md. **[P]**
10. Tenn. Code Ann. § 10-7-503(a)(2)(A) (2025): records open “to any citizen of this state.” That Tennessee custodians actually enforce the citizenship condition, as distinct from the statute imposing it, rests on no case or incident cited in the draft; flagged for the pre-print cite check. **[P for the statutory text; unsourced for enforcement in practice]**
11. Miss. Code Ann. § 25-61-5(1)(a) (2024): “any person shall have the right to inspect, copy or mechanically reproduce or obtain a reproduction of any public record of a public body.” Quoted as read at FOIA_Note_v0_1.md. **[P]**
12. 5 U.S.C. § 552(a)(4)(A)(ii)(II) (2024) (educational-institution category: duplication only); the first-100-pages allowance at § 552(a)(4)(A)(iv)(II). The separate public-interest waiver is at § 552(a)(4)(A)(iii) and is discretionary, which is why the text does not recommend relying on it. **[P]**
13. 18 C.F.R. § 1301.11 (2026), text retrieved from the eCFR API at the 1 Aug. 2026 point-in-time, 17 Aug. 2026. Quoted provisions: § 1301.11(b)(4) (“Educational institution is any school that operates a program of scholarly research. A requester in this fee category must show that the request is made in connection with his or her role at the educational institution. TVA may seek verification from the requester that the request is in furtherance of scholarly research and TVA will advise requesters of their placement in this category.”); § 1301.11(c)(1)(i) (“Requests made by educational institutions, noncommercial scientific institutions, or representatives of the news media are not subject to search fees.”); § 1301.11(c)(3) (review fees charged only “to requesters who make commercial use requests”); § 1301.11(d)(1) (same restriction restated); § 1301.11(d)(4) (first 100 pages of duplication and first two hours of search free to all but commercial requesters); § 1301.11(d)(5) (no fee where the balance after those allowances is \$25 or less). **The earlier draft said “TVA’s own fee schedule confirms the category” with nothing behind it; the regulation does confirm it, and this note now cites the regulation rather than a schedule.** The residual caution in FOIA_Note_v0_1.md is a different point and survives: the regulation reserves TVA’s right to demand verification, so whether the category is applied

without a fight remains a question of practice on which nothing has been observed. [P
for the regulation; the practice question remains open]

14. TVA FOIA page and portal, <https://foia.tva.gov/>, recorded as captured 15 Aug. 2026 at Tennessee_Volume_Source_Register_v0_1.md §3. **The capture is not in the deposit** and is not in gis_archive_20260815/MANIFEST.txt; FOIA_Note_v0_1.md separately lists TVA's current FOIA contact and submission portal as unverified, giving <https://www.tva.com/information/freedom-of-information> as the starting point. Those two records disagree and should be reconciled, and the page archived, before print. [S¹]
15. 18 C.F.R. pt. 1301, subpt. A (2026); multi-track processing at § 1301.5. Both provisions are taken from the description on TVA's FOIA page; the C.F.R. text was not consulted. On the pre-print cite-check list under Citation Standard §2. [S]
16. See note 5. [P]
17. The ninety-day appeal window and the existence of a TVA Appeals Official are stated on TVA's FOIA page (note 14). The corresponding provision of 18 C.F.R. pt. 1301 was not pinpointed and its text was not consulted. [S¹]
18. TVA FOIA Reading Room and annual reports, per TVA's FOIA page (note 14). The claim that the reports run back to 2000 rests on that page alone and no report was retrieved; this chapter's drafting notes record the annual-report figures as still to be added. [S¹]
19. Inference. TVA has not stated that a register exists. The inference is that the published GIS attribute table — carrying project name, project identifier, work order, siting engineer, status and in-service date on every record — is an export of something, and Chapter 7 develops it. [I]
20. Chapter 7 §7.1 and notes 1–2: forty published projects against 81 distinct PROJECT_NAME values in the archived alternatives layer. Deposit 10.5281/zenodo.21959989. [P]
21. **The agency's half.** *Kissinger v. Reporters Comm. for Freedom of the Press*, 445 U.S. 136, 152 (1980) is the cleanest statement: "The Act does not obligate agencies to create or retain documents; it only obligates them to provide access to those which it in fact has created and retained." Accord *NLRB v. Sears, Roebuck & Co.*, 421 U.S. 132, 161–62 (1975) ("The Act does not compel agencies to write opinions in cases in which they would not otherwise be required to do so. It only requires disclosure of certain documents which the law requires the agency to prepare or which the agency has decided for its own reasons to create."); *Forsham v. Harris*, 445 U.S. 169, 186 (1980) ("in this context, the FOIA applies to records which have been in fact obtained, and not to records which merely could have been obtained"), characterising *Sears* as "holding that the FOIA imposes no duty on the agency to create records." Note that *Sears* itself is framed around not compelling an agency to write opinions or create explanatory material; the "no duty to create" formulation is *Forsham's* gloss and should not be quoted to *Sears*. **The requester's half, which the draft did not have.** 5 U.S.C. § 552(a)(3)(C) (2024): "In responding under this paragraph to a request for records, an agency shall make reasonable efforts to search for the records in electronic form or format, except when such efforts would significantly interfere with the operation of the agency's automated information system." § 552(a)(3)(D): "For purposes of this

paragraph, the term ‘search’ means to review, manually or by automated means, agency records for the purpose of locating those records which are responsive to a request.” Both were added by the Electronic Freedom of Information Act Amendments of 1996 and therefore postdate all three Supreme Court cases above, which is the doctrinal hinge. Applying them, *Center for Investigative Reporting v. U.S. Department of Justice*, 14 F.4th 916 (9th Cir. 2021), holds that “using a query to search for and extract a particular arrangement or subset of data already maintained in an agency’s database does not amount to the creation of a new record,” and that “[s]o long as the relevant information and data fields already exist in the database maintained by the agency, the result produced by a query is an existing record, regardless of the form it takes.”

Accord *National Security Counselors v. CIA*, 898 F. Supp. 2d 233, 270 (D.D.C. 2012) (“sorting a pre-existing database of information to make information intelligible does not involve the creation of a new record”); *Schladetsch v. U.S. Dep’t of Hous. & Urban Dev.*, No. 99-0175, 2000 WL 33372125, at *3 (D.D.C. Apr. 4, 2000). DOJ’s own Office of Information Policy states the same proposition to agency FOIA officers. **Two limits, stated because they cut against the request as drafted.** First, the *same* opinion in *National Security Counselors* holds that a request for a listing or index *about* a database’s contents, as distinct from the contents, does require creation where the agency has not previously created such a listing — which is why the text now advises splitting out the webpage-creation-date item. Second, *Yeager v. DEA*, 678 F.2d 315 (D.C. Cir. 1982), sometimes cited in this area, actually held that FOIA imposes no duty to employ disclosure-avoidance techniques and supports only the narrow premise that electronic records are records; do not cite it for the query-is-a-search proposition. **Verification state:** the three Supreme Court quotations and pin cites, and the § 552(a)(3)(C)–(D) text, were read in the opinions and the Code. The *Center for Investigative Reporting* reporter citation 14 F.4th 916 was confirmed against CourtListener’s citation record; **its internal pin cite was not**, the quotations coming from the Ninth Circuit’s own slip opinion at 41–42, and the pin cite goes on the pre-print cite-check list. The *National Security Counselors* and *Schladetsch* quotations were verified at one remove, through the Ninth Circuit’s and DOJ OIP’s quotation of them rather than from the opinions; pull both before quoting either in text. **[P for the statute and the three Supreme Court cases; S for the district-court quotations]**

22. 18 C.F.R. pt. 1318, subpt. C, app. A, CE 16, CE 19 (2026); *Implementation of the National Environmental Policy Act*, 91 Fed. Reg. 2470 (Jan. 21, 2026) (interim final rule). **The cite-check has since been run.** Exclusions 13, 16, 17 and 19 were retrieved verbatim from the eCFR text current at 27 July 2026 and are quoted at Chapter 1 §1.5 and note 5; the appendix text at 20 January 2026 and 27 July 2026 is identical for items 1–50. This note formerly supported the retired T2 request quoted in the text above, and now supports the description of it. **A further reason the retired request was misconceived, beyond its seeking published records:** it was framed around exclusions 16 and 19 together, and Chapter 3 §3.4 establishes that exclusion 19 is barely used — eleven times in six years against exclusion 16’s 106, eight of the eleven being demolition, removal or retirement. A request pairing the two invites TVA to answer the smaller half. **[P]**
23. Chapter 1 and its notes. **[P]**

24. Route mileages coded page by page at Appendix A \$A.1: of the seventeen of eighteen Tennessee pages that state a route length, eleven are under ten miles and six are over. The Fiberon page states none. [P]
25. **Absence claim, and the searches behind it.** No published count of TVA's application of Categorical Exclusion 16 or 19 was located by the following searches, all run 17 Aug. 2026. (a) TVA's environmental reviews index, tva.com/environment/environmental-stewardship/environmental-reviews: lists environmental assessments, impact statements and findings of no significant impact only; individual categorical exclusion determinations do not appear in it. (b) TVA's categorical exclusions page, [.../environmental-reviews/categorical-exclusions](https://tva.com/environment/environmental-reviews/categorical-exclusions), which states that "[f]or most CEs established or adopted by TVA, a Categorical Exclusion Checklist is used to review proposed actions for extraordinary circumstances" and posts "[l]ists of completed Checklists (PDF)" for FY2026 Q1 and Q2, FY2025, FY2024, FY2023, FY2022, FY2021 and the quarter ending 30 Sept. 2020. The FY2025 list runs 115 pages and roughly 1,762 rows, with columns for checklist ID, project title, county, state, TVA business unit, date closed and **CE applied**. It contains no total, summary or tally of any kind. (c) [federalregister.gov](https://www.federalregister.gov), via its API, with no date restriction: agency "Tennessee Valley Authority" + "categorical exclusion" returned **6** documents, all rulemakings or CE-adoption notices and none an individual determination; "18 CFR 1318" limited to TVA returned **13**, all environmental assessment or impact statement notices; "categorical exclusion 19" across all agencies returned **3**; TVA notices overall returned **665** as a baseline. Individual CE determinations are not published in the Federal Register. (d) CEQ's Categorical Exclusion Explorer, ce.permitting.innovation.gov, and the October 2024 federal CE List at nepa.gov: both catalogue CE definitions, not applications; no usage or frequency data. (e) Four general web searches for any advocacy, academic or journalistic tabulation of TVA CE 16 or CE 19 use: none located. No site blocked or errored. **The claim to make is therefore narrower and more useful than "nobody has counted": the rows are published and the count is not, so a researcher can derive one from TVA's own PDFs without filing anything. Superseded in part, 17 Aug. 2026, by doing it.** All eight lists were retrieved and parsed, 11,899 records; the derived counts are at Chapter 3 §3.4 and note 21 (exclusion 16, 106; 17, 427; 18, 198; 19, 11; 13, 268) and were independently re-derived by a second researcher whose per-year tallies reproduced cell for cell. This note's searches stand as the record of how the lists were found and of what remains unpublished; the parse is at note 87. [P, **negative, for the searches; P for the derived counts at note 87**]
26. Exemption 4 at 5 U.S.C. § 552(b)(4) (2024). §3A records TVA asserting it, together with Exemption 5 at § 552(b)(5), over an economic development agreement. No TVA regulation or policy defining critical energy infrastructure information was identified; that half of the anticipated objection is unsourced. [P for Exemption 4; unsourced for the critical-infrastructure objection]
27. PROJECT_ID 539168 for Ultium – Night Sky: deposit 10.5281/zenodo.21959989, file [TVA_TSSProjects_L0_centerline_20260815.geojson](https://tva-tssprojects-l0-centerline-20260815.geojson), SHA-256 2898370e8f998270834517dab9927ede84ad0bee7f8a3b89f89c83ca1af6fd0a, query <https://services.arcgis.com/w8auYAijfGK1Mydj/arcgis/rest/services/>

TSSProjects_Hosted/FeatureServer/0/query?

where=1=1&outFields=*&f=geojson, retrieved 2026-08-15T14:10:59Z. **The tracking numbers are a different matter.** Neither “CRMS 24671291490” nor “SHPO0001148” appears in any document in the project files, including the Chapter 11 material on the DOE environmental assessment. Source not identified in the draft; flagged for the pre-print cite check. A request quoting a tracking number that cannot be substantiated is worse than one that omits it. **[P for the project identifier; unsourced for both tracking numbers]**

28. PROJECT_ID 443430, NAME “Alcoa-Nixon Rd”, WORKORDER 31T2W, MILES 4.106, from the layer-0 file at note 27. Blount County is not a field in the register; the county is derived from the record’s coordinate extent, 35.750–35.797 N and –84.003 to –83.966 W, at TVA_Register_Crosswalk_v0_1.md and TVA_Unpublished_Projects_Research_v0_1.md. **[P for the register values; I for the county]**
29. Deposit 10.5281/zenodo.21959989, files
TVA_TSSProjects_L5_alternatives_p1_20260815.geojson, SHA-256
d9680cf1121d1a29ef058645d566b67e7adec8e08042dea4b6b3a98f0a6c59d4,
and TVA_TSSProjects_L5_alternatives_p2_20260815.geojson, SHA-256
51837a7828255e6da505ecfa073285da940664602c0a3f21c3f8c2912d1b1393,
queries .../TSSProjects_Hosted/FeatureServer/5/query?
where=1=1&outFields=*&f=geojson&resultRecordCount=2000&resultOffset
=0 and the same with resultOffset=2000, retrieved 2026-08-15T14:10:59Z:
PROJECT_NAME “Project CINCO Phase I, MS 161-kV ROW (Insert Loop Artesia-
Severcorr MS 161-kV TL)”, PROJECT_ID 631350, WORKORDER 2L08L, KV 161. **[P]**
30. PROJECT_ID 543225 for Middle Tennessee Generation & Transmission Capacity Expansion, on both archived layers, with WORKORDER also recorded as 543225; files as at notes 27 and 29. TVA’s July 2025 decision on the Lockertsville Road site is established at Chapter 12 and rests on a single press report there. **[P for the identifiers; S¹ for the July 2025 decision]**
31. Inference, and it is the operative one behind request (c): a refusal under Exemption 4 asserts that the withheld material is commercial information obtained from a person, which presupposes a person. No TVA denial in these terms has been obtained, so this is a prediction rather than a finding. §3A shows the prediction holding in an adjacent case. **[I]**
32. Tennessee Valley Authority, letter to Local Power Companies, 18 Feb. 2026, signed by Cass Larson (VP Pricing & Contracts), Daniel Pratt (SVP Customer & Stakeholder Engagement) and Jeremy Fisher (EVP and Chief Business Officer, Business Operations), 3 pp. The letter is addressed “Dear Local Power Company,” is a form letter, and invokes the “Adjustment and Change of Wholesale Rate and Resale Rates” provision of the TVA–LPC power contract. Both quotations in the text are verbatim from proposals 4 and 5. **TVA did not publish the letter;** the copy located is hosted by WATE (Nexstar, Knoxville) at https://www.wate.com/wp-content/uploads/sites/42/2026/05/Rate-Change-Letter-021226_Final_SIGNED.pdf, uploaded May 2026. Note the filename encodes 12 February and the document face reads 18 February; the face date is used. **Two**

corrections to the earlier draft. First, the letter does not state a distributor count; the figure of 153 comes from press reporting of it — WVLT, 27 May 2026 (“TVA sent a letter in February to all 153 local power companies it serves”), and Mariah Franklin, *Knox News*, 21 May 2026 (Knoxville Utilities Board, Huntsville Utilities “and 151 other local power companies”) — which is why the text no longer puts the number in TVA’s mouth. Second, the letter is **not** solely about a data centre rate class: it carries seven proposals, of which the large-load class is the fourth and the manufacturing-rate removal the fifth, the remainder covering contract demand alignment, rate structure stabilisation, a marginal pricing option, off-peak energy charges and a shift of on-peak hours. The earlier draft’s one-line characterisation was narrower than the document. Surrounding record: TVA CEO Don Moul on the FY2026 Q1 investor call, reported by *Axios Nashville*, 9 Feb. 2026; a 180-day negotiation period conducted through TVPPA’s Rates and Pricing Committee with no public comment period; TVA Board meeting scheduled 20 Aug. 2026. **The letter is a single-source document held by a third party; archive it. [P for the letter’s text; S for the 153 figure]**

33. **The earlier draft’s flat claim — “Board materials are not full-text indexed anywhere public” — was tested on 17 Aug. 2026 and is only half right; it has been corrected in the text.** What was done. (a) TVA’s meetings archive, tva.com/about-tva/our-leadership/board-of-directors-/meetings-archive, holds 34 entries from 16 Feb. 2018 to 21 May 2026, each carrying some subset of agenda, minutes, presentation, listening session recap and video; approved resolutions are posted separately and only for May 2024 to Feb. 2026. No briefing papers or board packets are published at all; staff memoranda appear only as exhibits inside some resolution PDFs. Minutes are approved at the following quarterly meeting, so the most recent meeting has none. (b) **Agendas are full-text searchable, and not on tva.com.** The formal agenda is the Government in the Sunshine Act notice in the *Federal Register*: a query of the Federal Register API for agency “Tennessee Valley Authority” returned **193** documents containing “Sunshine Act” and **163** containing the literal agenda line “Approval of Minutes,” the most recent being 91 Fed. Reg. 29,247 (May 19, 2026), which carries the numbered agenda for Meeting No. 26-02. (c) **Minutes, presentations and listening-session materials are not.** Five verbatim phrases taken from published TVA minutes and board decks returned zero hits on a general web index that successfully matched interior text in a comparable minutes PDF from another body used as a positive control; govinfo returned **0** for the minutes header phrase; TVA’s own site search returned no results even for a control term. (d) **The mechanism is not meta-robots noindex**, which the board pages do not carry, but tva.com/robots.txt, which returns User-agent: * / Disallow: /. The PDFs themselves are hosted on TVA’s Azure CDN, which has no robots.txt and sets no X-Robots-Tag, but they are linked only from pages crawlers are told not to fetch. **Two limits stated rather than hidden:** search engines do return tva.com HTML pages with real titles, so either the robots file is not universally honoured or a different file is served to verified crawlers, and that was not resolved; and search.gov could not be queried, its endpoints returning a redirect and a 404. **[P, negative, for the minutes; P for the Federal Register counts]**

34. *Athens Utils. Bd. v. Tenn. Valley Auth.*, 177 FERC ¶ 61,021 (2021), recording that TVA’s Transmission Service Guidelines “have not been filed with the Commission as a reciprocity tariff”; Guidelines first approved by TVA’s Board in 1996. Established and quoted at Chapter 1 §1.3. [P]
35. **The earlier draft said “[o]btaining the full text and its amendment history is basic and nobody appears to have done it.” The first half of that is wrong and has been struck.** Tennessee Valley Authority, *Transmission Service Guidelines, FY2026 Edition*, “Appendix I,” effective 1 Oct. 2025, 130 pp., retrieved 17 Aug. 2026 from <https://www.oasis.oati.com/woa/docs/TVA/TVAdocs/TSG%20FY2026.pdf>, HTTP 200, application/pdf, SHA-256 077d885c4106cb1da80101962c17aeacad8a8378e29f82ded9f154ccfbcd8c02. No login, no account, no token. tva.com/energy/transmission states that the Guidelines and related procedures “are available on TVA’s Open Access Same-Time Information System (OASIS)” and links to it. The FY2021, FY2023, FY2024 and FY2025 editions return HTTP 200 on the same directory; FY2019, FY2020, FY2022 and FY2027 return 404; the directory itself returns 200 with a zero-byte body, so there is no browsable listing. **The Guidelines have also been in the FERC record since 2021**, filed as Exhibit No. LPC-0009 (FY2021 edition) to the *Complaint and Petition for Order Under Federal Power Act Sections 210 and 211A Against Tennessee Valley Authority*, Docket Nos. EL21-40-000, TX21-1-000 (filed Jan. 11, 2021), which analyses them with pin cites; FERC quotes the Foreword at 177 FERC ¶ 61,021 n.36 (2021), and that quoted sentence is verbatim identical to the Foreword of the FY2026 edition retrieved above. **What survives.** No consolidated amendment history back to 1996 was located. TVA’s own OASIS posting log, *Past Postings History.pdf*, 12 pp., runs only from the FY2009 edition to the FY2020 edition, and § 9.2 of the Guidelines provides that interim changes are posted to OASIS and “subsequently reflected in the next published Guidelines edition,” so TVA maintains no public redline. A Wayback CDX query over [oasis.oati.com/TVA/TVAdocs*](https://www.oasis.oati.com/TVA/TVAdocs) returned **no** archived edition of the Guidelines. And no independent study of the Guidelines as a document was located: full-text extraction of Welton, “*Not Just Another Utility*”: *The TVA and Public Power in the Energy Transition*, 110 Iowa L. Rev. (2025), 44 pp., returned **0** occurrences of “Transmission Service Guidelines,” as did the 33-page ACORE/SREA report on TVA transmission (Jan. 2025); searches of SELC, Appalachian Voices, IEEFA, the Energy and Policy Institute, the Harvard Electricity Law Initiative, GitHub, the TVA Inspector General and the TVA FOIA reading room located nothing. **Limits stated rather than hidden:** MuckRock could not be queried, its search returning a Cloudflare 403 and then an empty body, so no statement is made about whether the Guidelines have been FOIA’d there; FERC eLibrary’s docket sheet is JavaScript-rendered and was not parsed, the exhibit’s identity coming instead from the text of the filed complaint and FERC’s own citation to it; and Google Scholar, HeinOnline and Westlaw were not searched. [P for the availability and the FERC record; P, negative, for the amendment history]
36. The conditional is the author’s framing of what a response would and would not establish. Chapter 6 §6.5 and notes 26–30 set out the disclosure asymmetry the request is aimed at. [I]

37. 16 U.S.C. § 831l (2024); Chapter 9 §9.7 and notes 17–18, which record that no source was located either way on whether transmission easements enter the book value or the TVA-owned-land factor. [P]
38. *Faizer v. Tennessee Valley Authority*, No. 3:24-cv-00190 (E.D. Tenn. filed Apr. 25, 2024). Caption, docket number, court and filing date as reported by Daniel Dassow, *Knox News*, 29 Oct. 2024, and by the Tennessee Coalition for Open Government (Deborah Fisher), 30 Oct. 2024. **Neither the complaint nor the docket was retrieved for this volume**, so the case is cited from two independent secondary descriptions rather than from the filed papers, which is a departure from Citation Standard §2 and is flagged here rather than hidden. Faizer’s position — journalist, and professor of practice at the University of Tennessee School of Journalism and Media — is from the same two sources. [S]
39. FOIA request 23-FOI-00108, filed 12 Apr. 2023, seeking agreements, grants and contracts between Bitdeer and TVA together with related correspondence and power-use data; Bitdeer operates in Knoxville as Carpenter Creek LLC. Sources as at note 38. Bitdeer’s Knoxville site is independently recorded in this project’s Tennessee statewide work at roughly 86 MW. [S]
40. TVA located “one six-page incentive agreement” and withheld it under Exemptions 4 and 5, 5 U.S.C. § 552(b)(4), (b)(5) (2024), and later withheld “31 items related to the credit agreement” in full under Exemption 4. Quotations as reported at note 38; the withholding letters themselves were not obtained. [S]
41. “TVA is a transparent organization.” Reported as TVA’s public response to the suit. The attribution — which spokesperson, to which outlet, on what date — is not established from the material available, and the quotation is single-sourced. It should be pinned to a named outlet and date before print or dropped. [S¹]
42. Counsel: Paul R. McAdoo, Reporters Committee for Freedom of the Press Local Legal Initiative. Sources as at note 38. [S]
43. *Perrusquia v. Tenn. Valley Auth.*, No. 3:22-CV-309, 2023 WL 6303013 (E.D. Tenn. Sept. 27, 2023), recognising the public interest in “the inner workings of public utility providers like [the TVA].” **The quotation is taken from a description of the complaint’s reliance on the case; the opinion text was not consulted** (holding described in the sources at note 38; reporter text not consulted). On the pre-print cite-check list. Note also that a Westlaw citation is the only reporter citation available for this decision and that a reader without Westlaw will need the docket. [S¹]
44. Melanie Faizer, *Knox News*, 3 Apr. 2026; Melanie Faizer, interview, WUOT, 8 Apr. 2026, from which the quotation is taken verbatim: TVA “did provide incentives that covered about 20% of the crypto mine’s electricity bills over a five year period. The contract amount was for \$18 million dollars. Because of the consumption of the crypto mine, that was closer to \$21 to \$22 million.” The broadcast is a primary source for what she said; the underlying figures are her characterisation of documents this volume has not seen, and the released records themselves have not been obtained. Obtaining them — they are now public, having been produced — would convert this from [S¹] to [P] and is worth doing. [P for the quotation; S¹ for the figures]
45. Inference from notes 40 and 26, applied to request T7. [I]

46. Notes 40 and 44 read together: the same agency that withheld a six-page document in full under two exemptions later produced material from which a contract value, a term and a percentage of the customer's bill could be reported. **What produced the change is now established from the docket, and it was none of the three things this note used to guess at.** There was no court ruling on the withholdings. Doc. 34 records the court denying TVA's request for more time to move for summary judgment and staying the case instead, "pending the anticipated release of additional material previously withheld on or about August 20, 2025," with a bench trial already set for June 2026. See note 48. [P]
47. The components are separately established: Tennessee residency as a condition of the state statute (note 10), educational-institution fee status under the federal statute (note 12), and the Reporters Committee Local Legal Initiative as counsel in this case (note 42). That the Local Legal Initiative operates in Tennessee follows from its appearance as counsel in an Eastern District of Tennessee case; the programme's current state coverage was not independently confirmed and should be checked before a reader is directed to it. [I]
48. *Faizer v. Tennessee Valley Authority*, No. 3:24-cv-00190 (E.D. Tenn.), docket as reproduced in CourtListener's RECAP archive, docket ID 68471919, PACER case ID 114240, retrieved 17 Aug. 2026; CourtListener records the docket as last updated 13 Mar. 2026 and the last known filing as of that date. Thomas A. Varlan, D.J.; Debra C. Poplin, M.J.; nature of suit 895, cause 05:552 Freedom of Information Act. Entries relied on, quoted from the docket text: Doc. 24, motion to intervene by Carpenter Creek LLC, TVA filing a notice of non-opposition at Doc. 26; **Doc. 28, 5 Feb. 2025, memorandum opinion and order granting intervention**; Doc. 30, 25 Apr. 2025, scheduling order resetting bench trial to 2 June 2026; Doc. 33, 12 June 2025, TVA's unopposed motion for extension of time to file for summary judgment; **Doc. 34, 13 June 2025, order denying the extension and staying the action "pending the anticipated release of additional material previously withheld on or about August 20, 2025"**; Doc. 36, 16 June 2025, order granting Carpenter Creek's unopposed motion to withdraw and dismissing it from the action; Docs. 37 and 38, status reports of 29 Aug. and 19 Sep. 2025; **Doc. 39, 13 Mar. 2026, stipulation of dismissal**. No merits ruling on the Exemption 4 and 5 withholdings appears anywhere on the docket. **This answers the question note 46 left open** — what produced the release was neither a court ruling nor an administrative reconsideration but a stay entered against the agency's wishes, with a bench trial on the calendar. **Availability.** Docs. 11–16, 24, 27 and 28 are free in RECAP; the remainder, including the complaint, the answer, the status reports and the stipulation itself, are listed but not purchased, so the entry text rather than the document text is the source for the disposition. The complaint remains unretrieved and endnote 38's flag stands. [P for the docket entries; the documents themselves not obtained]
49. Tenn. Code Ann. § 10-7-503(a)(2)(A) (2025); see note 10. [P]
50. That standby-generator air permits are frequently the only public disclosure of a data centre's electrical size is the author's generalisation from the permit record examined in this project's Virginia and Tennessee work. No study is cited. [I]

51. TVA_Sumner_Gallatin_Meta_v0_1.md, 15 Aug. 2026: no TDEC air permit for the Gallatin campus backup generators could be found by search, TDEC's permit records sitting behind an Oracle APEX application that does not respond to keyword queries. **[P, negative]**
52. 33 U.S.C. § 1323 (2024) (Clean Water Act § 313 waiver of federal immunity from state water-quality requirements); Chapter 1 establishes that Aquatic Resource Alteration Permits and § 401 certifications are the one category of state permit reaching TVA. **[P]**
53. **Researched 17 Aug. 2026; the draft's "less settled and should be checked" understated the position and the text has been rewritten.** *Municipal systems.* A system operated under the Municipal Electric Plant Law of 1935, Tenn. Code Ann. §§ 7-52-101 et seq. (2024), is an instrumentality of the municipality, so its records are "municipal records" within § 10-7-503(a)(2)(A) and require no functional-equivalence analysis; *Tennessean v. Electric Power Board of Nashville*, 979 S.W.2d 297, 301 (Tenn. 1998), applied the Act to a municipal electric power board. **The Tennessean opinion was not read; its citation and pin cite were verified through the Tennessee Supreme Court's own quotation of it in Cherokee, and it goes on the pre-print cite-check list.** *Cooperatives.* No Tennessee statute, appellate decision, Attorney General opinion or Office of Open Records Counsel guidance holding cooperatives subject to the Act was located. The Act reaches records "made or received pursuant to law or ordinance or in connection with the transaction of official business by any governmental entity," Tenn. Code Ann. § 10-7-503(a)(1)(A)(i) (2024), and a cooperative organized under the Rural Electric and Community Services Cooperative Act, Tenn. Code Ann. §§ 65-25-101 to -135 (2024), is a private nonprofit membership corporation. Chapter 25 contains no records-access provision anywhere in it. § 65-25-103 requires operation "on a nonprofit basis and without pecuniary gain"; § 65-25-123 declares cooperatives "not-for-profit cooperatives and nonutilities" and "exempt in all respects from the jurisdiction and control of the Tennessee public utility commission," which bears directly on the second factor below. The only route in is *Memphis Publishing Co. v. Cherokee Children & Family Services, Inc.*, 87 S.W.3d 67, 78–79 (Tenn. 2002), which extends the Act "to include those records in the hands of any private entity which operates as the functional equivalent of a governmental agency," on a totality of the circumstances whose "cornerstone ... is whether and to what extent the entity performs a governmental or public function," with additional factors of government funding, government involvement or regulation or control, and legislative creation. The quoted limiting language in the text is *Cherokee's* own. **No Tennessee court has applied that test to an electric cooperative.** Points a requester could marshal on the other side: the eminent domain power at § 65-25-105(a)(12)(C), the exclusive service territory, and the TVA wholesale covenants over "resale rates, financial and accounting methods, services, operation and maintenance practices" at § 65-25-105(a)(6). Where a local government has contracted a public function out to a cooperative, § 10-7-503(a)(6) — "[a] governmental entity is prohibited from avoiding its disclosure obligations by contractually delegating its responsibility to a private entity" — is a narrower and much stronger hook as to those records. *The member route.* Tenn. Code Ann. § 65-25-125 lists the Nonprofit Corporation Act provisions inapplicable to cooperatives and title 48, chapter 66 is not among them; § 65-25-

125(b)(6) confirms chapter 66 applies by qualifying § 48-66-108. Under § 48-66-102(a) a member may, on five business days' written demand and **with no proper-purpose requirement**, inspect and copy the § 48-66-101(e) records: charter and bylaws as amended, board resolutions on member rights, "[t]he minutes of all meetings of members and records of all actions approved by the members for the past three (3) years," "[a]ll written communications to members generally within the past three (3) years, including the financial statements furnished for the past three (3) years under § 48-66-201," the list of current directors and officers, and the most recent annual report. Accounting records and the membership list are in § 48-66-102(b) and do require good faith and a proper purpose. § 48-66-102(d): the right "may not be abolished or limited by a corporation's charter or bylaws." Note that § 65-25-125(a) excludes § 48-57-201, so the right preserved by § 48-66-102(e)(1) is unavailable to co-op members. The one Tennessee appellate case in which anyone sought records from an electric cooperative, *City of Franklin v. Middle Tennessee Electric Membership Corp.*, No. M2007-1060-COA-R3-CV (Tenn. Ct. App. July 31, 2009), proceeded under § 48-66-102(c) and not under the Public Records Act, and reversed a dismissal for want of a proper purpose. **Verification limits, stated:** *City of Franklin* was not read — caption, docket, date, statutory basis and disposition come from the court's published summary, and no reporter citation was located, so it is cited by docket number; *Allen v. Day*, the leading application of *Cherokee*, was verified as to docket (M2005-00989-COA-R3-CV) and filing date (11 Aug. 2006) but its reporter citation was not confirmed and it is therefore not cited here; the *Cherokee* pin cite 78–79 comes from another court's pin cites rather than from the S.W.3d pages; no Tennessee Attorney General opinion was read; the Office of Open Records Counsel's advisory-opinion archive was not exhaustively reviewed; and title 65, chapter 29, governing generation and transmission cooperatives, was not searched. **[P for the statutory text; S for *Cherokee* and *City of Franklin*; the coverage question remains genuinely open]**

54. Chapter 10 leaves open whether Meta takes retail service from Gallatin Department of Electricity or service directly from TVA; TVA_Sumner_Gallatin_Meta_v0_1.md records the question as not established, with GDE's 2023 electric revenue of about \$73.1M across roughly 17,300 customers as the reason for doubting a 300 MW retail load. **[P, negative]**
55. Inference about request design. The expectation of a competitive-information redaction on a single named large customer's load is a prediction, recorded as such at FOIA_Note_v0_1.md. **[I]**
56. Author's generalisation from the incentive-agreement record examined in this project's Virginia county work. No Tennessee example is cited here. §3A is the closest thing to one, and there the agreement was held by TVA rather than by a local board. **[I]**
57. That county minutes and agendas date a local body's first notice, and that recorded easements are held by the register of deeds and are usually searchable online, are practice statements rather than findings. No Tennessee county's online deed search was tested for this volume. **[I]**
58. Miss. Code Ann. § 25-61-5(1) (2024); see note 7. **[P]**

59. Chapter 13 and its notes: the CINCO tenant is unnamed in every source located. [P, negative]
60. Miss. Code Ann. § 25-61-5(4) (2024), quoted verbatim as read at FOIA_Note_v0_1.md: “Where any public body is preparing or conducting a competitive procurement, the time limitations contained in this section shall be tolled until the public body determines it will not issue the procurement, cancels the procurement or issues a notice naming its intended awardee.” [P]
61. Reading of the provision at note 60: tolling suspends the clock and does not authorise a denial, so the request survives, and invoking it discloses that a procurement is running. Author’s reading of the text, not a ruling. [I]
62. Miss. Code Ann. § 25-61-5(3) (2024): written denial stating the specific exemption relied upon, a denial file kept for at least three years, and that file itself a public record available on written request. Read and recorded at FOIA_Note_v0_1.md, which also notes that § 25-61-5 stands repealed 1 July 2028 unless reenacted — worth adding to the text before print. [P]
63. This chapter’s drafting notes: the public records statutes of Alabama, Georgia, Kentucky, North Carolina and Virginia were not surveyed. The text says so. [P, negative]
64. Clean Water Act § 404, 33 U.S.C. § 1344 (2024). [P]
65. That the Corps is one of the few external decision-makers generating a file TVA does not control is the author’s characterisation, developed at Chapter 1. [I]
66. Endangered Species Act § 7, 16 U.S.C. § 1536 (2024). [P]
67. U.S. Dep’t of Energy, Loan Programs Office, *Ultium Cells LLC Environmental Assessment and Finding of No Significant Impact* (Aug. 2022); Chapter 11 relies on the Tennessee Historical Commission correspondence printed as an appendix to it. [P]
68. 36 C.F.R. § 251.53(l)(4) (2026); application procedure at § 251.54. Text retrieved from the eCFR API at the 1 Aug. 2026 point-in-time, 17 Aug. 2026. **The conventional cite to subpart B was right but far too coarse to be useful, and the pinpoint is now given.** Subpart B is headed “Special Uses,” 45 Fed. Reg. 38,327 (June 6, 1980); § 251.53 enumerates the authorities under which special use authorisations may issue, and paragraph (l) covers “[p]ermits, leases and easements under the Federal Land Policy and Management Act of 1976, 90 Stat. 2776 (43 U.S.C. 1761-1771) for rights-of-way for,” of which subparagraph (4) is “[s]ystems and related facilities for generation, transmission, and distribution of electric energy, except that the applicant, in addition to obtaining a Forest Service special use authorization, shall also comply with all applicable requirements of the Federal Energy Regulatory Commission under the Federal Power Act.” Note that the electric-energy right-of-way sits in paragraph (l)(4), not in the oil-and-gas pipeline provision at § 251.53(e) nor the road-easement provision at § 251.53(j), both of which are easy to land on by mistake. **One question not resolved and stated as open:** whether TVA, as a federal agency rather than a private applicant, proceeds by special use authorisation at all or by some interagency arrangement, was not verified; § 251.53(l)(8) makes express provision for a federal department or agency only for pipeline purposes. Confirm with the administering

national forest before drafting the request. **[P for the regulation; the TVA-specific pathway unverified]**

69. National Historic Preservation Act § 106, 54 U.S.C. § 306108 (2024). The Advisory Council's role and the state historic preservation officer's are set out in 36 C.F.R. pt. 800, not consulted. **[P for the statute; S for the description of the process]**
70. PACER, <https://pacer.uscourts.gov/>, which charges per page and for which no fee waiver is assumed; and CourtListener's RECAP archive, <https://www.courtlistener.com/>, which is free, searchable without an account, and holds a substantial part of the TVA condemnation record already. Counts and queries at note 73. RECAP is a mirror populated by its users rather than a complete copy of PACER, so a docket's absence from it proves nothing. **[P]**
71. TVA's condemnation authority, and the practice of filing in the name of the United States: 16 U.S.C. § 831x (2024); 40 U.S.C. §§ 3114–3118 (2024). Established at Chapter 1. **[P]**
72. Chapter 12: the \$10 stated as “the amount estimated by the Tennessee Valley Authority to be compensation for the temporary right taken,” in filings in the Middle District of Tennessee for survey access on the Middle Tennessee project, reported by the *Cheatham County Exchange* / Main Street Media, Sharon Alice Lurie, 10 Sep. 2024. **The figure itself is still single-sourced to that report, and its location has now been corrected.** The four Cheatham County survey-access cases are identified at note 73; the complaint in one of them was retrieved free from RECAP and read, and contains no compensation figure, that figure belonging by statute to the declaration of taking, 40 U.S.C. § 3114(a)(5) (2024). The declarations were not purchased. Buying one page in one of these four cases would move this note from **[S¹]** to **[P]** and would cost about ten cents; it should be done before print. **[S¹ for the figure; P for where the figure lives]**
73. **Absence claim, and the searches behind it — but the more useful finding is that the raw material is already free.** Searches of CourtListener's RECAP archive, run 17 Aug. 2026 through its public search API, for the exact caption string “upon the relation and for the use of the Tennessee Valley Authority” returned **41** dockets and 1,591 documents in the Eastern District of Tennessee (sampled filing dates 2014–2025), **42** dockets and 63 documents in the Middle District (2005–2024), and **27** dockets and 366 documents in the Western District (2011–2025). A nature-of-suit query, `suitNature:Condemnation AND "Tennessee Valley Authority"`, returned **33** dockets and 1,156 documents in the Eastern District and **24** and 219 in the Western; the Middle District indexes these under cause 16:0831 Tennessee Valley Authority Act instead, returning **61** dockets, and captions them against the interest rather than the owner, which is why a single query does not cover all three districts and why any count must state its query. A query for “A Temporary Right to Enter upon Land” in the Middle District returned **20** dockets, of which **4** are Cheatham County filings of 2024 — Nos. 3:24-cv-01010, 3:24-cv-01011, 3:24-cv-01337 and 3:24-cv-01391 — carrying 73 documents between them. These counts are of what RECAP holds, not of what exists; RECAP is a mirror populated by users, so it is a floor rather than a census, and that is the honest form of the claim. No published tabulation of TVA condemnation filings by district and year was located. **What was retrieved.** The complaint in

No. 3:24-cv-01010 (M.D. Tenn. filed Aug. 20, 2024) is free in RECAP and was read in full: three pages, signed by James S. Chase, Assistant General Counsel, TVA; taking authority “the Tennessee Valley Authority Act of 1933, as amended, 16 U.S.C. §§ 831 et seq.”; public use “the conducting of surveys, core drilling, environmental studies, appraisals, title investigations, and related activities for the acquisition of an easement and right-of-way for the erection, operation, and maintenance of electric power transmission circuits”; tract identified as “TVA ... tract number CWNLC-1000-TE” and by Cheatham County tax parcel 026-023.05 and Record Book 536, page 798. **It states no compensation figure**, and it recites that “[a] Declaration of Taking is being filed contemporaneously herewith.” That is the correction to the earlier draft’s claim that the complaints identify “the estimated compensation”: they do not, and 40 U.S.C. § 3114(a)(5) (2024) requires the declaration of taking to “contain or have annexed to it ... a statement of the amount of money estimated by the acquiring authority to be just compensation for the land taken.” The declarations in these four cases are on the docket but not free in RECAP. **[P for the query counts and the retrieved complaint; P, negative, for the absence of a published tabulation]**

74. Deposit 10.5281/zenodo.21959989. Endpoint and query forms exactly as given in the text; the organisation directory at <https://services.arcgis.com/w8auYAijfGK1Mydj/arcgis/rest/services?f=json>, retrieved 2026-08-15T14:10:59Z, archived in TVA_org_and_NorthGallatin_20260815.json, SHA-256 64249836d33ebfbfc24404d4cb3374f851f28656a12669fa96e39a9056428f39. Anonymous access and capabilities: “Query” are recorded in TVA_TSSProjects_service_root_20260815.json, SHA-256 f7c2831282ed08f4d2ed810c1e921418278461c40dae7f66962aebb698c22d51, and TVA_TSSProjects_all_layers_20260815.json, SHA-256 5afcb16c2707beea652577f9b2c18d25a752f28de924fd3e6e08233aaef317d8. “No rate limit encountered” is a report of one afternoon’s use, not a statement about the service’s configuration. **[P for the endpoints and access; I for the rate-limit remark]**
75. The item catalogue query and the 764 total: see Chapter 6 note 5. The search response is **not in the deposit**, the search paginates at 100 and only the first page was read, so the 764 figure is single-sourced to TVA_Org_Enumeration_v0_1.md and is not currently reproducible from the archive. **[S¹]**
76. gis_archive_20260815/MANIFEST.txt, reproduced as Appendix D: fifteen files, 3,385 features, byte count, feature count, SHA-256 and source URL per file, host clock 2026-08-15T14:10:59Z. Two files the volume now relies on are not yet in it — see Chapter 6 note 60. **[P]**
77. Chapter 6 note 44 states the CDX queries, the date ranges, the capture counts, the collapse-on-digest rule and the terms searched. **[P]**
78. gis_archive_20260815/TVA_page_captures_README_20260816.md: the Internet Archive declined to archive tva.com on 16 Aug. 2026 — “We’re currently facing some limitations when it comes to archiving this site” — while holding captures of these pages through April 2025. The same file records meta-robots: noindex on

every TVA transmission project page examined, and notes that the connection between the two is plausible and unverified. **[P, negative]**

79. Chapter 12 and its notes: Federal Register notices of the Cheatham County Generation Site environmental impact statement, 19 May and 30 Jun. 2023, with no record of decision or completed statement thereafter. **[P]**
80. TVA, Form 10-K, FY2023; relied on at Chapter 9 notes 6 and 12 for completed transmission plant (\$9,375M cost, \$3,359M accumulated depreciation, \$6,016M net) and the tax equivalents expense line (\$593M). **[P]**
81. Multi-track processing at 18 C.F.R. § 1301.5; see notes 5 and 15. That parallel narrow requests are processed faster than one omnibus request is the author's operational advice, consistent with the existence of tracks but not established by any TVA statement. **[S for the tracks; I for the advice]**
82. See notes 12 and 13. The status-versus-discretion distinction is drawn from the statutory text: § 552(a)(4)(A)(ii)(II) turns on what the requester is, § 552(a)(4)(A)(iii) on what the agency judges the public interest to be. **[P]**
83. Mississippi's requirement is statutory: note 62. The federal half — that a specific exemption citation and a description of the withheld material must be asked for — is practice advice; the *Vaughn* index is a litigation instrument rather than an administrative entitlement, and the draft's suggestion at T3 that one be requested administratively should be read as a tactic. **[P for Mississippi; I for the federal practice]**
84. Author's recommendation. It is also this volume's own outstanding obligation: nothing in this chapter has been filed, so there is no log to publish. **[I]**
85. See note 26. **[I]**
86. §3A and notes 38–48. **[S]**
87. TVA, *Lists of Completed Categorical Exclusion Checklists*, <https://www.tva.com/environment/environmental-stewardship/environmental-reviews/categorical-exclusions>, and the eight documents linked from it, retrieved 17 Aug. 2026: FY2020 from 27 Apr. 813 records; FY2021 2,471; FY2022 2,154; FY2023 1,934; FY2024 1,872; FY2025 1,762; FY2026 Q1 399; FY2026 Q2 494; **total 11,899**. Columns, in TVA's own order: CEC ID, Project Title, County, State, TVA Business Unit, Date Closed, CE Applied. **The series begins 27 April 2020** — the FY2020 document is headed "List of Completed Categorical Exclusion Checklists (April 27, 2020 to September 30, 2020)" — and no list covers any determination closed before that date, which is a hard boundary on this method and on any request framed by reference to the lists. Retrieval route and cautions at Chapter 3 note 7: www.tva.com returns HTTP 403 behind a Cloudflare challenge to plain fetchers, the same PDFs are served unchallenged from TVA's Azure CDN origin, the FY2021 list has no CDN copy and was recovered from the Internet Archive, and at least one automated fetcher silently truncated the FY2025 list at page 41 of 115 with no error raised. That the request formerly at T2 would be refused as seeking published records is the author's reading of TVA's own reading-room practice at note 18, not a TVA statement. **[P for the lists and the counts; I for the predicted refusal]**

88. Chapter 3 §3.3 and notes 19–20. The regulation requires the screen — 18 C.F.R. pt. 1318, subpt. C, app. A, preamble: “Individual actions must be reviewed to determine whether extraordinary circumstances are present (see § 1318.201). If an extraordinary circumstance cannot be addressed sufficiently to render the action’s impacts not significant, an EA or an EIS must be prepared.” The published lists carry seven columns and no eighth. A sweep of all rows and all front matter across the eight documents for *extraordinary, approving, official, signat* and *concurr* returns no column and no field. Each document names one NEPA specialist as a general contact — Matthew Higdon (FY2020, FY2024), Susan Housley (FY2025), Kristina Bonds (FY2026 Q2), with S. Dawn Booker as Senior Manager, NEPA Compliance — and **none is identified as the approving official for any particular determination.** Independently confirmed. [P, negative]
89. The eleven identifiers, with the projects they belong to: 42028 and 47568 North Gallatin; 47201 Hardin Valley; 48005 Tiny Town Road; 48399 Tiptonville–New Madrid No. 2; 49356 Lewis Chapel (Dunlap); 49618 Cates Landing; 50079 Tullahoma (Center Grove); 51691 Riceville; 54096 Fall Creek; 47184 Ultium – Night Sky. All eleven are exclusion 16. Rows and closing dates at Chapter 3 §3.2 and note 15. **Two irregularities a requester should quote rather than smooth.** CEC 50079 appears **twice**, on 23 Jan. 2024 and 12 Sep. 2024, with the same identifier and the same exclusion — either a reopened determination or a duplicate publication, and TVA’s answer to which is itself worth having. And TVA’s lists assign Tiny Town Road to **Christian County, Kentucky**, though the project page places the work in Montgomery County, Tennessee and Christian County, Kentucky; a Tennessee-only county filter misses the record. TVA’s project page for Center Grove states Franklin County and both list entries state Jackson County, which is nowhere near Tullahoma; one of the two is a data-entry error and which was not determined. That naming existing identified records defeats the creation objection follows from note 21 and from the records being identified rather than described. [P for the identifiers, dates and discrepancies; I for the drafting advice]
90. CEC 47184, “Project Night Sky - TVA Ultium, TN 161kV Switching Station and Loop Line,” Maury TN, closed 8/11/2022, CE 16. Chapter 11 §11.1 and note 25; Chapter 6 note 64. The absence of a project page for that line is established at Chapter 11 note 2 as narrowed. This is the same line as T4(a), and the two requests should be filed together — T4(a) seeks the Section 106 file and any environmental review determination, and this one seeks the checklist behind the determination now known to exist. [P]
91. The six with no located determination, with route lengths as their pages state them: Appalachia Area Improvement 25.2 miles plus a 0.4-mile tie; West Tennessee Power System Improvements 21–24; West Lexington–Jacks Creek 15.83; Dickson about 14; Waldens Creek 3.01; and the 109 North line, 3.85. Absence established by searching all 11,899 records for each project name and each substation, delivery point and county variant, and by checking TVA’s environmental reviews index; Chapter 3 note 10. **Ancillary determinations exist for some of the six and are not determinations for the line** — Lexington has a laydown-yard exclusion (CEC 53635, CE 17) and a metering replacement (55969, CE 18); 109 North has soil borings (54972, CE 13,

Chapter 10 §10.5A); Dickson's county contains an unrelated 2022 exclusion (46850) that should not be attributed to the project. A requester who quotes those identifiers as if they were the line's determination will be corrected by TVA and will deserve it. Publication lag is real: FY2026 Q1 records zero exclusion-16 determinations system-wide, the only such quarter in the series. **[P, negative]**

92. CEC 54402, "Columbia-Mt. Pleasant 46-kV Transmission Line (L2522) Reroute for Columbia Industrial Development Board (IDB)," Maury TN, closed 1/5/2026, CE 16; Chapter 11 note 27. The absence of the string "Fiberon" from all 11,899 records was independently confirmed. The identification is **not established** and this chapter does not assert it. The suggestion to write to TVA NEPA Compliance before filing is directed at the contact block on the categorical exclusions page: S. Dawn Booker, Senior Manager, NEPA Compliance, 1101 Market Street BR2CA, Chattanooga TN 37402, and nepa@tva.gov. That block was read on the page at note 87 and the address has not been tested. **[P for the row and the negative; the identification not established; the contact untested]**
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