



THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION



CHARLES P. O'LEARY, JR.
COMMISSIONER

JEFF BRILLHART, P.E.
ASSISTANT COMMISSIONER

September 13, 2007

Mr. Andrew Walters
ATV Watch New Hampshire
PO Box 34
Fitzwilliam, New Hampshire 03447

Re: Right to Know Request

Dear Mr. Walters:

I write in follow up to my correspondence to you dated July 30, 2007 and August 22, 2007 on your right to know request. Specifically, you have asked to review all governmental records in the custody or control of the Department of Transportation related to motorized use of New Hampshire's Transportation Enhancement funded rail trails.

We have assembled the requested information, which is available to you by contacting Ram Maddali at 271-2107 and setting up an appointment.

In addition to the redacted correspondence noted in the August 22nd letter, this office is redacting portions of the following correspondence because the redacted portions contain information that is exempt from disclosure:

- Email correspondence between Attorney General's office and our Department between April, 2007 to May 2007
- Email from Ram Maddali to Federal Highway Administration dated May 10, 2007

I have also received your email request dated August 31, 2007 to reconsider our decision to not disclose portions of the records. We are unable to approve your request and stand by our original decision to not disclose copies of preliminary draft correspondence which are not in their final form and were not disclosed, circulated, or available to a quorum or a majority of those entities defined under RSA 91-A:1-a. The drafts in question were prepared during the months of March, April, May, June and July 2007. We also stand by our decision to not release copies of confidential attorney/client communications between

attorneys within the Department of Justice and the Department of Transportation. The communications in question span from March 1, 2007 through September 13, 2007.

Sincerely,

A handwritten signature in black ink, appearing to read "David J. Brillhart".

David J. Brillhart, P.E.
Assistant Commissioner

Cc: Honorable Representative Jim Ryan, Chairman, House Transportation
Charles P. O'Leary, Jr., Commissioner
Rich Sigel, NH Governor's Office
Mark Hodgdon, Attorney General's Office

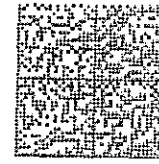
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NH DEPARTMENT OF TRANSPORTATION
7 HAZEN DRIVE
PO BOX 483
CONCORD NH 03302-0483

RETURN SERVICE REQUESTED



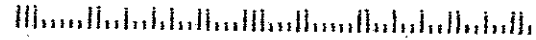
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9-14
1st Notice
2nd Notice
Return