

# Exhibit B



400 W. Summit Hill Drive, Knoxville, Tennessee 37902

March 1, 2022

Mr. Marc Perrusquia ([marcusperrusquia@hotmail.com](mailto:marcusperrusquia@hotmail.com))  
Institute for Public Service Reporting  
University of Memphis  
318 Meeman  
Memphis, TN 38152

Dear Mr. Perrusquia:

This responds to your request under the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552, dated January, 30, 2022. You requested salary and total compensation for each of TVA's four regional vice presidents. Your request was processed under tracking number #22-FOI-00081.

We are unable to provide the salary and compensation information you request because it is protected from disclosure by FOIA exemptions. FOIA exemption 5 allows the government to withhold, among other things, confidential business information if the release of such information would harm the government's commercial or financial interests or prevent an agency from performing its mission. Public disclosure of the detailed and personally identifiable compensation information you request would cause TVA harm by allowing competitors insight into confidential pay and business plans and practices.

While most compensation for federal employees is set in accordance with the General Schedule, TVA has its own compensation plan. The 2005 amendment to the TVA Act required the TVA Board to set a competitive compensation plan for employees "based on an annual survey of the prevailing compensation for similar positions in private industry, including engineering and electric utility companies, publicly owned electric utilities, and Federal, State, and local governments." Unlike the General Schedule, which is publicly available, TVA's compensation information is proprietary and is kept confidential.

FOIA exemption 6 is also applicable to the requested information. Exemption 6 protects information that would constitute an unwarranted invasion of personal privacy. When TVA receives FOIA requests that impact an individual's privacy interest, TVA must determine if the public interest in the information clearly warrants the invasion of privacy that would result from a disclosure. Other than a statement that "this information is vital to the public", your request provided no information on how the public interest would be served by release of the information you requested; therefore, there is no basis for intruding on TVA employees' privacy by disclosing personally identifiable compensation information.

While we cannot provide the specific compensation information you requested, you can access detailed information about certain TVA officers in TVA's Annual Report on Form 10-K ("10-K"), which is filed with the Securities and Exchange Commission. The 10-K also includes a discussion of TVA's compensation philosophy. The 10-K is available at

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<https://tva.g4ir.com/financial-information/sec-filings/default.aspx>. We hope this information meets your needs.

If you have questions about this response, you may contact me at foia@tva.gov. Contact information for FOIA mediation services from TVA and the Office of Government Information Services is provided.

You may appeal this response to your FOIA request by writing to Mr. Buddy Eller, Vice President, Communications & Public Relations, Tennessee Valley Authority, at email address foia@tva.gov or Fax to (865) 632-6901. Any appeal must be received within 90 days of the date of this letter.

Sincerely,

A handwritten signature in black ink that reads "Denise Smith". The signature is written in a cursive style with a large initial "D".

Denise Smith  
TVA FOIA Officer

## **NOTICE**

The Office of Government Information Services (OGIS) was created to offer mediation services to resolve disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to litigation. Using OGIS Services does not affect your right to pursue litigation. If you are requesting access to your own records (which is considered a Privacy Act request), you should know that OGIS does not have authority to handle requests made under the Privacy Act of 1974. You may contact OGIS in any of the following ways:

Office of Government Information Services  
National Archives and Records Administration  
Room 2510  
8601 Adelphi Road  
College Park, MD 20740-6001  
Email [ogis@nara.gov](mailto:ogis@nara.gov)  
Telephone: 301-837-1996  
Facsimile: 301-837-0348  
Toll-free: 1-877-684-6448

FOIA Liaison mediation services are also available through the TVA Ombudsman. You may contact the Ombudsman in any of the following ways:

Mr. Wilson Taylor  
Ombudsman and TVA FOIA Liaison  
Tennessee Valley Authority  
400 W. Summit Hill Drive (WT 7D)  
Knoxville, TN 37902-1401  
Email [wtaylor@tva.gov](mailto:wtaylor@tva.gov)  
Telephone: (865) 632-8133