

EXHIBIT 5



Tennessee Valley Authority, 400 W. Summit Hill Drive, Knoxville, Tennessee 37902-1401

April 12, 2023

Mr. Trey Bussey
Southern Environmental Law Center
1033 Demonbreun Street, Suite 205
Nashville, TN 37203

Dear Mr. Bussey:

This concerns your request under the Freedom of Information Act (5 U.S.C. § 552) dated March 15, 2023. You requested all records related to the Cumberland Fossil Plant Retirement Final Environmental Impact Statement that have not been published on TVA's website. Your request has been assigned tracking number 23-FOI-00096.

We are unable to complete your request within 20 business days from its receipt due to the need to search for and review records from TVA offices separate from this one.

In fairness to all our requesters, the FOIA requests which cannot be answered within 20 business days are placed in the multi-track system in accordance with TVA's FOIA regulations, 18 C.F.R. § 1301.5, and are generally answered in the order we receive them within each track.

Your request has been placed in Track 3. Track 3 is for the requests that are expected to take the longest time to process. The processing time will depend upon the number and complexity of the requests in Track 3 ahead of yours.

If you have questions or would like to discuss ways your request could be processed quicker you may contact me at foia@tva.gov. Contact information for the Office of Government Information Services and TVA is also provided with this letter.

Sincerely,

A handwritten signature in black ink that reads "Denise Smith". The signature is written in a cursive, flowing style.

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
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
Telephone: (865) 632-8133