



DIRECTIVE 37

Access to Public Records

10/1/2025

1.0 Purpose

The District makes its public records available to the public for inspection and copying in accordance with the Public Records Act (PRA), chapter [42.56 RCW](#). The District provides the public access to public records, mindful of individual privacy rights and the efficient administration of government. The District recognizes the PRA is to be liberally construed in favor of disclosure and exemptions are to be narrowly construed.

This Directive provides information to records requestors and to District employees about the District's procedures for following the PRA. The District has not adopted the Model Rules or the Comments to those rules set forth in chapter [44-14 of the Washington Administrative Code](#). Instead, the District follows the procedures set forth in this Directive.

2.0 Scope

This Directive applies to all PRA requests submitted to the District.

The District will make available for public inspection and copying all indices maintained for its use. However, the District does not maintain an index as described in [RCW 42.56.070\(3\)](#) because to create and maintain such an index would require an inordinate amount of District resources given the District's size and current organizational infrastructure. The creation and maintenance of such an index would be unduly burdensome to the District and interfere with District operations.

3.0 Definitions

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| Public Record | Any writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or retained by the District regardless of physical form or characteristics. This includes, but is not limited to, emails, chats, shared documents, systems logs, and collaborative platforms, such as Teams and SharePoint. |
| Writing | Handwriting, typewriting, printing, photostating, photographing, and every other means of recording any form of communication or represent. on, including, but not limited to, letters, words, pictures, sounds, or symbols, or combination thereof, and all papers, maps, magnetic or. er tapes, photographic films and prints, motion picture, film and video recordings, magnetic or punched cards, discs, drums, |



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| | diskettes, sound recordings, and other documents including existing data compilations from which information may be obtained or translated. Metadata is also a public record. |
| Public Records Request | A request for any District public record. Public Records Requests may include, but are not limited to, requests by the public or other public agencies, subpoenas, and requests by law enforcement. |

4.0 Requirements & Expectations

4.1 Roles and Responsibilities

- **Requestor** – Submit requests for public records in accordance with the procedures outlined in section [4.2 Requests](#).
- **Public Records Officer** – Fulfills the role required by [RCW 42.56.580](#). District contact for submission of public records requests and responsible for providing public records in accordance with the PRA and this Directive.
- **All District Employees, Consultants, and Contractors** – Follow all procedures and policies around the maintenance and production of public records, including [Directive 83 Records & Information Management Policy](#). Employees should ask their manager or the Public Records Officer if they have questions about the maintenance and production of public records.

4.2 Requests

Public Records Requests may be submitted electronically through the District's online Public Records Request Center portal here: [SNOHOMISH COUNTY PUBLIC UTILITY DISTRICT NO.1 PUBLIC RECORDS REQUEST CENTER](#)

Public Records Requests not submitted electronically through the District's online portal must be submitted, orally or in writing, to the District's Public Records Officer and shall include the following information:

1. Name and contact information for the requestor (either email or mailing address);
2. Date of the request; and,
3. A specific description of the records requested.

A requestor must submit a specific request for records which provides the District with notice that it is requested under the PRA and identifies the records requested with reasonable clarity that allows the District to locate responsive records. The District is obliged to provide only those records in existence as of the date of the request. The District is not obligated to create a record where none exists nor to provide information not contained in District records. A request for all or substantially all records prepared, owned, used, or retained by the District is not a valid request for identifiable records.



District employees must use personal time and resources to request public records.

4.3 Reasons for Requests

The District does not distinguish among persons requesting records, nor does the District inquire into the purpose of the request except to establish that such records are not being requested in violation of this Directive or other law. For example, the PRA prohibits the District from giving, selling, or providing access to lists of individuals requested for commercial purposes. The District may require a requester to submit a declaration signed under penalty of perjury stating that the records will not be used for commercial purposes before the information will be furnished.

4.4 Requests from Law Enforcement

A law enforcement authority may not inspect or copy District records of any person, unless such authority first provides the District with a written statement in compliance with [RCW 42.56.335](#). All requests received from law enforcement authorities must be forwarded to the Public Records Officer for response.

4.5 Responses to Requests

The District will respond to public records requests within five (5) business days of receiving the request. The District shall respond by either:

1. Providing the record(s);
2. Providing the District's internet address and a link to the District's website to the specific record(s) requested;
3. Acknowledging the District received the request and providing a reasonable estimate of time the District will require to provide responsive records;
4. Acknowledging the District received the request and seeking clarification of the request if any portion of it is unclear; or
5. Deny the request.

Additional time required to respond to a request may be based upon the need to clarify the request, to locate and assemble requested records, to notify third parties affected by the request, to determine whether any information in the records requested is exempt from public disclosure, or other District public records workload.

In acknowledging receipt of a public records request that is unclear, the District may ask the requestor to clarify what records the requestor is seeking. If the requestor fails to clarify the request, and the District is unable to complete processing the request without clarification, the District will consider the request abandoned after 30 days.

A District response refusing, in whole or in part, inspection or copying of any public record



shall include a written explanation of the reason for denial, including, the specific exemption authorizing the withholding of the record (or portion of the record) and a brief explanation of how the exemption applies to the record withheld.

When responding to a large or complex request, the District may provide requested records in installments. Each installment must be paid for or reviewed prior to processing the next installment of records.

4.6 Copies of Public Records

The District does not charge a fee for inspecting or locating public records.

The District may charge the actual costs of providing public records. Actual costs may include the actual costs of providing photocopies, all costs "directly incident" to shipping or mailing the records, including postage and delivery charges and the cost of any container or envelope used, and staff time to copy and electronically transfer the requested public records. The District imposes charges as follows:

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| Photocopies | \$0.15 per page side |
| Scanned paper documents | \$0.10 per page side |
| Electronic files | \$0.05 for every 4 files |
| Electronic files over 1 gigabyte | \$0.10 per gigabyte |
| Special sized copies | Per vendor fee schedule |
| Electronic storage media (USB, CD, etc.) | Per actual media costs |

The District accepts payment in the form of check or money order, only. Pre-payment for requests is not accepted. Copies are provided upon receipt of payment by the requestor. The District may require a deposit of 10% of the estimated cost of providing copies. The District does not charge for records when the total cost is \$1.00 or less.

In addition to the charge for providing copies, the District may include a customized service charge if the request would require the use of information technology expertise to prepare data compilations or customized electronic access services that are not available for other District services. The requestor will be notified in advance of the reasons for the customized service charge and an estimate of the costs and be given an opportunity to amend their request.

4.7 Records Delivery and Inspection of Public Records

Providing electronic records through the [District's Public Records Request Center](#) online portal is the District's primary, preferred delivery method, as it is the most reasonable and cost-efficient method available to the District as part of its normal business operations.



At the specific request of a requestor, or when necessary, records may be provided by in person pick-up, USPS mail, or electronic mail.

The District will not provide records on portable media (e.g., thumb drives) provided by a requestor or by uploading them to a privately maintained file-sharing site (e.g., private FTP site, cloud storage, etc.).

The District generally provides for inspection of public records by appointment. Public records shall be available for public inspection and copying during the District's regular office hours, from 8 a.m. to 5 p.m., Monday through Friday, excluding District holidays. Appointments to review public records, once they have been made available, should be scheduled by contacting the Public Records Officer.

When making public records available, the District shall protect such public records from damage or disorganization and prevent excessive interference with other essential functions of the District. Copying on District devices shall be by District personnel only. No public record shall be physically removed by a member of the public from the area designated by the Public Records Officer or by the District employee having custody of the record for the public inspection of documents.

4.8 Third Party Notification

Per [RCW 42.56.540](#), the District may notify affected persons that their name appears in, or is the subject of, records responsive to a public records request.

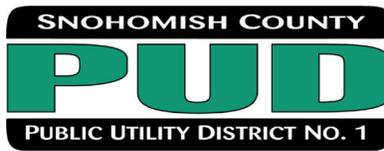
Notification will be made when required by law or contract.

Notification should provide adequate time to seek a protective order and should not delay the processing of the request.

4.9 Exemptions

The District shall determine whether a public record, in whole or in part, is exempt from disclosure under the PRA, and will withhold such record, in whole or in part, from disclosure. The PRA provides that a number of types of documents are exempt from public inspection and copying. In addition, documents are exempt from disclosure if any other statute exempts or prohibits disclosure. Requestors should be aware of the additional exemptions, outside the PRA, that restrict the availability of some documents held by the District for inspection and copying. A list of these additional exemptions is attached as [Appendix A](#) for informational purposes only.

The District is prohibited by statute from disclosing lists of individuals for commercial purposes.



4.10 Review of Denial

Any person who objects to the denial of a request for a public record, in whole or in part, may petition for prompt review of such denial by submitting a written request for review to the District's Public Records Officer.

Immediately after receiving a written request for review of a decision denying a public record, the Public Records Officer shall refer it to the Chief Legal Officer, or their designee, who shall consider the matter promptly and either affirm or reverse such denial. The request shall be returned with a final decision within five (5) business days following the original request for review or within such other time as the District and the requestor mutually agree to.

4.11 Closing Requests

The District will administratively close a request for any of the following reasons:

- Requestor failure to pay for records within 30 days of the records being made available;
- Requestor failure to provide clarification within 30 days of a request for clarification of an unclear request or portion of a request; or,
- Requestor failure to pay a 10% deposit when requested by the District.

Requestor will be notified of the date of administrative closure in correspondence making the request available, requesting clarification, or requesting payment of a deposit.

4.12 Requests for Specific Routine Departmental Records

Certain District records can be obtained and inspected at the following departments and offices in connection with those matters listed below in this section, subject to the provisions of this Directive. Copies of such records may be made in the respective offices or departments by District staff, upon request, and subject to the provisions of this Directive.

- **Account Records.** Records concerning the requestor's own electrical, water or conservation loan account, whether residential, commercial or industrial, may be obtained from the Customer Services Department, located in the Electric Building, 2320 California Street, Everett, Washington or through the online portal at [Contact Us - Snohomish County PUD](#).
- **Electrical Services.** Records concerning electrical service, including rates, charges, connections, disconnections, construction, installations, engineering, area lighting, policies and procedures may be obtained from the Customer Services Department, located in the Electric Building, 2320 California Street, Everett, Washington. Information may also be found online at [Home - Snohomish County PUD](#).



- **Energy Conservation Services.** Records concerning demand side resource acquisition services for commercial, industrial, and residential customers including energy conservation weatherization, equipment, design, loans, grants and incentives, as well as load management and peak savings programs may be obtained from the Energy Services Department, located in the Electric Building, 2320 California Street, Everett, Washington. Information may also be found online at [Save Energy & Money - Snohomish County PUD](#).
- **Water Services.** Records concerning water service, including rates, charges, connections, disconnections, construction, installations, engineering, policies and procedures may be obtained from the Water Operations Center, located at 3301 Old Hartford Road, Lake Stevens, Washington. Information may also be found online at [Water Service - Snohomish County PUD](#).
- **Bid Documents.** Records concerning bids and quotations are available in the Contracts/Purchasing Department, located in the Electric Building, 2320 California Street, Everett, WA, or through the online portal at [Bids - Snohomish County PUD](#).

5.0 Related Documents

[Appendix A: List of Statutory Exemptions](#)

Directive 83: [Records & Information Management Policy](#)

6.0 Questions

Direct any inquiries about this Directive to the Public Records Officer.

7.0 Previous Versions

Directive 37 Access to Public Records, 12/01/2017.



8.0 Approvals

John Haarlow

11/20/2025

CEO/General Manager

Date

F. Colin Willenbrock

11/20/2025

Chief Legal Officer

Date

[Signature]

11/19/2025

Deputy Counsel & Public Records Officer

Date



DIRECTIVE 37

July 15, 2025

Access to Public Records

Appendix A – List of Statutory Exemptions

RCW 42.56.070(2) requires the District public a list of state and federal statutory exemptions that may exempt its records from public disclosure. The following list of statutory exemptions is in addition to those exemptions found in the PRA, chapter 42.56 RCW. The exemptions listed in this Appendix are for informational purposes only and are not intended to constitute an exhaustive list of potentially applicable exemptions.

In addition to providing the statutory exemption citation, we have added a brief description of the statute, but readers are cautioned to read the entire statute to determine to what records the statute may apply.

| Citation | Title | Brief Description |
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| RCW 5.60.060(2) | Attorney-Client Communications | Communications between attorney and client are exempt |
| RCW 5.60.060(5) | Public Officer Official Confidence | Communications to public officer in official confidence |
| RCW 5.60.060(11) | Union Representative and Member Communications | Communications between union representative and union member in the course of union representation are exempt |
| RCW 5.60.070 and RCW 7.07.070 | Mediation Communications | Communications between mediator and parties to mediation are confidential |
| RCW 13.52.612 | Information Provided to Joint Operating Agencies | Certain information provided to joint operating agency for construction of nuclear generating project is exempt |
| Chapter 19.108 RCW | Uniform Trade Secrets Act | Trade secrets are exempt |
| RCW 40.24.070 | Address Confidentiality Program | Residential information of victims of domestic violence, sexual assault, and stalking are exempt when enrolled |
| RCW 42.41.030(7) | Local Government Whistleblower Protection | Identifying information of a whistleblower is exempt |



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| RCW 43.43.834 | Criminal Background Check | Criminal history background records obtained by an organization cannot be disclosed to the public |
| RCW 50.13.060 | Employment Security Records | Records and information regarding employment security cases are confidential |
| RCW 51.28.070 | Injured Worker Claim Files | Information contained in claim files and records of injured workers are confidential |
| RCW 70.02.010, .005(4) | Medical Records - Health Care Information Access and Disclosure | Health care information about a patient is exempt |
| RCW 70.02.230 | Mental Health Services | Information about mental health services provided is confidential |
| 17 U.S.C. §106 | Copyrighted Materials | Federal copyright laws may preclude disclosure |
| 26 U.S.C. §6103 | Internal Revenue Code | Tax returns and tax return information are exempt |
| 42 U.S.C. §290dd-2 | Substance Abuse Treatment Records | Substance abuse treatment records are confidential |
| 42 U.S.C. §12112(d)(3)(B) | Public Health and Welfare | Information obtained during a preemployment medical examination is exempt |
| 45 CFR Parts 160, 162, and 164 | HIPAA | Health care information is confidential |