

FREEDOM OF INFORMATION COMMISSION  
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by	)	
Richard H. Kosinski,	)	Report of Hearing Officer
Complainant	)	
	)	Docket #FIC76-221
against	)	
	)	January 20, 1977
City and Town of New Britain	)	
and Police Department of City	)	
and Town of New Britain,	)	
Respondents	)	
	)	

The above captioned matter was heard as a contested case on January 17, 1977, at which time the complainant and the respondents appeared and presented testimony, exhibits and argument on the complaint.

After consideration of the entire record, the following facts are found:

1. The respondents are public agencies as defined in §1-18a(a), General Statutes.
2. The parties hereto originally came before this Commission in Docket #FIC76-187. The respondent police department was ordered therein to recompute its actual cost of copying the document requested in conformity with a formula described in paragraph 1 of the order in that case.
3. In response to, and as intended compliance with, the aforesaid order, the respondent police department submitted to the complainant on December 3, 1976 a recomputation of its cost for copying the document requested therein.
4. The recomputation is based, in part, upon 9 minutes of personnel time spent in retrieving, copying and returning to files the requested document.
5. The complainant accepts the aforesaid recomputation in all respects except as noted below.
6. By letter filed with this Commission on December 17, 1976, the complainant alleged that the 9 minutes of personnel time is excessive, and requested that the Commission order physical observation of the copying process involved.
7. On January 13, 1977, the respondents' counsel permitted the complainant to observe and time the process

of retrieving, copying and returning to files the requested document.

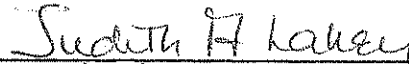
8. It is found that the process described in paragraph 7 above, took approximately 5.5 minutes and fairly represents the personnel time necessary to comply with paragraph 1 of the order in Docket #FIC76-187.

9. It is further found that the element of personnel costs within the formula stated in paragraph 1 of the order in Docket #FIC76-187 amounts to 50 cents or 5.5 minutes multiplied by 9.13516 cents, the uncontested per minute base salary of the clerk who performed the process described in paragraph 7 above.

The following order by the Commission is hereby recommended on the basis of the record concerning the above captioned complaint:

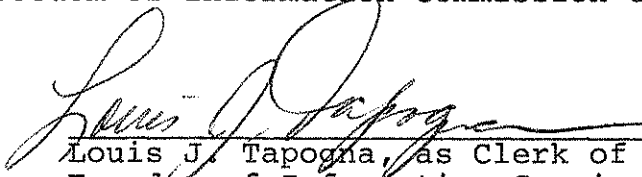
1. The respondent police department shall forthwith submit to the complainant an itemized bill of its charges in complying with his request in Docket #FIC76-187, which bill shall be in conformity with the order in that case.

2. As part of the itemized bill described in paragraph 1 of this order the respondent police department shall include the element of personnel costs but such costs may not exceed 50 cents.

  
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Commissioner Judith A. Lahey

as Hearing Officer

Approved by order of the Freedom of Information Commission on February 9, 1977.

  
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Louis J. Tapogna, as Clerk of the  
Freedom of Information Commission