

Freedom of Information Commission
of the State of Connecticut

In the Matter of a Complaint by)
Glenora G. Forbes, Complainant) Report of Hearing Officer
against) Docket #FIC 76-87
Town of Ellington and the) July 4, 1976
Ellington Board of Education,)
Respondents)

The above captioned matter was heard as a contested case on June 15, 1976, 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.
2. On April 25, 1976, the complainant requested a copy of the minutes of the respondent board's meeting of December 17, 1975.
3. The respondent board complied with such request and on April 27, 1976, the complainant received an invoice for such minutes charging her \$3.63. The minutes consist of 6 pages photocopied on 3 sheets of paper, both sides of each sheet having been utilized.
4. It is the policy of the respondent board to charge \$1.00 for the first page and 50 cents for subsequent pages, plus postage, where applicable, for photocopying documents. In this case, the respondent board charged the complainant \$1.50 for the first 2-sided page, \$1.00 for the next 2 subsequent 2-sided pages and 13 cents for postage.
5. The complainant brought the present complaint to this Commission on May 12, 1976, alleging that the above-stated charge violates P.A. 75-342.
6. At the hearing on this complaint, the respondents provided a cost analysis of "developing/producing" photocopies. This analysis includes personnel and ancillary costs, but does not state either the cost of each item therein listed or the actual cost of photocopying the document requested herein.
7. Pursuant to §5 of P.A. 75-342, the respondent board may charge the complainant no more than the actual cost of photocopying the requested document.

8. It is found that the charge of \$3.63 in this case, or \$1.00 for the first page and 50 cents for subsequent pages, exceeds the actual cost to the respondent board under P.A. 75-342 and the decisions of this Commission.

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

1. The respondent board shall forthwith compute its actual cost of photocopying the document requested herein. In computing such cost, the respondent board shall include the following items only:

(a) Average personnel costs in retrieving, photocopying and returning to files the requested document. In determining personnel costs of photocopying, the respondent board shall compute only the time for making 2-sided copies if such copies result in an overall savings to the complainant.

(b) The actual cost of the 3 sheets of photocopy paper used in complying with the complainant's request herein.

(c) The actual direct costs of operating the photocopy machine used in complying with the complainant's request herein, including, where applicable, the cost charged by the owner of the photocopying machine for 6 pages processed through such machine, and the prorated cost of rental, ink, chemicals and service charge.

(d) The actual personnel costs in mailing the document requested herein to the complainant.

(e) The actual cost of the envelope and postage used in mailing the document requested herein to the complainant.


2. After completing the computation described in paragraph 1 of this order, the respondent board shall forthwith provide the complainant with a statement of the actual cost of photocopying the document requested herein and shall remit to the complainant any overcharge resulting from the difference between \$3.63 and the actual cost of copying such requested document.



Commissioner Herbert Brucker

as Hearing Officer

Approved by order of the Freedom of Information Commission
on July 14, 1976.



Louis J. Tapogna Clerk
Freedom of Information Commission