

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by
Augustus J. Simmons,

FINAL DECISION

Complainant

Docket #FIC84-120

against

December 20, 1984

Department of Transportation
of the State of Connecticut,

Respondent

The above captioned matter was heard as a contested case on October 31, 1984 at which time the complainant and the respondent appeared and presented testimony, exhibits and argument on the complaint.

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

1. The respondent is a public agency within the meaning of §1-18a(a), G.S.

2. By letters dated June 25, 1984 and July 5, 1984 the complainant made requests of the respondent for flight progress strips, or "clips," relating to flights to and from Bradley International Airport over runway 6.

3. By letter of complaint filed with the Commission on July 9, 1984 the complainant appealed the denial of his requests.

4. It is found that the clips in question are generated by the Federal Aviation Administration (FAA) at a rate of 200 - 300 per day, held for 15 days and then discarded.

5. Subsequent to the complainant's requests the respondent made arrangements with the FAA for the complainant to be given the clips in question, but the complainant was dissatisfied because he was given clips for all runways rather than just those for runway 6, as requested.

6. It is found that the clips in question are not prepared by the respondent, nor are they owned, used, received or retained by the respondent.


7. It is concluded that the clips in question are not public records of the respondent within the meaning of §1-18a(d), G.S.

8. It is further concluded that the respondent's actions with respect to the complainant's request for records did not violate §§1-15 or 1-19(a), G.S.

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

1. The complaint is hereby dismissed.

Approved by order of the Freedom of Information Commission at its regular meeting of December 12, 1984.



Mary Jo Jolicœur
Clerk of the Commission