

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In The Matter of a Complaint by

FINAL DECISION

Robert Young,

Complainant

against

Docket #FIC 2017-0313

Chairman, Utilities¹ Commission,
Town of New Canaan; Utilities
Commission, Town of New
Canaan; and Town of New Canaan,

Respondents

April 25, 2018

The above-captioned matter was heard as a contested case on October 30, 2017, at which time the complainant and the respondents appeared, stipulated to certain facts and presented testimony, exhibits and argument on the complaint. For purposes of hearing, this matter was consolidated with Docket #FIC 2017-0290, Robert Young v. First Selectman, Town of New Canaan; and Town of New Canaan.

At the start of the consolidated contested case hearing, the complainant stated on the record that he had made one request for records and that one request was the subject of both Docket #FIC 2017-0290; Robert Young v. First Selectman, Town of New Canaan; and Town of New Canaan, and Docket #2017-0313; Robert Young v. Chairman, Utilities Commission, Town of New Canaan, et al.

When the hearing officer informed the complainant that a single request for records could not form the basis for two separate administrative appeals, the complainant refused to withdraw the instant case.

It is found that the complainant made one request for records to the First Selectman for the Town of New Canaan on March 22, 2017. See Docket #FIC 2017-0290, Ex. A at 1. It is found that this request sought copies of emails and other records from each of the three

¹ The Commission originally named the respondents as Chairman of the Utility Commission, Town of New Canaan, and the Utility Commission, New Canaan. Subsequently, the Commission learned the proper names for these entities is Chairman, Utilities Commission, Town of New Canaan and Utilities Commission, Town of New Canaan. The case captioned has been amended to reflect the corrections.

selectmen and copies of emails and other records from each of the six utilities commissioners. This request and the subsequent appeal to the Commission have been adjudicated in Docket #FIC 2017-0290.

Finally, it is found that the complainant made no independent request for records to the Chairman of the Utilities Commission or to the Utilities Commission itself.

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

1. The complaint is dismissed.

Approved by Order of the Freedom of Information Commission at its regular meeting of April 25, 2018.



Cynthia A. Cannata
Acting Clerk of the Commission

PURSUANT TO SECTION 4-180(c), G.S., THE FOLLOWING ARE THE NAMES OF EACH PARTY AND THE MOST RECENT MAILING ADDRESS, PROVIDED TO THE FREEDOM OF INFORMATION COMMISSION, OF THE PARTIES OR THEIR AUTHORIZED REPRESENTATIVE.

THE PARTIES TO THIS CONTESTED CASE ARE:

ROBERT YOUNG, 219 Michigan Road, New Canaan, CT 06840

CHAIRMAN, UTILITY COMMISSION, TOWN OF NEW CANAAN; UTILITY COMMISSION, TOWN OF NEW CANAAN; AND TOWN OF NEW CANAAN, c/o Attorney Ira W. Bloom, Berchem, Moses & Devlin, P.C., 1221 Post Road East, Westport, CT 06880



Cynthia A. Cannata
Acting Clerk of the Commission