

From: sfrecordsresearch@pm.me
To: PublicRecords@sfwater.org, [SOTF \(SF\)](#)
Date: Thu, 09 Jul 2020 11:42:22 +0000
Subject: Re: Released info – please check! – New Complaint Filing
AttachmentList: 1

PUC - Without waiving any rights or conceding that you have the right to demand that I do so, I have voluntarily deleted my own copy of the file `Walter redacted final.pdf` having SHA256 checksum 8254cbe0fcbd6a8a2548d3464171ccab0d386439c888959707db07fbd5f54453 - I am also filing an SOTF/Ethics/Supervisor of Records complaint against Mr. Kelly and PUC for disclosure of some or all of these messages.

SOTF:

Please file attached complaint, and provide formal notice: Anonymous (94992-15550486@requests.muckrock.com) v. Harlan Kelly, Jr and Public Utilities Commission - your webform will be filled out.

Allegations: SFAC 67.21(b), 67.26, 67.27, 67.29-7(a); Gov Code 6253(b; c; d(3))

----- Original Message -----

On Wednesday, July 8, 2020 7:03 PM, sfrecordsresearch@pm.me <sfrecordsresearch@pm.me> wrote:

I'm unsure why you are claiming attorney client privilege in this email. You are not my attorney nor am I your's; perhaps you bcc-ed Herrera's office or something.

Regardless, I'm not MuckRock, I'm just one of their many users.

Please contact MuckRock Foundation directly if you need to give their entity some sort of specific demand. I've let them know to expect your request. The request to reference is <https://www.muckrock.com/foi/san-francisco-141/inter-agency-text-messages-immediate-disclosure-request-sf-puc-94992/#comm-911729>

Info@muckrock.com is their support email but I cannot represent that it is the proper avenue for such a request.

Again, *please* do inform whoever that lockbox code is about that you released it accidentally - even if MuckRock agrees now to take any copies down that it has (if any), your sharefile link was in fact accessible in the

past, publicly.

Also don't forget that there are still outstanding records requests to you on the original requests.muckrock.com thread.

----- Original Message -----

On Jul 8, 2020, 5:12 PM, Public Records <PublicRecords@sfgwater.org> wrote:

Dear MuckRock,

Thank you for bringing to our attention an inadvertent error in the redactions we performed for the text messages we provided you on July 6, 2020 labeled Bates numbers PUC 000175 through PUC 000219. As explained in our July 3rd email to you, we redacted from these records messages containing personal and private information that did not constitute a "public record." Although the legal basis for these redactions was proper, we now realize that the technical method we used to black out the private material did not in fact protect the private information from disclosure. That was not our intent and was an inadvertent error. The material we intended to redact contains sensitive personal information that is protected from disclosure by Cal. Constitution Art. I, Sec. I and Section 6254(c) of the Public Records Act.

In such cases of accidental, inadvertent disclosure of private or confidential information in response to a Public Records Act request, the documents must be returned and copies destroyed if the City notifies those who have received an inadvertently disclosed record. (See *Ardon v. City of Los Angeles* (2016) 62 Cal.4th 1176). The SFPUC hereby requests that MuckRock immediately destroy all copies of Bates numbers PUC 000175 through PUC 000219 in its possession and remove them from all publicly accessible locations, including the MuckRock.com website.

Please note that the version of this text exchange that we shared with you on July 6, 2020 has been removed from the Sharefile weblink and that we will be providing you with a new redacted version of this text exchange, which should be available at the following link by the end of today:
<https://sfpuc.sharefile.com/d-sabd81b687ef4187b>.

Please respond on or before Thursday July 9 at 5 pm confirming that you have destroyed and/or removed these records. Thank you for your anticipated cooperation.

SFPUC Public Records

From: sfrecordsresearch@pm.me
<sfrecordsresearch@pm.me>
Sent: Tuesday, July 7, 2020 12:37 AM
To: Public Records <PublicRecords@sfwater.org>
Subject: Released info - please check!

CAUTION: This email originated from **outside** of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi PUC,

You released to my MuckRock request 94992 a file called "Walter redacted final.pdf" at <https://sfpuc.sharefile.com/d-sfaf513caac747dcb>

In that file you had some partially obscured texts (i.e. the text messages are still visible but just have extra black rectangles on them). One of them says:

"1/19/17, 11:14 AM

The door at garage is lock can enter in house , when you open let us know we can check repair

There is a key in the lock box

The code is XXXX" (but the real number is the document)

Given that you've already released this document publicly on the Internet and on MuckRock, **please do make sure whoever this message is about is informed to ensure the lock box code isn't still being used.**

It is unclear whether any other especially sensitive information was in the PDF.

(I'm contacting you via this email instead of MuckRock regarding this specific issue since the messages on MuckRock are public).

Thanks!