



Metropolitan Transportation Authority

State of New York

Via email: 145297-34582087@requests.muckrock.com

September 8, 2023

Douglas Breitbart
c/o MuckRock News
Dept MR 145297
263 Huntington Avenue
Boston, MA 02115

Re: Freedom of Information Law ("FOIL") Appeal Response re:
MTA FOIL Request #03398573

Dear Douglas Breitbart:

I am writing in response to your FOIL appeal, dated August 16, 2023, and received by the MTA's FOIL Appeals Office on August 22, 2023, regarding your FOIL request #03398573, which requested:

"Copies of ALL rider comments collected by the Metropolitan Transit Authority pertaining to the Queens Bus Network Redesign, submitted electronically via the project web page at the following URLs: https://mta-nyc.custhelp.com/app/comments_queensbus (This was the original Queens Bus Network Redesign comment page which was later replaced with the URL below); and <https://contact.mta.info/s/forms/bus-network-redesign>." You also specified that the request be limited to comments submitted between March 28, 2022 and August 31, 2022, as well as that the request pertained to the "comment" text only and that the agency should withhold entries for name, address, and contact information.

I have reviewed your FOIL appeal, FOIL request, and records provided in response to your request. Your appeal challenges the records previously provided to you by the MTA FOIL Team in its August 11, 2023 response. After reviewing the records provided to you, I find that the response did not satisfy the FOIL request, in that a summary of the comments was provided rather than the comments themselves.

As such, your FOIL appeal is hereby granted. Therefore, I am remanding your FOIL request to the MTA FOIL Team and directing that the MTA FOIL Team locate and collect the comments submitted to the agency by the public using those URLs within the requested date range, and thereafter perform a diligent review and analysis of the requested publicly-submitted comments regarding the applicability of any appropriate exemptions under the FOIL statute. The MTA FOIL Team should complete this process and provide a supplemental response within forty-five (45) business days from the date of this letter.

This completes the MTA's response to your FOIL appeal and your FOIL appeal is now closed.

Sincerely,

A handwritten signature in blue ink that reads "Harris Berenson".

Harris Berenson
Deputy General Counsel

cc: Committee on Open Government

The agencies of the MTA

MTA New York City Transit
MTA Long Island Rail Road

MTA Metro-North Railroad
MTA Bridges and Tunnels

MTA Construction & Development
MTA Bus Company