



Commercial Purpose Declaration

Public Records Requests under RCW 42.56 for Lists of Individuals

You or your organization or business has requested a list of individuals from a public agency.

The Washington State Public Records Act (PRA) at RCW 42.56.070(8) directs that:

This chapter shall not be construed as giving authority to any agency, the office of the secretary of the senate, or the office of the chief clerk of the house of representatives to give, sell or provide access to lists of individuals requested for commercial purposes, and agencies, the office of the secretary of the senate, and the office of the chief clerk of the house of representatives shall not do so unless specifically authorized or directed by law: PROVIDED, HOWEVER, That lists of applicants for professional licenses and of professional licensees shall be made available to those professional associations or educational organizations recognized by their professional licensing or examination board, upon payment of a reasonable charge therefor: PROVIDED FURTHER, That such recognition may be refused only for a good cause pursuant to a hearing under the provisions of chapter 34.05 RCW, the Administrative Procedure Act.

The PRA at RCW 42.56.080 authorizes agencies to require a requester to provide information as to the purpose of a request "to establish whether inspection and copying would violate RCW 42.56.070(8)."

The Washington State Court of Appeals ruled that in responding to a public records request that includes a list of individuals, an agency must investigate if that list might be used for commercial purposes, in order to comply with the obligations of RCW 42.56.070(8). *SEIU Healthcare 775NW v. State*, 193 Wn. App. 377, 377 P.3d 214 (2016). The Court also ruled that information to be provided by a requester to an agency includes the purpose of the request, the identity of the requester, the nature of the records requested, and other information necessary to determine if the list of individuals can be provided under RCW 42.56.070(8).

Instructions

In order to ensure compliance with this obligation please complete the declaration on the reverse of this form and return it to the Public Records Officer. If our agency does not receive a completed declaration, we will be unable to process your request for the list and the request for the list will be administratively closed. If we have questions for you after you complete the declaration, we will contact you. Therefore, make sure you also provide contact information at the bottom of the declaration.

Return this completed declaration form (all pages) to the Public Records Officer or other designated person using the information below.

By email: PUDCustomerService@thurstonpud.org
By fax: (360) 357-1172
By mail: Thurston PUD
Public Records Officer
1230 Ruddell Rd SE
Lacey, WA 98503

This declaration is a public record.

DECLARATION UNDER PENALTY OF PERJURY

1. I have requested a list of individuals from Public Utility District No. 1 of Thurston County (Thurston PUD), or I have requested a set of records that contain a list of individuals from Thurston PUD.

2. I am requesting these records on behalf of (specify which one applies):

My own behalf for personal use (Skip to 3)

An organization or business (Complete a through d before proceeding)

a) If an organization or business, the name of the organization or business is:

b) If an organization or business, the purpose of the organization or business is:

c) If an organization or business, the mailing address and website address are:

d) If an organization or business, (i) it is a professional association or education organization recognized by the professional licensing or examination board, and (ii) the request is for a list of applicants for professional licenses and of professional licensees of the subject area of the association or organization:

Yes

No

3. The purpose in making this request for the list of individuals is:

4. I or the organization/business intend to generate revenue or financial benefit from using the list of individuals:

Yes

No

5. I or the organization/business intend to solicit money or financial support from any of the individuals on the list:

Yes

No

6. I or the organization/business intend to make individuals on the list aware of business commercial entities, business/financial enterprises, or business/financial opportunities:

Yes

No

