

OOOR RESPONSE TO PETITION FOR RECONSIDERATION

DATE ISSUED AND MAILED: December 1, 2023

IN RE: *Michael Long v. Bath Borough*, OOR Dkt. AP 2023-1598

Upon review of the petition for reconsideration (“Petition”) filed by Bath Borough (“Borough”) with the Office of Open Records (“OOR”) to the above-referenced docket number, it is determined that the Petition is **PARTIALLY GRANTED** as follows.

The Petition sets forth three (3) numbered reasons for reconsideration. Upon review of the record before me, the Petition is **GRANTED** with respect to Items 1 and 2 of the Petition. However, the Petition is **DENIED** with respect to Item 3 (“The OOR impermissibly granted access to records that would reveal the subject matter of privileged communications”).

In the absence of applicable OOR regulations regarding petitions for reconsideration, this office will follow the procedures set forth in Pennsylvania General Rules of Administrative Practice and Procedure, 1 Pa. Code § 35.241. The parties may file a response in the nature of an answer within 15 days of the issuance of this response, or by December 18, 2023. The Appeals Officer will issue a new Final Determination upon Reconsideration within 30 days of that date.

Issued by:

/s/ Kyle Applegate

CHIEF COUNSEL
Kyle Applegate

Sent to: J. Chadwick Schnee, Esq.; Michael Long