FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by	)	Report of Hearing Officer
Edward A. Corapinski, Complainant	)	Docket #FIC76-149
against	)	September 28, 1976
Town of Southington and Assessor of the Town of Southington, Respondents	)	

The above captioned matter was heard as a contested case on September 17, 1976, at which time the complainant and the respondents appeared and presented testimony, exhibits and argument on the complaint.

After consideration of the entire record, the following facts are found:

1. The respondents are public agencies.

2. On August 27, 1976, the complainant requested of the respondent assessor a copy consisting of two pages of the assessment record of property located in the Town of Southington.

3. The respondent assessor directed the complainant to go to the Town Clerk's office where the Town Clerk provided the complainant with two pages of photocopy containing the record requested.

4. By invoice dated August 27, 1976, the Town Clerk charged the complainant $1.00 for the first page and $.50 for the second page of the copy of the requested record.

5. By letter of complaint filed with this Commission on August 30, 1976, the complainant alleged that this charge exceeds the cost thereof to the public agency and is therefore in violation of §§5 of P.A. 75-347.

6. The complainant has paid the aforesaid invoice.

7. The document is a public record within the meaning of §§1(d) of P.A. 75-342.

8. The copying charge of $1.00 for the first page and $.50 for the second page of the requested record was based upon an estimate of average meter usage and average cost of dry imager prepared by the Town Clerk. An actual cost analysis was never undertaken.

9. It is found that the charge of $1.50 in this case, or $1.00 for the first page and $.50 for the second page, exceeds the actual cost of copying the requested record under P.A. 75-342.

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

1. The respondent assessor shall forthwith compute its actual cost of copying the document requested herein. In computing such cost, the respondent assessor shall include the following items only: actual personnel costs in retrieving, copying and returning to files the requested document; the actual cost of two 8½" x 11" sheets of photocopying paper; and the actual direct costs of operating the photocopy machine used in complying with the complainant's request herein, including, where applicable, the cost charged by the owner of the photocopying machine for two pages processed through such machine, and the prorated cost of rental, ink, chemicals and service charge.

2. After completing the computation described in paragraph 1 of this order, respondents shall forthwith provide the complainant with a statement of the actual cost of photocopying the requested record and shall forthwith remit to the complainant the amount of overcharge in excess of the actual cost of such copy.

Herbert Brucker

Commissioner Herbert Brucker

as Hearing Officer

Approved by order of the Freedom of Information Commission on October 13, 1976.

Louis J. Tapogna

Louis J. Tapogna
Clerk of the Commission