

Mariko Hirose

From: Warner, Jill [Jill.Warner@thruway.ny.gov]
Sent: Friday, August 08, 2014 6:42 PM
To: Mariko Hirose
Subject: [GRAYMAIL] FOIL Request No. F14-0004
Attachments: E1.pdf; Transmit Locations.pdf; privacy procedures 2-1-08.pdf; C010093 Final PSC_redacted.pdf; C010177.pdf; ITS Manual Pages_redacted.pdf; C100889 Final Second Amendment_redacted.pdf; NYSTA & TRANSCOM, Inc. Multi-Year Agreement 2009-2013_redacted.pdf

August 8, 2014

Ms. Mariko Hirose
Staff Attorney
New York Civil Liberties Union
125 Broad St., 19th Floor
New York, New York 10004
Via Email: mhirose@nyclu.org

Re: FOIL Request No. F14-0004

Dear Ms. Hirose:

This letter is in response to Mr. Vogel's 10- part Freedom of Information request for:

1. Documents describing all criteria for installing E-ZPass Readers.
2. Documents describing all the purposes of installing E-ZPass Readers.
3. Documents showing the locations of E-ZPass Readers installed or otherwise in use in New York, including, if available, information distinguishing readers that are used to collect tolls from readers used for other purposes.
4. Documents, including but not limited to privacy policies and marketing materials, that describe the types of data that can be collected by E-ZPass Readers, when it will be collected, and how it will be used.
5. Documents describing any databases or other systems into which information and/or data gathered from E-ZPass Readers are deposited.
6. Policies and training materials describing the storage, retention, destruction, and use of information generated by or collected from E-ZPass Readers.
7. Policies and training materials describing when and how NYSTA shares information and/or data gathered from E-ZPass Readers with other entities, including but not limited to the New York City Police Department, the Federal Bureau of Investigation, and the Drug Enforcement Administration.
8. All documents, redacted as necessary and permitted under law, describing or containing law enforcement requests to NYST A for information gathered from E-ZPass Readers in New York since January 1, 2012, including the NYSTA's response to the requests.
9. All reports, memoranda, or other similar document aggregating or analyzing information generated by or collected from E-ZPass Readers in New York since January 1, 2012.

10. All contracts, agreements, and other similar documents between the NYST A and third party entities regarding the acquisition, installation, or operation of E-ZPass Readers.

We have performed a diligent search for the records you request and have located eight (8) responsive records. The documents are being provided to you electronically.

Please be advised that certain information has been redacted pursuant to Public Officers Law §87(2)(d) which, if disclosed, "could cause substantial injury to the competitive position of subject enterprise" and §87(2)(i) which, if disclosed, "would jeopardize the capacity of an agency or an entity that has shared information with an agency to guarantee the security of its information technology assets, such assets encompassing both electronic information systems and infrastructures."

The Authority will continue to produce documents responsive to your request on a rolling basis. The Thruway Authority anticipates, based upon a preliminary review, that it will update you with regard to the remaining documents by August 27, 2014. The Authority must complete a thorough review to ensure that the documents are responsive and not exempt from disclosure under Public Officers Law §87(2).

Once you have received the Authority's final response to your request you may, within 30 calendar days, appeal any denial of access to a record or portions of a record by writing to:

FOIL Appeals Officer
Legal Department
New York State Thruway Authority
P.O. Box 189
200 Southern Boulevard
Albany, NY 12209

Regards,
Jill Brennan Warner

Records Access Officer
New York State Thruway Authority
200 Southern Boulevard
Albany, New York 12209
518-471-5995
518-433-4962
ThruwayFOIL@thruway.ny.gov



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