



October 31, 2016

Mr. Bill Spivey
Executive Director
Florida Development Finance Corporation
800 North Magnolia Avenue
Suite 1100
Orlando, FL 32803

Mr. Joseph Stanton
Broad and Cassel
390 North Orange Avenue
Suite 1400
Orlando, FL 32801-4961

Re: Public Records Request: All Aboard Florida's \$600 Million Private Activity Bond Application to the U.S. Department of Transportation Dated September 30, 2016

Dear Mr. Spivey and Mr. Stanton:

I am writing on behalf of Citizens Against Rail Expansion in Florida ("CARE FL"). Pursuant to Article I, section 24 of the Florida Constitution, and Chapter 119 of the Florida Statutes, we are requesting an opportunity to inspect and obtain copies of public records possessed by the Florida Development Finance Corporation ("FDFC") related to All Aboard Florida's ("AAF") \$600 million private activity bond ("PAB") application to the United States Department of Transportation ("U.S. DOT") dated September 30, 2016.

We are requesting to inspect and obtain copies of drafts, memoranda, communications, and any other documents related to AAF's September 30, 2016 PAB application to the U.S. DOT. This request includes all drafts, memoranda, communications, and any other documents associated with AAF's September 30th PAB application and its connection with AAF's existing \$1.75 billion PAB allocation. This includes any communications between AAF personnel and FDFC staff regarding the status of AAF's existing \$1.75 billion PAB allocation. This request covers the time period spanning from August 6, 2015, to present.

While we are not required to provide an explanation of the reasons for our request, we are doing so because we wish to gain a better understanding of the status of Phase II of the AAF Project,

which, if constructed, would run through Treasure Coast communities. To date, there are no public reports of the FDFC's consideration of AAF's recent \$600 million PAB application, which is alleged to be spent on Phase I, not Phase II, of the AAF Project. The FDFC is the issuer of AAF's existing \$1.75 billion PAB allocation for Phase II. Upon information and belief, the FDFC would serve as the issuer for the new Phase I PABs should the agency agree to do so. Based on the FDFC's role in AAF's August 15, 2014 PAB application to the U.S. DOT, we believe that the FDFC possesses public records relating AAF's recent PAB application. For example, on August 14, 2014, one day prior to AAF's August 15, 2014 PAB application to the U.S. DOT, the FDFC issued a declaration of intent to issue the PABs. That declaration of intent stated that FDFC staff conducted a preliminary review of the Borrower's information and reported favorably [on the project.]" On September 24, 2014, nine days after AAF's U.S. DOT application, AAF submitted a PAB application to the FDFC.

The disclosure of this information is extremely important for the public to understand the impact the AAF project would have on members of Treasure Coast communities. Accordingly, we request a waiver of all fees for this request since the disclosure of the information we seek is not primarily for any commercial interest, and it will contribute significantly to public understanding of the AAF project and the operations and activities of the government.

Should you deny our request, or any part of the request, please state in writing the basis for the denial, including the exact statutory citation authorizing the denial as required by Section 119.07(2)(a). If the exemption you are claiming only applies to a portion of the records, please delete that portion and provide photocopies of the remainder of the records, according to Section 119.07(2)(a).

As this is a matter of great public importance, we will seek an early contact from your office to discuss when we may expect fulfillment of our request and payment of any statutorily prescribed fees should the FDFC not grant our fee waiver request. If you have any questions please do not hesitate to contact me at 772.545.2574 or bhanlon@loblollyinfo.com, or CARE FL's legal counsel, Stephen Ryan, at 202.756.8333 or sryan@mwe.com.

Thank you in advance for your prompt consideration of this request.

Sincerely,



Brent P. Hanlon
Chairman, CARE FL
7407 SE Hill Terrace
Hobe Sound, FL 33455
772.545.2574
bhanlon@loblollyinfo.com