



COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION
1401 EAST BROAD STREET
RICHMOND, VIRGINIA 23219 2000

David S. Ekern, P.E.
COMMISSIONER

September 23, 2008

To Whom It May Concern:

Re: Downtown Tunnel/Midtown Tunnel/MLK Extension Project
Exemption from Disclosure

The Virginia Department of Transportation (VDOT) has determined that the Midtown Tunnel Corridor Project Toll Feasibility Study, dated May 2008, is a confidential and proprietary Public Private Transportation Act negotiation document; and, it is necessary for it to be exempt from public disclosure in accordance with §2.2-3705.6(11) (Virginia's Freedom of Information Act) under the Code of Virginia.

It is VDOT's determination that if the data and content included in this document was made public prior to the execution of an agreement, the financial interest or bargaining position of VDOT would be adversely affected.

Should anyone have any questions regarding this determination, please do not hesitate to contact me at (804) 786-5128 or Deborah E. Brown at (804) 786-9847.

Sincerely,

A handwritten signature in cursive script that reads "Reta R. Busher".

Reta R. Busher
Chief Financial Officer