



December 6, 2021

Susan Spicka
Education Voters of PA
412 N. 3rd St.
Harrisburg, PA 17101

Via email at sspicka@educationvoterspa.org

Dear Ms. Spicka:

On November 29, 2021, Commonwealth Charter Academy (CCA) received your request for records under the Right to Know Law (RTKL). You requested:

1. An invoice or other documentation that shows the cost of the parade balloon that was used in the November 2021 6abc Dunkin' Donuts Thanksgiving parade in Philadelphia.
2. An invoice or other documentation that shows the cost to enter CCA group in the November 2021 6abc Dunkin' Donuts Thanksgiving parade in Philadelphia.
3. An invoice or other documentation that shows the cost of promotional spot for CCA during the November 2021 6abc Dunkin' Donuts Thanksgiving parade in Philadelphia.

CCA does not have any records responsive to your request as written.

To the extent CCA has records relating to the November 2021 6abc Dunkin' Donuts Thanksgiving parade in Philadelphia, the records would reveal a trade secret and confidential proprietary information and be exempt from access. *See* 65 P.S. § 67.708(b)(11). This includes records of third-parties. *See* 65 P.S. § 67.707(b).

Among other types of legally protected trade secrets or proprietary information, the Commonwealth Court of Pennsylvania has construed the RTKL as excluding the following information from disclosure. *Crouthamel v. Department of Transportation*, 207 A.3d 432, 439 (Pa. Cmwlth. 2019) (“[C]ertain business and marketing information including the costing and pricing information of an employer’s product or services, an employer’s business plans, marketing strategies, and financial projections and the terms of specific customer accounts including contract expiration dates and revenues generated.”)

The expansive list of protected types of commercially-sensitive information cited by the Court encompasses the information sought in your request, much of which would be contained or revealed, in whole or in part, in invoices relating to advertising, public relations, and communications. This includes information in invoices or documentation from media companies.



You have a right to appeal the denial of your request in writing to: Office of Open Records, 333 Market St., 16th Floor, Harrisburg, PA 17101-2234. Appeals can also be filed online at the Office of Open Records website, <https://www.openrecords.pa.gov>.

If you choose to file an appeal, you must do so within 15 business days of the mailing date of this letter. See 65 P.S. § 67.1101. Please note that a copy of your original Right-to-Know request and this letter must be included when filing an appeal. More information about how to file an appeal under the Right-to-Know Law is available at the Office of Open Records website, <https://www.openrecords.pa.gov>.

Best Regards,

Jennifer Clarke

Jennifer Clarke
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CC: Phil Murren, CCA Solicitor