



UTAH

**Governor
Spencer J. Cox**

**Lieutenant Governor
Deidre M. Henderson**

*Office of
the Governor*

*Jon S. Pierpont
Chief of Staff*

August 5, 2026

Via E-mail



Re: GRAMA Fee Waiver Override Request – Case No. 260716AB1

Dear Mr. [REDACTED],

On July 16, 2026, you submitted a records request to the Governor’s Office under Utah Code Title 63G, Chapter 2, Government Records Access Management Act (GRAMA), with the following subject:

I request, for the period September 10 – October 15, 2025, any record held by the Office of the Governor — including correspondence, directives, meeting notes, or coordination records with Utah Valley University, the FBI, or the Utah Department of Public Safety — concerning the removal of the medical tent and the excavation, resurfacing, or concreting of the courtyard area at Utah Valley University where the September 10, 2025 shooting occurred. The excavation contractor has stated publicly that this work was ordered by the FBI and the Governor of Utah; this request seeks the records of any such direction or coordination. If no such records exist, I request written confirmation of that fact.

Your records request also included a request for a fee waiver and a request for an expedited response. On July 17, 2026, the office denied your fee waiver request and request for an expedited response and sent you an invoice for an estimated fee and a filing fee in the amount of \$351.00. On July 21, 2026, as allowed by the Office of the Governor of Utah Record Management Policy,¹ you timely submitted a fee waiver denial override request. Your request argued the following:

- The fee waiver denial override request cures the sole deficiency in the fee waiver request.
- The benefit to the Utah public substantially outweighs the interest in recovering a fee.
- Requiring prepayment imposes an exceptional burden.
- Significant public interest in the subject of the request is itself a circumstance justifying a fee waiver.

After reviewing your request and for the reasons stated below, I deny your fee waiver denial override request.

¹ See Office of the Governor of Utah Record Management Policy, G-302(9)(a).



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I. Statement of Reasons for Decision

The Office of the Governor established a policy for fees through the Office of the Governor Record Management Policy (Record Management Policy). Because the Office is exempt from Section 203 of GRAMA, the Record Management Policy governs fees and fee waiver requests for records requests submitted to the Office of the Governor. The Record Management Policy provides that a fee waiver may be granted only if the requester demonstrates:

(a) in light of all applicable circumstances, requiring the requester to pay the response fee would place an exceptional burden on the requester; (b) the benefit to the Utah public derived from responding to the record request and providing access to the requested records without payment of the response fee substantially outweighs the interest in recovering the response fee to cover some of the cost to the public of the Office responding to the record request; or (c) there are other significant circumstances justifying a waiver.

Record Management Policy, G-302(5).

In your first argument in support of your fee waiver denial override request, you claim that you have cured the sole defect with your fee waiver request: a lack of information about how you intend to use records obtained from the request. However, you misconstrue the office's reasons for the denial and role in response to a fee waiver denial override request. The office's response notes broadly that it is "unclear how the Utah public will specifically benefit from your request." Yet even if you elect to provide more information, the office still has the opportunity to review that information and determine whether you have met one of the bases for a fee waiver above.

Your fee waiver denial override request does not provide any additional information, except that you intend to publish the records "on a public web docket . . ." It remains unclear how a requester outside the state of Utah with no apparent press or media role will provide a heightened benefit to the Utah public. While you disclose, in the abstract, a non-commercial purpose, you have provided no specific details. Thus, I find that you have still failed to demonstrate that the benefit to the Utah public from providing the records free of charge substantially outweighs the interest in recovering fees.

Next, you argue that the public benefit substantially outweighs the office's interest in recovering a fee. Yet, that argument is flawed for the same reasons as the one noted above. You have not demonstrated that the Utah public will benefit from your request at all, let alone in a manner outweighing the office's interest in recovering response costs borne by the taxpayers of Utah. Thus, your second argument is denied.



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Your third argument claims that prepayment imposes an exceptional burden, in part because you are a private citizen and you intend to provide public, free access to any records obtained. I do not find that requiring you to pay a response fee would impose an exceptional burden. You have not alleged that you are unable to pay or any other exceptional circumstances. Thus, your third argument is denied.

Your final argument appears to restate the public interest argument addressed above. I do not find that public interest in the subject of your request constitutes a separate basis for granting your fee waiver override denial request. Thus, your fourth and final argument is also denied.

II. Decision

THEREFORE, for the reasons stated above, your fee waiver denial override request is denied.

The office's policy states, "the chief administrative officer's action to decline or choose not to respond to the fee waiver denial override request is final." Record Management Policy, G-302(9)(d), *see also* G-302(8). **Thus, this decision is final and not subject to appeal.**

Sincerely,

Jon S. Pierpont
Chief of Staff, Governor's Office