



NEW JERSEY GOVERNMENT RECORDS COUNCIL
Administrative Complaint Disposition – Motion to File Within Time Denied

Diana L. Ling
Complainant

GRC Complaint No. 2023-237

v.

N.J. Board of Public Utilities
Custodial Agency

Custodian of Record: Sherri Golden
Request Received by Custodian: May 25, 2023
GRC Complaint Received: October 3, 2023

Complaint Disposition: The Complainant verified the instant complaint on September 25, 2023, the last day of the expiration of the sixty (60) calendar day statute of limitation, alleging she was denied access to her OPRA request on July 25, 2023. However, the Complainant did not actually submit her Denial of Access Complaint until September 29, 2023.¹ The Complainant asserted in her motion that she did not know about the statute of limitation or the existence of the GRC. The Complainant also asserted that she needed time to “collect all documentation to prepare to submit.” However, the Complainant failed to show good cause to permit the complaint to proceed out of time. Therefore, this complaint shall be dismissed.

Applicable OPRA Provision: “Any requestor who is denied access, in whole or in part, to a government record by a custodian, at the option of the requestor, may file a complaint with the Council pursuant to N.J.S.A. 47:1A-6. Such filing shall be made within 60-calendar days or, if the last day of the period is a Saturday, Sunday, or legal holiday, within the next business day, pursuant to N.J.A.C. 1:1-1.4, after the requestor receives a response from the custodian that grants or denies access or, if the custodian does not respond within seven business days of the request, within 60-calendar days following the expiration of such seven-business-day period, whichever is later, unless accompanied by a motion to file within time, showing good cause.” N.J.A.C. 5:105-2.1(a).

This is the final administrative determination in this matter. Any further review should be pursued in the Appellate Division of the Superior Court of New Jersey within forty-five (45) days. Information about the appeals process can be obtained from the Appellate Division Clerk’s Office, Hughes Justice Complex, 25 W. Market St. PO Box 006, Trenton, NJ 08625-0006.

Effective Date of Disposition: November 8, 2023

¹ The Complainant first submitted her complaint electronically signed on and predated September 25, 2023 on September 28, 2023; however, the GRC returned same as out of time. The Complainant then resubmitted her complaint including a motion to file within time on September 29, 2023.



Prepared By: Frank F. Caruso
Executive Director

Date: October 31, 2023

Distribution Date: November 9, 2023