

Exhibit D



400 W. Summit Hill Drive, Knoxville, Tennessee 37902

October 20, 2023

Ms. Melanie Faizer
Interim News Director
WUOT
1345 Circle Park Drive, COM 209
Knoxville, TN 37919

Dear Ms. Faizer:

This supplements TVA's response to your request under the Freedom of Information Act (5 U.S.C. § 552) dated April 12, 2023, for incentive agreements, grants or contracts between Bitdeer and TVA and related emailed correspondence. Your request was processed under tracking number 23-FOI-00108.

Enclosed is a link to additional agreements and correspondence between Bitdeer and TVA responsive to your request. Some information has been redacted from the enclosed records pursuant to FOIA exemptions 4, 5 and 6. In addition, 31 items related to the credit agreement are withheld in full pursuant to FOIA exemption 4.

FOIA exemption 4 protects confidential commercial and financial information obtained by the government from an outside source that, if released, would cause foreseeable harm to the party from whom it was obtained. The information redacted and withheld under exemption 4 is information Bitdeer identified as information that would cause it substantial financial and competitive harm if made public.

The government confidential commercial privilege under FOIA exemption 5 protects the government's confidential business information. TVA considers certain details of its economic development programs confidential, proprietary information that is protected by exemption 5. Release of such information would cause TVA competitive harm by allowing other utilities, who are competing for the same customers, insight into the details of TVA's programs and strategies for attracting businesses to the Tennessee Valley. Release of confidential terms and conditions related to TVA incentives would impair the effectiveness of TVA's economic development programs by stifling TVA's ability to obtain confidential information from future prospective companies, among other things.

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The information redacted from the records under exemption 6 is personal contact information of non-agency personnel that is protected by the privacy provisions of exemption 6.

If you have questions about this response, you may contact me at foia@tva.gov. Enclosed is contact information for FOIA mediation services provided by the Office of Government Information Services and TVA.

You may appeal this response to your FOIA request by writing to Mr. Buddy Eller, Vice President, Communications & Public Relations, Tennessee Valley Authority, at email address foia@tva.gov or Fax to (865) 632-6901. Any appeal must be received within 90 days of the date of this letter.

Sincerely,

A handwritten signature in cursive script that reads "Denise Smith".

Denise Smith
TVA FOIA Officer

Enclosures

NOTICE

The Office of Government Information Services (OGIS) was created to offer mediation services to resolve disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to litigation, Using OGIS Services does not affect your right to pursue litigation. If you are requesting access to your own records (which is considered a Privacy Act request), you should know that OGIS does not have authority to handle requests made under the Privacy Act of 1974. You may contact OGIS in any of the following ways:

Office of Government Information Services
National Archives and Records Administration
Room 2510
8601 Adelphi Road
College Park, MD 20740-6001
Email ogis@nara.gov
Telephone: 301-837-1996
Facsimile: 301-837-0348
Toll-free: 1-877-684-6448

FOIA Liaison mediation services are also available through the TVA Ombudsman. You may contact the Ombudsman in any of the following ways:

Mr. Wilson Taylor
Ombudsman and TVA FOIA Liaison
Tennessee Valley Authority
400 W. Summit Hill Drive (WT 7D)
Knoxville, TN 37902-1401
Email wtaylor@tva.gov
Telephone: (865) 632-8133