

**From:** [Robert.Black@dot.gov](mailto:Robert.Black@dot.gov) [mailto:Robert.Black@dot.gov]  
**Sent:** Monday, December 19, 2011 5:46 PM  
**To:** Kelly D. Davis  
**Cc:** Margie Sollinger  
**Subject:** RE: Follow-Up on Scenic America's Rulemaking Petition

Ms. Davis-

I apologize for not responding to you earlier. I had hoped to get a final determination at least a month ago on the changeable message sign study that FHWA funded. As of this date, I am still not sure when the report will be released.

I will, therefore, I advise my superiors in FHWA to answer your petition without the report. Your considered petition deserves a response. I am embarrassed that it has take so long for FHWA to send you one.

It is my firm intention to have an official response to you by mid-January.

Bob Black

**From:** Kelly D. Davis [mailto:kdd33@law.georgetown.edu]  
**Sent:** Friday, November 18, 2011 12:29 PM  
**To:** Black, Robert (FHWA)  
**Cc:** Outhouse, Jennifer (FHWA); Margie Sollinger  
**Subject:** Follow-Up on Scenic America's Rulemaking Petition

Hello Mr. Black,

I wanted to follow up on our telephone conversation of September 20, 2011. In an email (reprinted below), I had asked when Scenic America may expect to receive a formal response to its rulemaking petition sent in February 2010. You indicated over the phone that you would speak to your supervisor and could give me an answer within two weeks.

As it's been about two months since we spoke, I wanted to check in again and see if you have had a chance to assess the timeframe for responding to Scenic America's petition.

Thank you,  
Kelly

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