



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RQ-2

August 26, 2010

MARVELL BIVINS JR., TREASURER  
ENERGEN CORPORATION POLITICAL ACTION  
COMMITTEE  
605 RICHARD ARRINGTON JR. BLVD. N.  
BIRMINGHAM, AL 35203-2707

**Response Due Date**  
**09/30/2010**

IDENTIFICATION NUMBER: C00135855

REFERENCE: JULY QUARTERLY REPORT (04/01/2010 - 06/30/2010)

Dear Treasurer:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. This notice requests information essential to full public disclosure of your federal election campaign finances. **Failure to adequately respond by the response date noted above could result in an audit or enforcement action.** Additional information is needed for the following 1 items:

1. Schedule B supporting Line 23 of your report discloses one or more contributions to a candidate(s) for the **2010 Primary** election; however, the funds were disbursed after the election date(s) (see attached). Please note that contributions may not be designated for an election which has already occurred unless the funds are to be used to reduce a candidate committee's debts incurred during that election campaign.

If any apparently impermissible contribution in question was incompletely or incorrectly disclosed, you should amend your original report with clarifying information. If the contribution(s) in question should have been designated for debt retirement, you should amend your report to indicate "debt retirement," along with the year of election.

If you have made an impermissible contribution, you must request a refund or provide a written authorization for a redesignation of the contribution pursuant to 11 CFR §110.2(b) within 60 days of the treasurer's receipt.

If the foregoing conditions for redesignations were not met within 60 days of the treasurer's receipt, your committee must obtain a refund.

Please inform the Commission of your corrective action immediately in writing and provide a photocopy of the refund or redesignation request sent to the recipient committee(s). In addition, any refunds should be disclosed on

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Schedule A supporting Line 16 of the report covering the period during which they are received. Any redesignations should be disclosed as memo entries on Schedule B supporting Line 23 of the report covering the period during which the redesignation is made. 11 CFR §110.1(b)

Although the Commission may take further legal action regarding this impermissible activity, your prompt action in obtaining a refund and/or redesignating the contribution(s) will be taken into consideration.

**Please note, you will not receive an additional notice from the Commission on this matter.** Adequate responses must be received by the Commission on or before the due date noted above to be taken into consideration in determining whether audit action will be initiated. Failure to comply with the provisions of the Act may also result in an enforcement action against the committee. Any response submitted by your committee will be placed on the public record and will be considered by the Commission prior to taking enforcement action. **Requests for extensions of time in which to respond will not be considered.**

Electronic filers must file amendments (to include statements, designations and reports) in an electronic format and must submit an amended report in its entirety, rather than just those portions of the report that are being amended. If you should have any questions regarding this matter or wish to verify the adequacy of your response, please contact me on our toll-free number (800) 424-9530 (at the prompt press 5 to reach the Reports Analysis Division) or my local number (202) 694-1153.

Sincerely,



Kristin DeCarminie  
Senior Campaign Finance and Reviewing Analyst  
Reports Analysis Division

## Contribution After Election Date:

<b>Recipient Name</b>	<b>Date</b>	<b>Amount</b>	<b>Election</b>	<b>Election State - Date</b>
KIRK FOR SENATE	5/12/10	\$1,000	P-2010	IL – 2/2/10
FRIENDS OF STEVE RABY	6/14/10	\$1,000	P-2010	AL – 6/1/10
SHEILA SMOOT FOR CONGRESS	6/14/10	\$500	P-2010	AL – 6/1/10
TERRI SEWELL FOR CONGRESS	6/14/10	\$500	P-2010	AL – 6/1/10