



Office of the Attorney General  
State of Texas

DAN MORALES  
ATTORNEY GENERAL

August 22, 1996

Mr. Rusty Renfroe  
City Attorney's Office  
City of Longview  
P.O. Box 1952  
Longview, Texas 75606-1952

OR96-1524

Dear Mr. Renfroe:

You ask for reconsideration of Open Records Letter No. OR96-0736 (1996) (referred to as "OR96-0736"). Your request was assigned ID# 100227.

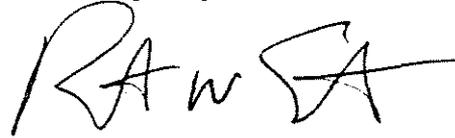
The City of Longview (the "city") received a request for a copy of the winning bid for the city's long distance service. In OR96-0736, this office concluded that the requested information was not excepted from disclosure under sections 552.101, 552.104, and 552.110 of the Government Code. You ask for reconsideration because the information involves the interests of a third party, AT&T. You ask that either the city or AT&T be allowed to provide additional arguments not considered by this office in OR96-0736.

Because the information at issue involves the interests of a third party, *cf.* Open Records Decision No. 552 (1990) (presumption of openness may be overcome by interests of third parties), and pursuant to the city's request for reconsideration, this office notified AT&T of this request for information. In a letter sent to AT&T, this office solicited arguments regarding whether the requested information is confidential and stated that unless AT&T provided certain required information within 14 days, this office would assume that AT&T had no privacy or property interest in the requested information. A copy of this letter was also sent to the city.

Neither AT&T nor the city responded to this office regarding this request. Because neither AT&T nor the city have established that the requested information is excepted from disclosure under chapter 552 of the Government Code, the information must be released.

We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and should not be relied upon as a previous determination regarding any other records. If you have questions about this ruling, please contact our office.

Yours very truly,

A handwritten signature in black ink, appearing to read "RWS", with a long horizontal flourish extending to the right.

Robert W. Schmidt  
Assistant Attorney General  
Open Records Division

RWS/rho

Ref.: ID# 100227

cc: Mr. Paul Everett  
Network Long Distance  
119 W. Tyler  
Longview, Texas 75601

Ms. Valerie L. Hogan  
Sales Manager  
AT&T  
613 West Ferguson  
Tyler, Texas 75702