



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

March 4, 1997

Ms. Christine T. Rodriguez
Staff Attorney
Texas Department of Insurance
P.O. Box 149104
Austin, Texas 78714-9104

OR97-0477

Dear Ms. Rodriguez:

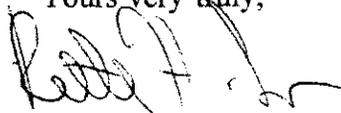
You have asked for reconsideration of Open Records Letter Nos. 96-2276 (1996) and 96-1514 (1996). We have assigned your request for reconsideration ID# 104138.

The Department of Insurance (the "department") received a request for information concerning the Pennsylvania and Delaware Compensation Rating Bureaus (the "bureaus"). In Open Records Letter No. 96-1514 (1996), we determined that the information was not shown to constitute trade secrets protected under section 552.110 of the Government Code. In Open Records Letter No. 96-2276 (1996), we agreed to consider additional arguments against disclosure of the information at issue. However, we informed the department that until it provided the records at issue to this office for review, we could not determine the applicability of those additional arguments to the records at issue.

The department has provided the information to this office for review. The bureaus assert that the information is confidential commercial and financial information protected from disclosure under section 552.110 of the Government Code. The bureaus have shown by specific factual information that they actually face competition and that releasing portions of the information could cause substantial competitive injury. *Sharyland Water Supply Corp. v. Block*, 755 F.2d 397, 399 (5th Cir.), *cert. denied*, 471 U.S. 1137 (1985). Open Records Decision No. 639 (1996). We have marked the portions of the information that must be withheld from disclosure.

If you have any questions about this ruling, please contact our office.

Yours very truly,



Ruth H. Soucy
Assistant Attorney General
Open Records Division

RHS/ch

Ref: ID# 104138

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