



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

December 19, 1997

Ms. Mary D. Marquez
Assistant to Chief Counsel
Capital Metropolitan Transportation
Authority
2910 East Fifth Street
Austin, Texas 78702

OR97-2808

Dear Ms. Marquez:

You ask this office to reconsider our ruling in Open Records Letter No. 97-2389 (1997). Your request for reconsideration was assigned ID# 112204.

The Capital Metropolitan Transportation Authority (the "authority") received two requests for the technical and cost proposals submitted to the authority regarding the Automated Trip Planning system RFP No. CMTL-23537. On behalf of Megadyne, you ask this office for partial reconsideration of Open Records Letter No. 97-2389 (1997). In Open Records Letter No. 97-2389 (1997), this office concluded, among other things, that Megadyne Information Systems ("Megadyne"), one of the vendors submitting a cost proposal, had established that section 552.110 of the Government Code excepted from disclosure only portions of its proposal to the authority. Megadyne contends that any pricing information contained in the proposal is also protected from disclosure under section 552.110.

We have reviewed Megadyne's arguments regarding the pricing information contained in its proposal. We conclude that Megadyne has established that the pricing information is protected as trade secret information under section 552.110 of the Government Code. We have marked the submitted documents accordingly. Open Records Letter No. 97-2389 (1997) is overruled to the extent it conflicts with this conclusion.

We are resolving this matter with this 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 may 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,



Loretta R. DeHay
Assistant Attorney General
Open Records Division

LRD/rho

Ref.: ID# 112204

Enclosures: Submitted documents

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