



April 6, 1999

Mr. Jon G. Burt
Attorney at Law
P.O. Drawer 270
Kaufman, Texas 75142

OR99-0923

Dear Mr. Burt:

You ask whether certain information is subject to required public disclosure under the Texas Public Information Act, chapter 552 of the Government Code. Your request was assigned ID# 125079.

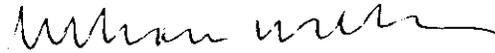
The Gastonia-Scurry Water Supply Corporation (the "corporation") received a request for "[a]ll minutes from 1-1-93 to 3-15-99," "[a]ll checks written to Jan Jumper from 1-1-93 to her termination," and "[a]ll telephone records from 1-1-95 to 3-15-99." We do not understand you to raise any exceptions to disclosure of the requested information.

Section 552.301 of the act requires that a governmental body¹ seeking to withhold information in response to a request for information ask for a decision from the attorney general and state the claimed exceptions to disclosure within ten business days of receiving the request. If the governmental body does not request an attorney general decision as provided by section 552.301, the information is presumed public. Gov't Code § 552.302. This presumption can be overcome only by a compelling demonstration that the information should not be made public. *See, e.g.,* Open Records Decision No. 150 (1977) (presumption of openness overcome by a showing that the information is made confidential by another source of law or affects third party interests). Since you have not stated any exceptions to disclosure under which you seek to withhold the requested information, you must release it to the requestor unless you can demonstrate to this office that the information is made confidential by law or affects third party interests.

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.

¹You indicate, and we assume for purposes of this decision, that the corporation is a governmental body subject to the act. *See* Gov't Code § 552.003(1)(A)(ix) (act's definition of "governmental body" includes certain non-profit water supply corporations).

Sincerely,

A handwritten signature in black ink, appearing to read "William Walker". The signature is fluid and cursive, with a long horizontal stroke at the end.

William Walker
Assistant Attorney General
Open Records Division

WMW/eaf

Ref.: ID# 120579

cc: Ms. Carol Murrey
1221 VZCR 3816
Wills Point, Texas 75169