



September 13, 1999

Mr. Richard A. Muscat
The Gonzalez Law Firm, P.C.
One Westlake Plaza, Suite 100
1705 South Capitol of Texas Highway
Austin, Texas 78746

OR99-2540

Dear Mr. Muscat:

You ask whether certain information is subject to required public disclosure under the Texas Public Information Act (the "Act"), chapter 552 of the Government Code. Your request was assigned ID# 127900.

The Bexar Metro 9-1-1 District (the "District") received a request from the North East Independent School District for "digital street files of Bexar County." The District received a similar request from Murphy's World, a private GIS consulting company, for "GIS data for Comal and Guadalupe Counties" to include "address ranges and street names." You ask whether this information is "subject to release through open records requests" or confidential under section 771.061 of the Health and Safety Code.

We recently addressed your question in Open Records Decision No. 661 (1999).¹ Section 771.061(a) of the Health and Safety Code reads in pertinent part as follows:

Information that a service provider of telecommunications service is required to furnish to a governmental entity in providing computerized 9-1-1 service is confidential and is not available for public inspection. Information that is contained in an address database maintained by a governmental entity or a third party used in providing computerized 9-1-1 service is confidential and is not available for public inspection.

Section 771.061(a) of the Health and Safety Code makes confidential certain information that telephone companies and the United States Postal Service furnish a governmental entity that provides computerized 9-1-1 emergency services. ORD 661 at 2. Such information is

¹We have enclosed a copy of Open Records Decision No. 661 for your review.

also confidential when included in maps used by a governmental entity in the provision of emergency services. *Id.* at 2, 4.

Of course, the District cannot release confidential information to the public. *See* Gov't Code §§ 552.101, .352. Therefore, the District should offer Murphy's World a version of the GIS data from which the confidential information has been redacted. Open Records Decision No. 661 offers specific guidelines for addressing cost and time issues related to providing data in a manipulated form. *Id.* at 6-8.

The District does, however, have discretion to release the confidential information to the North East Independent School District. As we noted in Open Records Decision No. 661, information may be transferred between governmental bodies without violating its confidential character on the basis of a recognized need to maintain an unrestricted flow of information between governmental bodies. *Id.* at 3. Accordingly, the District may release to North East Independent School District the confidential information used in providing 9-1-1 emergency service.

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.

Sincerely,



Karen E. Hattaway
Assistant Attorney General
Open Records Division

KEH/ljp

Ref: ID# 127900

Encl. Open Records Decision No. 661 (1999)

cc: Mr. Anthony A. Athens, III
North East Independent School District
8961 Tesoro Drive
San Antonio, Texas 78217
(w/ enclosures)