



October 5, 1999

Ms. Monique Norman
Environmental Law Division
Texas Natural Resource Conservation Commission
P.O. Box 13087
Austin, Texas 78711-3087

OR99-2825

Dear Ms. Norman:

You ask whether certain information is subject to required public disclosure under the Public Information Act, chapter 552 of the Government Code. Your request was assigned ID# 129183.

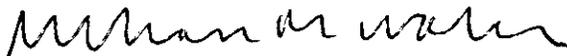
The Texas Natural Resource Conservation Commission (the "commission") received a written request for, among other things, "all documents related to the Executive Directors Office involvement in Lakeway MUD's Innovative Permit application #11495-001 for the following years: 1993, 1994, 1995, 1996, 1997, 1998 and 1999." You state that the commission will make available most of the requested information. You contend, however, that one document comes within the attorney-client privilege and thus may be withheld from the public pursuant to section 552.107(1) of the Government Code.

Section 552.107(1) of the Government Code protects information coming within the attorney-client privilege. *See* Open Records Decision No. 574 (1990). In instances where an attorney represents a governmental entity, the attorney-client privilege protects only an attorney's legal advice and confidential attorney-client communications. *Id.* After reviewing the document at issue, we agree that the commission may withhold this document in its entirety pursuant to section 552.107(1).

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,



William M. Walker
Assistant Attorney General
Open Records Division

WMW/RWP/nc

Ref.: ID# 129183

cc: Ms. Christa Yates
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Lakeway, Texas 78734
(w/o enclosures)

Ms. Christine Wilson
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(w/o enclosures)