



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

June 8, 2009

Ms. Marivi Gambini
Paralegal
City of Irving
825 West Irving Boulevard
Irving, Texas 75060

OR2009-07771

Dear Ms. Gambini:

You ask whether certain information is subject to required public disclosure under the Public Information Act (the "Act"), chapter 552 of the Government Code. Your request was assigned ID# 350117.

The City of Irving (the "city") received a request for information pertaining to a specified address for the last twelve months. You state you are releasing some responsive information to the requestor. You claim the remaining responsive information is excepted from disclosure under section 552.137 of the Government Code.¹ We have considered the exception you claim and reviewed the submitted information.

Section 552.137 of the Government Code states that "an e-mail address of a member of the public that is provided for the purpose of communicating electronically with a governmental body is confidential and not subject to disclosure under [the Act]," unless the owner of the e-mail address has affirmatively consented to its public disclosure. Gov't Code § 552.317(a)-(b). The types of e-mail address listed in section 552.137(c) may not be withheld under this exception. *See id.* § 552.137(c). You state the city has not received consent for the release of the e-mail addresses at issue. Therefore, the city must withhold the e-mail address you have marked under section 552.137 of the Government Code.

¹Although you raise section 552.101 of the Government Code in conjunction with section 552.137, this office has concluded that section 552.101 does not encompass other exceptions found in the Act. *See Open Records Decision Nos. 676 at 1-2 (2002), 575 at 2 (1990).*

This letter ruling is limited to the particular information at issue in this request and limited to the facts as presented to us; therefore, this ruling must not be relied upon as a previous determination regarding any other information or any other circumstances.

This ruling triggers important deadlines regarding the rights and responsibilities of the governmental body and of the requestor. For more information concerning those rights and responsibilities, please visit our website at http://www.oag.state.tx.us/open/index_orl.php, or call the Office of the Attorney General's Open Government Hotline, toll free, at (877) 673-6839. Questions concerning the allowable charges for providing public information under the Act must be directed to the Cost Rules Administrator of the Office of the Attorney General at (512) 475-2497.

Sincerely,



Amy L.S. Shipp
Assistant Attorney General
Open Records Division

ALS/rl

Ref: ID# 350117

Enc. Submitted documents

cc: Requestor
(w/o enclosures)