



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

August 24, 2009

Mr. Eric D. Bentley
Assistant General Counsel
University of Houston System
East Cullen Building, Suite 311
Houston, Texas 77204-2162

OR2009-11857

Dear Mr. Bentley:

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# 353325.

The University of Houston (the "university") received a request for the Agreement for Bookstore Services between the university and Barnes & Noble College Booksellers, Inc. ("Barnes & Noble"). While you raise no exceptions on behalf of the university regarding the requested information, you indicate that it may contain proprietary information excepted from disclosure under the Act. Accordingly, you state that you have notified Barnes & Noble, the interested third party, of the request and of the company's right to submit arguments to this office as to why the requested information should not be released. *See* Gov't Code § 552.305(d); *see also* Open Records Decision No. 542 (1990) (determining that statutory predecessor to section 552.305 permits governmental body to rely on interested third party to raise and explain applicability of exception to disclosure in certain circumstances). We have received and considered comments from an attorney for Barnes & Noble and reviewed the submitted information.

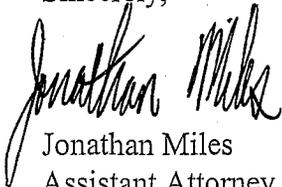
In the correspondence submitted to this office, Barnes & Noble states that it has no objection to the release of the submitted information. As Barnes & Noble does not argue to withhold any of the information submitted by the university, the university may not withhold any portion of the submitted information on the basis of any proprietary interest Barnes & Noble

may have in the information. Accordingly, the submitted information must be released to the requestor.

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,



Jonathan Miles
Assistant Attorney General
Open Records Division

JM/cc

Ref: ID# 353325

Enc. Submitted documents

c: Requestor
(w/o enclosures)