



ATTORNEY GENERAL OF TEXAS

GREG ABBOTT

December 17, 2009

Mr. Charles H. Weir
Assistant City Attorney
City of San Antonio
P.O. Box 839966
San Antonio, Texas 78283

OR2009-17892

Dear Mr. Weir:

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# 364846 (COSA File No. 2009-4408).

The City of San Antonio (the "city") received a request for a dispatch page relating to a specified case number. You claim that some of the requested information is excepted from disclosure under section 552.101 of the Government Code. We have considered the exception you claim and reviewed the information you submitted.

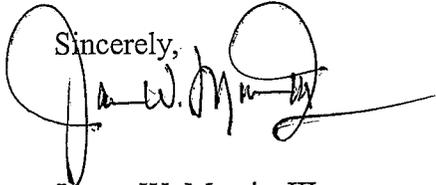
Section 552.101 of Government Code excepts from disclosure "information considered to be confidential by law, either constitutional, statutory, or by judicial decision." Gov't Code § 552.101. This exception encompasses information that other statutes make confidential. Chapter 772 of the Health and Safety Code authorizes the development of local emergency communication districts. Sections 772.118, 772.218, and 772.318 of the Health and Safety Code are applicable to emergency 9-1-1 districts established in accordance with chapter 772. See Open Records Decision No. 649 (1996). These sections make the originating telephone numbers and addresses of 911 callers furnished by a service supplier confidential. *Id.* at 2. Section 772.118 applies to an emergency communication district for a county with a population of more than two million. Section 772.218 applies to an emergency communication district for a county with a population of more than 860,000. Section 772.318 applies to an emergency communication district for a county with a population of more than 20,000.

We understand that the city is part of an emergency communication district established under section 772.318. You indicate that some of the submitted information pertains to a 9-1-1 call. We note that the submitted information includes a telephone number and address. You do not indicate, however, whether that information was furnished by a 9-1-1 service supplier. Therefore, we will rule in the alternative. To the extent that the telephone number and address contained in the submitted information pertain to a 9-1-1 call and were furnished by a service supplier, we conclude that they are confidential under section 772.318 of the Health and Safety Code and must be withheld from the requestor on that basis under section 552.101 of the Government Code. To the extent that the submitted telephone number and address either do not pertain to a 9-1-1 call or were not furnished by a service supplier, they are not confidential under section 552.101 in conjunction with section 772.318 and must be released. In either event, the city must release the rest of the submitted information.

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, toll free, at (888) 672-6787.

Sincerely,



James W. Morris, III
Assistant Attorney General
Open Records Division

JWM/cc

Ref: ID# 364846

Enc: Submitted documents

c: Requestor
(w/o enclosures)