



ATTORNEY GENERAL OF TEXAS  
GREG ABBOTT

June 29, 2010

Mr. Tom Tracy  
Assistant General Counsel  
University of Houston System  
311 East Cullen Building  
Houston, Texas 77204-2028

OR2010-09612

Dear Mr. Tracy:

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# 384673.

The University of Houston System (the "system") received two requests for the bid tabulations from 730-Dorm Furniture for a specified dormitory. Although you take no position as to whether the submitted information is excepted under the Act, you state release of the submitted information may implicate the proprietary interests of several third parties.<sup>1</sup> Accordingly, you state, and provide documentation showing, you have notified the third parties of the request for information and of their right to submit arguments to this office as to why the submitted information should not be released. *See* Gov't Code § 552.305(d); Open Records Decision No. 542 (1990) (statutory predecessor to Gov't Code § 552.305 permitted governmental body to rely on interested third party to raise and explain applicability of exception to disclosure under certain circumstances). We have reviewed the information you submitted.

Initially, we note the requested information was the subject of a previous request, as a result of which this office issued Open Records Letter No. 2010-05902 (2010). In that ruling, we determined the system may not withhold the submitted information because this office had received no correspondence from any of the third parties that were notified. Accordingly, as we have no indication there has been any change in the law, facts, or circumstances on which the previous ruling was based, we conclude the system must rely on Open Records Letter No. 2010-05902 as a previous determination and release the requested information in accordance with that ruling. *See* Open Records Decision No. 673 (2001) (so long as law, facts, and circumstances on which prior ruling was based have not changed, first type of previous determination exists where requested information is precisely same information as

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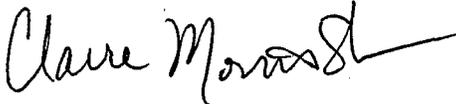
<sup>1</sup>You inform us the interested third parties are Dickson Furniture; Dubois Wood Products; KLN Steel Products Company; Office Design Concepts, L.L.C.; and Southwest Contract.

was addressed in prior attorney general ruling, ruling is addressed to same governmental body, and ruling concludes that information is or is not excepted from disclosure).

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](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,



Claire V. Morris Sloan  
Assistant Attorney General  
Open Records Division

CVMS/jb

Ref: ID# 384673

Enc. Submitted documents

c: 2 Requestors  
(w/o enclosures)

Mr. Joseph Sylvan  
Office Design Concepts, L.L.C.  
6750 Brittmoore Road  
Houston, Texas 77041  
(w/o enclosures)

Mr. Kris Benson  
KLN Steel Products Co.  
4200 Northwest Pan Am Expressway  
San Antonio, Texas 78218  
(w/o enclosures)

Mr. Lee Thompson  
Southwest Contract  
17 Professional Drive  
Temple, Texas 76504  
(w/o enclosures)

Mr. Andrew Lapp  
Dubois Wood Products  
P.O. Drawer 386  
Huntingburg, Indiana 47542  
(w/o enclosures)

Mr. Jim Dickson  
Dickson Furniture  
7015 Grand Boulevard  
Houston, Texas 77054-2205  
(w/o enclosures)