



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

July 16, 2013

Ms. Zeena Angadicheril
Office of General Counsel
The University of Texas System
201 West Seventh Street
Austin, Texas 78701-2902

OR2013-12154

Dear Ms. Angadicheril:

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# 493259 (OGC# 14970).

The University of Texas Health Science Center at Houston (the "university") received a request for signed contracts, evaluation documents, a list of vendors that submitted proposals, and reports pertaining to contract performance in relation to the university's Student Loan Collection Services/744-1303 request for proposal. You state the university is releasing some information to the requestor. Although the university takes no position regarding whether the remaining responsive information is excepted from disclosure, you state its release may implicate the proprietary interests of Enterprise Recovery Systems and Todd, Bremer & Lawson, Inc. Accordingly, you notified these companies of the request and their right to submit arguments to this office. *See* Gov't Code § 552.305(d); *see also* Open Records Decision No. 542 (1990) (statutory predecessor to section 552.305 permits governmental body to rely on interested third party to raise and explain applicability of exception in the Act in certain circumstances). We have reviewed the submitted information.

An interested third party is allowed ten business days from the date of its receipt of the governmental body's notice under section 552.305 of the Government Code to submit its reasons, if any, as to why information relating to the party should not be released. *See* Gov't Code § 552.305(d)(2)(B). As of the date of this decision, this office has received no correspondence from either notified company. Thus, because the notified companies have

not demonstrated any of the information at issue is proprietary for purposes of the Act, the university may not withhold any of the submitted information on the basis of any interest the companies may have in the information. *See id.* § 552.110(a)-(b); Open Records Decision Nos. 552 at 5 (1990), 661 at 5-6 (1999). Therefore, as the university does not claim an exception to disclosure, the submitted information must be released.

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.texasattorneygeneral.gov/open/orl_ruling_info.shtml, 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 may be directed to the Office of the Attorney General, toll free, at (888) 672-6787.

Sincerely,



Ana Carolina Vieira
Assistant Attorney General
Open Records Division

ACV/ag

Ref: ID# 493259

Enc. Submitted documents

c: Requestor
(w/o enclosures)

Mr. Steve Recchia
Enterprise Recovery Systems
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Mr. Niel Welborn
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