



January 30, 2015

Ms. Kasey Feldman-Thomason  
General Law Attorney  
Public Utility Commission of Texas  
P.O. Box 13326  
Austin, Texas 78711

OR2015-01912

Dear Ms. Feldman-Thomason:

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# 552437 (PUC ID No. 2014-11-012).

The Public Utility Commission of Texas (the "commission") received a request for the justification for and subsequent approval of five items on the requestor's electricity bill. You state the commission has released some information to the requestor. Although you state the commission takes no position as to whether the remaining requested information is excepted under the Act, you state release of this information may implicate the privacy interests of Sharyland Utilities, L.P. ("Sharyland"). Accordingly, you state, and provide documentation showing, you notified Sharyland of the commission's receipt of the request for information and of its right to submit arguments to this office as to why the remaining requested information should not be released. *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 received comments from Sharyland and have reviewed the submitted information.

Initially, you state some of the submitted information is not responsive to the request for information. This ruling does not address the public availability of non-responsive information, and the commission need not release non-responsive information to the requestor.

An interested third party is allowed ten business days after the date of its receipt of the governmental body's notice under section 552.305(d) to submit its reasons, if any, as to why information relating to that party should be withheld from public disclosure. *See* Gov't Code § 552.305(d)(2)(B). In its comments to this office, Sharyland states it does not object to release of the responsive information. Accordingly, we have no basis to conclude Sharyland has a privacy interest in the submitted information. *See* Open Records Decision Nos. 620 (1993) (corporation has no right to privacy), 192 (1978) (right to privacy is designed to protect human feelings and sensibilities, rather than property, business, or other pecuniary interests); *see also Rosen v. Matthews Constr. Co.*, 777 S.W.2d 434 (Tex. App.—Houston [14th Dist.] 1989) (corporation has no right to privacy (citing *United States v. Morton Salt Co.*, 338 U.S. 632, 652 (1950))), *rev'd on other grounds*, 796 S.W.2d 692 (Tex. 1990). Accordingly, the commission may not withhold any of the responsive information on the basis of any privacy interest Sharyland may have in it. As no exceptions to disclosure have been raised, the commission must release the responsive 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.texasattorneygeneral.gov/open/orl\\_ruling\\_info.shtml](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,



Kristi L. Godden  
Assistant Attorney General  
Open Records Division

KLK/cz

Ref: ID# 552437

Enc. Submitted documents

c: Requestor  
(w/o enclosures)

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