



**KEN PAXTON**  
ATTORNEY GENERAL OF TEXAS

March 4, 2015

Ms. Leslie O. Haby  
Assistant City Attorney  
City of San Antonio  
Office of the City Attorney  
P.O. Box 839966  
San Antonio, Texas 78283-3966

OR2015-04267

Dear Ms. Haby:

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# 555266 (COSA File No. W046190).

The City of San Antonio (the "city") received a request for six categories of information pertaining to a named city police officer and the city's police department's speed detection equipment. You state the city will release the majority of the requested information. Although you take no position as to whether the submitted information is excepted under the Act, you indicate release of the submitted information may implicate the proprietary interests of Applied Concepts, Inc. ("ACI"). Accordingly, you state, and provide documentation showing, you notified ACI of the request for information and of its right to submit arguments to this office as to why the submitted 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 ACI. We have considered the submitted arguments and reviewed the submitted information.

ACI states the submitted information was the subject of a previous request for information, as a result of which this office issued Open Records Letter No. 2014-22752 (2014). In that ruling, we determined the city must withhold the submitted information under section 552.110(a) of the Government Code. We have no indication there has been any change in the law, facts, or circumstances on which the previous ruling was based. Accordingly, we conclude the city must rely on Open Records Letter No. 2014-22752 as a previous determination and withhold the submitted 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 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.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,



Megan G. Holloway  
Assistant Attorney General  
Open Records Division

MGH/cbz

Ref: ID# 555266

Enc. Submitted documents

c: Requestor  
(w/o enclosures)

Ms. Darlene Stoneham  
CFO  
VP Administration  
Executive Co Chair  
Secretary/Treasurer  
Applied Concepts, Inc.  
2609 Technology Drive  
Plano, Texas 75074-7467  
(w/o enclosures)