



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

April 14, 2015

Mr. James Kopp
Assistant City Attorney
Office of the City Attorney
City of San Antonio
P.O. Box 839966
San Antonio, Texas 78283

OR2015-07183

Dear Mr. Kopp:

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# 559909 (COSA File No. W058857).

The City of San Antonio (the "city") received a request for the policies, procedures, operations, and maintenance manuals for radar speed detection equipment. 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 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.

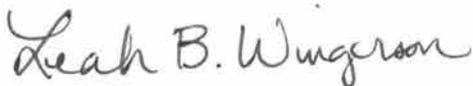
You inform us the submitted information was the subject of a previous request for information, in response to which this office issued Open Records Letter No. 2014-22752 (2014). In Open Records Letter No. 2014-22752, this office concluded the city must withhold the information at issue under section 552.110(a) of the Government Code. We have no indication the law, facts, and circumstances on which the prior ruling was based have changed. Accordingly, the city must continue to 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, 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, 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,



Leah B. Wingerson
Assistant Attorney General
Open Records Division

LBW/bhf

Ref: ID# 559909

Enc. Submitted documents

c: Requestor
(w/o enclosures)

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