



**KEN PAXTON**  
ATTORNEY GENERAL OF TEXAS

July 22, 2015

Ms. Tiffany N. Evans  
Assistant City Attorney  
Legal Department  
City of Houston  
P.O. Box 368  
Houston, Texas 77001-0368

OR2015-14949

Dear Ms. Evans:

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# 572517 (GC No. 22348).

The City of Houston (the "city") received a request for a list of mobile dispatch service companies registered with the city, to include seven categories of information for each company. Although the city takes no position as to whether the submitted information is excepted under the Act, the city informs us release of this information may implicate the proprietary interests of GERTRIDE; App. Limo; Fioma, Inc. d/b/a Armadillo Cab; PocketCab; and Drinnen, LLC. Accordingly, the city states it notified these third parties of the request for information and of their right to submit arguments to this office as to why the information at issue 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 reviewed the submitted information.

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) of the Government Code 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). As of the date of this letter, we have not received comments from any of the third parties explaining why the submitted information should not be released. Therefore, we have no basis to conclude any of the third parties has a protected proprietary interest in the submitted information. *See id.* § 552.110; Open

Records Decision Nos. 661 at 5-6 (1999) (to prevent disclosure of commercial or financial information, party must show by specific factual evidence, not conclusory or generalized allegations, release of requested information would cause that party substantial competitive harm), 552 at 5 (1990) (party must establish *prima facie* case information is trade secret), 542 at 3. Accordingly, the city may not withhold the submitted information on the basis of any proprietary interest any of the third parties may have in the information. As no exceptions to disclosure have been raised, 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](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,



Rahat Huq  
Assistant Attorney General  
Open Records Division

RSH/som

Ref: ID# 572517

Enc. Submitted documents

c: Requestor  
(w/o enclosures)

Mr. Jason Diaz  
GETRIDE  
129 West 29<sup>th</sup> Street, 7<sup>th</sup> Floor  
New York, New York 10001  
(w/o enclosures)

Mr. John Claypool  
App. Limo  
4618 Park Court  
Bellaire, Texas 77401  
(w/o enclosures)

Mr. Reddy Berhane  
Fioma, Inc. d/b/a Armadillo Cab  
9473 FM 1960 Bypass Road, West  
Suite 100  
Humble, Texas 77338  
(w/o enclosures)

Ms. Samora Edmund  
PocketCab  
5009 East Parma  
Rosenberg, Texas 77471  
(w/o enclosures)

Mr. Sarfraz Maredia  
Drinnen, LLC  
2525 Robinhood Street  
Houston, Texas 77005  
(w/o enclosures)