



**KEN PAXTON**  
ATTORNEY GENERAL OF TEXAS

September 23, 2015

Ms. Theresa Pham  
Counsel for the City of Dripping Springs  
Bojorquez Law Firm, P.C.  
12325 Hymeadow Drive, Suite 2-100  
Austin, Texas 78750

OR2015-19941

Dear Ms. Pham:

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# 580300.

The City of Dripping Springs (the "city"), which you represent, received a request for all documents related to the proposed concrete batch plant to be located at a specified address. The city states it has released some information. The city claims the submitted information is excepted from disclosure under sections 552.101, 552.107, and 552.111 of the Government Code. We have considered the exceptions the city claims and reviewed the submitted information.

We note the submitted information was the subject of a previous request for information in response to which this office issued Open Records Letter No. 2015-16969 (2015). In Open Records Letter No. 2015-16969, we ruled, in relevant part, the city may withhold the information at issue under section 552.111 of the Government Code as attorney work product. As we have no indication the law, facts, and circumstances on which the prior ruling was based has changed, the city may continue to rely on Open Records Letter No. 2015-16969 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 a prior attorney general ruling, ruling is addressed to same governmental

body, and ruling concludes that information is or is not excepted from disclosure). As our ruling is dispositive, we need not address the city's arguments against 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,



Rahat Huq  
Assistant Attorney General  
Open Records Division

RSH/som

Ref: ID# 580300

Enc. Submitted documents

c: Requestor  
(w/o enclosures)