



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

April 15, 2016

Ms. Hilda Salinas
Public Information Specialist
Hidalgo County
100 East Cano, First Floor
Edinburg, Texas 78539

OR2016-08466

Dear Ms. Salinas:

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# 606079 (File No. 2016-046).

Hidalgo County (the "county") received a request for a specified contract between the county and another entity. Although you take no position as to whether the submitted information is excepted under the Act, you state release of this information may implicate the proprietary interests of the Texas General Land Office (the "GLO") and Reliant Energy ("Reliant"). Accordingly, you state, and provide documentation showing, you notified the GLO and Reliant 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 §§ 552.304 (interested party may submit comments stating why information should or should not be released), .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 arguments from the GLO. We have considered the submitted arguments and reviewed the submitted information.

We note the information at issue was the subject of a previous request for a ruling, as a result of which this office issued Open Records Letter No. 2015-26353A (2015). In that ruling, we determined the county may withhold the information at issue under section 552.104 of the Government Code. We have no indication the law, facts, or circumstances on which the

prior ruling was based have changed. Thus, the county may continue to rely on Open Records Letter No. 2015-26353A as a previous determination and withhold the information at issue 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 we are able to make this determination, we need not address the submitted arguments.

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,



Ashley Crutchfield
Assistant Attorney General
Open Records Division

AC/dls

Ref: ID# 606079

Enc. Submitted documents

c: Requestor
(w/o enclosures)

2 Third Parties
(w/o enclosures)