



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

December 16, 2016

Mr. Daniel W. Ray
Counsel for the City of Greenville
Scott, Ray & Sullivan
P.O. Box 1353
Greenville, Texas 75403

OR2016-27886

Dear Mr. Ray:

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# 638196.

The City of Greenville (the "city"), which you represent, received a request for specified information pertaining to customers of the city's water department during a specified time period. You claim the submitted information is excepted from disclosure under section 552.133 of the Government Code. We have considered the exception you claim and reviewed the submitted information.

Section 552.133 of the Government Code excepts from disclosure a public power utility's information that is "reasonably related to a competitive matter." Gov't Code § 552.133(b). You explain the Greenville Electric Utility System is a municipally-owned utility service and is a public power utility for purposes of section 552.133. However, we find the submitted information pertains to water, wastewater, and sewer services. Water, wastewater, and sewer services are not subject to section 552.133 because the exception applies only to electric or gas utility services, and thus, the city may not withhold it on that basis. As you raise no other exceptions to disclosure, the city must release the submitted information.

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,

A handwritten signature in black ink, appearing to read "Ashley Crutchfield". The signature is written in a cursive, flowing style.

Ashley Crutchfield
Assistant Attorney General
Open Records Division

AC/bw

Ref: ID# 638196

Enc. Submitted documents

c: Requestor
(w/o enclosures)