



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

March 9, 2017

Mr. Kipling D. Giles
Senior Counsel
Legal Services Division
Cps Energy
P.o. Box 1771
San Antonio, Texas 78296-1771

OR2017-05010

Dear Mr. Giles:

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# 648353.

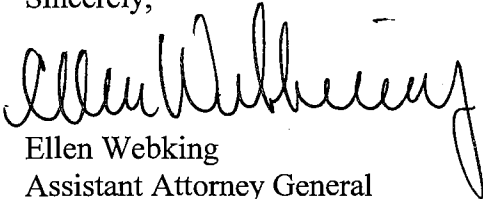
The City Public Service Board of San Antonio d/b/a CPS Energy ("CPS Energy") received a request for the award value for a specified project. Although you take no position as to whether the submitted information is excepted under the Act, you state release of some of this information may implicate the proprietary interests of Alamo Environmental, Inc. ("Alamo"). Accordingly, you state you notified Alamo of the request for information and of its 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 received comments from Alamo stating it does not object to the release of the requested information. We have reviewed the submitted information.

We note the requestor only seeks the award value for the specified project. Accordingly, only the submitted award value is responsive to the request. This ruling does not address the public availability of any information that is not responsive to the request and CPS Energy is not required to release such information in response to this request. As no exceptions to disclosure have been raised, CPS Energy must release the responsive 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,



Ellen Webking
Assistant Attorney General
Open Records Division

EW/sb

Ref: ID# 648353

Enc. Submitted documents

c: Requestor
(w/o enclosures)

1 Third Party
(w/o enclosures)