



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

May 3, 2017

Mr. R.P. Matthew Allen
Counsel for Port Freeport
Cordoba Law Firm, PLLC
208 Parking Way
Lake Jackson, Texas 77566

OR2017-09443

Dear Mr. Allen:

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# 655664.

Port Freeport (the "port"), which you represent, received a request for information pertaining to a specified request for proposals and contract. The port claims some of the submitted information is excepted from disclosure under section 552.104 of the Government Code. We have considered the exception the port claims and reviewed the submitted information.

The submitted information was the subject of a previous request for information, as a result of which this office issued Open Records Letter No. 2017-08966 (2017). In that ruling, we determined the port may withhold the information it marked and the information we marked under section 552.104 of the Government Code and must release the remaining information. We have no indication there has been any change in the law, facts, or circumstances on which the previous ruling was based. Accordingly, the port must rely on Open Records Letter No. 2017-08966 as a previous determination and withhold or release 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 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 do not address the port's argument 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, 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, reading "Claire Morris Sloan". The signature is written in a cursive style with a large, stylized initial "C".

Claire V. Morris Sloan
Assistant Attorney General
Open Records Division

CVMS/som

Ref: ID# 655664

c: Requestor