



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

May 8, 2017

Ms. Kelly R. O'Brian
Records Manager
North Texas Municipal Water District
P.O. Box 2408
Wylie, Texas 75098-2408

OR2017-09868

Dear Ms. O'Brian:

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# 656795.

The North Texas Municipal Water District (the "district") received a request for a specified bid price sheet. 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 James River Solutions ("JRS"). Accordingly, you state, and provide documentation showing, you notified JRS 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 reviewed the submitted information.

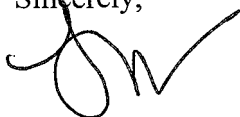
We note the submitted information was the subject of a previous request for information, as a result of which this office issued Open Records Letter No. 2017-09233 (2017). In that ruling, we determined, in relevant part, the district may withhold JRS' information we marked under section 552.104(a) of the Government Code. We have no indication there has been a change in the law, facts, or circumstances on which the previous ruling was based. Accordingly, the district may rely on Open Records Letter No. 2017-09233 as a previous determination and withhold the identical 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).

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,



Jahna Ward
Assistant Attorney General
Open Records Division

JW/tdw

Ref: ID# 656795

Enc. Submitted documents

c: Requestor
(w/o enclosures)

Third Party
(w/o enclosures)