



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

July 13, 2017

Mr. John A. Kazen
Counsel for the Laredo Independent School District
Kazen, Muerer & Pérez L.L.P.
211 Calle Del Norte, Suite 100
Laredo, Texas 78041

OR2017-15698

Dear Mr. Kazen:

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# 666248.

The Laredo Independent School District (the "district"), which you represent, received a request for a specified company's proposal submitted in response to a specified request for proposals. You claim the submitted information is excepted from disclosure under section 552.101 of the Government Code. Furthermore, you state release of the submitted information may implicate the proprietary interests of Foremost Telecommunications Corporation ("Foremost"). Accordingly, you state, and provide documentation showing, you notified Foremost of its right to submit arguments to this office as to why the submitted information 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 considered the exception you claim and reviewed the submitted information.


You inform us the submitted information was the subject of a previous request for information, as a result of which this office issued Open Records Letter No. 2017-07304 (2017). In Open Records Letter No. 2017-07304, we concluded, in pertinent part, the district (1) may withhold the information Foremost indicated under section 552.104 of the Government Code; (2) must withhold the insurance policy numbers in the remaining

information under section 552.136 of the Government Code; and (3) must release the remaining information. There is no indication the law, facts, and circumstances on which the prior ruling was based have changed. Accordingly, we conclude the district must rely on Open Records Letter No. 2017-07304 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 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,



Sidney M. Pounds
Assistant Attorney General
Open Records Division

SMP/sdk

Ref: ID# 666248

Enc. Submitted documents

c: Requestor
(w/o enclosures)

Third Party
(w/o enclosures)