



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

November 2, 2017

Ms. Kristi Godden
Counsel for Edinburgh Consolidated Independent School District
O'Hanlon, Demerath, & Castillo
808 West Avenue
Austin, Texas 78701-2208

OR2017-25109

Dear Ms. Godden:

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# 682815 (ORR# E000226).

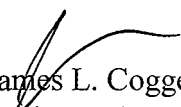
The Edinburgh Consolidated Independent School District (the "district"), which you represent, received a request for information pertaining to the district's copier services. The district claims the requested information is excepted from disclosure under section 552.104 of the Government Code. We have considered the claimed exception and reviewed the submitted information.

Section 552.104(a) of the Government Code excepts from disclosure "information that, if released, would give advantage to a competitor or bidder." Gov't Code § 552.104(a). The "test under section 552.104 is whether knowing another bidder's [or competitor's information] would be an advantage, not whether it would be a decisive advantage." *Boeing Co. v. Paxton*, 466 S.W.3d 831, 841 (Tex. 2015). The district informs us the submitted information pertains to bids for goods that have been awarded. Nevertheless, the district states it bids for the same or similar goods on a recurring basis. The district also asserts release of the information would provide a competitive advantage to bidders in the future. After review of the information at issue and consideration of the arguments, we find the district has established the release of the information at issue would give advantage to a competitor or bidder. Thus, we conclude the district may withhold the submitted information under section 552.104(a) of the Government Code.

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,



James L. Coggeshall
Assistant Attorney General
Open Records Division

JLC/tdw

Ref: ID# 682815

Enc. Submitted documents

c: Requestor
(w/o enclosures)