



**KEN PAXTON**  
ATTORNEY GENERAL OF TEXAS

February 9, 2018

Mr. Francisco J. Garza  
Counsel for Agua Special Utility District  
2028 East Griffin Parkway  
Mission, Texas 78572

OR2018-03156

Dear Mr. Garza:

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# 694763.

The Agua Special Utility District (the "district"), which you represent, received a request for communications between the district and the Hidalgo County District Attorney's Office (the "district attorney's office") for a specified period of time. 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 interests of the district attorney's office.<sup>1</sup> Accordingly, you have notified the district attorney's office of the request pursuant to section 552.304 of the Government Code. *See* Gov't Code § 552.304 (interested party may submit comments stating why information should or should not be released). We have reviewed the submitted information.

Initially, we note some of the submitted information is not responsive to the present request because it was created after the date of the present request. This ruling does not address the public availability of the non-responsive information, which we have marked, and the district need not release it in response to this request.

The district attorney's office informs us it does not object to release of the responsive information. Accordingly, the district must release the responsive information.

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<sup>1</sup>Although you raise sections 552.101, 552.107, and 552.108 of the Government Code for the submitted information, you provide no arguments explaining how these exceptions apply to the submitted information. Accordingly, we assume you have withdrawn these claims. *See* Gov't Code §§ 552.301, .302.

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](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,



Paige Lay  
Assistant Attorney General  
Open Records Division

PL/gw

Ref: ID# 694763

Enc. Submitted documents

c: Requestor  
(w/o enclosures)