



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

July 9, 2019

Mr. Lance Kennedy
Counsel for City of Fate
Messer Rockefeller & Fort PLLC
6371 Preston Road, Suite 200
Frisco, Texas 75034

OR2019-18524

Dear Mr. Kennedy:

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# 777330 (ORR # F050219).

The City of Fate (the "city"), which you represent, received a request for information pertaining to a specified motor vehicle accident. The city claims some of the submitted information is excepted from disclosure under section 552.101 of the Government Code. We have considered the exception you claim and reviewed the submitted information.

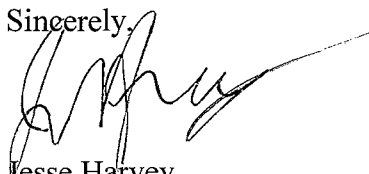
Section 552.101 of the Government Code excepts from disclosure "information considered to be confidential by law, either constitutional, statutory, or by judicial decision." Gov't Code § 552.101. Section 552.101 encompasses information made confidential by other statutes, such as chapter 772 of the Health and Safety Code, which authorizes the development of local emergency communication districts. Section 772.318 of the Health and Safety Code applies to an emergency communication district for a county with a population of more than 20,000 and makes confidential the originating telephone numbers and addresses of 9-1-1 callers that are furnished by a 9-1-1 service supplier. *See* Open Records Decision No. 649 (1996). The city states it is part of an emergency communication district that is subject to section 772.318 of the Health and Safety Code. The city seeks to withhold the telephone number of a 9-1-1 caller within the submitted documents. We conclude the city must withhold the telephone number under section 552.101 of the Government Code in conjunction with section 772.318 of the Health and Safety Code if the information consists

of the originating telephone number of a 9-1-1 caller furnished by a 9-1-1 service supplier. If the information at issue does not consist of the originating telephone number of a 9-1-1 caller provided by a 9-1-1 service supplier, then it may not be withheld under section 552.101 in conjunction with section 772.318.

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,



Jesse Harvey
Assistant Attorney General
Open Records Division

JH/be

Ref: ID# 777330

Enc. Submitted documents

c: Requestor
(w/o enclosures)