



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

May 15, 2020

Mr. Juan A. Roque
Assistant District Attorney
Bexar County Criminal District Attorney's Office
101 West Nueva Street
San Antonio, Texas 78205

OR2020-13807

Dear Mr. Roque:

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# 828283.

Bexar County (the "county") received a request for all documents pertaining to any agreements between the county and Environmental Science and Research Limited ("ESR"). 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 ESR. Accordingly, you state, and provide documentation showing, you notified ESR of the request for information and of their 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 received comments from ESR. We have considered the submitted comments and reviewed the submitted information.

Although ESR asserts that it objects to release of employee cellular telephone numbers, ESR has failed to raise any exception to disclosure of the information at issue. Accordingly, the county may not withhold any of the submitted information on behalf of ESR. As no other exception to disclosure of the requested information is raised, the submitted information must be released.

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 <https://www.texasattorneygeneral.gov/open-government/members-public/what-expect-after-ruling-issued> or call the OAG's Open Government Hotline, toll free, at (877) 673-6839. Questions concerning the allowable charges for providing public information under the Public Information Act may be directed to the Cost Rules Administrator of the OAG, toll free, at (888) 672-6787.

Sincerely,

Ashley Crutchfield
Assistant Attorney General
Open Records Division

AC/jxd

Ref: ID# 828283

Enc. Submitted documents

c: Requestor
(w/o enclosures)

Third Party
(w/o enclosures)