



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

November 20, 2020

Mr. Ross Laughead
General Counsel
Alamo Community College District
2222 North Alamo Street, Room 304
San Antonio, Texas 78215

OR2020-29213

Dear Ms. Laughead:

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# 855256.

Alamo Community College District (the "college") received a request for certain information pertaining to the winning bidder of a specified request for proposals. You state you have released some information to the requestor. Although you take no position as to whether the submitted information is excepted from disclosure under the Act, you state release of the submitted information may implicate the proprietary interests of CareerAmerica, L.L.C. d/b/a Ocelot ("Ocelot"). Accordingly, you state, and provide documentation showing, you notified Ocelot of the request for information and of the 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 reviewed the submitted information.

We note the submitted information was the subject of a previous request for information, as a result of which this office issued Open Records Letter No. 2020-10637 (2020). In Open Records Letter No. 2020-10637, we determined that the college must (1) withhold the insurance policy numbers in the submitted information under section 552.136 of the Government Code and (2) release the remaining information. We have no indication the law, facts, or circumstances on which the prior ruling was based have changed. Thus, the college must continue to rely on Open Records Decision No. 2020-10637 as a previous determination and withhold or release the requested 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 that 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 <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,

Kimbell Kesling
Assistant Attorney General
Open Records Division

KK/be

Ref: ID# 855256

Enc. Submitted documents

c: Requestor
(w/o enclosures)

1 Third Party
(w/o enclosures)