



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

February 11, 2022

Mr. Daniel Sylvia
Counsel for the City of Dayton
Olson & Olson, L.L.P.
1517 Trinity Street
Liberty, Texas 77575

OR2022-04231

Re: Request for certain information pertaining to a specified utility during a defined period of time

Dear Mr. Sylvia:

The Office of the Attorney General has received your request for a ruling and assigned your request ID# 929816.

After reviewing your arguments and the submitted information, we have determined your request does not present a novel or complex issue. Thus, we are addressing your claims in a memorandum opinion. You claim the submitted information must be withheld from the requestor pursuant to section 552.1331 of the Government Code.¹ Upon review of your arguments and the submitted information, we conclude you must withhold the submitted information under section 552.1331 of the Government Code.

For more information on the cited exception, please refer to the open government information on our website at <https://www.texasattorneygeneral.gov/open-government/governmental-bodies/open-records-memorandum-rulings>. You may also contact our Open Government Hotline at 1-877-OPENTEX.

Enc. Submitted documents

c: Requestor
(w/o enclosures)

¹ We note the city failed to comply with the procedural requirements of section 552.301 of the Government Code in requesting a decision from this office. *See* Gov't Code § 552.301(b). Nonetheless, section 552.1331 of the Government Code can provide a compelling reason to overcome the presumption of openness caused by a failure to comply with section 552.301. *See id.* §§ 552.007, .302, .352. Thus, we will consider the applicability of this exception to the submitted information, notwithstanding the city's violation of section 552.301 in requesting this decision.