



**KEN PAXTON**  
ATTORNEY GENERAL OF TEXAS

August 15, 2022

Ms. Dawn Roberts  
Assistant City Attorney  
City of Arlington  
P.O. Box 90231  
Arlington, Texas 76004-3231

OR2022-24217

Re: Requests for two specified lists during defined periods of time (Reference Nos. 134957, 135391, 135421, and 135427)

Dear Ms. Roberts:

The Office of the Attorney General has received your request for a ruling and assigned your request ID# 966168.

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. We note that you have only submitted information pertaining to the specified utility. To the extent any additional information existed on the date you received this request we assume you have released it. If you have not released any such information, you must do so at this time. *See* Gov't Code §§ 552.301(a), .302; *see also* Open Records Decision No. 664 (2000) (if governmental body concludes that no exceptions apply to requested information, it must release information as soon as possible). You claim the submitted information must be withheld from the requestors pursuant to section 552.1331 of the Government Code.<sup>1</sup> 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.

---

<sup>1</sup> 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 with respect to the first request. *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.

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: 4 Requestors  
(w/o enclosures)