



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

August 19, 2022

Ms. Connie Standridge
City Manager
City of Corsicana
200 North 12th Street
Corsicana, Texas 75110

OR2022-24870

Dear Ms. Standridge:

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# 966964.

The City of Corsicana (the "city") received a request for information pertaining to a specified mining project. We understand you have released some information. You claim the submitted information is excepted from public disclosure under section 552.131 of the Government Code. In addition, you inform us release of the submitted information may implicate the proprietary interests of a third party. Accordingly, you we understand you notified Whinstone of the request 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 received comments from Whinstone. We have considered the submitted arguments and reviewed the submitted information.

Section 552.110(c) of the Government Code excepts from disclosure "commercial or financial information for which it is demonstrated based on specific factual evidence that disclosure would cause substantial competitive harm to the person from whom the information was obtained[.]" Gov't Code § 552.110(c). Whinstone argues the submitted information consists of commercial or financial information subject to section 552.110(c). Upon review, we find Whinstone has demonstrated the information at issue constitutes commercial or financial information, the release of which would cause

substantial competitive harm. Accordingly, the city must withhold the submitted information under section 552.110(c) of the Government Code.¹

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,

Michelle Garza
Assistant Attorney General
Open Records Division

MRG/mo

Ref: ID# 966964

Enc. Submitted documents

c: Requestor
(w/o enclosures)

Third Party
(w/o enclosures)

¹ As our ruling is dispositive, we need not address the remaining arguments against disclosure of this information.