



**THE ATTORNEY GENERAL
OF TEXAS**

AUSTIN, TEXAS 78711

RG 821

**JOHN L. HILL
ATTORNEY GENERAL**

October 15, 1974

The Honorable N. Alex Bickley
City Attorney
City of Dallas
City Hall
Dallas, Texas 75201

Open Records Decision No. 51

Re: Water department
customer information

Dear Mr. Bickley:

Pursuant to Sec. 7a of the Open Records Act, Art. 6252-17a, V. T. C. S., you ask whether certain customer account information of the Dallas Water Utilities Department is excepted from disclosure by Sec. 3(a)(1) of the Act, as information deemed confidential by law. You contend that the operation of the water department is a proprietary function, and that it was not the intent of the Legislature to open the account of each resident of the city, thereby invading the privacy of the individual.

The information requested includes all "turn on" and "turn off" information indicating the customer's name, type of service, previous address, current address, and forwarding address. The request specifically excludes credit, billing, or delinquency information.

We can find no statutory or case law that extends confidentiality to basic identifying information such as a person's name and address, and whether he is moving into town or leaving town, absent any other special circumstances.

In Open Records Decision No. 16 (1974), we determined that the names and home addresses of entering freshmen at a university are public information. The information requested here is similar, and we find that decision persuasive.

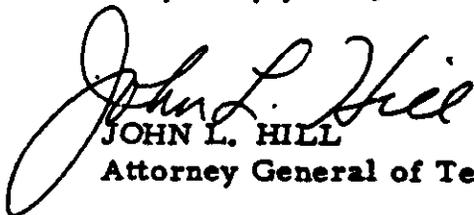
You also express concern about the possible commercial exploitation of the information involved. We share this concern, but the Open Records Act does not permit consideration of the motives of the requestor in determining whether information is public. See Art. 6252-17a, Sec. 5(b), V. T. C. S.; Attorney General Opinion H-242(1974). We note, however, that the

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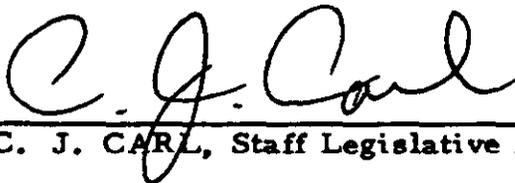
person who uses information obtained from a governmental agency for consumer credit purposes may be subject to the duties imposed by the Federal Fair Credit Reporting Act, 15 U.S.C., Sec. 1681. See Attorney General Opinion H-263 (1974).

We do not find that the information requested is within any exception in Sec. 3(a) of the Open Records Act, and it is our decision that it should be disclosed.

Very truly yours,


JOHN L. HILL
Attorney General of Texas

APPROVED:


C. J. CARL, Staff Legislative Assistant


DAVID M. KENDALL, Chairman
Opinion Committee