



THE ATTORNEY GENERAL
OF TEXAS

JIM MATTOX
ATTORNEY GENERAL

June 8, 1990

Mr. Don J. Rorschach
City Attorney
City of Irving
P.O. Box 152288
Irving, Texas 75015-2288

OR90-213

Dear Mr. Rorschach:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, article 6252-17a, V.T.C.S. Your request was assigned ID# 9098.

The City of Irving received a request for the liquid waste transportation trip tickets for a certain period. You inform us that these tickets contain customer names, addresses and telephone numbers, the name of the contact person, the capacity of the waste trap served, the name of the servicing company, the volume removed, the name of the disposal site, and the volume delivered to the disposal site. You assert that the disposal cost and the servicing frequency can be determined from this information. You raise section 3(a)(4) of the Open Records Act as an exception to the release of these tickets.

Section 3(a)(4) excepts "information which, if released, would give advantage to competitors or bidders." Section 3(a)(4) has been construed narrowly to require a showing of some specific actual or potential harm in a particular competitive situation. See, e.g., Open Records Decision Nos. 331 (1982); 309 (1982); 233 ((1980). You have not advised us of a "particular competitive situation" involved in the City of Irving's waste transportation business. Consequently, you must release the requested information.

Because case law and prior published open records decisions resolve your request, we are resolving this matter

with this informal letter ruling rather than with a published open records decision. If you have questions about this ruling, please refer to OR90-213.

Yours very truly,



Kay H. Guajardo
Assistant Attorney General
Opinion Committee

KHG/le

Ref.: ID# 9098

cc: Brian Noble
National Waste Companies
P.O. Box 153669
Irving, Texas 75015