



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

December 3, 1992

Ms. Susan Owen
Staff Attorney, Legal Division
Texas Air Control Board
12124 Park 35 Circle
Austin, Texas 78753

OR92-674

Dear Ms. Owen:

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# 17839.

You sought an open records decision from this office pursuant to section 7(c) of the act. Consequently, this office notified representatives of Hyponex Corporation that we received your request for an open records decision pertaining to certain of its documents held by the Texas Air Control Board. In our letter to Hyponex, this office requested an explanation as to why portions of their records were excepted from public disclosure, with the caveat that their failure to do so within a reasonable time would result in this office instructing you to disclose the information.

More than 14 days have elapsed since this office issued it notice, but Hyponex has failed to provide this office with any explanation as to why the requested documents should not be released. Consequently, we have no basis for applying any exceptions to required public disclosure to this information. See Open Records Decision No. 552 (1990). Because neither you nor Hyponex have explained why the requested information should be

withheld, you should release the information at this time. If you have any questions regarding this letter, please refer to OR92-674.

Yours very truly,



Kay H. Guajardo
Assistant Attorney General
Opinion Committee

KHG/RWP/lmm

Ref.: ID# 17839
ID# 17901
ID# 17928

cc: Mr. Robert E. DeLong, Jr.
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One Financial Plaza, Suite 210
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Ms. Paula Cingle
Hyponex Corporation
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