



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

June 15, 1993

Mr. Herbert L. Prouty
General Counsel
El Paso Water Utilities Public Service Board
1154 Hawkins Boulevard
El Paso, Texas 79925

OR93-318

Dear Mr. Prouty:

You inquire as to the extent to which 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# 19631.

The El Paso Water Utilities Public Service Board (the board) received an open records request for records pertaining to complaints or investigations concerning any "violation of any environmental laws, regulations, or standards" in relation to eight specified locations within the City of El Paso. You state that the only records the board possesses that arguably come within the ambit of the request are the utility bills for the eight locations, which the board has released to the requestor.

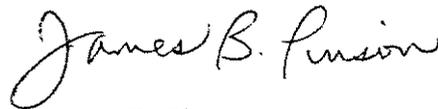
You contend, however, that one of the classes of documents being sought, *i.e.*, "other pertinent information relating to . . . neighboring properties," is overly broad and non-specific. Further, you state that the requestor has not provided any range of dates which would assist the board in locating and identifying any of its records, which date back to 1976. We agree that the open records request as written is overly broad and unclear as to the records being sought in this particular request. When a requestor makes a vague request, the governmental body should make a good faith effort to advise the requestor of the types of documents available so that the requestor may narrow the request. *See Open Records Decision No. 87 (1975).*

In this instance, you have demonstrated that the board has acted in good faith by responding to the requestor within ten days of its receipt of the request to seek clarification of this aspect of his request. We therefore deem the ten-day deadline for requesting an open records decision as tolled. *See V.T.C.S. art. 6252-17a, § 7(a); Open Records Decision No. 333 (1982).* Accordingly, the board need not act further on this request

until such time that the requestor narrows his request. The board will have ten days from the date of receipt of the clarification to request an open records decision from this office.

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 contact our office.

Yours very truly,



James B. Pinson
Assistant Attorney General
Opinion Committee

JBP/RWP/jmn

Ref.: ID# 19631
ID# 19642
ID# 19924
ID# 19983

cc: Mr. Juan Alonzo
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