



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

September 27, 1993

Ms. Gretchen Kuehn Bohnert
Assistant City Attorney
City of Houston
P.O. Box 1562
Houston, Texas 77251-1562

OR93-577

Dear Ms. Bohnert:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act (the "act"), Government Code chapter 552.¹ Your request was assigned ID# 22151.

The City of Houston (the "city") has received a request for information relating to the Pet Theft Act and cable television rates. Specifically, the requestor seeks:

- 1.) The August 4, 1993 legal opinion regarding the effect of the final regulations issued under the Pet Theft Act.
- 2.) Any and all legal opinions or analyses regarding the city's ability to regulate cable TV rates.

You advise us that the city will make some of the requested information available to the requestor. You object to release of the remaining information, however, and claim that sections 552.107 (former section 3(a)(7)) and 552.111 (former section 3(a)(11)) of the act except it from required public disclosure.

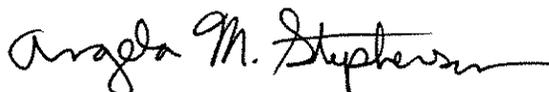
Section 552.107 applies in instances where an attorney represents a governmental entity. It protects an attorney's written advice to his client and a client's confidential communications to his attorney, but does not protect purely factual information. Open

¹We note that V.T.C.S. article 6252-17a was repealed by the 73d Legislature. Acts 1993, 73d Leg. ch. 268, § 46. The Open Records Act is now codified in the Government Code at chapter 552. *Id.* § 1. The codification of the Open Records Act in the Government Code is a nonsubstantive revision. *Id.* § 47.

Records Decision No. 574 (1990). We have examined the documents submitted to us for review and conclude that section 552.107 exempts them in their entirety from required public disclosure. As we resolve your request under section 552.107, we need not address the applicability of section 552.111 at this time.

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 this office.

Yours very truly,



Angela M. Stepherson
Assistant Attorney General
Open Government Section

AMS/GCK/rho

Ref.: ID# 22151

Enclosures: Documents submitted

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