



Office of the Attorney General  
State of Texas

DAN MORALES  
ATTORNEY GENERAL

February 8, 1996

Mr. John Steiner  
Division Chief  
Opinions, Research and Contracts  
City of Austin  
Norwood Tower  
114 West 7th Street  
P.O. Box 1088  
Austin, Texas 78767-1088

OR96 - 0156

Dear Mr. Steiner:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, chapter 552 of the Government Code. Your request was assigned ID# 36707.

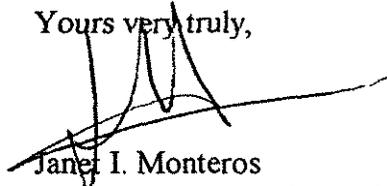
The City of Austin (the "city") has received a request asking for a copy of the winning proposal submitted by Price Waterhouse. The proposal results from the city's competitive solicitation process seeking a consultant to conduct an independent management and operational audit and future alternative assessment for the city's Electric Utility Department. You have notified Price Waterhouse of the request to alert them of their opportunity to assert its propriety interests. The city may rely on a third party to raise applicable exceptions to disclosure under the Open Records Act. Open Records Decision No. 542 (1990).

Thus, Price Waterhouse submission of comments relieves the city of assuming the burden of raising or explaining exceptions to the Office of the Attorney General. Open Records Decision No. 542 (1990) at 3. Price Waterhouse indicates, after a thorough review of the proposal in question, that in this particular case, they authorize release of the technical and cost proposal in response to the October 23, 1995 request. The city must therefore release the requested information in its entirety.

We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts

presented to us in this request and should not be relied upon as a previous determination regarding any other records. If you have questions about this ruling, please contact our office.

Yours very truly,



Janet I. Monteros  
Assistant Attorney General  
Open Records Division

JIM/ch

Ref.: ID# 36707

Enclosures: Submitted documents

cc: Ms. Barbara Day  
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(w/o enclosures)