



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

March 12, 1996

Ms. Suzanne Schwartz
General Counsel
Texas Water Development Board
P.O. Box 13231
Austin, Texas 78711-3231

OR96-0306

Dear Ms. Schwartz:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 39137.

The Texas Water Development Board (the "board") received a request for:

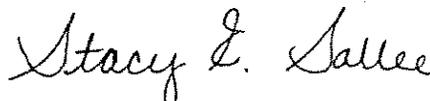
1. Any and all internal investigative reports, notes of, or emails describing such reports, relating to a geographic information system (GIS) plot found on the Texas Water Development Board computers in October of 1994 representing a portion of the Trans Andean Pipeline, bearing the 'Tenneco' symbol and the title 'Transporte Gasducto Transandino S.A.'
2. Any invoices relating to the plot mentioned in item #1 above.
3. Any and all files and documents and/or other information discussing, addressing, or related to item #1 above, generated by the legal department of the Texas Water Development Board.
4. Any and all letters, notes of conversations or meetings, or other information relating to item #1 above held between the Texas Water Development Board and the General Land Office.

You claim that certain documents are excepted from disclosure under section 552.107(a) of the Government Code. We have considered the exception you claimed and have reviewed the documents at issue.

Section 552.107(1) excepts information that an attorney cannot disclose because of a duty to his client. In Open Records Decision No. 574 (1990), this office concluded that section 552.107 excepts from public disclosure only "privileged information," that is, information that reflects either confidential communications from the client to the attorney or the attorney's legal advice or opinions; it does not apply to all client information held by a governmental body's attorney. *Id.* at 5. We have reviewed the documents and conclude that you may withhold the highlighted portions of Attachments 1, 15, 16, 17, 18, and 21. We also conclude that you may withhold Attachments 2 through 13, 19, and 20 in their entirety under section 552.107(1). Finally, we conclude that you may withhold only a portion of Attachment 14 under section 552.107(1). We have marked the portion that you may withhold. You may not withhold the remainder of Attachment 14.

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,



Stacy E. Sallee
Assistant Attorney General
Open Records Division

SES/ch

Ref.: ID# 39137

Enclosures: Marked documents

cc: Mr. Mark Robbins
(w/o enclosures)