



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

May 23, 1996

Mr. Gregory J. Pfeifer
Staff Attorney, Legal Division
Texas Natural Resource
Conservation Commission
P.O. Box 13087
Austin, Texas 78711-3087

OR96-0787

Dear Mr. Pfeifer:

You have asked whether certain information is subject to required public disclosure under the chapter 552 of the Government Code. Your request was assigned ID# 39564.

The Texas Natural Resource Conservation Commission ("TNRCC") received a request for information pertaining to the evaluation of a bid proposal. The requestor stated he was not seeking financial information that has been claimed as confidential by a bidder. It is our understanding that the only responsive records at issue are those you contend are excepted from disclosure under section 552.107(1).¹

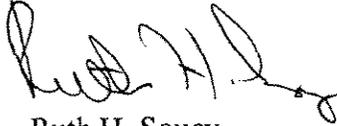
Section 552.107(1) excepts from disclosure communications that reveal client confidences or the attorney's legal opinion or advice. Open Records Decision Nos. 589 (1991) at 1, 574 (1990) at 3, 462 (1987) at 9-11. Section 552.107(1) does not except from disclosure factual recounting of events or the documentation of calls made, meetings attended, and memos sent. Open Records Decision No. 574 (1990) at 5. Our review of the representative records submitted to this office shows that the records at issue can be withheld from disclosure pursuant to section 552.107(1).²

¹The requestor wrote this office and alleged that other responsive documents were not disclosed to him. We note, however, that you have told this office that TNRCC has made the other responsive documents available to the requestor. Thus, we address only those documents you contend are excepted from disclosure under section 552.107(1).

²We assume that the "representative sample" of records submitted to this office is truly representative of the requested records as a whole. See Open Records Decision No. 499 (1988), 497

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 may 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,



Ruth H. Soucy
Assistant Attorney General
Open Records Division

RHS/ch

Ref.: ID# 39564

Enclosures: Submitted documents

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(w/o enclosures)

(Footnote continued)

(1988). Here, we do not address any other requested records to the extent that those records contain substantially different types of information than that submitted to this office.