



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

February 6, 1997

Ms. Melissa Winblood
Assistant City Attorney
City of El Paso
2 Civic Center Plaza
El Paso, Texas 79901-1196

OR97-0285

Dear Ms. Winblood:

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# 103669.

You sought an open records decision from this office pursuant to section 552.305 of the Government Code with regard to certain records requested by Mr. Helmut Paschold. Consequently, this office notified representatives of JMC Consultants, International ("JMC"), that we received your request for an open records decision regarding information relating to their proposal to the city for a Safety Engineering Consulting Services project. In our letter to JMC, this office requested an explanation as to why the requested information was exempted from public disclosure, with the caveat that their failure to do so within a reasonable time would result in this office instructing you to disclose the information.

More than four weeks have elapsed since this office issued its notice, but JMC has failed to provide this office with any explanation as to why the requested documents should not be released. Consequently, we have no basis for applying any exceptions to required public disclosure to this information. *See* Open Records Decision No. 552 (1990). Because neither you nor JMC have contended to this office that the requested information should be withheld, you should release the information at this time. If you have any questions regarding this letter, please contact this office.

Yours very truly,

A handwritten signature in black ink, appearing to read "Janet Monteros", written over a horizontal line.

Janet Monteros
Assistant Attorney General
Open Records Division

JIM/RWP/rho

Ref.: ID# 103669

Enclosures: Submitted documents

cc: Mr. Helmut W. Paschold, P.E., CSP
Paschold & Associates Safety Consultants, Inc.
220 Thunderbird, Suite #1
El Paso, Texas 79912
(w/o enclosures)

Mr. Jesus Candelaria, Sc.D (A.B.D.)
JMC Consultants, International
308 Sundown Place
El Paso, Texas 79912-3224
(w/o enclosures)