



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

February 11, 1997

Ms. Kim Kiplin
Interim Executive Director
Texas Lottery Commission
P.O. Box 16630
Austin, Texas 78761-6630

OR97-0294

Dear Ms. Kiplin:

Your predecessor previously asked whether certain information is subject to required public disclosure under chapter 552 of the Government Code. This request was assigned ID# 104076.

The Texas Lottery Commission (the "commission") received several open records requests for, among other things, certain documents pertaining to GTECH Corporation ("GTECH"). Specifically, the requestors seek copies of contracts between GTECH and its lobbyists and consultants, as well as a list of GTECH's "Texas vendors and vendors with Texas addresses."¹ The commission did not raise any exceptions to required public disclosure on its own behalf, but rather requested an open records decision from this office pursuant to section 552.305 of the Government Code.

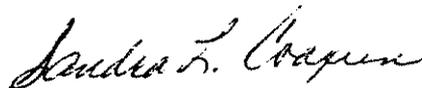
Pursuant to section 552.305 of the Government Code, this office provided GTECH the opportunity to submit reasons as to why the information at issue should be withheld from disclosure. GTECH asserts that the documents are excepted from disclosure pursuant to section 552.110 of the Government Code, which excepts from required public disclosure two types of information: (1) trade secrets, and (2) commercial or financial information that is obtained from a person and made privileged or confidential by statute or judicial decision.

We have considered those arguments and conclude that the requested information does not constitute trade secrets or commercial or financial information the release of which will cause substantial harm to the competitive position of the company. Therefore, the requested information is not excepted from disclosure under section 552.110.

¹Because you do not argue that any of the other requested information is excepted from required public disclosure, we assume that the other requested information has either been made available to the requestors or that the information has been previously determined by this office to be excepted from required public disclosure. See Open Records Letter No. 96-1905 (1996).

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,



Sandra L. Coaxum, C.P.A.
Chief, Open Records Division

SLC/SES/RWP/rho

Ref.: ID# 104076

Enclosures: Submitted documents

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