



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

September 24, 1998

Mr. John B. Dahill
Advisory Chief
Dallas County
411 Elm Street
Administration Building
Dallas, Texas 75202

OR98-2301

Dear Mr. Dahill:

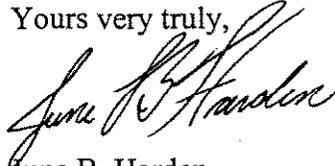
You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, chapter 552 of the Government Code. Your request was assigned ID# 118596.

Dallas County (the "county") received a request for a "copy of the entire proposal submitted by Correctional Services Corporation for operation of the 96-bed juvenile program (RFP 98-280)." You state that the requested proposal may contain proprietary information that must be withheld under section 552.110 of the Government Code. Gov't Code § 552.305. You raise no exception to disclosure on behalf of the county. You have submitted the requested information for our review.

Since the property and privacy rights of a third party may be implicated by the release of the requested information, this office notified Correctional Services Corporation of the request for information. *See* Gov't Code § 552.305 (permitting interested third party to submit to attorney general reasons why requested information should not be released); Open Records Decision No. 542 (1990) (determining that statutory predecessor to Gov't Code § 552.305 permits governmental body to rely on interested third party to raise and explain applicability of exception in Open Records Act in certain circumstances). Correctional Services Corporation did not respond to our notice; therefore, we cannot conclude that the requested information is excepted from disclosure. *See* Open Records Decision Nos. 639 at 4 (1996) (to prevent disclosure of commercial or financial information, party must show by specific factual or evidentiary material, not conclusory or generalized allegations, that it actually faces competition and that substantial competitive injury would likely result from disclosure), 552 at 5 (1990) (party must establish prima facie case that information is trade secret), 542 at 3 (1990). The requested proposal must, therefore, be released.

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 on as a previous determination regarding any other records. If you have any questions regarding this ruling, please contact our office.

Yours very truly,



June B. Harden
Assistant Attorney General
Open Records Division

JBH/ch

Ref.: ID# 118596

Enclosures: Submitted documents

cc: Mr. Richard C. Kelly
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(w/o enclosures)