



March 22, 1999

Mr. Merrill E. Nunn
City Attorney
City of Amarillo
P.O. Box 1371
Amarillo, Texas 79105-1971

OR99-0840

Dear Mr. Nunn:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. We assigned your request ID# 124660.

The City of Amarillo (the "city") received a request for nine categories of information relating to the financing of the city's purchase of water rights in Roberts and Hutchinson Counties under the Water Rights Agreement dated November 24, 1998. The requestor acknowledges that some of the requested documents may not exist and requests to be provided with the documents as they become available. You contend that the requested information does not exist and that you are not required to comply with a standing request for information.

The Open Records Act does not require a governmental body to make available information which does not exist at the time of the request. Open Records Decision Nos. 452 (1986), 362 (1983); *see also* Open Records Decision No. 605 (1992). Thus, you need not comply with such a request. Moreover, a governmental body need not comply with a standing request to provide information as it becomes available in the future or to treat a request as embracing information prepared after the request was made. Open Records Decision Nos. 465 (1987), 452 (1986).

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.

Sincerely

Yen-Ha Le
Assistant Attorney General
Open Records Division

YHL/nc

Ref.: ID# 124660

cc: Ms. April R. Maurer
Locke, Liddell & Sapp, L.L.P.
2200 Ross Avenue, Suite 2200
Dallas, Texas 75201-6776
(w/o enclosures)