



November 12, 1999

Mr. Richard Currie, Jr.  
Attorney at Law  
513 North Church Street  
Palestine, Texas 75801

OR99-3234

Dear Mr. Currie:

You ask whether certain information is subject to required public disclosure under the Public Information Act, chapter 552 of the Government Code. Your request was assigned ID# 129377.

The City of Palestine (the "city"), which you represent, received a written request for the following information:

- 1) Any proposed Cable [television] contract;
- 2) All correspondence between the City and its Cable consultant;  
and
- 3) All Correspondence between the City and the Cable Company.

You have informed this office in subsequent correspondence that the city has released to the requestor "the proposed cable contract." You contend that the remaining requested information, a representative sample of which you submitted to this office, is excepted from required public disclosure pursuant to sections 552.104, 552.106, and 552.107 of the Government Code.<sup>1</sup>

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<sup>1</sup>Although you also suggest in your most recent letter to this office that the information at issue may be excepted from required public disclosure pursuant to the "litigation exception," section 552.103 of the Government Code, you did not raise this exception within the ten-business days following the city's receipt of the records request. Furthermore, you did not demonstrate in your original correspondence that litigation was reasonably anticipated at the time the city received the records request. *See* Gov't Code § 552.103(c). We therefore do not consider here the applicability of section 552.103 to the records at issue.