



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

May 14, 2004

Mr. Dan Junell
Assistant General Counsel
Teacher Retirement System of Texas
1000 Red River Street
Austin, Texas 78701-2698

OR2004-3965

Dear Mr. Junell:

You ask whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 201611.

The Teacher Retirement System of Texas (the "system") received a request for information pertaining to two specified individuals' "PST file" for a certain period of time. You claim that some of the requested information is not subject to the Public Information Act. In the alternative, you claim that this information, as well as the remaining requested information, or portions thereof, is excepted from disclosure pursuant to sections 552.027, 552.101, 552.103, 552.107, 552.111, 552.117, 552.136, 552.137, and 552.139 of the Government Code. We have reviewed your representations.

We note that you state, and provide documentation showing, that the system sought clarification of the request from the requestor. *See* Gov't Code § 552.222(b) (stating that if information requested is unclear to governmental body or if large amount of information has been requested, governmental body may ask requestor to clarify or narrow request, but may not inquire into purpose for which information will be used). Based on your representations and our review of all of the information that has been submitted to us to date, it does not appear that the system had received the requested clarification from the requestor as of the date that it requested a ruling from us with regard to the requested information. Accordingly, we conclude that the system need not respond to this request with regard to any portion of the requested information, until it receives the requestor's clarification. We note, however, that when the system does receive the clarification, it must seek a ruling from us before

withholding from the requestor any information that may be responsive to the request. *See* Open Records Decision No. 663 (1999) (providing for tolling of ten business day deadline for requesting attorney general decision while governmental body awaits clarification).

Sincerely,



Ronald J. Bounds
Assistant Attorney General
Open Records Division

RJB/krl

Ref: ID# 201611

Enc. Submitted documents

c: Mr. Michael Nichols
2812 Single Trace Court
Austin, Texas 78728-4342
(w/o enclosures)