



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

January 23, 2009

Ms. Lori Fixley Winland
Locke Lord Bissell & Liddell, L.L.P.
100 Congress Avenue, Suite 300
Austin, Texas 78701

OR2009-00912

Dear Ms. Winland:

You ask whether certain information is subject to required public disclosure under the Public Information Act (the "Act"), chapter 552 of the Government Code. Your request was assigned ID# 333054.

The Central Texas Regional Mobility Authority (the "authority"), which you represent, received a request for the authority's traffic and revenue studies for the 290 East Project. You claim the requested information is excepted from disclosure under section 552.111 of the Government Code. We have considered the exception you claim and reviewed the submitted information.

You inform us that the requested information was the subject of a previous request for information, in response to which this office issued Open Records Letter No. 2009-00713 (2009). In Open Records Letter No. 2009-00713, we ruled the authority may withhold the requested information under section 552.111 of the Government Code. There is no indication that the law, facts, and circumstances on which the prior ruling was based have changed. Therefore, the authority may continue to rely on that ruling as a previous determination and withhold the requested information in accordance with Open Records Letter No. 2009-00713. *See* Open Records Decision No. 673 (2001) (so long as law, facts, and circumstances on which prior ruling was based have not changed, first type of previous determination exists where requested information is precisely same information as was addressed in prior attorney general ruling, ruling is addressed to same governmental body, and ruling concludes that information is or is not excepted from disclosure). As we are able to make this determination, we do not address your arguments against disclosure.

This letter ruling is limited to the particular information at issue in this request and limited to the facts as presented to us; therefore, this ruling must not be relied upon as a previous determination regarding any other information or any other circumstances.

This ruling triggers important deadlines regarding the rights and responsibilities of the governmental body and of the requestor. For more information concerning those rights and responsibilities, please visit our website at http://www.oag.state.tx.us/open/index_orl.php, or call the Office of the Attorney General's Open Government Hotline, toll free, at (877) 673-6839. Questions concerning the allowable charges for providing public information under the Act must be directed to the Cost Rules Administrator of the Office of the Attorney General at (512) 475-2497.

Sincerely,



Amy L.S. Shipp
Assistant Attorney General
Open Records Division

ALS/jb

Ref: ID# 333054

Enc. Submitted documents

cc: Requestor
(w/o enclosures)