



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

July 10, 2009

Mr. Vic Ramirez
Associate General Counsel
Lower Colorado River Authority
P.O. Box 220
Austin, Texas 78767-0220

OR2009-09491

Dear Mr. Ramirez:

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# 348679.

The Lower Colorado River Authority (the "LCRA") received a request for the submitted bid proposals in response to RFP 7150 and the scoring matrix used to score those proposals. You state you have released some of the requested information. Although you take no position with respect to the submitted information, you claim that the information may contain proprietary information subject to exception under the Act. Accordingly, you state, and provide documentation showing, that you notified the interested third parties of the LCRA's receipt of the request for information and of their right to submit arguments to this office as to why the information at issue should not be released to the requestor.¹ See Gov't Code § 552.305(d); see also Open Records Decision No. 542 (1990) (statutory predecessor to section 552.305 permits governmental body to rely on interested third party to raise and explain applicability of exception in the Act in certain circumstances). We have reviewed the submitted information.

An interested third party is allowed ten business days after the date of its receipt of the governmental body's notice under section 552.305(d) to submit its reasons, if any, as to why information relating to that party should be withheld from public disclosure. See Gov't Code § 552.305(d)(2)(B). As of the date of this letter, we have not received comments from

¹The third parties are as follows: Zephyr Environmental Corp ("Zephyr"); Safety Services Company ("SSC"); First Line of Survival ("First Line"); Eagle Construction & Environmental ("Eagle"); D2000 Safety ("D2000"); Applied Professional Training ("Applied"); BST Technologies ("BST"); Construction Safety & Health, Inc. ("Safety & Health"); TAS Environmental ("TAS"); Texas A&M Environmental Extension Service ("TEES"); Texas Rope Rescue ("TRR"); University of Texas at Arlington ("UTA"); and STCI.