



ATTORNEY GENERAL OF TEXAS  
GREG ABBOTT

April 5, 2010

Mr. B. Chase Griffith  
Brown & Hofmeister, L.L.P.  
740 East Campbell Road Suite 800  
Richardson, Texas 75081

OR2010-04734

Dear Mr. Griffith:

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# 379921 (PIR 142-10).

The Town of Flower Mound (the "town"), which you represent, received a request for information relating to barking dog complaints involving a specified address. You state that some of the requested information has been released. You claim that some of the submitted information is excepted from disclosure under section 552.101 of the Government Code. We have considered the exception you claim and reviewed the information you submitted.

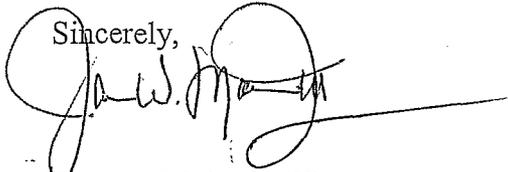
Section 552.101 of the Government Code excepts from disclosure "information considered to be confidential by law, either constitutional, statutory, or by judicial decision." Gov't Code § 552.101. This exception encompasses information that other statutes make confidential. Chapter 772 of the Health and Safety Code authorizes the development of local emergency communication districts. Sections 772.118, 772.218 and 772.318 of the Health and Safety Code are applicable to emergency 911 districts established in accordance with chapter 772. *See* Open Records Decision No. 649 (1996). These sections make the originating telephone numbers and addresses of 911 callers that are furnished by a service supplier confidential. *Id.* at 2. Section 772.118 applies to an emergency communication district for a county with a population of more than two million. Section 772.218 applies to an emergency communication district for a county with a population of more than 860,000. Section 772.318 applies to an emergency communication district for a county with a population of more than 20,000.

You seek to withhold information relating to a 911 caller under sections 772.118, 772.218, and 772.318. You do not inform us, however, whether the town is part of an emergency communication district established under one of these sections. Likewise, you do not inform us whether the information at issue was furnished by a service supplier. Nevertheless, if the town is part of an emergency communication district established under sections 772.118, 772.218, or 772.318, and if the telephone number that appears in the submitted document was furnished by a service supplier, then the town must withhold the telephone number under section 552.101 of the Government Code. If the town is not part of an emergency communication district established under sections 772.118, 772.218, or 772.318, or if the telephone number was not furnished by a service supplier, then it may not be withheld under section 552.101 and must be released. In either event, the town must release the rest of the submitted information.

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](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, toll free, at (888) 672-6787.

Sincerely,



James W. Morris, III  
Assistant Attorney General  
Open Records Division

JWM/cc

Ref: ID# 379921

Enc: Submitted documents

c: Requestor  
(w/o enclosures)