



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

May 14, 2010

Ms. Jacqueline Hojem
Public Information Officer and Senior Paralegal
Metropolitan Transit Authority of Harris County
P.O. Box 61429
Houston, Texas 77208

OR2010-06938

Dear Ms. Hojem:

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# 379411 (MTA No. 2010-0350).

The Metropolitan Transit Authority of Harris County (the "authority") received a request for e-mails and text messages for a named authority employee and for a named authority board of directors member from February 1, 2010, through February 25, 2010. You state the authority does not have any responsive e-mails or text messages for the named board member. You also state the authority will release a portion of the information responsive to the remaining part of the request. You claim the submitted information is excepted from disclosure under sections 552.103, 552.107, 552.111, and 552.137 of the Government Code. We have considered the exceptions you claim and reviewed the submitted information.

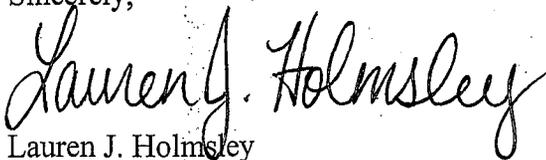
All of the submitted information was the subject of a previous request for information received by the authority, in response to which this office issued Open Records Letter No. 2010-06854 (2010). In that ruling, we determined the authority: (1) may withhold the information it marked under section 552.107 of the Government Code, (2) must withhold an e-mail address under section 552.137 of the Government Code, and (3) must release the remaining information. The authority must rely on our ruling in Open Records Letter No. 2010-06854 as a previous determination and continue to withhold or release the responsive information in accordance with that ruling. *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 our ruling is dispositive, we need not address your claimed exceptions to 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, toll free, at (888) 672-6787.

Sincerely,



Lauren J. Holmsley
Assistant Attorney General
Open Records Division

LJH/eeg

Ref: ID# 379411

Enc. Submitted documents

cc: Requestor
(w/o enclosures)