ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

May 25, 2010

Mr. Warren M. S. Ernst
Chief General Counsel Division
Office of the City Attorney
City of Dallas
1500 Marilla Room, 7BN
Dallas, Texas 75201

OR2010-07567

Dear Mr. Ernst:

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# 385898.

The City of Dallas (the "city") received a request for information pertaining to a specified incident. You state the city will release some of the requested information. You claim that portions of the submitted information are excepted from disclosure under section 552.101 of the Government Code. We have considered the exception you claim and reviewed the submitted information.[1]

Section 552.101 of the Government Code excepts from disclosure "information considered to be confidential by law, either constitutional, statutory, or by judicial decision," and encompasses information made confidential by other statutes. Gov't Code § 552.101. You have marked a telephone number in the submitted information that you seek to withhold under section 552.101 in conjunction with section 772.318 of the Health and Safety Code.

[1]We assume that the representative sample of records submitted to this office is truly representative of the requested records as a whole. *See* Open Records Decision Nos. 499 (1988), 497 (1988). This open records letter does not reach and, therefore, does not authorize the withholding of any other requested records to the extent that those records contain substantially different types of information than that submitted to this office.

Chapter 772 of the Health and Safety Code relates to local emergency communications districts. Section 772.318 applies to an emergency 9-1-1 district established in accordance with chapter 772, and makes confidential the originating telephone numbers and addresses of 9-1-1 callers that are furnished by a service supplier. *See* Open Records Decision No. 649 (1996). The city is part of an emergency communication district that was established under section 772.318.[2] You represent that the information you have marked consists of an originating telephone number that was furnished by a 9-1-1 service supplier. Accordingly, we agree that the city must withhold the information you have marked under section 552.101 of the Government Code in conjunction with section 772.318 of the Health and Safety Code.

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,

Laura Ream Lemus

Laura Ream Lemus
Assistant Attorney General
Open Records Division

LRL/jb

Ref: ID# 385898

Enc. Submitted documents

c: Requestor
(w/o enclosures)

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[2]Section 772.318 applies to an emergency communication district for a county with a population of more than 20,000.