



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

August 13, 2010

Ms. Ashley Wilson
General Counsel
Dallas County Schools
612 North Zang Boulevard
Dallas, Texas 75208

OR2010-12345

Dear Ms. Wilson:

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# 390401.

Dallas County Schools ("DCS") received two requests for information related to a specified request for proposals. You state that most of the information responsive to the second request, as well as some information responsive to the first request, has been released to the respective requestors. DCS takes no position as to the release of the information responsive to this request. However, you indicate that the submitted information may implicate the proprietary interests Longhorn Bus Sales, One Stop Bus Stop, Inc., and Rush Bus Centers (collectively the "third parties"). Accordingly, you inform us, and provide documentation showing, that pursuant to section 552.305 of the Government Code, DCS has notified the third parties of this request and of their right to submit arguments to this office explaining why this information should not be released. *See* Gov't Code § 552.305 (permitting interested third party to submit to attorney general reasons why requested information should not be released); *see also* Open Records Decision No. 542 (1990) (determining that statutory predecessor to section 552.305 permits governmental body to rely on interested third party to raise and explain applicability of exception in certain circumstances). We have reviewed the submitted information.

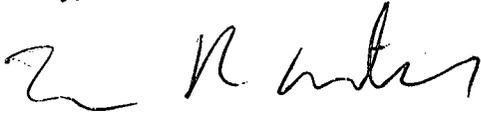
We note an interested third party is allowed ten business days after the date of its receipt of the governmental body's notice under section 552.305(d) of the Government Code to submit its reasons, if any, as to why requested information relating to it should be withheld from disclosure. *See* Gov't Code § 552.305(d)(2)(B). As of the date of this letter, we have not received arguments from any of the third parties. Thus, we have no basis for concluding that any portion of the submitted information constitutes the proprietary information of the third

parties. *See id.* § 552.110; Open Records Decision Nos. 661 at 5-6 (1999) (to prevent disclosure of commercial or financial information, party must show by specific factual evidence, not conclusory or generalized allegations, that release of requested information would cause that party substantial competitive harm), 552 at 5 (1990) (party must establish prima facie case that information is trade secret), 542 at 3. Accordingly, DCS may not withhold any of the submitted information based on the proprietary interests of the third parties. As no exceptions to disclosure have been raised, the submitted information must be released.

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,



Tamara Wilcox
Assistant Attorney General
Open Records Division

TW/dls

Ref: ID# 390401

Enc. Submitted documents

c: Requestor
(w/o enclosures)

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Longhorn Bus Sales
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Houston, Texas 77028
(w/o enclosures)

Ms. Cheryl Gaines
One Stop Bus Stop, Inc.
425 South Loop 12
Irving, Texas 75060
(w/o enclosures)

Mr. Steve Taylor
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