



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

November 17, 2010

Mr. Bennett M. Wyse
Messer Campbell & Brady, L.L.P.
For City of Murphy
6351 Preston Road, Suite 350
Frisco, Texas 75034

OR2010-17401

Dear Mr. Wyse:

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# 401004 (Murphy Reference #W000380-090710).

The City of Murphy (the "city"), which you represent, received a request for all documents sent to the city council during a specified time period pertaining to item 6 on the September 7, 2010, city council agenda regarding information technology expenditures. You claim the submitted memorandum and attachments are excepted from disclosure under sections 552.111 and 552.139 of the Government Code. We have considered the exceptions you claim and reviewed the submitted information.

Section 552.139 of the Government Code provides:

(a) Information is excepted from [required public disclosure] if it is information that relates to computer network security, to restricted information under Section 2059.055 [of the Government Code], or to the design, operation, or defense of a computer network.

(b) The following information is confidential:

(1) a computer network vulnerability report; and

(2) any other assessment of the extent to which data processing operations, a computer, a computer program, network, system, or system interface, or software of a governmental body or of a contractor of a governmental body is vulnerable to unauthorized access or harm, including an assessment of the extent to which the

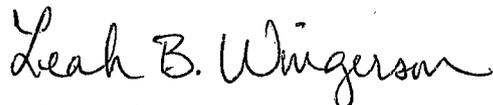
governmental body's or contractor's electronically stored information containing sensitive or critical information is vulnerable to alteration, damage, erasure, or inappropriate use.

Gov't Code § 552.139. You argue the submitted memorandum and attachments relate to the city's computer network security and include assessments related to the vulnerability of the city's computers, network, system, interfaces, software, and data processing operations. You indicate the release of the submitted information may expose security weaknesses that could facilitate unauthorized access to confidential data and compromise the city's computer network security. Based on your representations and our review, we find you have demonstrated the submitted information consists of information that relates to computer network security. Accordingly, the city must withhold the submitted information under section 552.139 of the Government Code.¹

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,



Leah B. Wingerson
Assistant Attorney General
Open Records Division

LBW/dls

Ref: ID# 401004

Enc. Submitted documents

c: Requestor
(w/o enclosures)

¹As our ruling is dispositive, we need not address your remaining argument against disclosure.