



ATTORNEY GENERAL OF TEXAS  
GREG ABBOTT

April 6, 2011

Ms. Cheryl K. Byles  
Assistant City Attorney  
City of Fort Worth  
1000 Throckmorton Street, 3<sup>rd</sup> Floor  
Fort Worth, Texas 76102

OR2011-04743

Dear Ms. Byles:

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# 413816 (Fort Worth PIR No. W006230).

The City of Fort Worth (the "city") received a request for contracts, agreements, proposals, and specifications associated with Granicus, Inc. You state the majority of the requested information is being released to the requestor. Although you raise no exceptions to disclosure of the submitted information, you indicate release of this information may implicate the proprietary interests of a third party. Thus, pursuant to section 552.305 of the Government Code, the city has notified Granicus, Inc. of its right to submit arguments to this office explaining why its 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.

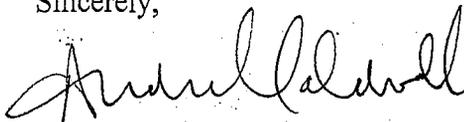
We note an interested third party is allowed ten business days from the date of its receipt of the governmental body's notice under section 552.305 of the Government Code to submit its reasons, if any, as to why information relating to the third party should not be released. *See* Gov't Code § 552.305(d)(2)(B). As of the date of this decision, this office has received no correspondence from Granicus, Inc. Thus, because this third party has not demonstrated

that any of the submitted information is proprietary for the purposes of the Act, the city may not withhold any of the submitted information on the basis of any proprietary interest Granicus, Inc. may have in the information. *See id.* § 552.110(a)-(b); Open Records Decision Nos. 552 at 5 (1990), 661 at 5-6 (1999). As no exceptions to disclosure have been raised, the submitted information must be released to the requestor.

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,



Andrea L. Caldwell  
Assistant Attorney General  
Open Records Division

ALC/eeg

Ref: ID# 413816

Enc. Submitted documents

c: Requestor  
(w/o enclosures)

Mr. Michael Osuna  
Granicus, Inc.  
568 Howard Street, Suite 300  
San Francisco, California 94105  
(w/o enclosures)