



ATTORNEY GENERAL OF TEXAS

GREG ABBOTT

June 6, 2011

Ms. Connie Crawford
Assistant County Attorney
El Paso County Hospital District Legal Department
4815 Alameda
El Paso, Texas 79905

OR2011-08013

Dear Ms. Crawford:

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# 419609 (HO-11-064).

The El Paso County Hospital District (the "district") received a request for the name of the winning bidder and pricing for RFP 935-02/09-001, Third Party Liability Services. Although you take no position as to the public availability of the submitted information, you state release of this information may implicate the proprietary interests of Cardon Healthcare Network, L.L.C. formerly known as Cardon Healthcare Network, Inc. ("Cardon"). Accordingly, you state, and provide documentation showing you have notified Cardon of the request and of its right to submit arguments to this office as to why the requested information should not be released. *See* Gov't Code § 552.305(d); *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 to disclosure in certain circumstances). We have received comments from Cardon. We have considered the submitted arguments and reviewed the submitted information.

We note Cardon seeks to withhold from public disclosure information the district did not submit for our review. This ruling does not address information that was not submitted by the district and is limited to the information submitted as responsive by the district. *See* Gov't Code § 552.301(e)(1)(D) (governmental body requesting decision from Attorney General must submit copy of specific information requested). Therefore, we do not address

Cardon's arguments against disclosure of this information. As no exceptions to disclosure have been raised for the submitted information, it 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,



Jonathan Miles
Assistant Attorney General
Open Records Division

JM/em

Ref: ID# 419609

Enc. Submitted documents

c: Requestor
(w/o enclosures)

Mr. Charles W. Kable, Jr.
General Counsel
Cardon Healthcare Network, Inc.
4185 Technology Forest Boulevard, Suite 200
The Woodlands, Texas 77381
(w/o enclosures)