



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

November 17, 2011

Ms. Judith N. Benton
Assistant City Attorney
City of Waco
P.O. Box 2570
Waco, Texas 76702-2570

OR2011-16997

Dear Ms. Benton:

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# 436629 (Ref. No. LGL-11-1257).

The City of Waco (the "city") received a request for information relating to the requestor or a specified address on a specified date. You indicate you will release some information to the requestor. You claim 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.

We note you seek to withhold information relating to 9-1-1 callers. In Open Records Letter No. 2011-15629 (2011), this office issued a previous determination to the city authorizing the city to withhold originating telephone numbers and addresses of 9-1-1 callers furnished to the city by a service supplier established in accordance with chapter 772 of the Health and Safety Code under section 552.101 of the Government Code in conjunction with section 772.118 of the Health and Safety Code without requesting a decision from this office. *See* Gov't Code § 552.301(a); Open Records Decision No. 673 (2001) (listing elements of second type of previous determination under section 552.301(a) of the Government Code). You state the telephone number you have marked is the originating telephone of a 9-1-1 caller furnished by a service supplier established in accordance with chapter 772. As such, the city must withhold the marked telephone number in accordance with the previous determination issued to the city in Open Records Letter No. 2011-15629. We note, however,

you have marked addresses which you do not indicate are the originating address of a 9-1-1 caller. We further note one of the addresses is the address of a cellular telephone tower nearest the location of the caller and the other address is the location of the incident. Such addresses are not the originating address of the 9-1-1 caller and therefore may not be withheld under section 552.101 of the Government Code in conjunction with section 772.218 of the Health and Safety Code. As you raise no further exception to disclosure, the city must release the remaining information, including the addresses you have marked.

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,



Mack T. Harrison
Assistant Attorney General
Open Records Division

MTH/em

Ref: ID# 436629

Enc. Submitted documents

c: Requestor
(w/o enclosures)