



ATTORNEY GENERAL OF TEXAS  
GREG ABBOTT

June 1, 2012

Mr. William R. Crow, Jr.  
Corporate Counsel  
San Antonio Water System  
P.O. Box 2449  
San Antonio, Texas 78298-2449

OR2012-08411

Dear Mr. Crow:

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# 455432.

The San Antonio Water System (the "system") received a request for disciplinary records, performance evaluations, and exit interview notes for the three years prior to departure for three named former employees and, additionally, disciplinary records and performance evaluations for a specified time period for four named current employees. You state you have released some of the requested information. You also state the system will redact personal email addresses of members of the public under section 552.137 of the Government Code pursuant to Open Records Decision No. 684 (2009), personal information of current and former employees subject to section 552.117 of the Government Code as permitted by section 552.024(c) of the Government Code, and social security numbers under section 552.147 of the Government Code.<sup>1</sup> You state that, although the system takes no

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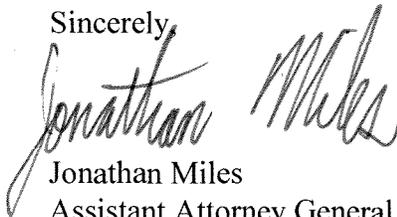
<sup>1</sup>We note this office issued Open Records Decision No. 684, a previous determination to all governmental bodies, which authorizes the withholding of ten categories of information, including e-mail addresses of members of the public under section 552.137 of the Government Code, without the necessity of requesting an attorney general decision. Section 552.117 of the Government Code excepts from disclosure the home addresses and telephone numbers, emergency contact information, social security numbers, and family member information of current or former officials or employees of a governmental body. Gov't Code § 552.117(a). Section 552.024 of the Government Code authorizes a governmental body to withhold information subject to section 552.117 without requesting a decision from this office if the current or former employee or official chooses not to allow public access to the information. *See id.* § 552.024(c). Section 552.147(b) of the Government Code authorizes a governmental body to redact a living person's social security number from public release without the necessity of requesting a decision from this office under the Act. *See id.* § 552.147(b).

position with respect to the remaining requested information, it may implicate the interests of the former employees named in the request. You state the current employees have consented to release of their information. You state, and provide documentation confirming, you have notified the named former employees of the request and of their right to submit arguments to this office as to why the information at issue should or should not be released. *See* Gov't Code § 552.304 (interested party may submit comments stating why information should or should not be released). As of the date of this letter, we have not received comments from any of the third parties explaining why the requested information should not be released. Therefore, the system must release the submitted information 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,



Jonathan Miles  
Assistant Attorney General  
Open Records Division

JM/bhf

Ref: ID# 455432

Enc. Submitted documents

c: Requestor  
(w/o enclosures)