



ATTORNEY GENERAL OF TEXAS  
GREG ABBOTT

October 24, 2012

Mr. J. David Carpenter  
Segrest & Segrest, P.C.  
28015 West Highway 84  
McGregor, Texas 76657

OR2012-17045

Dear Mr. Carpenter:

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# 468974.

The Bluebonnet Water Supply Corporation (the "corporation"), which you represent, received a request for a copy of the current contract with Spring Valley Water Supply Corporation and specified information about the water supply.<sup>1</sup> You claim portions of the submitted contract are excepted from disclosure under section 552.110 of the Government Code. We have considered the exception you claim and reviewed the submitted information. We have also received and considered comments from the requestor. *See Gov't Code* § 552.304 (providing that interested party may submit comments stating why information should or should not be released).

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<sup>1</sup>We note the requestor asks questions. Although a governmental body is not required to answer factual questions in responding to a request for information under the Act, a governmental body must make a good-faith effort to relate a request to information that is within the governmental body's possession or control. We assume the corporation has done so. *See Open Records Decision Nos. 563 at 8 (1990), 555 at 1-2 (1990), 561 at 8-9 (1990).* However, to the extent any additional information responsive to the request existed at the time the corporation received the request, we assume it has been released. If the corporation has not released such information, it must do so at this time. *See Gov't Code* §§ 552.301(a), .302; *Open Records Decision No. 664 (2000)* (noting that if a governmental body concludes that no exceptions apply to the requested information, it must release information as soon as possible under circumstances).

The corporation raises section 552.110 of the Government Code. We note section 552.110 is designed to protect the interests of third parties not the interests of a governmental body. Thus, we do not address the corporation's claims under section 552.110 of the Government Code. As no further exceptions to disclosure are raised, the submitted information 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](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,



Paige Lay  
Assistant Attorney General  
Open Records Division

PL/tch

Ref: ID# 468974

Enc. Submitted documents

cc: Requestor  
(w/o enclosures)