



ATTORNEY GENERAL OF TEXAS
GREG ABBOTT

February 14, 2013

Ms. Danielle R. Folsom
Assistant City Attorney
Legal Department
City of Houston
P.O. Box 368
Houston, Texas 77001-0368

OR2013-02597

Dear Ms. Folsom:

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# 479601 (GC No. 20187).

The City of Houston (the "city") received a request for information pertaining to the contracting relationship between the city and any provider of debt collection services. Although you take no position with respect to the public availability of the requested information, you state the proprietary interests of a third party might be implicated. Accordingly, you notified Professional Account Management, L.L.C., a Duncan Solutions Company ("Duncan"), of the request and 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 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.

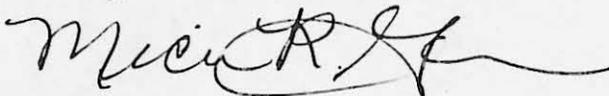
We note the submitted information, which consists of Duncan's proposal for RFP S30-T23174, was the subject of a previous request for information, in response to which this office issued Open Records Letter No. 2009-14835 (2009). In that ruling, we concluded the city must: (1) withhold certain marked information under sections 552.110 and 552.136 of the Government Code and (2) release the remaining information, with any information protected by copyright released only in accordance with copyright law. We have no

indication the law, facts, and circumstances on which Open Records Letter No. 2009-14835 was based have changed. Accordingly, we conclude the city must continue to rely on Open Records Letter No. 2009-14835 as a previous determination and withhold or release the submitted information in accordance with that ruling. See Open Records Decision No. 673 (2001) (so long as law, facts, circumstances on which prior ruling was based have not changed, first type of previous determination exists where requested information is precisely same information as was addressed in prior attorney general ruling, ruling is addressed to same governmental body, and ruling concludes that information is or is not excepted from disclosure).

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,



Michelle R. Garza
Assistant Attorney General
Open Records Division

MRG/bhf

Ref: ID# 479601

Enc. Submitted documents

c: Requestor
(w/o enclosures)

Mr. Gary Smith
President
Professional Account Management
633 West Wisconsin Avenue, Suite 1600
Milwaukee, Wisconsin 53203
(w/o enclosures)