



ATTORNEY GENERAL OF TEXAS  
GREG ABBOTT

April 30, 2013

Mr. Nick Lealos  
Staff Attorney  
Office of Agency Counsel  
Legal Section  
Texas Department of Insurance  
P.O. Box 149104  
Austin, Texas 78714-9104

OR2013-07080

Dear Mr. Lealos:

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# 485779 (TDI# 135902).

The Texas Department of Insurance (the "department") received a request for the informal comments submitted to the department related to prohibiting pre-dispute mandatory binding arbitration. You state you will redact e-mail addresses of members of the public under section 552.137 of the Government Code pursuant to Open Records Decision No. 684 (2009).<sup>1</sup> Although you take no position with respect to the public availability of the submitted information, you state the release of this information may implicate the interests of third parties. Accordingly, you notified the third parties of the request for information and of their right to submit arguments to this office as to why the submitted information should not be released.<sup>2</sup> See Gov't Code § 552.304 (interested party may submit comments stating

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<sup>1</sup>We note Open Records Decision No. 684 (2009) is a previous determination to all governmental bodies authorizing them to withhold certain categories of information, including an e-mail address of a member of the public under section 552.137 of the Government Code, without the necessity of requesting an attorney general opinion.

<sup>2</sup>We note this office has not received any comments from the third parties.

why information should or should not be released). We have reviewed the submitted information.

As of the date of this letter, we have not received comments from any of the interested third parties explaining why any portion of the submitted information should not be released to the requestor. As no exceptions to disclosure have been 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,



Kathleen J. Santos  
Assistant Attorney General  
Open Records Division

KJS/som

Ref: ID# 485779

Enc. Submitted documents

c: Requestor  
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