



**KEN PAXTON**  
ATTORNEY GENERAL OF TEXAS

April 18, 2016

Ms. Lindsey Wolf  
General Counsel  
Office of the Secretary of State  
P.O. Box 12697  
Austin, Texas 78711-2697

OR2016-08671

Dear Ms. Wolf:

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# 606160.

The Office of the Secretary of State (the "secretary's office") received a request for information pertaining to a specified request for proposals. You state you have released some information to the requestor. You claim the submitted information is excepted from disclosure under sections 552.101, 552.136, and 552.137 of the Government Code. You also state the submitted information may be excepted from disclosure under sections 552.104 and 552.110 of the Government Code, but take no position with respect to the applicability of these exceptions. Rather, you state release of the submitted information may implicate the proprietary interests of Burson-Marsteller, GDC Marketing & Ideation, and MMI Agency. Accordingly, you state, and provide documentation showing, you notified these 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. *See* Gov't Code § 552.305(d); *see also* Open Records Decision No. 542 (1990) (statutory predecessor to section 552.305 permits governmental body to rely on interested third party to raise and explain applicability of exception in the Act in certain circumstances). We have reviewed the submitted information and the submitted arguments.

An interested third party is allowed ten business days after the date of its receipt of the governmental body's notice under section 552.305(d) to submit its reasons, if any, as to why