



KEN FAXTON
ATTORNEY GENERAL OF TEXAS

August 2, 2016

Ms. Amanda Davis
Associate General Counsel
Dallas County Schools
612 North Zang Boulevard
Dallas, Texas 75208

OR2016-17317

Dear Ms. Davis:

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# 620860 (DCS Ref. No. W000794-051016).

Dallas County Schools ("DCS") received a request for contracts under which DCS provides services to the City of Dallas (the "city") in connection with enforcement of the city's school bus stop arm ordinance. You claim the submitted information is excepted from disclosure under sections 552.101, 552.104, and 552.110 of the Government Code. We have considered the exceptions you claim and reviewed the submitted information.

Section 552.104(a) of the Government Code excepts from disclosure "information that, if released, would give advantage to a competitor or bidder." Gov't Code § 552.104(a). The "test under section 552.104 is whether knowing another bidder's [or competitor's information] would be an advantage, not whether it would be a decisive advantage." *Boeing Co. v. Paxton*, 466 S.W.3d 831 (Tex. 2015). DCS states it has specific marketplace interests in the information at issue because DCS is competing against other entities attempting to enter into the stop arm camera marketplace. In addition, DCS states release of portions of the submitted information, which it marked, would "harm its marketplace interests and will provide a competitive advantage to its competitors who are attempting to enter into the marketplace." After review of the information at issue and consideration of the arguments, we find DCS has established the release of the information it marked would give advantage to a competitor or bidder. Thus, we conclude DCS may withhold the information it marked

under section 552.104(a) of the Government Code. The remaining 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.texasattorneygeneral.gov/open/orl_ruling_info.shtml, 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 may be directed to the Office of the Attorney General, toll free, at (888) 672-6787.

Sincerely,



Ian Lancaster
Assistant Attorney General
Open Records Division

IML/akg

Ref: ID# 620860

Enc. Submitted documents

c: Requestor
(w/o enclosures)