



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

September 27, 2016

Mr. David Wheelus
Open Records Attorney
Legal Section MC 110-1C
Texas Department of Insurance
P.O. Box 149104
Austin, Texas 78714-9104

OR2016-21739

Dear Mr. Wheelus:

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# 628360 (TDI# 174675).

The Texas Department of Insurance (the "department") received a request for information confirming the insurance premium rate increase, and the corresponding percentage increase, for specified insurance services from John Hancock Life Insurance Company ("John Hancock"). Although you take no position as to whether the submitted information is excepted under the Act, you state release of this information may implicate the proprietary interests of John Hancock. Accordingly, you state, and provide documentation showing, you notified John Hancock of the request for information and of its right to submit arguments to this office as to why the information at issue 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 received comments from John Hancock and reviewed the submitted information.

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 information relating to that party should be withheld from public disclosure. *See* Gov't Code § 552.305(d)(2)(B). Although we have received comments from John Hancock, it does not

object to the release of the information at issue. Accordingly, 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.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,



Ramsey A. Abarca
Assistant Attorney General
Open Records Division

RAA/dls

Ref: ID# 628360

Enc. Submitted documents

c: Requestor
(w/o enclosures)

Third Party
(w/o enclosures)