



**KEN PAXTON**  
ATTORNEY GENERAL OF TEXAS

October 11, 2016

Ms. Cynthia L. Benavides  
Counsel for the Weslaco Independent School District  
Jones, Galligan, Key & Lozano, L.L.P.  
P.O. Drawer 1247  
Weslaco, Texas 78599-1247

OR2016-22814

Dear Ms. Benavides:

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# 629739.

The Weslaco Independent School District (the "district"), which you represent, received a request for specified contracts and the winning proposal for a specified request for proposals. You indicate you released some information to the requestor. Although you take no position as to whether the submitted information is excepted under the Act, you state release of some of this information may implicate the proprietary interests of Foremost Telecommunications ("Foremost"). Accordingly, you state you notified Foremost 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 reviewed the submitted information.

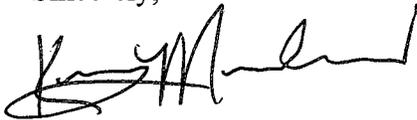
We note the submitted information was the subject of a previous request for information, as a result of which this office issued Open Records Letter No. 2016-17352 (2016). In Open Records Letter No. 2016-17352, we concluded the district may withhold the submitted information under section 552.104(a) of the Government Code. There is no indication the law, facts, and circumstances on which the prior ruling was based have changed. Accordingly, the district may continue to rely on Open Records Letter No. 2016-17352 as

a previous determination and withhold the submitted information in accordance with that ruling. *See* Open Records Decision No. 673 (2001) (so long as law, facts, and 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.texasattorneygeneral.gov/open/orl\\_ruling\\_info.shtml](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,



Kenny Moreland  
Assistant Attorney General  
Open Records Division

KJM/akg

Ref: ID# 629739

Enc. Submitted documents

c: Requestor  
(w/o enclosures)

Third Party  
(w/o enclosures)