JOHN R. KROGER
ATTORNEY GENERAL

MARY H. WILLIAMS
DEPUTY ATTORNEY GENERAL



DEPARTMENT OF JUSTICE
1162 Court Street NE
Justice Building
Salem, Oregon 97301-4096
Telephone: (503) 378-4400

July 28, 2009

Kelly Knivila
Stoel Rives
900 S.W. Fifth Avenue, Suite 2600
Portland, OR 97204

Re: Petition for Public Records Disclosure Order:
Public Employees' Benefit Board Records

Dear Ms. Knivila:

This letter is the Attorney General's response to your petition for a Public Records Order dated July 20, 2009 under the Oregon Public Records Law, ORS 192.410 to 192.505. Your petition was received by our office on July 21, 2009. Your petition asks the Attorney General to order the Public Employees' Benefit Board (PEBB) to disclose:

> The "AG Opinion filed with PEBB Rules Coordinator" cited in PEBB's Statement of Need and Justification filed with the Secretary office on February 4, 2009 in support of PEBB's temporary rulemaking announced on February 25, 2009.

PEBB denied your request for a complete copy of this record on June 11, 2009.

The Public Records Law confers a right to inspect any public records of a public body in Oregon, subject to certain exemptions and limitations. *See* ORS 192.420. If a state agency denies a request for disclosure of records, the requestor may petition the Attorney General for review of the denial. ORS 192.450.

We understand that PEBB has provided you with a copy of this record. We respectfully deny your petition as moot.

Sincerely,

MARY H. WILLIAMS
Deputy Attorney General

DM1532880-v2
c: Joan Kapowich, PEBB Administrator