HARDY MYERS
ATTORNEY GENERAL

PETER D. SHEPHERD
DEPUTY ATTORNEY GENERAL

DEPARTMENT OF JUSTICE

1162 Court Street NE
Justice Building
Salem, Oregon 97301-4096
Telephone: (503) 378-4400
TTY: (503) 378-5938

February 2, 2007

Craig P. Colby
812 SW Washington Street, Suite 910
Portland, OR 97205-3213

RE: Petition for Public Records Disclosure Order:
Oregon Liquor Control Commission records

Dear Mr. Colby:

This letter is the Attorney General's order on your petition for disclosure of records under the Oregon Public Records Law, ORS 192.410 to 192.505. We received your petition on January 26, 2007. Your petition incorporates a December 29, 2006 letter addressed to the Oregon Liquor Control Commission (OLCC), in which you state that "[a]n establishment which calls itself 'The Acadian Ballroom' sells and serves alcohol at weddings and receptions it stages at 1829 NE Alberta St. in Portland," and you ask OLCC to provide "copies of the written notice provided to the public before the [Acadian] ballroom began to stage these events at this location." Your petition asks the Attorney General to order OLCC to produce copies of the requested records.

For the reasons that follow, we respectfully deny your petition.

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. Any person who is denied the right to inspect or to receive a copy of any public record of a state agency may petition the Attorney General to review the record and determine if it may be withheld. ORS 192.450(1). A custodian of public records must provide "proper and reasonable opportunities for inspection and examination." *See* ORS 192.430. Correspondingly, the custodian is allowed a "reasonable" time to respond to a request for records. The Attorney General may order a state agency to disclose records only when the agency has denied a request for the records. *See* ORS 192.450(1).

Your petition states that you have not received any of the requested records and thus consider your request to have been denied. We have spoken with Kelly Routt, a case representative in the Administrative Policy and Process Division of the OLCC, about your petition. She has informed us that on January 30, 2007, she forwarded to you the records you requested. Because the agency has disclosed the requested records, we deny your petition as moot.

Sincerely,

PETER D. SHEPHERD
Deputy Attorney General

AGS19217

cc: Kelly Routt, Case Representative
OLCC Administrative Policy & Process Division