THEODORE R. KULONGOSKI
ATTORNEY GENERAL

THOMAS A. BALMER
DEPUTY ATTORNEY GENERAL

DEPARTMENT OF JUSTICE
1162 Court Street NE
Justice Building
Salem, Oregon 97310
Telephone: (503) 378-4400
TDD: (503) 378-5938

December 20, 1995

Paul Meadowbrook
Patrick and Meadowbrook
PO Box 884
Salem, OR 97308

VIA FACSIMILE

Re: *Petition for Public Records Disclosure Order: Aeronautics Division Records*

Dear Mr. Meadowbrook:

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. Your petition, which we received on December 18, 1995, asks the Attorney General to direct the Oregon Aeronautics Division (division) to make available all records pertaining to Mr. Healy or his business, Jack's Aircraft Services, Inc., dated on or after the date of his application to run the FBO at Lebanon State Airport, including notes regarding complaints, if any, by or from Terry Rahe or Buck Curry regarding Mr. Healy or his corporation. For the reasons that follow, we respectfully deny your petition.

Betty Stansbury, State Airports Manager, Aeronautics Division, informs us that the division has not yet denied your request for the above records. Ms. Stansbury was waiting for advice from her legal counsel, Lucinda Moyano, prior to providing the records to you. We understand that the division will shortly be providing you with these records, or an explanation as to which records are not being disclosed by the division because it considers them to be exempt from disclosure under the Public Records Law.

Because you have not been denied access to the records, the Attorney General lacks the authority to order disclosure. *See* ORS 192.450(1).

Sincerely,

Elizabeth S. Harchenko

ELIZABETH S. HARCHENKO
Special Counsel to the Attorney General

ESH:jpl/19504679.W51
LDM:AV:ldm/JBB0CE18
c: Betty Stansbury