



OFFICE OF THE ATTORNEY GENERAL  
STATE OF ILLINOIS

Lisa Madigan  
ATTORNEY GENERAL

July 19, 2011

Ms. Yvonne Decker  
Deputy Freedom of Information Officer  
City of Highland Park  
1677 Old Deerfield Road  
Highland Park, IL 60035

RE: FOIA Pre-Authorization Request - 2011 PAC 15416

Dear Ms. Decker:

We have received and reviewed the written notice from the City of Highland Park (City) of its intention to deny disclosure of certain information under section 7(1)(c) of the Freedom of Information Act (FOIA) (5 ILCS 140/7(1)(c) (West 2010)). On June 29, 2011, Mr. J.C. Domke submitted a FOIA request for the names of individuals who received water bills at a specific address between January 1, 1973, and December 31, 1991. The City is seeking to withhold the names.

Section 7(1)(c) of FOIA exempts from inspection and copying "[p]ersonal information contained within public records, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy, unless the disclosure is consented to in writing by the individual subjects of the information." The exemption defines "unwarranted invasion of personal privacy" as "the disclosure of information that is highly personal or objectionable to a reasonable person and in which the subject's right to privacy outweighs any legitimate public interest in obtaining the information."

**DETERMINATION**

The City's use of the section 7(1)(c) to withhold the names of individuals who received water bills is **denied**. This Office has previously determined that the disclosure of records relating to public utility bills cannot be characterized as highly personal or objectionable to a reasonable person. Ill. Att'y Gen. PAC Pre-Auth. dl 9448, issued October 28, 2010. This Office also has denied the use of section 7(1)(c) to withhold the name on a water bill for a specific residence because such information relates to the receipt and use of public funds and therefore is subject to disclosure pursuant to section 2.5 of FOIA (5 ILCS 140/2.5 (West 2010)). Ill. Att'y Gen. PAC Pre-Auth. dl 12030, issued January 31, 2011.

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Accordingly, we conclude that the City has not met its burden under section 1.2 of FOIA (5 ILCS 140.1.2 (West 2010)) of demonstrating that the names of individuals who received water bills for the particular address are exempt from disclosure under section 7(1)(c).

If you have any questions, please contact me at (312) 814-6756. This correspondence shall serve to close this matter.

Very truly yours,



STEVE SILVERMAN  
Assistant Attorney General  
Public Access Bureau

15416 Pre-auth dl 7(1)(c) priv mun

cc: Mr. J.C. Domke  
Internal Revenue Service  
5100 River Rd., Stop 502  
Schiller Park, IL 60176-1058