

**JACKSON TOWNSHIP  
MUNICIPAL AUTHORITY**

**30 Wisteria way, Millerton, PA 16936**

**PHONE (570) 537-6552**

***jtma@npacc.net***

March 19, 2008

Executive Director  
Office of the Open Records  
400 North Street  
Harrisburg, PA 17120

RE: Advisory Opinion

Dear Executive Director:

We are a Pennsylvania municipal authority that owns and operates a waste water treatment plant and associated collection system. We have 300 plus customers using our system.

We have been asked if the individual accounts of each customer are public records. No one has asked to see any specific accounts or has submitted a written request to see any specific accounts, but it is anticipated that a request will be made once we announce whether or not the individual accounts are public records. We understand that Section 708(b)(6) prevents us from disclosing certain information.

The individual accounts disclose account numbers, property addresses and the owner's address, if different, deed information, tax parcel numbers, tenant names, if applicable, itemization of all charges and payments, EDU's, and correspondence, in addition to some of the info exempted under Section 708 (b)(6).

What items in the individual accounts are not public records?

Is our customer list, with its corresponding addresses, a public record?

We are subject to Pennsylvania's open meeting law. If individual accounts are excepted under Section 708, does discussion and voting on legal action to be taken on delinquent accounts make them public records?

We assume that just because a record is not a public record under the act, does not necessarily mean that we are prohibited from disclosing it. What items under the act are we prevented from disclosing?

The person to contact if additional info is needed is David C. Winterstein at 570 537-3300.

No litigation is pending on any of the above issues.

Sincerely yours,  
David C. Winterstein  
Secretary



COMMONWEALTH OF PENNSYLVANIA  
OFFICE OF OPEN RECORDS

July 8, 2009

Jackson Township Municipal Authority  
30 Wisteria Way  
Millerton, PA 16936

**RE: Advisory Opinion Request on Customer Accounts and Customer Account Lists**

Dear Mr. Winterstein:

Thank you for writing to the Office of Open Records ("OOR") with your March 19, 2009 request for an Advisory Opinion pursuant to the Right-to-Know Law, 65 P.S. §§67.101, *et seq.*, ("RTKL").

You asked the OOR to assess whether individual customer account information held by the Municipal Authority is public under the RTKL and, if so, which items would be exempt from disclosure. Additionally, you asked whether the customer list as a whole, or in part, would be a public record.

Please be advised that the OOR has decided not to grant this request for an Advisory Opinion at this time. We are declining to accept this request because the OOR has issued several Final Determinations which address this very issue. At this time, based on the OOR opinions set forth in these Final Determinations, we deem your request moot.

You may access the Final Determinations issued by the OOR on our website at <http://openrecords.state.pa.us>. Some of the Final Determinations that are specific to the nature of your request include, but are not limited to, *Hoffman v Lehigh Township* (Issued 05/06/2009), *Signature Information Solutions v Nether Providence Township* (Issued 05/18/2009) and *Signature Information Solutions v Peters Creek Sanitary Authority* (Issued 06/11/2009).

Thank you for your inquiry. We will reflect this response on the OOR website.

Respectfully,

A handwritten signature in black ink, appearing to read "mw".

Corinna Wilson  
Chief Counsel