

FREEDOM OF INFORMATION COMMISSION
OF THE STATE OF CONNECTICUT

In the Matter of a Complaint by)	
Michael J. Reilly, Complainant)	Report of Hearing Officer
)	
against)	Docket #FIC77-114
)	
State of Connecticut; and)	July 1 ⁹ , 1977
Connecticut Development Authority,)	
and Executive Director of)	
Connecticut Development Authority,)	
Respondents)	
)	

The above captioned matter was heard as a contested case on June 28, 1977, at which time the complainant and the respondent authority appeared and presented testimony, exhibits and argument on the complaint.

After consideration of the entire record, the following facts are found:

1. The respondent authority is a public agency as defined by §1-18a(a), G.S.

2. By letter dated June 2, 1977, the complainant requested from the executive director of the respondent authority access to a certain advisory report prepared by the "credit committee" of the respondent authority concerning the application for insurance of Century Brass Products, Inc. under §32-15, G.S.

3. By letter dated June 10, 1977, the executive director of the respondent authority denied the complainant access to such document.

4. By letter filed with this Commission on June 13, 1977, the complainant appealed such denial.

5. The requested advisory report contains, among other things, such facts about Century Brass Products, Inc. as its history, wage standards, job opportunities, stability of employment, past and present financial condition and structure, income statements and present and future markets and prospects.

6. The respondent authority contends that the requested report is exempt from disclosure under §1-19(b)(4), G.S. and under Public Act 77-370.

7. §1-19(b)(4), G.S., exempts from disclosure commercial or financial information given in confidence which information is not required by law. §§32-15, 32-16(a)(2) and 32-23d(f), G.S., read together, require that applicants for mortgage insurance supply the respondent authority with the information contained in the requested report.

8. It is found that the requested report is not commercial or financial information within the meaning of the exemption under §1-19(b)(4), G.S.

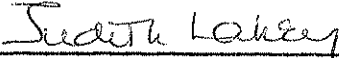
9. P.A. 77-370 specifically exempts from disclosure all financial, credit and proprietary information obtained by the respondent authority and all information contained in any application for financial assistance submitted to the respondent authority. However, P.A. 77-370 became effective on July 1, 1977.

10. It is further found that P.A. 77-370 does not exempt the requested report in the present case.

11. It is therefore concluded that the complainant has been denied the right to inspect or copy of public record under §1-19(a), G.S.

The following order by the Commission is hereby recommended on the basis of the record concerning the above captioned complaint:


1. The respondent authority shall forthwith provide the complainant with access to the document requested in his letter of requested dated June 2, 1977, as required by §1-19(a), G.S.



Commissioner Judith Lahey

as Hearing Officer

Approved by order of the Freedom of Information Commission on July 27, 1977.



Charlene G. Arnold as Clerk of the
Freedom of Information Commission