



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR ENERGY

The Director-General

Brussels, 28/09/2023
MP ener.a.1(2023)9995240

Ms Frida KIENINGER
Food & Water Action Europe
Rue d'Edimbourg 26,
1050 Brussels

By email: [ask+request-10993-
ac8ffed5@asktheeu.org](mailto:ask+request-10993-ac8ffed5@asktheeu.org)

Subject: Your application for access to documents – GESTDEM 2022/2127

Dear Ms Kieninger,

We refer to your e-mail of 11 April 2022 in which you make a request for access to documents, registered on 12 April 2022 under the above-mentioned reference number.

You request access to

1- all correspondence (including email, SMS, private twitter and WhatsApp) since 1st February 2022 between Commissioner Simson, and/or her cabinet and/or officials from DG Energy with representatives from the oil and gas industry, namely ENTSO-G and ENTSO-G members such as SNAM, Enagas, Gazsystem, Engie, Thüga, Bulgartransgaz, Fluxys, Gasunie, Ontras, Conexus Baltic Grid, Amber Grid, Ren gasodutos and Reganosa as well as Plinacro, Alexela, HEP, Gasunie, Buss Group, Trafigura, Vopak, Enel, Mediterranean Gas, Nord-West-Ölleitung, Tree Energy Solutions, JSC Skulte LNG Terminal, Gastrade, LNG Medgas and HEH (Fluxys, Buss Group, Partners Group) in which the EU's response to Ukraine invasion, particularly the RePowerEU communication was discussed.

2- any briefings prepared for Commissioner Simson, and/or her cabinet and/or officials from DG Energy for meetings since 1st February 2022 with representatives from the oil and gas industry, namely ENTSO-G and ENTSO-G members such as SNAM, Enagas, Gazsystem, Engie, Thüga, Bulgartransgaz, Fluxys, Gasunie, Ontras, Conexus Baltic Grid, Amber Grid, Ren gasodutos and Reganosa as well as Plinacro, Alexela, HEP, Gasunie, Buss Group, Trafigura, Vopak, Enel, Mediterranean Gas, Nord-West-Ölleitung, Tree Energy Solutions, JSC Skulte LNG Terminal, Gastrade, LNG Medgas and HEH (Fluxys, Buss Group, Partners Group) in which the EU's response to Ukraine invasion, particularly the RePowerEU communication was discussed.

3 - list of meetings since since 1st February 2022 between with representatives from the oil and gas industry, namely ENTSO-G and ENTSO-G members such as SNAM, Enagas, Gazsystem, Engie, Thüga, Bulgartransgaz, Fluxys, Gasunie, Ontras, Conexus Baltic Grid, Amber Grid, Ren gasodutos and Reganosa as well as Plinacro, Alexela, HEP, Gasunie, Buss Group, Trafigura, Vopak, Enel, Mediterranean Gas, Nord-West-Ölleitung, Tree Energy Solutions, JSC Skulte LNG Terminal, Gastrade, LNG Medgas and HEH (Fluxys, Buss Group, Partners Group) in which the EU's response to Ukraine invasion, particularly the RePowerEU communication was discussed.

4 - minutes of the meetings mentioned above

5 – any briefings prepared ahead of meetings between Commissioner Simson, and/or her cabinet and/or officials from DG Energy with representatives from the oil and gas industry, namely ENTSO-G and ENTSO-G members such as SNAM, Enagas, Gazsystem, Engie, Thüga, Bulgartransgaz, Fluxys, Gasunie, Ontras, Conexus Baltic Grid, Amber Grid, Ren gasodutos and Reganosa as well as Plinacro, Alexela, HEP, Gasunie, Buss Group, Trafigura, Vopak, Enel, Mediterranean Gas, Nord-West-Ölleitung, Tree Energy Solutions, JSC Skulte LNG Terminal, Gastrade, LNG Medgas and HEH (Fluxys, Buss Group, Partners Group) in which the EU's response to Ukraine invasion, particularly the RePowerEU communication was discussed.

You have already received a first initial reply on 03/01/2023 (under the reference number Ares(2023)20538) that we can now complement with the contribution received from the Cabinet.

Your application concerns these additional documents:

Nr	Stakeholder	Ares	Date	Title
1	Enagás	Ares(2022)1751107	07/03/2022	Letter from newly appointed Enagás CEO Arturo Gonzalo
2	Enagás	Ares(2022)1751107	07/03/2022	20220309. European Commission, Kadri Simson_Redacted
3	Enagás	ARES(2022)5347533	25/03/2022	Minutes of the informal meeting between Tatiana Marquez Uriarte and Enagás representative in Brussels
4	Enagás	Ares(2022)2680824	05/04/2022	MEETING REQUEST KS between 15/04/2022 (excl 25-26) and 15/05/2022 with Enagás new CEO Arturo Gonzalo Aizpiri - Security of Supply and Decarbonisation
5	Enagás	Ares(2022)3071318	19/04/2022	[Re] Letter from newly appointed Enagás CEO Arturo Gonzalo - Congratulations

6	Enagás	Ares(2023)3232176	27/04/2022	RE: MEETING REQUEST KS between 15/04/2022 (excl 25-26) and 15/05/2022 with Enagás new CEO Arturo Gonzalo Aizpiri - Security of Supply and Decarbonisation
7	Enagás	Ares(2023)5417738	27/04/2022	Minutes of the meeting 27/04/2022 Stefano Grassi - Tatiana Marquez Uriarte with Enagas representative
8	Enagás	Ares(2022)8222424	28/11/2022	INVITATION KS 19/01/2023 Madrid - Enagás Hydrogen Day
9		Ares(2022)8222424	28/11/2022	20221128_Invitación Día Hidrógeno Kadri Simson
10		Ares(2022)8222424	28/11/2022	Follow up and reminder of invitation for Enagás Hydrogen Day on January 19th 2023
11	Enagás	Ares(2023)3232587	19/12/2022	Exchange of emails - Meeting SG with Enagás - 12/01/2023
12	Enagás	Ares(2022)8912200	20/12/2022	[Re] INVITATION KS 19/01/2023 Madrid - Enagás Hydrogen Day
13	Enagás	Ares(2023)3674207	13/01/2023	Minutes of meeting SG-Enagás 12/01/2023
14	Enel	Ares(2023)1849903	21/03/2022	Re: Price Cap - Counter arguments and Defence points
15	Enel	Ares(2023)1849903	21/03/2022	2022_03_15_European Natural Gas Market - Brussels views v.2
16	Enel	Ares(2023)2955923	22/03/2022	MINUTES - Meeting SG with ENEL - 22/03/2022
17	Enel	Ares(2023)2955923	22/03/2022	2022_03_15_European Natural Gas Market - Brussels views v.2

18	Enel	Ares(2022)3054814	15/04/2022	MEETING REQUEST SG open date with ENEL representatives
19	Enel	Ares(2022)3577580	10/05/2022	More than 140 business CEOs and networks call on EU to strengthen energy security by accelerating green transition in the upcoming REPowerEU Plan
20	Enel	Ares(2022)3577580	10/05/2022	Annex of the business letter ahead of the REPowerEU Plan_final
21	Enel	Ares(2022)3577580	10/05/2022	Business letter on REPowerEU_10 May 2022
22	Enel	Ares(2022)5829715	19/08/2022	[Re] More than 140 business CEOs and networks call on EU to strengthen energy security by accelerating green transition in the upcoming REPowerEU Plan
23	Enel	Ares(2022)6228952	08/09/2022	Enel proposals on cap on inframarginal technologies and liquidity margin
24	Enel	Ares(2022)6228952	08/09/2022	20220419_Joint- associations-position-on- support-for-well- functioning-energy- markets_Executed
25	Enel	Ares(2022)6228952	08/09/2022	Regulation cap revenues inframarginal wording proposals_EU
26	Enel	Ares(2022)7425297	26/10/2022	Electricity Market Design - Enel Proposal
27	Enel	Ares(2022)7425297	26/10/2022	Market Design - Enel
28	Enel	Ares(2022)8889841	21/12/2022	[Re] Electricity Market Design - Enel Proposal
29	Enel	Ares(2023)3786621	13/02/2023	Email exchange re prep call SG-ENEL

				Energy Platform
38	ENGIE	Ares(2022)6932988	06/10/2022	IAG call_Cover Letter_ENGIE
39	ENGIE	Ares(2022)6932988	06/10/2022	2022 10 04_Letter of Application_IAG_ENGIE
40	ENGIE	Ares(2022)6932988	06/10/2022	CV eur - Sebastien Delannoy_ENGIE
41	ENGIE	Ares(2022)7709282	07/11/2022	Possible energy saving measure
42	ENGIE	Ares(2023)1100339	15/02/2023	[Re] Possible energy saving measure
43	ENGIE	Ares(2023)830874	17/03/2023	MEETING REQUEST BG [open date] from the Director for EU affairs of ENGIE on renewable energy developments (Fit for 55 and the Green deal plan and subsequent acts) and challenges and the methane regulation.
44	ENGIE	Ares(2023)3675587	17/03/2023	[Re] MEETING REQUEST BG [open date] from the Director for EU affairs of ENGIE on renewable energy developments (Fit for 55 and the Green deal plan and subsequent acts) and challenges and the methane regulation.
45	ENGIE	Ares(2023)3674911	17/03/2023	2023-03-17 - MEETING MINUTES - Engie - CAB
46	Engie, Enel, ENTSO-G	Ares(2023)2068070	26/10/2022	BASIS 1235/ Briefing for Commissioner Simson– Industry Advisory Group of 26 October 2022
47	ENTSO-G	Ares(2022)3463377	05/05/2022	INVITATION SG - 23/06/2022 - To Port of Antwerp-Bruges Event
48	ENTSO-G	Ares(2022)3463377	05/05/2022	Ports & the energy transition - merger Port of

				Antwerp-Bruges - invitation to speak at event 23 June
49	ENTSO-G	Ares(2022)3908095	24/05/2022	INVITATION KS 06/2022 - ENTSO-G Roundtable - European Clean Hydrogen Alliance, RT Transmission and Distribution CEOs meeting
50	ENTSO-G	Ares(2023)3770885	14/06/2022	RE: INVITATION SG - 23/06/2022 - To Port of Antwerp-Bruges Event [negative reply]
51	ENTSO-G	Ares(2023)3770580	06/07/2022	RE: INVITATION KS 06/2022 - ENTSO-G Roundtable - European Clean Hydrogen Alliance, RT Transmission and Distribution CEOs meeting [positive reply SG but participation later cancelled]
52	ENTSO-G	Ares(2023)3770580	06/07/2022	Invitation to European Clean Hydrogen Alliance, RT Transmission and Distribution CEOs meeting
53	ENTSO-G	Ares(2022)7058767	12/10/2022	INVITATION SG 14/12/22 Brussels/hybrid-speaker at ENTSG's Annual Conference 2022 (Panel 2)
54	ENTSO-G	Ares(2023)3769552	25/10/2022	RE: INVITATION SG 14/12/22 Brussels/hybrid-speaker at ENTSG's Annual Conference 2022 (Panel 2) [positive response]
55	ENTSO-G	Ares(2023)1752065	10/03/2023	Meeting-SG- 04/04/2023- with ENTSG-thank you & follow up
56	ENTSO-G	Ares(2023)1752065	10/03/2023	ECH2A_TD RT_Agenda 4th CEOs_meeting on 4

				April_Rev1 (1)
57	ENTSO-G	Ares(2023)1890754	15/03/2023	Meeting-SG- 04/04/2023- with ENTSG-thank you & follow up – negative reply for 4 April 2023
58	ENTSO-G	Ares(2023)3503919	19/05/2023	MINUTES – Meeting SG with ENTSO-G – 07/03/2023
59	Fluxys	Ares(2023)3070814	02/05/2023	Meeting request RK with Fluxys on gas package
60	Fluxys	Ares(2023)3680302	03/05/2023	Meeting slots with RK offered
61	Fluxys	Ares(2023)3718511	30/05/2023	Minutes of RK meeting with Fluxys representatives of 15/05/2023
62	Gasunie	Ares(2022)8817628	16/12/2022	MEETING REQUEST SG 12/01/2022 + INVITATION to speak - 24.01.2023 @ CCUS event in Rotterdam
63	Gasunie	Ares(2023)134198	09/01/2023	RE: CCUS/H2: Meeting Request & Invitation to speak - 24.01.2023 @ CCUS event in Rotterdam
64	Gasunie	Ares(2023)1308315	18/01/2023	Briefing – meeting SG with Gasunie – 19/01/2023
65	Gasunie	Ares(2023)423793	19/01/2023	Meeting with Gasunie 19/01/23 - Meeting conclusions
66	HYDROPOWER ALLIANCE	Ares(2023)703878	04/05/2023	MEETING REQUEST KS [open date] Brussels BE - Physical meeting/roundtable with EU Hydropower Alliance representatives on contribution of hydropower to Europe's decarbonization goals
67	HYDROPOWER	Ares(2023)3675898	04/05/2023	[Re] Meeting request on behalf of new EU

	ALLIANCE			Hydropower Alliance with Commissioner Simson
68	HYDROPOWER ALLIANCE	Ares(2023)3674980	04/05/2023	2023-05-04 MEETING MINUTES - EU Hydropower Alliance
69	Snam	Ares(2022)3685504	16/05/2022	MEETING or CALL REQUEST SG open date with new Snam CEO - Mr Stefano VENIER
70	Snam	Ares(2023)3666451	19/05/2022	RE: MEETING or CALL REQUEST SG open date with new Snam CEO - Mr Stefano VENIER
71	Snam	Ares(2023)4444083	20/05/2022	MINUTES: meeting SG with Snam CEO – 20/05/2022
72	Snam	Ares(2023)3230972	29/03/2023	Exchange of emails - Meeting SG with Snam CEO - 30/03/2023
73	Snam	Ares(2023)4443978	30/03/2023	MINUTES: meeting SG with Snam CEO 30/03/2023
74	Trafigura	Ares(2022)1819577	11/03/2022	MEETING REQUEST SG/TMU open date - with Trafigura on Energy supply chain in the World
75	Trafigura	Ares(2022)1819577	11/03/2022	RussiaUkraine Crisis - Oil Market Impact 10 Mar 22 (002)
76	Trafigura	Ares(2022)6005854	29/08/2022	MEETING REQUEST KS 22/09/2022 with Jeremy Weir CEO Trafigura - investments in hydrogen production and hydrogen-powered trucking - decarbonising shipping
77	Trafigura	Ares(2022)6987431	10/10/2022	new MEETING REQUEST KS [October/November 2022] with Jeremy Weir CEO

				Trafigura - investments in hydrogen production and hydrogen-powered trucking - decarbonising shipping
78	Trafigura	Ares(2023)3772633	25/10/2022	RE: Meeting request - Jeremy Weir (Trafigura)
79	Trafigura	Ares(2023)3772748	10/11/2022	BRIEFING: Meeting SG-Trafigura – 11/11/2022
80	Trafigura	Ares(2023)4154337	11/11/2022	MINUTES: Meeting SG-Trafigura – 11/11/2022
81	Trafigura	Ares(2023)1422399	27/02/2023	Meeting request KS with Trafigura CEO, Jeremy Weir on 27/04/2023
82	Trafigura	Ares(2023)1422399	27/02/2023	Fwd_ Commissioner Simson at Davos_
83	Trafigura	Ares(2023)1723654	09/03/2023	Confirmation meeting between Commissioner Simson and Jeremy Weir, Trafigura CEO
84	Trafigura	Ares(2023)1733676	09/03/2023	Meeting request RK to prepare the meeting between Commissioner Simson and Trafigura CEO
85	Trafigura	Ares(2023)1786967	12/03/2023	Confirmation meeting on 21/03/23
86	Trafigura	Ares(2023)3679717	26/03/2023	Briefing for Commissioner Simson meeting with Jeremy Weir, CEO of Trafigura
87	Trafigura	Ares(2023)2290505	30/03/2023	Minutes of prep-meeting with Trafigura representatives for meeting of 03/04/2023
88	Trafigura	Ares(2023)2409589	03/04/2023	Minutes of Commissioner Simson meeting with Jeremy Weir, CEO of Trafigura
89	Trafigura	Ares(2023)2814206	19/04/2023	Thank you email for Trafigura's meeting of

				03/04/2023
90	Tree Energy Solutions	Ares(2022)3236390	25/04/2022	Enclosing Tree Energy Solutions - Hydrogen for life (TES) papers: TES Wilhelmshaven Press release - TES Open Season
91	Tree Energy Solutions	Ares(2022)3236390	25/04/2022	20220425 TES Open Season Press Release-DE_FINAL
92	Tree Energy Solutions	Ares(2022)3236390	25/04/2022	20220425 TES Open Season Press Release_FINAL
93	Tree Energy Solutions (TES H2)	Ares(2022)6127752	02/09/2022	MEETING REQUEST SG open date with Marco Alvera - TES hydrogen for Life
94	Tree Energy Solutions (TES H2)	Ares(2023)3775050	03/10/2022	RE: Meeting with Marco Alvera - TES
95	Tree Energy Solutions (TES H2)	Ares(2023)3775116	27/10/2022	Background briefing: meeting SG-TES H2 - 27/10/2022
96	Tree Energy Solutions (TES H2)	Ares(2023)3825425	27/10/2022	MINUTES: meeting SG-TMU with TES H2 - 27/10/2022

Based on Article 6(3) of Regulation (EC) No 1049/2001 which provides for a possibility to confer with an applicant informally with a view to finding a fair solution when an application relates to a very long document or concerns a very large number of documents, on 10 August 2023 we asked you to narrow down the scope of your application and to reduce it to a more manageable number of documents. In our fair solution proposal (registered under the reference number Ares(2023)5538929), we requested to select a maximum number of 20 documents.

On 4 September 2023 you replied to our fair solution proposal (correspondence registered under the reference number Ares(2023)5998544), selecting the following 20 documents:

Nr	Stakeholder	Ares	Date	Title
1	Enagás	Ares(2022)1751107	07/03/2022	Letter from newly appointed Enagás CEO Arturo Gonzalo

3	Enagás	ARES(2022)5347533	25/03/2022	Minutes of the informal meeting between Tatiana Marquez Uriarte and Enagás representative in Brussels
7	Enagás	Ares(2022)6902515	06/10/2022	Minutes of the meeting 27/04/2022 Stefano Grassi - Tatiana Marquez Uriarte with Enagas representative
13	Enagás	Ares(2023)3674207	13/01/2023	Minutes of meeting SG-Enagás 12/01/2023
14	Enel	Ares(2023)1849903	21/03/2022	Re: Price Cap - Counter arguments and Defence points
16	Enel	Ares(2023)2955923	22/03/2022	MINUTES - Meeting SG with ENEL - 22/03/2022
23	Enel	Ares(2022)6228952	08/09/2022	Enel proposals on cap on inframarginal technologies and liquidity margin
25	Enel	Ares(2022)6228952	08/09/2022	Regulation cap revenues inframarginal wording proposals_EU
26	Enel	Ares(2022)7425297	26/10/2022	Electricity Market Design - Enel Proposal
39	ENGIE	Ares(2022)6932988	06/10/2022	2022 10 04_Letter of Application_ IAG_ENGIE
45	ENGIE	Ares(2023)3674911	17/03/2023	2023-03-17 - MEETING MINUTES - Engie - CAB
55	ENTSO-G	Ares(2023)1752065	10/03/2023	Meeting-SG- 04/04/2023- with ENTSG-thank you & follow up
58	ENTSO-G	Ares(2023)3503919	19/05/2023	MINUTES – Meeting SG with ENTSO-G – 07/03/2023
61	Fluxys	Ares(2023)3718511	30/05/2023	Minutes of RK meeting with Fluxys representatives of 15/05/2023
65	Gasunie	Ares(2023)423793	19/01/2023	Meeting with Gasunie 19/01/23 - Meeting

				conclusions
68	HYDROPOWER ALLIANCE	Ares(2023)3674980	04/05/2023	2023-05-04 MEETING MINUTES - EU Hydropower Alliance
71	Snam	Ares(2023)4444083	20/05/2022	MINUTES: meeting SG with Snam CEO – 20/05/2022
73	Snam	Ares(2023)4443978	30/03/2023	MINUTES: meeting SG with Snam CEO 30/03/2023
80	Trafigura	Ares(2023)4154337	11/11/2022	MINUTES: Meeting SG-Trafigura – 11/11/2022
88	Trafigura	Ares(2023)2409589	03/04/2023	Minutes of Commissioner Simson meeting with Jeremy Weir, CEO of Trafigura

Having examined the documents requested under the provisions of Regulation (EC) No 1049/2001 regarding public access to documents, I have come to the conclusion that documents n. 1, 3, 13, 14, 16, 23, 26, 39, 55, 58, 61, 65, 68, 73 and 88 listed above may be partially disclosed, while documents n. 7, 25, 71, and 80 are fully disclosed.

In fact, a complete disclosure of the identified documents is prevented by the exception concerning the protection of privacy and the integrity of the individual outlined in Article 4(1)(b) of Regulation (EC) No 1049/2001, because they contain the following personal data:

- the names/initials and contact information of Commission staff members not pertaining to the senior management;
- the names/initials and contact details of other natural persons.

Article 9(1)(b) of the Data Protection Regulation does not allow the transmission of these personal data, except if you prove that it is necessary to have the data transmitted to you for a specific purpose in the public interest and where there is no reason to assume that the legitimate interests of the data subject might be prejudiced. In your request, you do not express any particular interest to have access to these personal data nor do you put forward any arguments to establish the necessity to have the data transmitted for a specific purpose in the public interest.

Consequently, I conclude that, pursuant to Article 4(1)(b) of Regulation (EC) No 1049/2001, access cannot be granted to the personal data contained in documents n. 1, 3, 13, 14, 16, 23, 26, 39, 55, 58, 61, 65, 68, 73 and 88 (except documents n. 7, 25, 71, and 80 which do not contain personal data), as the need to obtain access thereto for a purpose in the public interest has not been substantiated and there is no reason to think that the legitimate interests of the individuals concerned would not be prejudiced by disclosure of the personal data concerned.

In addition, please note that some parts of documents n. 65 and n.88 have been blanked out, as their disclosure is prevented by the exception to the right of access laid down in Article 4(2), first indent of Regulation (EC) No 1049/2001. In fact, the redacted parts of the minutes contain commercially sensitive business information of Gasunie and Trafigura respectively. Disclosure of these parts would undermine the protection of commercial interests protected under this exception.

Moreover, having examined the document n. 45 requested under the provisions of Regulation (EC) No 1049/2001, I regret to inform you that your application cannot be granted, as disclosure is prevented by exception to the right of access laid down in Article 4 of this Regulation. The document which you seek to obtain contains commercially sensitive business information of ENGIE. Disclosure of this document would undermine the protection of the commercial interests of ENGIE, as putting this information in the public domain would affect its competitive position on the market.

We have considered whether partial access could be granted to the document requested. I regret to inform you that it is not possible to grant access to an expunged version of the document, since it is entirely covered by the exception laid down in Article 4(2) of Regulation (EC) No 1049/2001.

The exceptions laid down in Article 4(2) apply unless there is an overriding public interest in disclosure of the document. I have examined whether there could be an overriding public interest in disclosure, but I have not been able to identify such an interest.

Please note that documents originating from third parties are disclosed to you based on Regulation (EC) No 1049/2001. However, this disclosure is without prejudice to the rules on intellectual property, which may limit your right to reproduce or exploit the released documents without the agreement of the originator, who may hold an intellectual property right on them. The European Commission does not assume any responsibility from their reuse.

Access is granted to minutes of meetings with external parties. These documents were drawn up for internal use under the responsibility of the relevant service. They solely reflect the service's interpretation of the interventions made and do not set out any official position of the third parties to which the documents refer. They do not reflect the position of the Commission and cannot be quoted as such.

In accordance with Article 7(2) of Regulation (EC) No 1049/2001, you are entitled to make a confirmatory application requesting the Commission to review this position.

Such a confirmatory application should be addressed to the Secretariat-General of the Commission within 15 working days upon receipt of this letter.

You can submit it in one of the following ways:

by asking for a review via your portal¹ account (available only for initial requests submitted via the portal account),

¹ <https://www.ec.europa.eu/transparency/documents-request>

or by mail:

European Commission

Secretariat-General

Transparency, Document Management & Access to Documents (SG.C.1)

BERL 7/076

B-1049 Brussels

or by email to: sg-acc-doc@ec.europa.eu

Yours sincerely,

Ditte Juul Jørgensen
Director-General