

Dear Ms Douo,

We are writing concerning your request for access to Commission documents registered on 19/1/2022 under case number 2022/7268.

The handling of your request involves the assessment of very voluminous documents originating from third parties. The analysis of these documents, together with the need to consult the third parties concerned in accordance with Article 4(4) of Regulation (EC) No 1049/2001, cannot be expected to be completed within the normal time limits set out in Article 7 of Regulation (EC) No 1049/2001.

However, Article 6(3) of Regulation (EC) No 1049/2001 also 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.

In accordance with the case law of the EU Courts, such a solution can only concern the content or the number of documents requested, not the deadline for replying<sup>1</sup>. This means that the scope of the request must be reduced in a way that would enable its processing within the extended deadline of 15 + 15 working days.

Based on the above-mentioned provision, we would kindly ask you to specify the objective of your application and your specific interest in the documents requested<sup>2</sup>, and whether you could narrow down the scope of your application (i.e. the number of external companies/associations attending the meetings and timeframe covered), so as to reduce it to a more manageable amount of documents.

In order to enable us to respect the time-limits of Regulation (EC) No 1049/2001, please reply to this proposal for a fair solution within **five working days** at the latest.

In the absence of a reply within five working days, we will restrict the scope of your application to those parts that can be dealt with within the extended deadline of 30 working days.

Kind regards,

**DG ENERGY – Access to documents Team**

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<sup>1</sup> Judgment of the Court of Justice of 2 October 2014, *Strack v European Commission*, C-127/13, (hereinafter referred to as the '*Strack v Commission* judgment'), EU:C:2014:2250, paragraphs 26-28.

<sup>2</sup> *Strack v Commission* judgment, paragraph 28; Judgment of the General Court (then 'Court of First Instance') of 22 May 2012, *EnBW Energie Baden-Württemberg v European Commission*, T-344/08, EU:T:2012:242, paragraph 105.