



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR MOBILITY AND TRANSPORT

Directorate B - Investment, Innovative & Sustainable Transport
The Director

Brussels, **08 OCT. 2018**
MOVE.DDG1.B/HR

By registered letter with acknowledgment
of receipt

Mr Pascoe Sabido
Corporate Europe Observatory Mundo B
Rue d'Edimbourg 26
1050 Bruxelles
Belgium

Advance copy by email :
ask+request-5691-33d29c5d@asktheeu.org

**Subject: Your application for access to documents – Ref GestDem No
GESTDEM 2018/3472**

Dear Mr Sabido,

I refer to your e-mail message dated 25/06/2018 in which you made a request for access to documents registered on 27/06/2018 under the above-mentioned reference number. We also make reference to our letters addressed to you on 12 and 27 July 2018 and to our exchange of e-mails of 05/09/2018 concerning our request for an extension of the deadline for the provision of the documents and a reduction of the period covered by your request. I also refer to our letter dated 19/09/2018 and your e-mail of 28/09/2018.

You request access to documents containing the following information:

- a list of all lobby meetings held between DG MOVE and Fluxys, Enagás, SNAM, GRTgaz and/or Gas Infrastructure Europe, and/or their affiliates/representatives (e.g. lobby consultancies) since 1 January 2013. The list should include: date, Commission attendees, the name of the organisation(s) attending and a more precise meeting topic.
- minutes of all lobby meetings held between DG MOVE and Fluxys, Enagás, SNAM, GRTgaz and/or Gas Infrastructure Europe, and/or their affiliates/representatives (e.g. lobby consultancies) since 1 January 2013.
- any correspondence between DG MOVE and Fluxys, Enagás, SNAM, GRTgaz and/or Gas Infrastructure Europe, and/or their affiliates/representatives (e.g. lobby consultancies) since 1 January 2013. This should include but not be limited to correspondence related to the aforementioned meetings, as well as all other email

and letter exchanges. It should also include all attachments and accompanying documents contained within the correspondence

In our letter of 19/09/2018, we proposed the following fair solution in the meaning of Article 6(3) of Regulation (EC) No 1049/2001:

- the scope of your application should be limited to the documents not linked to administrative steps concerning contracts or contract-related correspondence unless you specify in which contract or reasonable number of contract(s) you are interested.

In your e-mail of 28 September 2018, you accepted to modify the scope of your application as follows:

- documents from January 2015 rather than January 2013;
- documents concerning only directorates B3 and B4;
- documents related to all non-administrative documents;
- administrative documents and contracts funded under the Connecting Europe Facility.

Regarding the first three points of your request, I would like to inform you that we have already identified four documents listed below and attached in annex.

1. Letter of 10/06/2015 from Magda Kopczyńska (Director, Directorate MOVE.C) to Fluxys (Ref. Ares(2015)2734053);
2. Letter of 03/06/2015 from João AGUIAR MACHADO (Director-General, DG MOVE) to Gas Infrastructure Europe (Ref. Ares(2015)2335789);
3. E-mail correspondence with a representative of Gas Infrastructure Europe of 12/04/2017 and its annex (Ref. Ares(2017)1952346);
4. Letter of 20/06/2017 to Gas Infrastructure Europe (Ref. Ares(2017)3091952).

Regarding the third document, the e-mail correspondence with Gas Infrastructure Europe, we are only entitled to give you access to the e-mail and one of its annexes, as the others are CVs and contain personal data of third parties.

Regarding the fourth point of your request, DG MOVE does not have such documents. The documents you request access to, have been dealt with by the Innovation & Networks Executive Agency (INEA). You can create a request for access to these documents via the following webpage: <https://ec.europa.eu/inea/en/mission-objectives/key-documents/access-documents>.

Please note that, pursuant to Article 4(1) (b) of Regulation (EC) No 1049/2001, access to a document has to be refused if its disclosure would undermine the protection of privacy and the integrity of the individual, in particular in accordance with Community legislation regarding the protection of personal data. The applicable legislation in this field is Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data¹. Therefore, we are disclosing a version of the documents requested in which these personal data have been redacted.

¹ Official Journal L 8 of 12.1.2001, p. 1.

In case you would disagree with the assessment that the redacted data are personal data which can only be disclosed if such disclosure is legitimate under the applicable rules on the protection of personal data, you are entitled, in accordance with Article 7(2) of Regulation 1049/2001, to make a confirmatory application requesting the Commission to review this position.

Such a confirmatory application should be addressed within 15 working days upon receipt of this letter to the Secretary-General of the Commission at the following address:

European Commission
Secretary-General
Transparency unit SG-B-4
BERL 5/288
B-1049 Bruxelles

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

Yours faithfully,



Herald RUIJTERS