



EUROPEAN COMMISSION  
DIRECTORATE-GENERAL FOR INFORMATICS

Director-General

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acknowledgement of receipt

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**Subject: Your applications for access to documents**

**Ref.: GESTDEM 2018/3723 and 2018/3725**

Dear Sir,

We refer to your messages dated 12 July 2018, in which you made two requests for access to documents, registered on 13 July 2018 under the above-mentioned reference numbers.

**1. APPLICATIONS UNDER REGULATION (EC) No 1049/2001**

You request access to documents described as follows:

GESTDEM 2018/3723	<i>" ... documents which contain the following information:  The number of units (see below) purchased from Bechtle AG in the change request 7190-82 amendment 13 to Framework contract No 7190 MEQ III as of 13/12/2017 til present:</i>
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	1. iPhone 8 - 64GB 2. iPhone 8 - 256GB 3. iPhone 8 Plus - 256 GB 4. iPhone X - 256 GB"
GESTDEM 2018/3725	<p>"... documents which contain the following information:</p> <p><i>The number of new model units purchased from Bechtel AG under framework contract change request 'MEQIII - DI07190-29', reference DIGIT/R2/PO/2012/027 as of 31/12/2014 til present for the following items:</i></p> <p>1. Microsoft Surface Pro 3 i5 256GB 8GB RAM  2. Microsoft Surface Pro 3 i5 128GB 4GB RAM"</p>

We regret to inform you that no single document held by the Commission and pre-dating your request contains precisely the information described in your messages. That information is in fact scattered across many Order Forms issued under the Framework Contract to which you refer; these Order Forms would need to be identified and analysed solely in order to compile the requested information.

Furthermore the requested information cannot be extracted easily from a single information system through pre-programmed search tools either.

As provided for in Article 2(3) of Regulation (EC) No 1049/2001, the right of access under that Regulation applies only to existing documents in the possession of the Commission.

Therefore we are not in a position to fulfil your request.

In accordance with Article 7(2) of Regulation 1049/2001, you are entitled 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 5/282  
B-1049 Brussels (Belgium)

or by email to: [sg-acc-doc@ec.europa.eu](mailto:sg-acc-doc@ec.europa.eu)

## 2. REQUEST FOR INFORMATION

Nevertheless, in order to assist you as much as possible, we have also considered your applications as a request for information under the Commission's *Code of Good Administrative Behaviour*.

On this basis, we have put some effort into gathering relevant information. As a result, we are now in a position to provide you with the following consolidated

tables, which —to the best of our knowledge— should be roughly accurate and correspond to the information you wanted to obtain.

<b>Model</b>	<b>Number of units purchased from 31/12/2014 until the end of Framework Contract DI-07190-00</b>
iPhone 8 - 64GB	857
iPhone 8 - 256GB	85
iPhone 8 Plus - 256 GB	2
iPhone X - 256 GB	24

<b>Model</b>	<b>Number of units purchased from 13/12/2017 until the end of Framework Contract DI-07190-00</b>
Microsoft Surface Pro 3 i5 256GB 8GB RAM	30
Microsoft Surface Pro 3 i5 128GB 4GB RAM	6

I trust that you will find this information helpful.

I would like to underline that this way of proceeding is exceptional and should not be taken as creating a precedent requiring the Commission to go beyond its strict legal obligations under Regulation (EC) No 1049/2001 whenever no existing documents are in scope of an application for access.

Yours faithfully,



Mário Campolargo, in absence of  
Gertrud Ingestad

2018/07/30 13:58

