



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR ENERGY

Directorate C – Green Transition and Energy System Integration
The Director

Brussels, 03/03/2022
ENER C2/C3 D(2022) 1587191

Mr Pascoe Sabido
Corporate Europe Observatory,
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Belgium

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to be sent with AR

Subject: Your access to document request GESTDEM 2021-7976

Dear Mr Sabido,

I refer to your request of 08 December 2021 for access to Commission documents, registered the same day under the above-mentioned reference number.

You request access to:

- *a list of meetings held from 1 July 2021 on the topic of the "Hydrogen and decarbonised gas package" between DG Energy and any of the following stakeholders: Repsol, Iberdrola, Enagas, Naturgy, Eni, Enel, Snam, Gasunie, Shell, Uniper, OpenGrid Europe, Ontras, Equinor and/or National Grid;*
- *minutes/notes from the said meetings held from 1 July 2021 on the topic of the "Hydrogen and decarbonised gas package" between DG Energy and any of the following stakeholders: Repsol, Iberdrola, Enagas, Naturgy, Eni, Enel, Snam, Gasunie, Shell, Uniper, OpenGrid Europe, Ontras, Equinor and/or National Grid;*
- *all correspondence (including all attachments) from 1 July 2021 on the topic of the "Hydrogen and decarbonised gas package" between DG Energy and any of the following stakeholders: Repsol, Iberdrola, Enagas, Naturgy, Eni, Enel, Snam, Gasunie, Shell, Uniper, OpenGrid Europe, Ontras, Equinor and/or National Grid;*

Following an examination of the documents requested under the provisions of Regulation (EC) No 1049/2001 regarding public access to documents, **we have identified one document (minutes) related to a meeting I had with representatives of Enagas on 22.11.2021** (registration number Ares(2021)7525159) **as falling in the scope of your request.**

I am glad to inform you that the identified document can be disclosed, **subject only to the redaction of personal data.**

In this respect, some parts of the documents have been blanked out as their disclosure is prevented by exceptions to the right of access laid down in Article 4 paragraph 1(b) of Regulation (EC) No 1049/2001 because they contain the personal data.

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 European Union legislation regarding the protection of personal data.

Article 9(1)(b) of the Data Protection Regulation¹ 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 the requested documents, with exception for names of main representatives, 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.

Please find enclosed the redacted copy of the document in question.

As regards the other stakeholders listed in your request **(Repsol, Iberdrola, Naturgy, Eni, Enel, Snam, Gasunie, Shell, Uniper, OpenGrid Europe, Ontras, Equinor and/or National Grid), I regret to inform you that no documents had been found.** Indeed, as specified in Article 2(3) of Regulation 1049/2001, the right of access as defined in that regulation applies **only to existing documents in the possession of the institution.**

Concerning point 1 of your request "list of meetings", I would like to inform you that the Commission does not hold lists of meetings for officials below Director-General level.

¹ Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC, OJ L 295, 21.11.2018, p. 39.

Notwithstanding, information on the meetings with the participation of the Commissioner or his Cabinet, or our Director-General is available in the public domain:

https://ec.europa.eu/commission/commissioners/2019-2024/simson_en#transparency

<http://ec.europa.eu/transparencyinitiative/meetings/meeting.do?host=61569260-525e-42f8-aa52-51d7bfc30d4f>

In case you would disagree with this assessment, you are entitled, in accordance with Article 7(2) of Regulation (EC) No 1049/2001, to submit 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 Secretariat-General of the Commission at the following address:

European Commission
Secretariat-General
Unit C.1. 'Transparency, Document Management and Access to Documents'
BERL 7/076
B-1049 Brussels
or by email to: sg-acc-doc@ec.europa.eu

Yours sincerely,

(e-signed)
Catharina Sikow-Magny