Hello,

We are writing concerning your confirmatory request for access to Commission documents for case (INSERT CASE NUMBER), registered on (INSERT DATE OF REGISTRATION OF CONFIRMATORY REQUEST).

**Describe the reasons why the application cannot be handled within normal time frames.**

**Examples:**
Your application concerns a very long document / a very large number of documents, which needs/need to be assessed individually. Such a detailed analysis cannot be carried out within the normal time limits set out in Article 7 of Regulation (EC) No 1049/2001.

The handling of your request involves the assessment of a very long document / very voluminous documents originating from third parties / a Member State / several Member States. The analysis of this document/these documents, together with the need to consult the third parties / Member State(s) concerned in accordance with Article 4(4) [use the reference to Article 4(5) only if you consult (a) Member State(s)] and 4(5) 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 1. 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.

**Propose a fair solution in accordance with Article 6(3) of Regulation (EC) No 1049/2001**

**Example:**
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 2, and whether you could narrow down the scope of your application (i.e. the subject matter(s) and/or timeframe covered), so as to reduce it to a more manageable amount of documents.

In order to help you to narrow down your application, please note that the following [categories of] documents have been identified as falling under the scope of your request:

Please provide the applicant with a list of documents or, if that is not possible, categories of documents, as well as an estimation of their total number and if possible the total number of pages covered.

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According to our first estimates, the handling of your request would take [...], broken down as follows:

- identification of the documents falling under your request: [...]
- retrieval and establishment of a complete list of the documents identified: [...
- scanning of the documents: [...]
- assessment of the content of the documents in light of the exceptions of Article 4 of Regulation (EC) No 1049/2001: [...]
- [where applicable]: third-party / Member State consultations under Article 4(4) and 4(5) of Regulation (EC) No 1049/2001: [...]
- [where applicable]: final assessment of the documents in light of the comments received: [...]
- drafting of the reply: [...]
- redaction of those parts of the documents to which one or several exceptions apply: [...]
- internal review and approval of the draft decision: [...]
- preparation of the reply and the documents for dispatch (scanning of the redacted versions, administrative processing etc.): [...]

It follows that, according to our first estimates, a maximum of [...] categories of documents could possibly be dealt with within the extended deadline of 30 working days counting from the date of registration of your request.

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,

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3 Taking into account other applications for access to documents and other tasks that the staff concerned are likely to have to deal with during the same period.