



EUROPEAN COMMISSION

Brussels,

By registered mail with AR

Mr Peter Teffer
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**Subject: Your confirmatory application for access to documents under
Regulation (EC) No 1049/2001 - GESTDEM 2019/1258**

Dear Mr Teffer,

I refer to your e-mail of 27 March 2019, registered on the same day, in which you submit a confirmatory application in accordance with Article 7(2) of Regulation (EC) No 1049/2001 regarding public access to European Parliament, Council and Commission documents¹ (hereafter ‘Regulation (EC) No 1049/2001’), registered under number GESTDEM 2019/1258.

Your confirmatory application was submitted in relation to your initial application of 6 March 2019 addressed to the Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs for access to ‘[t]he commission’s legal analysis of the General Court of the European Union’s Judgment in Cases T-339/16 Ville de Paris v Commission, T-352/16 Ville de Bruxelles v Commission, T-391/16 Ville de Madrid v Commission’.

The Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs identified one document as falling within the scope of your request, to which it granted wide partial access subject to the redaction of personal data:

- E-mail exchanges of 4 March 2019 from Commissioner Bieńkowska to MEP Van Brempt, reference Ares (2019)1491348.

In your confirmatory application, you contest the proper identification of the documents falling within the scope of your request. You argue the following, I quote, ‘[i]n any case,

¹ Official Journal L 145 of 31.5.2001, p. 43.

an email is not a legal analysis. The comments from Commissioner Bieńkowska on 20 February 2019 suggested that there existed some kind of document in which the Commission's legal services displayed its interpretation of the Court's judgment. It is that document which I requested - which should have been clear to the DG from my simple request'.

In view of this, we informed you on 4 April 2019 that we have registered a new request for access to documents under reference number GESTDEM 2019/2114, addressed to the Legal service of the European Commission, as it is the competent service to reply to your request.

Consequently, we will close this confirmatory application, registered under number GESTDEM 2019/1258.

If, upon receipt of the initial reply from the Legal service, you wish to submit a new confirmatory request in accordance with Article 7 of the Regulation (EC) No 1049/2001, you remain free to do so.

Yours sincerely,

María Oliván Avilés
Head of Unit