



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR ENERGY

Directorate C – Green Transition and Energy System Integration
The Director

Brussels, 16.03.2022
ENER.C.2/AVH/svh (2022)1745138

Ms Carlotta Indiano
Investigative Reporting Project Italy
Viale Giulio Cesare, 92 - 00192
ROMA

By email:
[ask+request-10383-
5597bedf@asktheeu.org](mailto:ask+request-10383-5597bedf@asktheeu.org)

Subject: Your application for access to documents – GESTDEM 2021/8070

Dear Ms Indiano,

We refer to your e-mail dated 13 December 2021 in which you make a request for access to documents, registered on 13 December 2021 under the above-mentioned reference number.

You request access to documents that contain the following information for the period between 2019 to date:

1. a list of all meetings and/or calls between the Directorate-General Energy and the GD4S lobby group, including any Cabinet Members and/or officials, during which projects on synthetic fuels and/or projects on hydrogen were discussed.

The list should include:

- date, individuals attending and organisational affiliation, as well as the issues discussed;
 - all minutes and other reports of these meetings and/or calls;
 - all documents prepared for the purpose of the meetings issued both in preparation and after the meetings took place.
 - all correspondence, including attachments (i.e. any emails, mail correspondence or telephone call notes) between the Directorate-General for Energy including any Cabinet Members and/or officials, and GD4S lobby group discussing “synthetic fuel” and/or “hydrogen”.
2. all documents sent by the GD4S lobby group to the DG Energy related to their synthetic fuel projects and/or their hydrogen projects.

I consider your request to cover documents held up to the date of your initial application, i.e. 13 December 2021.

Please note that your request covers also areas that do not fall under the direct responsibility of DG Energy. Consequently, parts of your request have been attributed to other Directorates-General or Commissioner's services. This reply relates only to the documents held by Directorate-General for Energy. You received or will receive the replies from the other respective services in due course.

We regret to inform you that the Commission does not hold documents that would correspond to the description given in your application under item 1. 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. The Commission does not hold lists of meetings for officials below Director-General level. For the current Director-General of DG Energy you may find this here:

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

Accordingly, the following documents appear to fall within the scope of your application:

- Congratulations + Meeting request dated 27/8/2019 (Ares(2019)5417086);
- Review of the TEN-E Regulation - solicitation for a meeting registered 07/12/2022 (Ares(2020)7409226);
- FW: Following our meeting on the TEN-E revision on September 18th - Gas Distributors for Sustainability registered 2/10/2020 (Ares(2020)5192072). Please note that whilst the meeting referred to in the subject heading of this mail appears to have taken place, no minutes of this meeting exist;
- Joint letter - 4 European Gas distribution system operator associations - Gas Infrastructure in the Taxonomy Regulation Delegated Act registered 31/07/2020 (Ares(2020)4047695);
- Solicitation to deliver a statement during our next GD4S online event on March 18th on Energy Systems Integration registered 29/01/2021 (Ares(2021)747659);
- New GD4S White Paper promoting the role of gas networks as key enabler of the EU's energy transition and meeting request registered 11/06/2021 (Ares(2021)3832819);
- FW: New GD4S White Paper promoting the role of gas networks as key enabler of the EU's energy transition and meeting request registered 03/06/2021 (Ares(2021)3655344);
- NEGATIVE REPLY: Review of the TEN-E Regulation - solicitation for a meeting registered 07/12/2020 (Ares(2020)7409245);
- [Re] Letter on behalf of ten industrial associations on Renewable and decarbonised gases, sector coupling, innovative heating technologies - key enablers to decarbonise buildings registered 15-07-2020 (Ares(2020)7061296);
- NEGATIVE REPLY: Solicitation to deliver a statement during our next GD4S online event on March 18th on Energy Systems Integration registered 29/01/2021 (Ares(2021)747675).

I am glad to inform you that these documents can be disclosed, subject only to the redaction of personal data, apart from names of the main representatives already publicly available, for the following reasons:

- 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 letters in question.

In accordance with Article 7(2) of Regulation (EC) No 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
Secretariat-General
Transparency, Document Management & Access to Documents (SG.C.1)
BERL 7/076
B-1049 Brussels
or by email to: sg-acc-doc@ec.europa.eu

Yours sincerely,

(e-signed)

Catharina Sikow-Magny

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.

