



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR ENERGY

The Director-General

Brussels, 04/08/2023
MP ener.a.1(2023)8105068

Mr Joseph Galvin
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Ireland
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Subject: Your application for access to documents – EASE 2022/0049

Dear Mr Galvin,

We refer to your e-mail of 5 January 2022 in which you make a request for access to documents, registered on 5 January 2022 under the above-mentioned reference number.

You request access to *all documents — including but not limited to correspondence, emails, minutes, notes (hand written or electronic), audio or video recordings, verbatim reports, operational conclusions, lines to take, briefings, and presentations — related to meetings between Commissioner Kadri Simson, Head of Cabinet Stefano Grassi, Deputy Head of Cabinet Peeter Kadarik, or other members of Simson's cabinet, with representatives of the following companies:*

- *Saudi Aramco*
- *Chevron*
- *Gazprom*
- *ExxonMobil*
- *BP*
- *Royal Dutch Shell*
- *Total SA*

between January 1, 2021, and December 31, 2021.

Your application concerns the following documents:

nr	Stakeholder	Ares	Date	Title
1	Shell	Ares(2023)3386149	10/11/2021	BRIEFING – KS 11.11.2021 – Round-table discussion on the regulation for the hydrogen market
2	Shell	Ares(2023)3945452	11/11/2021	MINUTES – KS 11.11.2021 – Round-table discussion on the regulation for the hydrogen market
3	Shell	Ares(2023)3422518	09/11/2021	INVITATION - Virtual round-table discussion on the regulation for the hydrogen market – 11.11.2021 15.00h (Not registered at the time of sending due to clerical error)
4	Shell	Ares(2023)3422657	03/11/2021	RE - Save the date - Round-table discussion with Commissioner Simson on the regulation for the hydrogen market - 11 November 2021, 15.00h
5	Shell	Ares(2021)3869896	14/06/2021	VTC MEETING REQUEST SG-LC open date with Shell on FF55 - RED reform and Sectoral Roadmaps to NZE
6	Shell	Ares(2021)3869896	14/06/2021	Shell Contribution to EU FF55
7	Shell	Ares(2021)3982965	18/06/2021	Re - VTC MEETING REQUEST SG-LC open date with Shell on FF55 - RED reform and Sectoral Roadmaps to NZE
8	Shell	Ares(2023)3387239	20/10/2021	BRIEFING – SG 21.10.2021 – Shell - Meeting renewable Hydrogen targets in Transport
9	Shell	Ares(2023)3386562	24/09/2021	Exchange of emails to arrange meeting SG + TMU 21.10.2021 – Meeting renewable Hydrogen targets in Transport
10	Shell	Ares(2021)6516690	21/10/2021	Meeting 21.10.2021 between Cabinet Simson (Stefano Grassi - Tatiana Marquez Uriarte), DG ENER and SHELL representatives

Having examined the documents requested under the provisions of Regulation (EC) No 1049/2001 regarding public access to documents, I have come to the conclusion that the documents n. 1-5 and 7-10 listed above may be partially disclosed.

In fact, a complete disclosure of the identified documents is prevented by the exception concerning the protection of privacy and the integrity of the individual outlined in Article 4(1)(b) of Regulation (EC) No 1049/2001, because they contain the following personal data:

- the names/initials and contact information of Commission staff members not pertaining to the senior management;
- the names/initials and contact details of other natural persons.

Article 9(1)(b) of the Data Protection Regulation 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 n. 1-5 and 7-10, 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.

Access is granted to minutes of meetings with external parties. These documents were drawn up for internal use under the responsibility of the relevant service. They solely reflect the service's interpretation of the interventions made and do not set out any official position of the third parties to which the documents refer. They do not reflect the position of the Commission and cannot be quoted as such.

Please note that documents originating from third parties are disclosed to you based on Regulation (EC) No 1049/2001. However, this disclosure is without prejudice to the rules on intellectual property, which may limit your right to reproduce or exploit the released documents without the agreement of the originator, who may hold an intellectual property right on them. The European Commission does not assume any responsibility from their reuse.

The exceptions laid down in Article 4(2) and 4(3) of Regulation (EC) No 1049/2001 apply unless there is an overriding public interest in disclosure of the document. I have examined whether there could be an overriding public interest in disclosure, but that I have not been able to identify such an interest.

In addition, please note that parts of documents n. 2 and 3 have been blanked out since they are out of the scope of the request.

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 to the Secretariat-General of the Commission within 15 working days upon receipt of this letter. You can submit it in one of the following ways:

by asking for a review via your portal¹ account (available only for initial requests submitted via the portal account),

or by mail:

European Commission

Secretariat-General

Transparency, Document Management & Access to Documents (SG.C.1)
BERL 7/076

B-1049 Bruxelles

or by email to: sg-acc-doc@ec.europa.eu

Yours sincerely,

Ditte Juul Jørgensen
Director-General

p.p. Matthew Baldwin
Deputy Director-General

¹ <https://www.ec.europa.eu/transparency/documents-request>