



EUROPEAN COMMISSION  
SECRETARIAT-GENERAL

Directorate D - Twin Transition, Economic & Social Affairs

Brussels  
SG.D.1/AW

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Dear Sir,

**Subject: Your application for access to documents –2022/5877**

I refer to your email of 10/10/2022 in which you made a request for access to documents, registered on 14/10/2022 under the case number 2022/5877. Your request was passed to the Secretariat General for handling, in view of its subject matter.

In your request you ask for access to ‘all documentation (including but not limited to all email correspondence, attendance lists, agendas, background papers, transcripts, recordings and minutes/notes) relating to the meeting between Penelope Papandropoulos, Werner Stengg and Netflix on 11. 07. 2022 on the topic of "OTT fair share debate"’.

Your application therefore concerns the following documents:

1. Ares(2022)3629154 Email exchange re meeting with Netflix\_Redacted;
2. Ares(2022)3629154 Attachment 1 - Open Connect White Paper\_Redacted;
3. Ares(2022)3629154 Attachment 2 - ChairePcEn Research\_Redacted;
4. Ares(2022)5237089\_Minutes meeting with Netflix\_11.07.2022\_Redacted.

A complete disclosure of these 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; or
- the names/initials and contact details of natural persons.

Article 9(1)(b) of the Data Protection Regulation (Regulation 2018/1725) 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 neither express any particular interest to have access to these

personal data, nor put forward 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, 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 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.

Please also note that notes of meetings are drawn up for internal use under the responsibility of the relevant services of the European Commission. They solely reflect the author's interpretation of the interventions made and do not set out any official position of the third parties to which the document refers. They do not reflect the position of the Commission and cannot be quoted as such.

In case you would disagree with this position, 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 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 portal<sup>1</sup> 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](mailto:sg-acc-doc@ec.europa.eu)

Yours faithfully,

Click or tap here to enter text.

Elisa Roller  
Director

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

Enclosure: disclosed documents