



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR ENERGY

The Director-General

By registered letter with acknowledgment of receipt

Mr Peter Teffer
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Brussels,
ENER.C3/RN/im (2018) 478138

Subject: Your application for access to documents – Ref GestDem No 2018/232

Dear Mr Teffer,

We refer to your e-mail dated 9 January 2018 in which you make a request for access to documents, registered on 10 January 2018 under the above-mentioned reference number.

We regret to inform you that the Commission does not hold any documents that would correspond to the description given in your application:

1. *A list of which member states have notified the European Commission on the implementation of the rules on penalties and enforcement mechanisms referred to in article 7 of Regulation (EU) 2017/1369 of 4 July 2017*
2. *The content of all member states' notifications of the provisions on penalties referred to in article 7 of Regulation (EU) 2017/1369 of 4 July 2017*
3. *The content of any communication from the European Commission to member states about the provisions on penalties referred to in article 7 of Regulation (EU) 2017/1369 of 4 July 2017*

Indeed, the Commission has not received any Member State's notification. However, please note that as per Article 7(4) of Regulation (EU) 2017/1369, rules on penalties which fulfil the requirements of Article 15 of Directive 2010/30/EC are considered to satisfy the requirements of that Regulation on penalties and enforcement mechanisms. You can find the notifications received under the Energy Labelling Directive (2010/30/EU), which preceded Regulation (EU) 2017/1369, at:

<http://eur-lex.europa.eu/legal-content/en/NIM/?uri=CELEX:32010L0030>.

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.

Given that no such documents, corresponding to the description given in your application, are held by the Commission, the Commission is not in a position to handle your request.

In accordance with Article 7(2) of Regulation 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
Secretary-General
Transparency unit SG-B-4
BERL 5/282
B-1049 Bruxelles or by email to: sg-acc-doc@ec.europa.eu

Yours sincerely,



Dominique Ristori