

EUROPEAN COMMISSION
SECRETARIAT-GENERAL

Directorate B
Director

Brussels, 24.10.2013
SG.B.5/EK/rc - sg.dsg1.b.5(2013) 3559065

Mr Charilaos Drosos

By email only:
ask+request-682-
6ba00604@asktheeu.org

**Subject: Confirmatory application for access to a Commission document
reference - GestDem 2013/3759**

Dear Mr Drosos,

I refer to your e-mail of 25 September 2013, registered on the same day, which clarified your previous e-mail of 22 August 2013 and concerns a request for access to documents.

You lodged an initial request for access to documents by your e-mail of 16 July 2013, in which you requested access to the following:

- "1. Commission Decision C(2009) 7601, case COMP/C.39129 — Power Transformers*
- 2. Commission Decision in case COMP/B-1/37.966 — Distrigaz, Official Journal C 009, 15/01/2008 P. 0008 – 0008*
- 3. Commission Decision C(2007) 1697, Case COMP/B/37.766 — Dutch beer market, Official Journal C 122 , 20/05/2008 P. 0001 – 0003*
- 4. Commission Decision C(2007) 4471, Case COMP/D1/37860 — Morgan Stanley/Visa International and Visa Europe, Official Journal C 183, 05/08/2009 P. 0006 – 0008*
- 5. Commission Decision in case COMP/38.543 — International removal services, Official Journal C 188, 11/08/2009 P. 0016 – 0018*
- 6. Commission Decision C(2008) 824, case COMP/B-1/38.700, 'rights in favour of Public Power Corporation SA for the extraction of lignite', Official Journal C 093 , 15/04/2008 P. 0003 – 0003*
- 7. Commission Decision C(2007) 512 final, case COMP/E-1/38.823 —Elevators and Escalators), Official Journal C 075 , 26/03/2008 P.0019 – 0024*
- 8. Commission Decision C(2006) 4180, case COMP/F/38.121 — Fittings, Official Journal L 283 , 27/10/2007 P. 0063 – 0068*
- 9. Commission Decision of 19/12/2007, case COMP/34.597 MasterCard*

10. *Commission Decision C(2007) 5791, case COMP/39.165 — Flat Glass, Official Journal C 127, 24/05/2008 P. 0009 – 0011*”

Concerning the Commission decisions adopted by oral procedure, the Directorate-General Competition (hereinafter DG COMP), in its reply of 1 August 2013, provided you with a link to the Commission’s internet page where the minutes of each College meeting is available.

DG COMP identified one Commission decision adopted by written procedure – C(2007)4609 (n° 2) – as falling within the scope of your request.

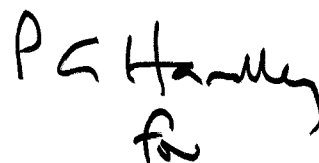
DG COMP provided access to the day note SEC(2007)1329/4 containing this decision. You were informed that the copy you received is an electronic version of the original day note, which has been deposited in the archives of the Commission. You were further informed that this copy was extracted from the Commission’s electronic archive and fully reflects the content of the original.

In your e-mail of 25 September 2013, you write that “[t]he confirmatory application concerns the release of a true copy of day note SEC(2007)1329/4, or alternatively a true copy of a certified copy of SEC(2007)1329/4”.

I confirm that the requested document was provided at the initial stage by DG COMP.

Since you have been granted full access to the requested documents, I consider that your confirmatory application is devoid of purpose. Indeed, a confirmatory application is a request to review a position by which access to one or more documents has been fully or partially denied. This is obviously not the case with regard to your request.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'P. Szałasewski' with a stylized flourish below it.

Hubert Szałasewski
Director