



EUROPEAN COMMISSION

DIRECTORATE-GENERAL FOR COMMUNICATIONS NETWORKS, CONTENT AND TECHNOLOGY

The Director- General

Brussels, 5th October 2020  
CONNECT/R4

Mr Simon Assion  
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Germany

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**REGISTERED LETTER WITH ACKNOWLEDGEMENT OF RECEIPT**

**Subject: Your application for access to documents - GestDem n° 2020/4466**

Dear Mr Assion,

We refer to your request for access to documents introduced via the Register of Commission Documents on 20/07/2020 and registered, after you provided your postal address, on 07/09/2020 under the above mentioned reference number.

In your application, you requested access to a document which '[...] *was mentioned in a Note of the Presidency to Delegations that was part of the trilogue negotiations on the EU Electronic Communications Code (EECC - 2016/0288 (COD)). This Note is dated 24 November 2017 and has the reference number "14670/17". The subject of the Note is "Proposal for a Directive of the European Parliament and of the Council establishing the European Electronic Communications Code (Recast) - Preparation for the trilogue". I obtained this Note through an earlier access request.*

*This Note, in paragraph 30, mentions a "joint examination" of the Parliament's position on "the scope of the General Authorisation", also with regard to the intention of the Parliament "to set up a one-stop-shop for general authorisation and extend the scope to number-independent communication services". At the time of the note, this examination was still being prepared.*

*I hereby request access to the final version of this examination. I assume that it is a memorandum or other summary of the legal findings. [...]*

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

As specified in Article 2(3) of Regulation (EC) No 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 document, corresponding to the description given in your application, is held by the Commission, we are not in a position to meet your request. We are not in a position to inform whether such document may be held by another institution. You may therefore wish to send a request for access to documents to the European Parliament (<https://www.europarl.europa.eu/RegistreWeb/requestdoc/secured/form.htm>) or to the Council of the European Union (<https://www.consilium.europa.eu/en/documents-publications/public-register/request-document/>).

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 Secretariat-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](mailto:sg-acc-doc@ec.europa.eu)

Yours sincerely,

(e-Signed)  
Roberto Viola