



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR ENERGY
Directorate B - Internal Energy Market
B.2 - Wholesale markets; electricity & gas
Head of Unit

Brussels
ENER.B.2/EL/el D(2020) 6455452

Via email only:

Ms Venetia Roxburgh
40 Bermondsey Street
London

by email: ask+request-8425-ec3efb27@asktheeu.org

Subject: Your application for access to documents – GESTDEM 2020/4723

Dear Ms Roxburgh,

We refer to your email of 4 August 2020 in which you make a request for access to documents, under the above-mentioned reference number.

You request 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 the European Engine Power Plants Association (EUGINE) and Commissioner Kadri Simson on the 29th June 2020.

Your application concerns the following documents:

1. Email from EUGENIE of 31 March 2020 to change the date of the meeting with Commissioner Simson to 29-30 June 2020, Ares(2020)1859887;
2. Briefing prepared for the meeting of 29 June 2020; Ares(2020)3698607;
3. Meeting report of the meeting Commissioner Simson with EUGINE of 29 June 2020, Ares(2020)5649442;
4. Email with 2 Annexes (4a and 4b) from EUGENIE of 2 July 2020, Ares(2020)3698607.

Following an examination of the documents requested under the provisions of Regulation (EC) No 1049/2001 regarding public access to documents and taking into account the opinion of the third party who did not oppose to disclose their documents, with their personal data expunged.

I am glad to inform you that all documents can be disclosed, subject only to the redaction of personal data, apart from names of the main representatives, already publically available, for the following reasons:

Pursuant to Article 4(1)(b) of Regulation (EC) No 1049/2001, access to a document has to be refused if its disclosure would undermine the protection of privacy and the integrity of the individual, in particular in accordance with European Union legislation regarding the protection of personal data.

Article 9(1)(b) of the Data Protection Regulation¹ 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, with exception for names of main representatives, 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 find enclosed the redacted copy of the letters in question.

In case you would disagree with this assessment, 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 within 15 working days upon receipt of this letter to the Secretariat-General of the Commission at the following address:

European Commission
Secretariat-General
Unit C.1. 'Transparency, Document Management and Access to Documents'
BERL 7/076
B-1049 Brussels
or by email to: sg-acc-doc@ec.europa.eu

Yours sincerely,

Florian Ermacora

Enclosures: 6

¹ Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC, OJ L 295, 21.11.2018, p. 39.