



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR ENERGY

The Director-General

Brussels,
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By registered e-mail with acknowledgment of receipt

Mr Timo Richter

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Subject: Your application for access to documents – Ref GestDem No 2021/3258

Dear Sir,

We refer to your e-mail dated 17/05/2021 in which you make a request for access to documents, registered on 19/05/2021 under the above mentioned reference number.

You request access to all documents exchanged and presented within the framework of the Electricity Coordination Group (ECG) for the following meetings:

ECG meeting on 17.11.2020
ECG meeting on 16 October 2020
ECG meeting on 22 September 2020
Ad-hoc ECG Meeting 7th September 2020
ECG meeting on 5 June 2020
ECG Meeting on 22 November 2020
ECG meeting on 10 July 2020
ECG meeting on 23 January 2020
ECG meeting 10 July 2018
ECG meeting 18 January 2018
ECG meeting 13 June 2017
ECG meeting 14 February 2017

Your application concerns the documents included in the list contained in the annex to this letter.

We are glad to inform you that you can have full access to the documents requested and described in section I of the above-mentioned list. We enclose a copy of these documents.

We are also glad to inform you that you can have wide partial access to the documents contained in section II of the above mentioned list, subject only to redaction of personal data.

A complete disclosure of the identified 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;
- the names/initials and contact details of other natural persons;

Article 9(1)(b) of the Data Protection Regulation 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 argument 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.

Moreover, having examined the documents requested and contained in section III of the above mentioned list under the provisions of Regulation (EC) No 1049/2001 regarding public access to documents, I regret to inform you that your application cannot be granted to those documents, as disclosure is prevented by exception to the right of access laid down in Article 4 of this Regulation.

The documents which you seek to obtain regarding the regional electricity crisis scenarios identified by the European Network of Transmissions System Operators for Electricity ('ENTSO-E') describe risk scenarios, their relevance for different Member States and likely impacts, from operational to structural or related to systemic degradation. Consequently, disclosing such information and related documents could point to vulnerabilities that could be exploited to damage security of supply and ultimately undermine public security. Therefore the exception laid down in Article 4(1) first indent of Regulation (EC) No 1049/2001 applies to these documents.

Additionally, the authors of the documents "Romania cold spell" (ECG meeting on 13 June 2017) and 'Austria emergency exercise' (ECG meeting on 10 July 2018) objected to disclosure of the documents. Regarding the document 'Romania cold spell' the authors argue that because of the nature of the data presented, the security of the national energy system of Romania could be jeopardised. Regarding the document 'Austria emergency exercise', the document identifies areas where further action is needed to optimise crisis management. There are therefore objections to disclosure on the basis of the sensitive nature of this information also as regards the protection of the public interest as regards public

security. Therefore the exception laid down in Article 4(1) first indent of Regulation (EC) No 1049/2001 applies to these documents as well.

We have considered whether partial access could be granted to the documents requested, but they are either entirely covered by the exemption of the remaining parts, after expunging the confidential information would be meaningless or illegible.

You may reuse public documents, which have been produced by the European Commission or by public and private entities on its behalf based on the [Commission Decision on the reuse of Commission documents](#). You may reuse the document/documents disclosed free of charge and for non-commercial and commercial purposes provided that the source is acknowledged and that you do not distort the original meaning or message of the document/documents. Please note that the Commission does not assume liability stemming from the reuse.

Please note that a document/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 document/documents without the agreement of the originator, who may hold an intellectual property right on it/them. The European Commission does not assume any responsibility from their reuse.

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 Secretary-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 Bruxelles

or by email to: sg-acc-doc@ec.europa.eu

Yours faithfully,

Ditte Juul Jørgensen