



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR ENERGY

Directorate C – Green Transition and Energy System Integration
C.3 – Internal Energy Market

Brussels, 03/12/2021
ENER.C.3/BG/KD (2021) 8349988

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Subject: Your access to document request GESTDEM 2021-5859

Dear Mr Aitchison

I refer to your request of 30 September 2021 for access to Commission documents, registered the same day under the above-mentioned reference number.

You request access to:

All documentation, including but not limited to attendance lists, agendas, background papers, minutes/notes and email correspondence about or summarising, the following meetings held by DG ENER Unit C3 with the gas industry:

04.02.2021 Eurogas
16.02.2021 Mtg ENER C3 and GRTgaz
23.02.2021 Meeting between GEODE and ENER.C3
25.02.2021 Call with ICGB
25.02.2021 Call with ENTSG
05.03.2021 Call with EEX
09.03.2021 Call with EFET
11.03.2021 Natural Gas World
15.03.2021 Call with Schilling, Zutt & Anschütz (SZA)
16.03.2021 ENTSG

Following an examination of the documents requested under the provisions of Regulation (EC) No 1049/2001 regarding public access to documents, we have identified documents related to the meetings listed below with numbers 1 and 4 - 10, as falling in the scope of your request.

Concerning documents of the meetings numbered 2 and 3, since they originate from third parties, the originators of the documents have been consulted and they did not oppose to their disclosure with personal data expunged. I am glad to inform you that all identified documents can be disclosed, subject only to the redaction of personal data.

In this respect, some parts of the documents have been blanked out as their disclosure is prevented by exceptions to the right of access laid down in Article 4 paragraph 1(b) of Regulation (EC) No 1049/2001 because they contain the personal data.

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 note that the 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 documents without the agreement of the originator, who may hold an intellectual property right on them. The European Commission does not assume any responsibility from their reuse. Please find enclosed the redacted copies of the documents in question.

In relation to meetings numbered 5 – 7 and 10, I regret to inform you that no documents related to these meetings, had been found. Indeed, 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.

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,

(e-signed)
Christof Lessenich
Head of Unit

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.

	DATE	ORGANISATION	found
1	04.02.2021	Eurogas	yes
2	16.02.2021	Mtg ENER C3 and GRTgaz	yes
3	23.02.2021	Meeting between GEODE and ENER.C3	yes
4	25.02.2021	Call with ICGB	yes
5	25.02.2021	Call with ENTSOG	<i>no documents available</i>
6	05.03.2021	Call with EEX	<i>no documents available</i>
7	09.03.2021	Call with EFET	<i>no documents available</i>
8	11.03.2021	Natural Gas World	yes
9	15.03.2021	Call with Schilling, Zutt & Anschütz (SZA)	yes
10	16.03.2021	ENTSOG	<i>no documents available</i>