



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR ENERGY

The Director-General

Brussels, 31/08/2023
MP ener.a.1(2023)8891920

Mr Will Aitchison
1 Long Lane
London
United Kingdom

By email: ask+request-11139-9b54a9e1@asktheeu.org

Subject: Your application for access to documents – EASE 2022/2387

Dear Mr Aitchison,

We refer to your e-mail of 27 April 2022 in which you make a request for access to documents, registered on 27 April 2022 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 between:*

- *Bundesverband der Deutschen Industrie e.V. (BDI) and Cabinet members of Commissioner Kadri Simson on 09/11/2021*
- *Bundesverband der Deutschen Industrie e.V. (BDI) and Commissioner Kadri Simson on 08/07/2021*
- *Havenbedrijf Rotterdam NV (Port of Rotterdam) and Cabinet members of Commissioner Kadri Simson on 26/04/2022*
- *EUROGAS Saisbl (Eurogas) and Cabinet members of Commissioner Kadri Simson on 06/04/2022*
- *Snam S.p.A. (Snam) and Director-General Ditte Juul Jorgensen on 08/04/2022*

Your application concerns the following documents:

Nr	Stakeholder	Ares	Date	Title
1	BDI	Ares(2021)2868934	29/04/2021	MEETING REQUEST (or VTC) KS 08.07.2021 - with

				BDI President and Director General Joachim LANG on Fit for 55 package
2	BDI	Ares(2023)3642670	07/07/2021	BRIEFING – Meeting KS-BDI – 08.07.2021
3	BDI	Ares(2022)6904874	08/07/2021	Meeting minutes Kadri Simson with BDI
4	BDI	Ares(2021)5765149	21/09/2021	Meeting request SG - 29-30.09.2021 - Mr Holger Lösch, Deputy CEO, BDI
5	BDI	Ares(2021)5765149	21/09/2021	RE_ Meeting request Mr Holger Lösch, Deputy CEO, BDI
6	BDI	Ares(2021)6506695	22/10/2021	mail exchange for MEETING REQUEST SG 09.11.2021 with Holger Lösch, Deputy CEO, BDI
7	BDI	Ares(2021)6506695	22/10/2021	Climate Paths 2.0 - Summary of Findings - en
8	BDI	Ares(2023)3642865	08/11/2021	BRIEFING – Meeting SG-BDI – 09.11.2021
9	BDI	Ares(2023)3759044	09/11/2021	MINUTES - Meeting SG with BDI Deputy CEO – 09.11.2021
10	Eurogas	none	06/04/2022	Online conference: ‘Repower-EU. Where should the gas sector be going?’.
11	Eurogas	Ares(2022)2304967	21/03/2022	ONLINE INVITATION TMU – 06.04.2022 – RepowerEU - Where should the gas sector be going?
12	Port of Rotterdam	Ares(2022)5391024	26/04/2022	Minutes of the Meeting 26.04.2022 between Cabinet Simson with Port of Rotterdam representatives

Having examined the documents requested under the provisions of Regulation (EC) No 1049/2001 regarding public access to documents, I have come to the conclusion that the documents n. 1, 3-6, 9, and 11-12 listed above may be partially disclosed.

In fact, 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 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 documents n. 1, 3-6, 9, and 11-12, 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.

Access is granted to minutes of meetings with external parties. These documents were drawn up for internal use under the responsibility of the relevant service. They solely reflect the service's interpretation of the interventions made and do not set out any official position of the third parties to which the documents refer. They do not reflect the position of the Commission and cannot be quoted as such.

Moreover, please note that, with reference to document n. 10, Tatiana Marquez Uriarte spoke at a Eurogas event. It was not a meeting but an online conference. The correspondence before the event was on organisational issues only, there was no content in the exchanges. A recording of the online intervention and follow up questions can be found here: [Youtube link](#).

In addition, please note that document n. 8 is partially disclosed. In fact, part of the document has been blanked out as its disclosure is prevented by exception to the right of access laid down in Article 4(3), second subparagraph of Regulation (EC) No 1049/2001: the redacted sections of the document constitute opinions for internal use as part of deliberations and preliminary internal consultations, whose disclosure would seriously undermine the Commission's decision making process.

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 to the Secretariat-General of the Commission within 15 working days upon receipt of this letter. You can submit it in one of the following ways:

by asking for a review via your portal¹ account (available only for initial requests submitted via the portal account),

or by mail:

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

Yours sincerely,

Ditte Juul Jørgensen

¹ <https://www.ec.europa.eu/transparency/documents-request>