



EUROPEAN COMMISSION
SECRETARIAT-GENERAL

Directorate D - Twin Transition, Economic & Social Affairs

Brussels
SG.D.1/AW

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Dear Sir,

Subject: Your application for access to documents –2022/5948

I refer to your email of 18/10/2022 in which you made a request for access to documents, registered on 19/10/2022 under the case number 2022/5948. Your request was passed to the Secretariat General for handling, in view of its subject matter.

In your request you ask for 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 Bouygues Europe and Penelope Papandropoulos, Werner Stengg, Kim Jorgensen on 10.06.2022.’.

Your application concerns the following documents:

1. Email exchange - Meeting proposal with Bouygues Telecom, Ares(2022)3493714_Redacted;
2. Ares(2022)4509254 Briefing document, comprising:
 - 2.1 Meeting Bouygues Telecom - Table of contents_Redacted;
 - 2.2 Ares(2022)4509254 Meeting Bouygues Telecom - Steering brief_Redacted;
 - 2.3 Ares(2022)4509254 Meeting Bouygues Telecom - Memory jogger - Data Act_Redacted;
 - 2.4 Ares(2022)4509254 Meeting Bouygues Telecom - Data Act_Redacted;
 - 2.5 Ares(2022)4509254 Meeting Bouygues Telecom - Data act and digital policies_Redacted;
3. Ares(2022)4354387_Note of Conference Call between Kim Jorgensen and Federation francaise des telecoms 10 June 22_Redacted

A complete disclosure of these 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 natural persons;
- or other information relating to an identified or identifiable natural person.

Article 9(1)(b) of the Data Protection Regulation (Regulation 2018/1725) 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 neither express any particular interest to have access to these personal data, nor put forward 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, 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.

Furthermore, in the case of document No. 2.2 above, part of the document has been blanked out as its disclosure is prevented by the exception to the right of access laid down in Article 4(3) of Regulation (EC) No 1049/2001, as it was drawn up for internal use, relates to a matter where a decision has not been taken by the Commission, and its disclosure would seriously undermine the institution's decision-making process. The exception laid down in Article 4(3) of Regulation (EC) No 1049/2001 applies unless there is an overriding public interest in disclosure of that part of the document. Having considered the matter, I have concluded that there is no such overriding public interest.

Please also note that notes of meetings are drawn up for internal use under the responsibility of the relevant services of the European Commission. They solely reflect the author's interpretation of the interventions made and do not set out any official position of the third parties to which the document refers. They do not reflect the position of the Commission and cannot be quoted as such. Please also note that briefing documents are prepared for internal use, do not necessarily reflect the position of the Commission and cannot be quoted as such.

In case you would disagree with this position, 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 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:

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

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,

Click or tap here to enter text.

Elisa Roller
Director

Enclosure: disclosed documents