



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR ENERGY

The Director-General

Brussels
ENER/DJ/AV(2020) 2191287

**By registered letter with acknowledgment
of receipt**

Jake Carbone
40 Bermondsey Street,
London
United Kingdom

Advance copy by email :
ask+request-7696-7ecb9974@asktheeu.org

Subject: Your application for access to documents – Ref GestDem No 2020/1053

Dear Mr Carbone,

We refer to your e-mail dated 21/02/2020 in which you make a request for access to documents, registered on 21/02/2020 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 meeting:

- 1. Between OMV Aktiengesellschaft and cabinet member Bernd Biervert, of Vice- President Maroš Šefčovič's cabinet on the 08/11/2018.*
- 2. Between OMV Aktiengesellschaft and cabinet member Joachim Balke, of Miguel Arias Cañete's cabinet on the 31/05/2018.*

Concerning point 1 of your request, the services of the Directorate General for Energy have searched through the European Commission's historical archives (with regard to documents previously held by the former Vice-President Maroš Šefčovič's cabinet). The result of this search is that no documents could be found that would correspond to the description in your request.

Concerning point 2, the following document was found:

Ares reference	Date	Title	Author
Ares(2018)3284541	21/06/2018	CESEC-High Level Konferenz_OMV Hintergrundinfo	OMV Aktiengesellschaft

I am glad to inform you that we can grant you access to this document, subject only to the redaction of personal data. Please find enclosed a redacted copy of the document.

A complete disclosure of the identified document 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 of Commission staff members not pertaining to the senior management;
- the names 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 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.

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 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)

Ditte Juul Jørgensen