



Brussels, 04/06/2020  
ENER/B2/EI/el D(2020) 2918052

Ms Frida Kieninger  
Rue d'Edimbourg 26  
BE- 1050 Brussels

*by email:*  
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**Subject: Your application for access to documents – Ref GestDem 2020/1188**

Dear Ms Kieninger,

We refer to your email, dated 2 March 2020 in which you make a request for access to documents, registered under the above-mentioned reference number.

You request access to:

1 - all correspondence (including email) between 1st January 2018 and March 2nd 2020 between the former and/or current Commissioner for Energy and/or his/her Cabinet and/or officials and representatives of DG Energy and representatives from ENTSO G, ENTSO E, Eurelectric in which the gas market reform or the TEN-E regulation was addressed.

2 - list of meetings between between 1st January 2018 and March 2nd 2020 between the former and/or current Commissioner for Energy and/or his/her Cabinet and/or officials and representatives of DG Energy and representatives from ENTSO G, ENTSO E, Eurelectric in which the gas market reform or the TEN-E regulation was addressed.

3 - minutes of the meetings mentioned above.

Following our research, we found the following documents corresponding to your request under point 1:

- Ares(2018)1461817 of 15 March 2018 (Annexes 1-2);
- Ares(2018)5528631 of 23 October 2018 (Annexes 3-8);
- Ares(2020)2330568 of 20 December 2019 (Annexes 9-10);
- Ares(2020)2772633 of 8 January 2020 (Annex 11);
- Ares(2020)933610 of 16 January 2020 (Annex 12);
- Ares(2020)620008 of 16 January 2020 (Annex 13);
- Ares(2020)128467 of 26 February 2020 (Annex 14) – also publicly available: <https://windeurope.org/wp-content/uploads/files/policy/position-papers/20200227-Electrification-Alliance-comments-on-ENTSOs-TYNDP-2020-scenarios.pdf>;
- Ares(2020)1857164 of 31 March 2020 (Annexes 15-16).

I am glad to inform you that all documents can be disclosed, subject only to the redaction of personal data, for the following reasons:

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 Regulation<sup>1</sup> 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.

Please find enclosed the redacted copy of the letters in question.

Concerning point 2 of your request "list of meetings", the Commission does not hold such lists of meetings for officials below Director-General level. Notwithstanding, information on the meetings with the participation of the former and current Commissioners or their Cabinets, or the Director-General is available in the public domain:

[https://ec.europa.eu/commission/commissioners/2019-2024/simson\\_en#calendar](https://ec.europa.eu/commission/commissioners/2019-2024/simson_en#calendar)

[https://ec.europa.eu/info/former-colleges-commissioners/transparency-pages-junker-commission\\_en](https://ec.europa.eu/info/former-colleges-commissioners/transparency-pages-junker-commission_en)

<http://ec.europa.eu/transparencyinitiative/meetings/meeting.do?host=61569260-525e-42f8-aa52-51d7bfc30d4f>

In relation to point 3 of your request, we regret to inform you that no documents were found that would correspond to the description given in your application.

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.

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<sup>1</sup> 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.

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](mailto:sg-acc-doc@ec.europa.eu)

Yours sincerely,

*(e-signed)*  
Ditte Juul Jørgensen

Enclosures: 16

