



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR ENERGY

The Director-General

Brussels, 14/03/2023
MP ener.a.1(2023)2330825

Mr Barnaby Pace
Global Witness, c/o WeWork
Rue de Commerce 31
1000 Brussels

By email: ask+request-12419-9ab68195@asktheeu.org

Subject: Your application for access to documents – EASE 2023/0246

Dear Mr Pace,

We refer to your e-mail of 13 January 2023 in which you make a request for access to documents, registered on 13 January 2023 under the above-mentioned reference number.

You request access to *all documents—including but not limited to correspondence, emails, minutes, notes (hand written or electronic), audio or video recordings, verbatim reports, operational conclusions, lines to take, briefings, and presentations—related to the meeting on January 12 between Barbara GLOWACKA and Vattenfall.*

Your application concerns the following documents:

Stakeholder	Ares	Date	Title
Vattenfall	Ares(2023)587607	26/01/2023	MINUTES_Meeting Vattenfall 120123

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 document listed above may be partially disclosed.

In fact, 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/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 the requested document, 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 a meeting with external parties. This document was drawn up for internal use under the responsibility of the relevant service. It solely reflects the service's interpretation of the interventions made and does not set out any official position of the third parties to which the document refers. It does not reflect the position of the Commission and cannot be quoted as such.

Moreover, having examined the document requested under the provisions of Regulation (EC) No 1049/2001 regarding public access to documents, I have come to the conclusion that the identified document may be partially disclosed. Some parts of this document have been blanked out as their disclosure is prevented by exception to the right of access laid down in Article 4(2) of this Regulation.

The redacted parts of the document contain commercially sensitive business information of the company that submitted it.

Disclosure of these parts would undermine the protection of commercial interests protected under this exception.

The exceptions laid down in Article 4(2) of Regulation (EC) No 1049/2001 apply unless there is an overriding public interest in disclosure of the documents. I have examined whether there could be an overriding public interest in disclosure, but that I have not been able to identify such an interest.

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),

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

or by mail:

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 sincerely,

Electronically signed

Ditte Juul Jørgensen