



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR ENERGY

Director-General

Brussels, **31 JUL. 2019**
ENER/B2/EI/el D(2019) 3835018

Mrs Belen Balanya
CEO
Rue d'Edimbourg 26
1050 Brussels

by registered mail and by email:
[ask+request-6748-
311616ff@asktheeu.org](mailto:ask+request-6748-311616ff@asktheeu.org)

Subject: Your application for access to documents – Ref GestDem 2019/2032

Dear Mrs Balanya,

We refer to your email, dated 01 April 2019 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 April 2017 and 31st March 2019 between the Commissioner for Energy and/or his cabinet and/or officials and representatives of DG Energy on one hand and representatives from ExxonMobil and/or the International Association of Oil & Gas Producers (IOGP) on the other, in which one or more of the following issues were addressed:

- the Gas winter package;
- the gas market design;
- the last review of the Renewable Energy Directive
- and the review of the 2030 climate and energy targets.

2 - list of meetings between 1st April 2017 and 31st March 2019 between officials and representatives of DG Energy on one hand and representatives from ExxonMobil and/or the International Association of Oil & Gas Producers (IOGP) on the other, in which one or more of the following issues were addressed:

- the Gas winter package;
- the gas market design;
- the last review of the Renewable Energy Directive
- and the review of the 2030 climate and energy targets.

3 - minutes of the meetings mentioned above

Please note that due to the wide scope of your request, covering also areas falling under the responsibility of the Secretariat General, the main part of your request has been dealt with by the Secretariat General already in the letter with under reference Ares(2019)2958208. This reply relates only to the documents held by the Directorate-General Energy.

Additionally to the reply sent to you by the Secretariat-General, we identified one document of correspondence between Director-General for Energy Dominique Ristori and the International Association of Oil & Gas Producers (IOGP). Please find it enclosed.

Since the documents concerned originate from a third party, the originator of the documents has been consulted.

Following an examination of the documents requested under the provisions of Regulation (EC) No 1049/2001 regarding public access to documents and taking into account the opinion of the third party who agreed to disclose their documents, with their personal data expunged.

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 Community legislation regarding the protection of personal data. The applicable legislation in this field is Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data¹.

When access is requested to documents containing personal data, Regulation (EC) No 45/2001 becomes fully applicable². According to Article 8(b) of this Regulation, personal data shall only be transferred to recipients if they establish the necessity of having the data transferred to them and if there is no reason to assume that the legitimate rights of the persons concerned might be prejudiced.

We consider that, with the information available, the necessity of disclosing the aforementioned personal data to you has not been established and/or that it cannot be assumed that such disclosure would not prejudice the legitimate rights of the persons concerned. Therefore, we are disclosing the documents requested expunged from this personal data.

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.

Concerning point 2 of your request "list of meetings", as we have already informed you, the Commission does not hold lists of "lobby meetings" for officials below Director-General level. Notwithstanding, information on the meetings with the participation of the Commissioner or his Cabinet, or our Director-General is available in the public domain:

https://ec.europa.eu/commission/commissioners/2014-2019/arias-canete_en#calendar

¹ Official Journal L 8 of 12.1.2001, p. 1

² Judgment of the Court of Justice of the EU of 29 June 2010 in case 28/08 P. Commission/The Bavarian Lager Co. Ltd, LCR 2010 1-06055.

<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.

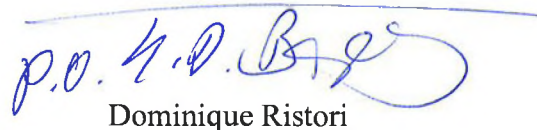
Indeed, as specified in Article 2(3) of Regulation 1049/2001, the right of access as defined in that regulation applies only to existing documents in the possession of the institution.

In case you would disagree with the assessment that the redacted data are personal data which can only be disclosed if such disclosure is legitimate under the applicable rules on the protection of personal data, 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 Bruxelles
or by email to: sg-acc-doc@ec.europa.eu

Yours sincerely,


Dominique Ristori

Enclosure: 1