



EUROPEAN COMMISSION

Directorate-General for Communications Networks, Content and Technology

Cooperation
Stakeholders
The Head of Unit

Brussels,
DG CNECT/D4/AAK/SS/ns
ARES (2015)

Ms Rosa Birch
netzpolitik.org
Schonhauser Allee 6/7
D-10119 Berlin, Germany

Email: [ask+request-1798-
b72cb4fc@asktheeu.org](mailto:ask+request-1798-b72cb4fc@asktheeu.org)

REGISTERED LETTER WITH ACKNOWLEDGEMENT OF RECEIPT

Subject: Our partial reply to your request for Access to Documents Ref. GestDem 2015/1272

Dear Ms Birch,

I refer to your e-mail dated 02/03/2015 in which you make a request for access to documents, registered on 02/03/2015 under the above-mentioned reference number. I also refer to my letter of 09/03/2015 on the extension of the deadline due to the large number of documents to be assessed, my letter of 20/04/2015 on the narrowing of the scope of the request and your reply to the latter on 21/04/2015, in which you have narrowed the scope of your request.

This email constitutes a partial reply to your request. I enclose part of the documents requested in your application, which concerns:

- all documents related to meetings between Günther H. Oettinger or his Cabinet and advisors and telecommunication providers and trade associations on the subject of net neutrality since he took office as Commissioner for the Digital Economy and Society.
- all correspondence between Günther H. Oettinger or his Cabinet and advisors and telecommunication providers and trade associations on the subject of net neutrality since he took office as Commissioner for the Digital Economy and Society.

You have also requested the list of all meetings between Günther H. Oettinger or his Cabinet and advisors but since this information can be consulted on the website mentioned hereunder under the title 'Agenda', we do not enclose this list in our present reply.

http://ec.europa.eu/commission/2014-2019/oettinger_en

Our reply is partial since some of the documents requested originate from third parties who have been consulted, and we are waiting for their reply in order to finalize our assessment.

Commission européenne/Europese Commissie, 1049 Bruxelles/Brussel, BELGIQUE/BELGIË - Tel. +32 22991111 Office: BU25 05/081 - Tel. direct line +32 229-97671 - Fax +32 229-69229
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Also, the documents that you have requested contain 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 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 applicable.

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.

I consider that, with the information available, the necessity of disclosing the aforementioned personal data to you has not been established and that it cannot be assumed that such disclosure would not prejudice the legitimate rights of the persons concerned.

Therefore, I am sending you the requested document expunged from this personal data.

In case you would disagree with the assessment that the expunged data are personal data which can only be disclosed if such disclosure is legitimate under the rules of personal data protection, you are entitled, in accordance with Article 7(2) of Regulation 1049/2001, to make 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 Secretary-General of the Commission at the following address:

European Commission
Secretary-General
Transparency unit SG-B-4
BERL 5/327
B-1049 Bruxelles
or by email to: sg-acc-doc@ec.europa.eu

Yours sincerely,

Antoaneta Angelova-Krasteva

Enclosure: E-mail correspondence

¹¹ OJ L 8 of 12.1.2001, p. 1