



17/06/2008

Mr Arthur Beesley
The Irish Times – Business Section
24 – 28 Tara Street,
Dublin 2.

FOI Request Reference: FOI/2008/32

Dear Mr Beesley,

I refer to your FOI request under Section 7 of the Freedom of Information Acts, 1997 and 2003, received in this office on 28/04/2008 in relation to correspondence between the Minister, his officials or agents and the management of eircom on the matter of eircom's strategic and corporate development.

I have made a final decision to your request. A schedule of the records covered by your request is attached. If you have any queries regarding this correspondence you can contact me by telephone at Tel: 01-678 2953.

A balance payment of €67.93 for fees is due. Payment may be made by way of Bank Draft, Money Order, Postal Order or Cheque made payable to 'Department of Communications, Energy and Natural Resources'. The payment should be forwarded to the undersigned at the earliest opportunity.

The actual computations for fees are as follows:

	Rate	Quantity	Line Total
Search & Retrieval	€20.95 per hour	3.00	€62.85
Photocopy	€0.04 per page	127.00	€5.08

Actual Total €67.93

Copies of the records will be sent to you on receipt of the payment. Should you wish to pay the fee, you must do so within 8 weeks of the date of the date of this letter, otherwise your request will be deemed withdrawn.

Please note the Department of Communications, Energy and Natural Resources has a policy of posting a summary of non-personal requests and decisions on the Departments website for reference purposes.

Schedule of Records: Summary of Decision Making

Requesting all correspondence between DCENR & circom re circom's strategic and corporate development, & associated documents arising from meetings in last 18 months.

Record No.	Brief Description & Date of Record	File Ref.	No. of Pages	Relevant facts	Findings/ conclusions (Public Interest Considerations, (If applicable))	Grant/refuse/ part-grant	Basis of Refusal: Section of Act	Record edited/Identify deletions
1.	20 December, 2006 - letter from Pierre Danon of circom to Sec Gen Brendan Tuohy re circom's commitment to invest.	TelOp12.1 Volume 1	2+2			Part-grant	S26 - Information obtained in confidence. S27 - Commercially sensitive information	Paragraph's 2, 3 & 4 on page 1 deleted. Attached charts removed also.
2.	February 2007 - Email from C Barnes of circom to Sec Gen Brendan Tuohy enclosing: letter of 190208 from Pierre Danone with attachment on discussion items including LLU, Service quality, broadband and investment plans, and organization structure of circom - marked Feb 2007 - Strictly confidential.	TelOp12.1 Vol 1	1+1+9			Grant		
3.	February 2007 - Email from C Barnes of circom to Rukai Aire enclosing: letter of 190208 from Pierre Danone to Minister with attachment on discussion items including LLU, Service quality, broadband and investment plans, and organization structure of circom -	TelOp12.1 Volume 1	1+1+9			Grant		

	clarification on figures discussed at meeting on 15/10/07							obtained in confidence. S27 – Commercially sensitive information	
10.	17 October – Pat Galvin of eircom's reply to Patricia Cronin's email seeking clarification on figures discussed at meeting on 15/10/07	TelOp12.1 Volume 2	1				Refusal	S26 – Information obtained in confidence. S27 – Commercially sensitive information	
11.	22 October 2007 - Report of DCENR meeting with eircom on Structural Separation on 15/10/07	TelOp12.1 Volume 2	3				Part – grant	S26 – Information obtained in confidence. S27 – Commercially sensitive information	Last paragraph on page 1 of report deleted.
12.	30 October 2007 – Email from Catherine McDonald to Ruanai Aire enclosing Report of DCENR meeting with eircom on Structural Separation on 15/10/07	TelOp12.1 Volume 2	1+3				Part - grant	S26 – Information obtained in confidence. S27 – Commercially sensitive information	Last paragraph on page 1 of report deleted.
13.	26 October 2007 - obs from Ken Spratt to Patricia Cronin re a Draft Memorandum for Government on the eircom Discussion Document on the development of next Generation	TelOp12.1 Volume 2	6				Refusal	S19(1)(a) – Meetings of Government	

20.	10 January 2008 - Minister Ryan's reply to P Danon's letter of 18 December - agreeing to meeting.	TelOp12.1 Volume 2	1				Grant		
21.	13 February, 2008 Dept Finance Fax - copy of eircom Presentation on Fibre Ireland	TelOp12.1 Volume 2	1+13				Refusal	S26 - Information obtained in confidence. S27 - Commercially sensitive information	
22.	140208 - Email from Patricia Cronin to Minister's Office enclosing Speaking Points for Minister's meeting with eircom on 15 February 2008	TelOp12.1 Vol 3	1+1				Grant		
23.	14 February, 2008 copy of eircom Presentation on Fibre Ireland	TelOp12.1 Vol 3	13				Refusal	S26 - Information obtained in confidence. S27 - Commercially sensitive information	
24.	15 February 2008 - Letter from eircom to Minister marked Strictly Private & Confidential enclosing a detailed paper (dated 14 February 2008) on eircom's proposals: "Fibre Ireland - A proposal by eircom to the Irish Government", presented to Mr Eamonn Ryan T.D., Minister for Communications, Energy and Natural Resources	TelOp12.1 Vol 3	1+80				Part - grant	S26 - Information obtained in confidence. S27 - Commercially sensitive information.	Cover letter released. Report not released.
25.	Report of meeting on 14 February	TelOp12.1	3				Part - grant	S26 -	Some details



An Roinn Cumarsáide,
Einninnh agus Acmhainní Nádurtha,
Rte Átha Cliath 2.

Department of Communications,
Energy and Natural Resources,
Dublin 2.

13 May, 2008

Mr Arthur Beesley,
Senior Business Correspondent
Business Section
The Irish Times
24-28 Tara Street
Dublin 2
Ireland

FOI Request Reference: Request ID: FOI/2008/32

Dear Mr Beesley,

I refer to your FOI request under Section 7 of the Freedom of Information Acts, 1997 and 2003, received in this office on 28/04/2008 in relation to correspondence in the last 18 months between the Minister, his officials or agents and the management of eircom on the matter of the company's strategy and corporate development; and any records, minutes or any other associated documentation or reports arising from any meetings in the same periods between the Minister, his officials or agents and representatives of eircom.

In considering your request it has become necessary to engage in third party consultations under Section 29 of the Acts. The Acts provide for an extension to the time limit for such consultations to be undertaken.

This extension means that you can now expect to receive your decision by the 18th of June, 2008.

Yours sincerely,

Catherine McDonald
Communications (Regulation & Postal) Division.



29th April, 2008

Mr. Arthur Beesley,
Business Section,
The Irish Times,
24 – 28 Tara St.,
Dublin 2.

FOI/0031/2008

Dear Mr. Beesley,

I refer to the Freedom of Information request received in this office on 28th April, 2008 along with associated fee.

The officer handling your request will be Ms. Catherine McDonald, Communications (Regulatory Affairs & Postal) Division, Department of Communications, Energy and Natural Resources, 29 – 31 Adelaide Rd., Dublin 2. She can be contacted at 01 6782953.

You can expect to receive your decision by the 27th May, 2008.

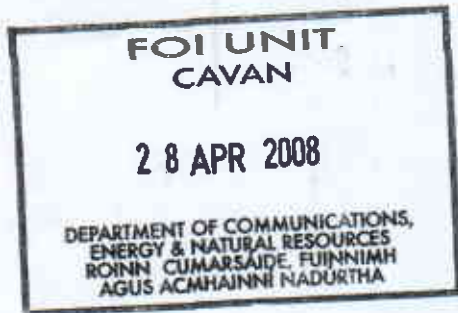
If you have not heard from us when the time allocated has expired, you are automatically entitled to appeal to the Department for a review of the matter. This review proceeds on the legal basis that the initial request is considered to be refused once the specified time for responding to it has expired.

You should also be aware that you are entitled to a review of the decision if your request is refused, or if you are for any reason dissatisfied with the outcome of your request. The review is a full and new examination of the matter carried out by a more senior member of staff of this Department. In the event that you need to make an appeal, you can do so by writing to Mr. Frank O'Brien, FOI Unit, Department of Communications, Energy & Natural Resources, Elm House, Earlsvale Rd., Cavan. Please note that there is a charge for all appeals of FOI requests. This charge is currently €75.00. A reduced fee of €25.00 applies if you are the holder of a Medical Card.

Please note that the Department of Communications, Energy & Natural Resources has a policy of posting a summary of your request, your name and address and the subsequent reply on the Department's website for reference purposes.

Yours sincerely,

Mary Rabbitte
FOI Unit
PH: 01 6782903



Business Section
The Irish Times
24-28 Tara Street
Dublin 2

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April 22, 2008

Freedom of Information Unit
Department of Communications, Energy & Natural Resources
29-31 Adelaide Road
Dublin 2

Re. Freedom of Information request

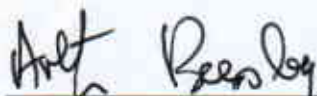
Dear Sir/Madam,

I wish to apply under the Freedom of Information Acts for the following records, which I believe to be held by your organisation:

All correspondence in the last 18 months between the Minister, his officials or agents and the management of Eircom on the matter of the company's strategic and corporate development; and any records, minutes or any other associated documentation or reports arising from any meetings in the same period between the between the Minister, his officials or agents and representatives of Eircom.

I enclose a cheque in payment of the standard application fee of €15. Please forward a receipt for this payment.

Sincerely,



Arthur Beesley
Senior Business Correspondent