

Ken Foxe

The Sunday Tribune

Baggot Street

Dublin 2

Dear Sir/Madam,

Under the Freedom of Information Act, I am seeking details of all letters, memos, emails, handwritten notes, reports or any other documents generated relating to the bid for a second mobile telephone licence by a consortium led by the businessman Declan Ganley.

I enclose a cheque for €15 and should you have any queries I can be contacted at kfoxe@tribune.ie or on my mobile at 086-8339259.

Yours sincerely,

A handwritten signature in black ink that reads "Ken Foxe".

Ken Foxe

Public Affairs Correspondent, the Sunday Tribune



Department of Communications, Energy and Natural Resources
Roinn Cumarsáide, Fuinnimh agus Acmhainní Nádurtha

26/03/2009

Mr Ken Foxe
The Sunday Tribune
Baggot Street,
Dublin 2

FOI Request Reference: FOI/2009/9

Dear Mr Foxe,

I refer to your FOI request under Section 7 of the Freedom of Information Acts, 1997 and 2003, received in this office on 19/03/2009 requesting all documents generated relating to the bid for a second mobile telephone licence by a consortium led by the business man Declan Ganley. The application was received along with the associated fee.

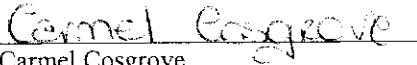
The officer handling your request will be Ms Nuala Free, Communications (Regulatory Affairs & Postal) Division, Department of Communications, Energy and Natural Resources. 29-31 Adelaide Road, Dublin 2. Nuala can be contacted on 01 6782705.

You can expect to receive your decision by the 16/04/2009.

If you have not received a decision by that time, 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. A request for a review should be addressed to the undersigned at the address shown.

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.

Yours sincerely,


Carmel Cosgrove

FOI Unit
Department of Communications, Energy and Natural Resources
Elm House,
Earlsvale Rd
Cavan

Phone: 01 6782902

20 April 2009

Mr Ken Foxe
The Sunday Tribune
Baggot Street
Dublin 2

Dear Mr Foxe

I refer to the request you have made under the Freedom of Information Acts 1997 and 2003 requesting all documents relating to the bid for a second mobile telephone licence by a consortium led by the businessman Declan Ganley.

I have made a decision to refuse your request on the grounds that the records sought were created prior to the introduction of the Freedom of Information Acts 1997 and 2003. In any event, the records sought would now be subject to legal privilege under Section 22 of the Acts and therefore exempt.

I wish to advise you that, if for any reason you are not satisfied with the outcome of your request, you are entitled to seek a review by appealing the decision. To appeal, you need to write to the FOI Unit, Department of Communications, Energy and Natural Resources, Elm House, Earlsvale Road, Cavan, Co Cavan. You must make your appeal within 4 weeks from the date of this letter, but the making of a late appeal may be permitted in certain circumstances. The appeal will involve a complete reconsideration of the matter by a more senior member of the staff of this Department.

Please note that an application fee for an appeal is currently €75. Payment should be made by way of bank draft, money order, postal order or personal cheque, made payable to Department of Communications, Energy and Natural Resources.

On receipt of the fee, you will be advised of when you can expect a decision on your appeal, and the contact details of the person handling the appeal.

Yours sincerely



Nuala Free
Communication (Regulatory & Postal) Division