



Mr. Frank O'Brien  
Freedom of Information Unit  
Dept of Communications, Energy and Natural Resources  
Elm House, Earlsvale Road,  
Cavan

RE: FOI Request FOI/2009/16

Dear Mr. O'Brien,

Deputy Simon Coveney wishes to appeal the Department's decision to refuse the above FOI request. Please find enclosed the appropriate fee. The Deputy believes that the requested documents are not part of any ongoing deliberative process and that the referred to taskforce on electric vehicles has nearly completed its report. The argument that the requested Memorandum of Understanding has been refused for commercially sensitive reasons is also difficult to understand as the Minister has stated that the MoU does not infer any exclusive rights to the Government or the third party and that it does not infer any contractual obligations. Therefore, there should be no commercial sensitivities surrounding this document and should be placed on the public record.

Sincerely,

Paul O'Brien  
Policy Officer  
Fine Gael Leader's Office

Leinster House  
Kildare Street, Dublin 2.



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

28<sup>th</sup> July, 2009

Deputy Simon Coveney,  
Fine Gael Leader's Office,  
Leinster House,  
Kildare St.,  
Dublin 2.

FOI Request Reference: FOI/2009/16

Dear Deputy,

I refer to the appeal you have made under the Freedom of Information Acts, 1997 and 2003 on the decision taken regarding your recent FOI request regarding minutes of meetings, agendas, briefing documents and memos prepared for the inter-departmental agency Taskforce group on electric cars chaired by DCENR.

Your appeal was received in the FOI Unit on the 16<sup>th</sup> July, 2009 along with the associated fee. You can expect a decision letter to issue from this Department not later than the 7<sup>th</sup> August, 2009.

A full and new examination of the matter will be carried out by Ms Carmel Fields, Electricity (Corporate) & North-South Energy Division, Department of Communications, Energy and Natural Resources, 29 – 31 Adelaide Rd., Dublin 2. Carmel can be contacted at 01 6782941.

If you are not satisfied with the outcome or if you have not received a reply within the designated timeframe, you are entitled to apply for a further review by the Information Commissioner.

Any further queries please contact the FOI Unit.

Yours sincerely,



Mary Rabbitte

FOI Unit,  
Elm House,  
Earlsvale Rd.,  
Cavan.

Phone: 01 6782903

6 August 2009

Mr Simon Coveney TD  
Leinster House,  
Kildare St.,  
Dublin,  
Ireland

FOI Request Reference: FOI/2009/16

Dear Mr Coveney,

I refer to your request seeking an internal review under Section 14 of the Freedom of Information Acts, 1997 and 2003, of the decision conveyed to you, on 8 June 2009, on the above application regarding the records you requested.

I have reviewed your request for access to minutes of meetings, agendas, briefing documents and memos prepared for the inter-departmental agency taskforce group on electric cars chaired by DCENR. I have decided to uphold the original decision made by Ms Geraldine Luddy with one exception. With regard to Record Number 4 on the Schedule of Records supplied to you, a 20 page copy of a presentation made by ESB, I have found that 13 pages of that presentation are also contained in a presentation given at the SEI/ESB Conference on Electric Vehicles held on 18 February 2009 and are available on the SEI website at the following link:  
[http://www.sei.ie/News\\_Events/Electric\\_Vehicles\\_Conference/John\\_Campion\\_ESB.pdf](http://www.sei.ie/News_Events/Electric_Vehicles_Conference/John_Campion_ESB.pdf)

I would confirm, however, that the remainder of Record Number 4 is considered confidential and forms part of the deliberative process relating to the Inter-Departmental Taskforce on Electric Vehicles.

If you are not satisfied with the outcome of my review, you may appeal this decision by writing to the Information Commissioner at:  
18 Lower Leeson Street  
Dublin 2  
Co Dublin

If you wish to appeal, you should do so not later than 6 months after receiving this letter. When writing to the Information Commissioner, making an appeal, please refer to this letter.

Please note that an application fee must accompany all appeals made to the Office of the Information Commissioner regarding FOI requests for non-personal records, and the appeal to them will not be processed until the receipt of fee. The application fee is currently €150.00 and a reduced fee of €50.00 will apply if you are covered by a Medical Card.

If claiming a reduced application fee, the request must also be accompanied by

- The Medical Card registration number
- The name of the issuing Health Board
- Your consent to the verification of these details with that Health Board.

Payment should be made by way of bank draft, money postal order, or personal cheque made payable to "The Office of the Information Commissioner"

Yours sincerely,

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Carmel Fields  
Electricity Corporate and North/South Energy Division