

An Roinn Cumarsáide,
Fuinneadh agus Acmhainní Nádartha
Baile Átha Cliath 2.

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

Our Ref: FOI/0055/2008

10 November 2008

Mr Liam Collins
Sunday Independent
27-32 Talbot Street
Dublin 1

Dear Mr Collins,

I refer to your freedom of information request (reference number FOI/0055/2008) received in this Department on 10 October 2008 and the subsequent clarification received on 15 October 2008.

Your request is as follows:

"Under the Freedom of Information Act I would like all correspondence, e-mails or other communications from RTE regarding the licence fee or increases in the licence fee. I would also like any submissions for increases in the licence fee or other forms of subsidy to RTE".

The request was subsequently amended to read: Under the FOI etc..."regarding the licence fee increase granted to RTE on January 1st 2008 and all correspondence emails etc between January 2008 and October 2008".

As you are aware, the last television licence fee increase took effect from 1 January 2008 and followed an independent review of RTE's performance in 2006. Please note that papers in respect of this increase have already been released under FOI/0017/2008 and this request is available on the Departments website at <http://www.dcenr.gov.ie/Corporate+Units/Freedom+of+Information/2008/March+2008.htm>

With regard to all correspondence, emails etc between January 2008 and October 2008, I have identified one relevant record. This record is in respect of the 2007 review of RTE's performance. As this review is not complete, I am refusing access to this record at this time as it contains matter relating to the deliberative processes of a public body. This record is held on file reference S1/9-N/07 entitled "Television Licence Fee Adjustment 2007/2008".

If you have any queries in respect of this reply, please ring me at 01 6783095.

If you are not satisfied with this reply, you have the right to appeal this decision. Should you wish to make such an appeal, you can do so by writing to Mr Frank

O'Brien, FOI Unit, Department of Communications, Energy and Natural Resources, Elm House, Earlsvale Road, Cavan. The appeal is a full and new examination of the matter carried out by a senior member of staff of this Department. Should you want to make such an appeal, please do so in writing, within four weeks.

Yours sincerely



Diarmuid O'Connor
Broadcasting Policy Division

FOI Request Reference: 0055 2008

Schedule of Records: Summary of Decision Making

Description of request: "Under the Freedom of Information Act I would like all correspondence, e-mails or other communications from RTE regarding the licence fee or increases in the licence fee. I would also like any submissions for increases in the licence fee or other forms of subsidy to RTE".

The request was subsequently amended to read: Under the FOI etc... "regarding the licence fee increase granted to RTE on January 1st 2008 and all correspondence emails etc between January 2008 and October 2008".

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/identity deletions
1	Letter, dated 26 September 2008, to RTE regarding RTE's Licence Fee Adjustment Review 2007.	SI/9-N/07	2			Refuse	Section 20	



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

23rd October, 2008

Mr. Liam Collins,
Sunday Independent,
27-32 Talbot St.,
Dublin 1.

FOI Request Reference: FOI/2008/55

Dear Mr. Collins,

I refer to your FOI request under Section 7 of the Freedom of Information Acts, 1997 and 2003, received in this office on 15th October, 2008, requesting all records in relation to the licence fee increase granted to RTE on 1st January, 2008.

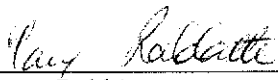
The officer handling your request will be Mr. Diarmuid O'Connor, Broadcasting Policy Division, Department of Communications, Energy and Natural Resources, 29 – 31 Adelaide Rd., Dublin 2. He can be contacted at 01 6783095

You can expect to receive your decision by the 13th November, 2008.

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,



Mary Rabbitte

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

Phone: 01 6782903

From: Liam Collins
Sent: 15 October 2008 16:04
To: Liam Collins
Subject: FOI request: ID 379/ Seana McGearty

A Chara,

Could I amend FOI request ID: 379 to read: Under FOI etc..."regarding the licence fee increase granted to RTE on January 1st 2008 and all correspondence emails etc between January 2008 and October 2008.
Yours,

Liam Collins>

Sunday Independent.
01-2831710

0860-777425



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

13/10/2008

Mr Liam Collins
Sunday Independent
27 - 32,
Talbot Street,
Dublin 1

FOI Request Reference: Request ID: 379

Dear Mr. Collins,

I refer to your FOI request under Section 7 of the Freedom of Information Acts, 1997 and 2003, received in this office on 10/10/2008.

In your request, you described the records as:

**Under the Freedom of Information Act I would like all correspondence, e-mails or other communications from RTE regarding the license fee or increases in the licence fee.
I would also like any submissions for increases in the licence fee or other forms of subsidy to Rte.**


You are now advised that your request does not contain sufficient particulars to enable the records sought to be identified and may have to be refused on this basis. I wish to offer further assistance to you with your request. Below, I set out some possible changes to the subject matter of your request; which may enable the relevant records to be identified.

"Please note that the most recent television licence fee increase was from 1 January 2008. Please clarify if your request is in respect of this increase. If not, please state if it in respect of any application for a licence fee increase that may have been made since then."

Please advise the FOI Unit of your intentions in this matter within one month of the date of this letter. If we do not hear from you, or are unable to settle on a description satisfying the requirements of the Acts, it will be necessary to formally refuse your request. If refused, you will be advised in writing explaining reasons, and advised of your rights of appeal. Should you wish to discuss the above, please contact the undersigned.

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,


Seána McGearty

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

Phone: 01 6782902
Email: FOI.Unit@dccnr.gov.ie

REQUEST ID.: 379

Liam Collins

From: Liam Collins
Sent: 08 October 2008 10:46
To: Liam Collins
Subject: foi

A Chara,

Under the Freedom of Information Act I would like all correspondence, e-mails or other communications from RTE regarding the license fee or increases in the licence fee.
I would also like any submissions for increases in the licence fee or other forms of subsidy to Rte.

Yours,



Liam Collins,
Sunday Independent,
27-32 Talbot St.
Dublin 1.
01-2831710.
086-0777425

**FOI UNIT
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1 0 OCT 2008

**DEPARTMENT OF COMMUNICATIONS,
ENERGY & NATURAL RESOURCES
ROINN CUMARSAIDE, FUJINIMH
AGUS ACMHAINNI NADURTHA**