



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

21st January, 2008

Mr. Frank Ó Domhnaill,
Corr na Gaoithe,
Corr na Móna,
Co Galway.

Dear Mr. Ó Domhnaill,

I refer to the Freedom of Information request received in this office on 16th January, 2008 along with the associated fee.

The officer handling your request will be Mr. Gerald McTiernan, Renewable & Sustainable Energy Division, Department of Communications, Energy & Natural Resources, 29 – 31 Adelaide Rd., Dublin 2. He can be contacted at 01 6782950.

A final decision on your request will normally be sent to you within 4 weeks of receipt of your request. This means that you can expect to receive your decision by the 13th February, 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



Corr na Gaoithe

Corr na M6na, Co. Galway, Ireland.
Tel: (094) 9548281 | Fax: (094) 9548362
Email: frankenm@eircom.net

FOI UNIT
CAVAN

16 JAN 2008

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

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

14th January 2008.

Ref:- FOI Request

A chara,

Corr na Gaoithe Teo. wish to seek information of the Department of Communications Energy and Natural Resources under the Freedom of Information Act.

Corr na Gaoithe Teo. previously sought from the Department of Communications Marine and Natural Resources information as to how the support programmes for Wind Energy i.e. Alternative Energy Requirement V (AER V) and Alternative Energy Requirement VI (AER VI) were administered. As the details provided in responses to these enquiries were substantially less than the level of information sought and as it appears that the information requested will not be provided, Corr na Gaoithe Teo. now request this information under the Freedom of Information Act.

In an e-mail to:- Mr. Eugene Dillon,
Assistant Principal in Renewable and Sustainable Energy,
Department of Communications and Natural Resources,
Adelaide Road,
Dublin 2.

on the 1st July 2007, we sought the following information and we now request the same information under the Freedom of Information Act.

- A list of the projects currently operating AER VI.
- The total capacity cleared by EU to be allocated to AER V & AER VI.
- Of the projects offered AER VI contracts, how many of them requested an extension of time before 31 Dec 2005.
- I note from the DCMNR website update of Feb 2005 that 27MW out of a total of 42.5MW had been allocated to the last project on the list of projects that were awarded

AER VI Contracts. This had subsequently increased to the full capacity of 42.5MW and would you clarify where this extra capacity originated.

We requested further information from Mr. Eugene Dillon on the 14th September 2007 and now request this information under the Freedom of Information Act.

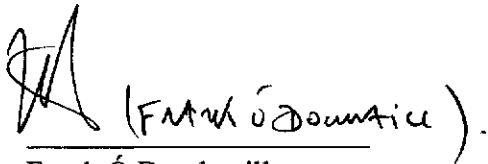
- List of Projects currently operating under AER VI.
- We discussed yesterday (13th Sept 2007) the decision by the Minister to close AER VI, can you please forward details on the mechanism by which this was done.

A cheque to €15.00 is enclosed .

I am available at the numbers listed above if you require any clarification in regard to our Freedom of Information request.

Thank you for dealing with my request.

Mise le meas,



Frank Ó Domhnaill,
For and on behalf of
Corr na Gaoithe Teo.

8th February 2008

Our Reference Number: FOI/0002/2008

Mr Frank O'Domhnaill,
Corr Na Gaoithe,
Corr na Mona
Co. Galway

Dear Mr O'Domhnaill,

I refer to the request which you made under the Freedom of Information Acts for a copy of records.

I have made a final decision to grant your request on the grounds that the information being held is not deemed to be commercially sensitive at this point. If you have any queries regarding this correspondence you can contact me by telephone at 01-6782950.

The purpose of this letter is to clarify that decision. This explanation has the following parts:

1. a schedule of all of the records covered by your request;
2. an description of the relevant records to which access is granted, and
3. a statement of how you can appeal this decision should you wish to do so.

This letter addresses each of these three parts in turn.

1. Schedule of records

A schedule of relevant records is attached to this letter. It shows the documents that this Department considers relevant to your request. It describes each document and where appropriate refers to the sections of the FOI Act which apply to regarding release.

The schedule also provides brief reasons for the decision which are meant to supplement the fuller and more detailed explanation given under heading 2 below.

2. Findings, particulars and reasons for decisions to deny access

The sections of the Act which can apply to deny access to documents are known as its exemption provisions.

The information in the application was provided by the applicant in response to a call for proposals process and it is considered that its disclosure could prejudice the competitive position of the company involved.

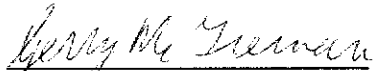
The relevant sections of the FOI Act are as follows:

Section 27(1)(a)(b)(c) relates to information which is considered commercially sensitive as it relates to the business, financial and technical details of the proposal by the company involved. The release of this information could prejudice the outcome of contractual or other negotiations of the applicant. Therefore it is considered that there is no benefit to the public interest by granting access to these records.

3. Rights of appeal

The Freedom of Information Act provides the right to appeal a decision taken under the Act within 4 weeks of the initial decision. Should you wish to make such an appeal, you can do so by writing to Ms Mary Rabbitte, Freedom of Information Unit, Department of Communications, Energy and Natural Resources, Elm House, Earlsvale Rd, Cavan. Please note that there is a charge for all appeals of FOI requests which is currently €75 or €25 for medical card holders. The appeal will involve a complete reconsideration of the matter by a more senior member of staff of this Department.

Yours sincerely



Gerry Mc Tiernan
Sustainable and Renewable Division

FOI Request Reference: FOI/0002/2008

Schedule of Records: Summary of Decision Making

Requesting records re: AER V and AER VI

Record No.	Brief Description & Date of Record	File Ref.	No. of Pages	Relevant facts	Findings/ conclusions (Public Interest Consideration ^s , (If applicable))	Grant/refus e/part-grant	Basis of Refusal: Section of Act	Record edited/Identify deletions
1	Lists of projects currently operating under AER VI	N/A	2	Operating projects	N/A	Grant	N/A	N/A
2	Details of successful projects (AER V & AER VI)	1/7/18	5	Initial allocation SWS Windfarm	N/A	Grant	N/A	N/A
3	Total capacity cleared by EU	D/CENR Website/EU Decisions N540/03 & N553/01	19	EU clearance	N/A	Grant	N/A	N/A
4	AER V and AER VI competition clarification of rules	D/CENR website	2	General time extension	N/A	Grant	N/A	N/A
5	Closure of AER competition	PQ 12448/07	1	AER VI closure	N/A	Grant	N/A	N/A
6	Company letter indicating AER VI projects not going ahead	AER VI 1/7/105	1	Relinquishing Capacity	N/A	Part-grant	Section 27 1(b)	Company name
7	Letter from Renewables Division to T. O'Kelly (SWS)	AER VI 1/7/18	2	Capacity increase	N/A	Grant	N/A	N/A