

Department of Energy & Climate Change
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Our ref: 12/0913

18 July 2012

RE: FOI Request – Energy Fair

Thank you for your request to DECC received on 20 June for:

- 1) Copies of all correspondence received from the European Commission with regards to a complaint by UK organisation Energy Fair, concerning subsidies for nuclear power under the Government's electricity market reforms, and
- 2) Copies of all correspondence from ministers and senior officials to the European Commission concerning the complaint including the Government's formal response.

We have reviewed your request for information and consider that it falls within the Environmental Information Regulations (EIRs) 2004, as it relates to policies and activities affecting or likely to affect or protect the elements of the environment.

In accordance with regulation 12(6) of the EIRs, the Department neither confirms nor denies whether it holds the information you have requested. This is on the grounds that confirming whether or not the Department holds the requested information would, or would be likely to, adversely affect international relations, as set out in the Regulations at exception 12(5)(a).

In applying this exception, we have had to balance the public interest in withholding this information with the public interest in disclosure. There is a general public interest in the disclosure of information as greater transparency may improve understanding of the workings of Government and make Government more accountable. However, we also need to consider whether the public interest in disclosure is outweighed by the damage, or likely damage, that would be caused to the UK's international relations, its interests abroad or its ability to protect and promote its interests. In view of the above and having considered the public interest arguments for and against disclosure, we think that balance of public interest favours refusing to confirm or deny.

If you are unhappy with the way the authority has handled your request, you may ask for an internal review. Please contact the Information Rights Team who will arrange an internal review of your case. Under Regulation 11(2) this needs to be done no later than 40 working days after the date of this letter.

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

If you have any queries about this letter please contact me.

Yours faithfully,

Department of Energy and Climate Change