



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR INTERNAL MARKET, INDUSTRY, ENTREPRENEURSHIP
AND SMES
Ecosystems IV: Mobility & energy intensive industries
II. Energy Intensive Industries - Raw Materials

Brussels,
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Xoan Evans Pin
Fundação de interesse geral
[REDACTED]
[REDACTED] Galiza, Spain

by email: [REDACTED]

Subject: Your application for access to documents – Ref GestDem No 2021/5420

Dear Mr Evans Pin,

We refer to your e-mail dated 10 September 2021 in which you make a request for access to documents, registered on the same day under the above-mentioned reference number.

You request access to the following documents:

- 1.- Ares(2021)1295662, 16-02-2021, NEXT: San Finx operations - report**
- 2.- Ares(2021)3979485, 17-06-2021, NEXT: San Finx - further clarifications**
- 3.- Ares(2021)4581553, 12-07-2021, NEXT: Explanations - San Finx documentation**

Having examined the documents requested under the provisions of Regulation (EC) No 1049/2001 regarding public access to documents and taking into account the opinion of the consulted third party, I regret to inform you that your application cannot be granted, as disclosure is prevented by the exception to the right of access laid down in Article 4 of this Regulation.

The documents which you seek to obtain contain commercially sensitive business information of the company that submitted them. Therefore, disclosure of the documents requested would undermine the protection of the commercial interests of the company, as putting this information in the public domain would affect its competitive position on the market. Therefore, the exception laid down in Article 4(2) first indent of Regulation (EC) No 1049/2001 applies to these documents.

We have considered whether partial access could be granted to the documents requested. We concluded that, after expunging the confidential information, the remaining parts of the documents would be meaningless.

The exceptions laid down in Article 4(2) and 4(3) of Regulation (EC) No 1049/2001 apply unless there is an overriding public interest in disclosure of the documents. We have

examined whether there could be an overriding public interest in disclosure, but that we have not been able to identify such an interest.

In accordance with Article 7(2) of Regulation (EC) No 1049/2001, you are entitled to make a confirmatory application requesting the Commission to review this position.

Such a confirmatory application should be addressed within 15 working days upon receipt of this letter to the Secretary-General of the Commission at the following address:

European Commission

Secretariat-General

Transparency, Document Management & Access to Documents (SG.C.1)
BERL 7/076

B-1049 Bruxelles

or by email to: sg-acc-doc@ec.europa.eu

Yours sincerely,

(electronically signed)

Kerstin Jorna
Director-General