



Department
of Energy &
Climate Change

Department of Energy & Climate Change

3 Whitehall Place,
London SW1A 2AW

T: 0300 068 6229

E: correspondence@decc.gsi.gov.uk

www.gov.uk/decc

25 November 2013

Dear

EIR Request – ref. 13/1665

Thank you for your email dated 21 November, refining your earlier information request ref 13/1525:

Please provide copies of all correspondence (including emails and their attachments) relating to energy prices and environmental regulations/charges since 1 January 2013 between Ministers in the Department of Energy and Climate Change and the following: Energy UK, Npower, SSE, British Gas, Scottish Power, E.On, EDF. Please limit your search to the following teams Energy Markets and Infrastructure, International Climate Change and Energy Efficiency (these names were taken from the departments' organogram) and the Ministerial private offices and central Correspondence Unit.

Until the information has been located it is difficult to determine precisely if the information should be considered under EIR or FOI or both regimes.

Your request has been considered under the terms of the Freedom of Information (FOI) Act 2000. However, some of the information you have requested may constitute environmental information for the purposes of the Environmental Information Regulations 2004 (EIRs). As such, to the extent that the information requested may be environmental your request has also been considered under the EIRs.

In considering your request under FOI, we estimate that complying with your refined request would still exceed the cost limit of £600 provided under Section 12 of the Freedom of Information Act, as explained in the reply sent on 19 November 2013.

In considering your request under the EIRs, from our preliminary assessment we have concluded that we are still unable to provide you with the environmental information requested because in our view the exception in regulation 12(4)(b) of the EIRs applies.

This exception provides that a public authority may refuse to disclose information to the extent that the request for information is manifestly unreasonable. As explained in the reply sent on 19 November 2013, to provide you with the information requested would require searches of all forms of written correspondence across the whole Department, including individual teams, as well as Ministerial Private Offices and our central Correspondence Unit, in order to ensure that every piece of correspondence was located.

In applying this EIR exception, we have considered the public interest in disclosing the information. In this respect we recognise that disclosure could enhance public understanding of the Government's contact with the companies mentioned in your request. However, we consider the balance of the public interest lies in favour of withholding the information. This is because your request would place a substantial and unreasonable burden on the resources of the Department and on balance, therefore, we consider that the public interest would be better served deploying our resource in undertaking core work of the Department.

You may wish to refine your request by narrowing its scope, by selecting a shorter timeframe or being more specific about what information you particularly wish to obtain, or by identifying which policies within DECC you have a particular interest in, so that we are better able to retrieve the actual letters you require.

The request for 'correspondence (including emails and their attachments) relating to energy prices and environmental regulations/charges since 1 January 2013 between Ministers' is very broad and covers the majority of the Department's portfolio.

I have attached a link to DECC's current Organisational Structure, which might be useful in refining your request.

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/249854/decc-organogram.pdf

We would be happy to consider whether any revised request could be dealt with within the appropriate limit.

Yours sincerely,

DECC Correspondence Unit