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Our ref: **12/1621**

21 December 2012

Dear

**Re: Freedom of Information Request**

Thank you for your email of 16 November 2012 where you requested the following information:

1. All correspondence, whether written or by email, between Energy Minister John Hayes MP and:
  - a. Chris Heaton-Harris MP,
  - b. James Delingpole, Telegraph columnist.
2. Between the dates: 1st September 2012 - present.

Under the Freedom of Information Act 2000 ('the Act'), you have the right to:

- know whether we hold the information you require
- be provided with that information (subject to any exemptions under the Act which may apply).

I can confirm the Department holds some information in the scope of your request. The information you requested is enclosed.

- Letter dated 20 November 2012 – from John Hayes MP to Chris Heaton-Harris MP – re. the proposed standard for power line transmission devices possible interference with radio transmissions.
- Letter dated September 2012 - from John Hayes MP to Chris Heaton-Harris MP – re. United Nations ruling relating to the EU renewables policy
- Letter dated 19 October 2012 - from John Hayes MP to Chris Heaton-Harris MP – re. decarbonisation and the Energy Bill
- Letter dated 12 October 2012 - from John Hayes MP to Chris Heaton-Harris MP – re. decarbonisation and the Energy Bill

- Letter dated 26 September 2012 – from Chris Heaton-Harris MP to John Hayes MP – re. Health Canada study on wind turbine noise.

### **Personal information**

Personal data concerning Chris Heaton-Harris MP's constituents and personal contact information has been redacted in accordance with Section 40(2) of the Freedom of Information Act. Section 40(2) provides an absolute exemption for personal data which then falls to be dealt with under the Data Protection Act 1998. Personal data of third parties can only be disclosed in accordance with the data protection principles. In particular, the first data protection principle requires that disclosure must be fair and lawful and must comply with one of the conditions in Schedule 2 of the Data Protection Act. We consider that to disclose this personal data of a third party would contravene one or more of those data protection principles. The definition of personal information to which section 40 applies is wide and can include references to identifiable individuals. Our view is that the release of these details would not be fair and none of the conditions of Schedule 2 are met.

### **Appeals Procedure**

If you are dissatisfied with the handling of your request, you have the right to ask for an internal review. Internal review requests should be submitted within two months of the date of receipt of the response to your original letter and should be addressed to the Information Rights Unit ([foi@decc.gsi.gov.uk](mailto:foi@decc.gsi.gov.uk)).

Security & Information Rights Unit (DECC Shared Service)  
Department for Business, Innovation & Skills  
1 Victoria Street  
London  
SW1H 0ET

Please remember to quote the reference number above in any future communications.

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.

Yours sincerely