



Department
of Energy &
Climate Change

Department of Energy & Climate Change

3 Whitehall Place,
London SW1A 2AW

www.gov.uk/decc

Thursday 3 April 2014

RE: EIR 14/0114

Thank you for your letter of 16 January 2014 where you requested the following information:

I would like to request information on correspondence between DECC and the Treasury.

I am seeking information on correspondence that relates to the following:

- Carbon floor price (CPF)
- Carbon price support (CPS)

In particular I'm looking for information on the economic impacts, benefits and costs of CPF and CPS on existing utilities and power generators.

I would be grateful if you could use keywords in the terms (including their acronyms and abbreviations) listed above to search your records systems as part of your efforts to locate information.

I am requesting correspondence generated in the period beginning May 2010 to December 2011.

We apologise for the delay in responding.

We have considered your request in accordance with the Environmental Information Regulations 2004 (EIRs) as the information you have sought disclosure of, does in our view, fall within the definition of 'environmental information' as stated in the EIRs.

The relevant items are attached.

Some information has been withheld as it is exempt from disclosure under **regulation 12(4)(e) (internal communications)** of the EIRs.

This exception is subject to the public interest test. The key public interest considerations we have taken into account are set out below. In considering the public interest we have applied a presumption in favour of disclosure as required by regulation 12(2) of the EIRs.

The information being withheld relates to communications between central government departments. Releasing internal communications may assist the public's understanding of the workings of government. However, there is a contravening public interest in providing space in which officials may communicate confidentially. In order to ensure the effective conduct of government business, officials should be able to express views in a free and frank manner. Disclosure of the information we hold is likely to result in officials being less candid, which would undermine the department's ability to have open and frank discussions with other government departments, which would have a detrimental effect on the development of future energy policy.

Having considered the public interest, the Department's decision is therefore to withhold the information.

Some information has not been released in this response as it is available and accessible to you as it is **already in the public domain**. This includes responses to the consultation document *Carbon price floor: support and certainty for low-carbon investment*¹ and DECC's updated carbon values and associated methodology for 2011.²

In addition, some of this information constitutes **personal data** and has been withheld. Regulation 12(3) and 13(1) of the EIRs provides an absolute exemption for personal data which then falls to be dealt with under the Data Protection Act. 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 do not think that it is fair to release the names of junior members of staff and do not think that any of the relevant conditions apply.

Within the attached items, some information has also been withheld as it falls **out of scope** of your request. In particular, it was not correspondence between DECC and HMT or was not related to the economic impacts, benefits and costs of CPF and CPS on existing utilities and power generators.

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 40 working days of the date of receipt of the response to your original letter and should be sent to the Information Rights Unit at:

Information Rights Unit
Department for Business, Innovation & Skills
1 Victoria Street
London
SW1H 0ET
E-mail: foi.requests@bis.gsi.gov.uk

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,

DECC Enquiry Unit

¹ All responses to this consultation are available online at: <https://www.gov.uk/government/consultations/carbon-price-floor-support-and-certainty-for-low-carbon-investment>.

² DECC's traded carbon values and associated methodologies for 2011 are available online at: <https://www.gov.uk/government/collections/carbon-valuation--2#update-to-traded-carbon-values-2011>.