



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR MOBILITY AND TRANSPORT

The Director-General

Brussels
MOVE/HH/

Mr Paolo Prieri
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Subject: Your application for access to documents 2023/0600

Dear Mr Prieri,

We refer to your request for access to European Commission documents registered on 30 January 2023 under the above-mentioned reference number.

You request access to *“all documentation (Documents, Notes, Correspondence within and to/from the member states Italy and France) in the possession of the European Commission (CINEA et al.) with reference to the "Grant Agreement of € 813,781,900.00" financing the Lyon-Turin project and to your Letter Ref. Ares(2022)8693970 - 14/12/2022, enabling us to know if :*

- the Commission has received the request by Italy and France and thus an Implementing Decision was issued;(...)”.

Please note that due to the wide scope of your request, covering also areas falling under the responsibility of other institutions, a part of your request has been attributed to the Climate, Infrastructure and Environment Executive Agency (CINEA)¹. This reply relates

¹ Specifically, the part referring to all documentation *“with reference to the "Grant Agreement of € 813,781,900.00" financing the Lyon-Turin project and to [our] Letter Ref. Ares(2022)8693970 - 14/12/2022, enabling [you] to know if: (...) the Commission extended the Grant Agreement INEA/CEF/TRAN/M2014/1057372" expired on December 31, 2022”*, which was registered by CINEA under the reference number CINEA 2023/5.

only to the first part of your request, which refers to all documentation enabling you to know if “the Commission has received the request by Italy and France and thus an Implementing Decision was issued”. You will receive the reply from CINEA concerning the second part of your request in due course.

We note that you have requested access to the same documents on 24 November 2022. That request was registered on 28 November 2022, under case number EASE 2022/6894. The Commission replied to that request on 14 December 2022, reference ARES(2022)8693970. It granted partial access to two letters sent to France and Italy, and informed you that the “*Implementing Decision covering the Lyon-Turin project*” does not exist.

In your new request for access to the same documents, you do not put forward any change in the legal or factual situation since the reply from the Commission dated 14 December 2022.

After careful examination, we concluded that the legal and factual circumstances justifying that reply have not changed. Therefore, the abovementioned reply remains applicable and justified in the light of the current legal and factual situation.

Consequently, we refer you to the reply of the Commission of 14 December 2022 mentioned above.

Should you disagree with the present decision, you are entitled to submit a confirmatory application requesting the Commission to review this position, in accordance with Article 7(2) of Regulation (EC) No 1049/2001. Nevertheless, we would like to draw your attention to the fact that the confirmatory review against this reply will focus on the question whether there are any additional legal and factual circumstances requiring the adoption of a new decision by the Commission.

Such a confirmatory application should be addressed to the Secretariat-General of the Commission within 15 working days upon receipt of this letter. You can submit it in one of the following ways:

by asking for a review via your portal² account (available only for initial requests submitted via the portal account),

or by mail:

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

² <https://www.ec.europa.eu/transparency/documents-request>

Yours sincerely,

Electronically signed

Henrik HOLOLEI