REQUEST FOR ACCESS TO RECORDS UNDER THE
FREEDOM OF INFORMATION ACT, 2014

Please address this request to relevant FOI Contact
Please use BLOCK letters

Details of Applicant
Surname:
First Name:
Postal Address:

Telephone Number(s)
Home:
Mobile:

Personal Information
My preferred form of access is: To be emailed the records that I have requested to

Details of Request
In accordance with Section 12 of the Freedom of Information Act, I request access to
Records which are:
    Non-personal

In the space provided below, please describe the records as fully as you can. If you
are requesting Personal Information, please state precisely, in whose name those
records are held. You will not normally be given access to personal information of
another person unless you have obtained the written consent of that person.

I request the following records:

Information on statement made by Pat Rabbitte in 2014 on proposing to lift the ban on
nuclear power in Money Point, Co Clare.

Please sign here: Date: 3 November 2015
FOI Request Reference: FOI/2015/133

Dear,

I refer to your request dated 03/11/2015 which was received by this office on 09/11/2015 which you have made under the Freedom of Information Act 2014 for records held by this FOI body. Your request sought:

"Information on statement made by Pat Rabbitte in 2014 on proposing to lift the ban on nuclear power in Money Point, Co Clare."

The decision maker handling your request is Mr Enda Gallagher, Strategic Energy Policy Division, Department of Communications, Energy and Natural Resources, 29-31 Adelaide Road, Dublin, D02 X285 and he can be contacted at 01 6782941. A final decision on your request would normally be sent to you within 4 weeks, where a week is defined as 5 working days excluding the weekend and public holidays. This means that you can expect a decision letter to issue not later than 07/12/2015.

There are some limited situations under the FOI Act which could mean that the period for a final decision may be longer than this 4 week period. If this occurs in the case of your request, you will be advised promptly in writing setting out the reason and the new decision date.

Should our final decision not reach you on time, please feel free to contact the decision maker named above to discuss any problems that may have arisen. If you have not heard from us once the allotted time has expired, you are automatically entitled to appeal for a review of the matter. This review proceeds on the legal basis that the initial request is considered to be refused once the specified time for responding to it has expired. The review is a full and new examination of the matter carried out by a more senior member of staff.
In the event that you need to request such a review, you can do so by writing to FOI Unit, Department of Communications, Energy and Natural Resources, Elm House, Earlsvale Rd, Cavan, Co Cavan or alternatively by sending an e-mail to FOI.UNIT@dcenr.gov.ie. You should state that you are seeking this review because an initial decision was not sent to you within the time allowed for a response. In that event, you would normally have 4 weeks (after the initial decision should have been sent to you) in which to make the appeal. Consideration will be given to late applications in appropriate circumstances.

Please note this Department has a policy of posting a summary of all non-personal FOI Requests and decisions on the Departments website.

Yours sincerely,

__________________________
Carmel Conaty
FOI Unit
07/12/2015

Re: FOI request FOI/2015/133

Dear

I refer to the request which you made under the Freedom of Information Act 2014 for records held by the Department of Communications, Energy, and Natural Resources:

"Information on statement made by Pat Rabbitte in 2014 on proposing to lift the ban on nuclear power in Money Point, Co. Clare."

I, Jeremiah Higgins, AO, have now made a final decision to refuse your request on 07/12/2015.

The purpose of this letter is to explain that decision. This explanation has the following parts:

1. a schedule of all of the records covered by your request;
2. an explanation of the relevant findings concerning the records to which access is denied, and
3. a statement of how you can appeal this decision should you wish to do so.

This letter addresses each of these three parts in turn.

1. Schedule of records

A schedule is enclosed with this letter, it shows the documents that this body considers relevant to your request. It describes each document and refers to the sections of the FOI Act which apply to prevent release. The schedule also refers you to sections of the detailed explanation given under heading 2 below, which are relevant to the document in question. It also gives you a summary and overview of the decision as a whole.

<table>
<thead>
<tr>
<th>No.</th>
<th>DESCRIPTION OF RECORD</th>
<th>RELEASE/PART RELEASE/REFUSE</th>
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2. Findings, particulars and reasons for decisions to deny access

The sections of the Act which can apply to deny access to documents are known as its exemption provisions.

I have refused your FOI request because the information you are looking for is already available in the public domain. The Acts, listed at numbers 1 and 2 in the schedule above, are available at irishstatuebook.ie, while the 2007 White Paper and 2014 Green Paper, listed at numbers 3 and 4, are available on the DCENR website, www.dcenr.gov.ie/energy.

The Freedom of Information Act 2014, 15.1 (d) states that "A head to whom an FOI request is made may refuse to grant the request where the information is already in the public domain."

3. Rights of appeal

In the event that you are unhappy with this decision you may appeal this it. In the event that you need to make such an appeal, you can do so by writing to the Freedom of Information Unit DCENR, Elm House, Cavan or by e-mail to FOI.UNIT@dcenr.gov.ie. You should make your appeal within 4 weeks from the date of this notification, where a day is defined as a working day excluding, the weekend and public holidays. However, the making of a late appeal may be permitted in appropriate circumstances. The appeal will involve a complete reconsideration of the matter by a more senior member of the staff of this body.

Should you have any questions or concerns regarding the above, please contact me by telephone on 01 6782387.

Yours sincerely,

[Signature]

Jeremiah Higgins
Administrative Officer