

Mr Pat Swords
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1 February 2010

Our Ref: IDA/001/AIE

Dear Mr Swords

I refer to your appeal, dated 12 January 2010, in relation to the following request which you made under the European Communities (Access to Information on the Environment) Regulations 2007 for a review of the earlier decision of IDA Ireland, which was dated 12 January 2010:

'What are the economic impacts of the programme proposed by the Chief Executive of the IDA, its costs, the subsidies required for job creation and industrial grants, the resulting electricity prices, the loss of competitiveness in other manufacturing sectors and resulting job losses.'

A review of the original decision has been undertaken. I am the Internal Reviewer handling your appeal. This decision on review is an entirely new and separate decision on your request, and after careful consideration, I have decided to affirm the original decision to refuse your request.

I regret to inform you that we cannot locate the records you refer to and that I must therefore refuse your request. As is explained below, this decision is made under article 7(5) of the Statutory Instrument.

Section 7(5) of the Statutory Instrument states that an Access to Information on the Environment (AIE) request may be refused if:

'the information requested is not held by or for the authority concerned, that the authority shall inform the applicant as soon as possible that the information is not held by or for it.'

I had detailed discussions with individual members of staff who may have dealt with such records in the following IDA Departments; Press & PR, Marketing Services, Planning and Cleantech. I also had discussions with the individuals involved in preparing the original article for publication. Projects Divisions within IDA obtain regular information from reliable sources including the Department of Communications and Natural Resources, Eirgrid, ESB, SEI, Minister Ryan's Green Report and other government policy documents. These sources would inform IDA

policy in this area. I find that, as far as I am able to determine, the records sought by you do not exist.

IDA Ireland does not have responsibility for electricity generation policy or electricity costs / prices in Ireland. Questions relating to these should be addressed to Dept Communications, Energy & Natural Resources, ESB, Eirgrid and CER.

In its search for the records, IDA Ireland has tried to use all practical, possible means for finding them. However, it has not found the records, or discovered any indication that they ever existed. Furthermore, IDA Ireland has not become aware of any reason or policy under which such records would have been created. In view of the comprehensive but unsuccessful searches described above, I find that, as far as I am able to determine, the records sought by you do not exist.

In its search for the documents, IDA Ireland tried to use all practical, possible means for finding them. However, with reference to the steps outlined above the records cannot be found.

Rights of appeal


You may appeal this decision by writing to the Commissioner for Environmental Information at:-

The Office of the Commissioner for Environmental Information
18 Lower Leeson Street
Dublin 2
Ireland

If you wish to appeal, you must usually do so not later than 1 month from the date of this notification. Please refer to this letter and quote the above reference number in any correspondence with the Commissioner for Environmental Information in relation to this decision.

If you make an appeal, the Commissioner for Environmental Information will fully investigate and consider the matter and issue a fresh decision.

Yours sincerely


Gerry Sharkey
Internal Reviewer