



P. Nikiforos Diamandouros
European Ombudsman

Mr José Manuel Barroso
President
European Commission
1049 Brussels
BELGIQUE

Strasbourg, 29 -10- 2010

Complaint 2587/2009/JF

Dear Mr President,

On 20 April 2010, the Commission sent me its opinion on the above complaint. I forwarded the opinion to the complainant, Mr Patrick Swords, and received his observations on 28 April and 10 May 2010.

To help me continue inquiring into this complaint, I would appreciate it if the Commission could:

explain, having regard to the DG Environment's e-mail of 6 October 2009, whether DG Environment forwarded the complainant's concerns to DG Energy relating to the Irish authorities' compliance with Directive 2001/77/EC¹, or with Directive 2009/28/EC². If it did, could the Commission please explain whether its statement in its opinion that, in summary, it had addressed the complainant "*repeated requests to provide further details*" as regards the alleged infringement of EU environmental and energy legislation in Ireland means that no action was in the meantime taken by DG Energy. Additionally, could the Commission please provide details of the above "*repeated requests*" since the Ombudsman is at present aware of only one such request following the complainant's correspondence to the Commission dated 5 October 2009.

I would be grateful if your reply could reach me by 30 November 2010.

¹ Directive 2001/77/EC of the European Parliament and of the Council of 27 September 2001 on the promotion of electricity produced from renewable energy sources in the internal electricity market, OJ 2001 L 283, p. 33.

² Directive 2009/28/EC of the European Parliament and of the Council of 23 April 2009 on the promotion of the use of energy from renewable sources repealing Directives 2001/77/EC and 2003/30/EC, OJ 2009 L 140, p. 16.



Please find enclosed a copy of the complainant's observations.

Yours sincerely,

P. Nikiforos Diamandouros

Enclosure:

- The complainant's observations (sent by e-mail)