



Pat Swords &lt;pat.swords.chemeng@gmail.com&gt;

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## Fwd: Access to information - CEI/10/0020

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Jerry Waugh &lt;jerry.j.waugh@gmail.com&gt;

Wed, Nov 17, 2010 at 2:07 PM

To: Pat Swords &lt;pat.swords.chemeng@gmail.com&gt;

What a waste of time - I think we need a Truth Commission in Ireland !!!

----- Forwarded message -----

From: <[Anne\\_O'Reilly@oic.gov.ie](mailto:Anne_O'Reilly@oic.gov.ie)>

Date: Wed, Nov 17, 2010 at 1:59 PM

Subject: Access to information - CEI/10/0020

To: [jerry.j.waugh@gmail.com](mailto:jerry.j.waugh@gmail.com)

Dear Mr. Waugh,

I refer further to your appeal to this Office in relation to your request for access to environmental information, and in particular to your letter of 15 November, sent by e-mail.

In your original request to CER you sought copies of environmental information held by that authority that support the statements of its Chairman, Mr Michael Tutty, on RTE on 9th August 2010. The CER provided you with copies of two reports/studies in response to your request and in its internal review decision stated that these constitute the only relevant records held.

Your position appears to be that the reports provided by the CER do not, in fact, support Mr Tutty's statements.

However, this is not a dispute on which the Commissioner can comment. As previously explained the Commissioner's role is confined to ensuring access to records held by a public authority and does not extend to commenting on the content or usefulness of such records, nor does it extend to requiring a public authority to create a record where the information sought does not already exist.

Please consider the above and let me know whether you wish to have a formal, binding ruling by the Commissioner. If you do not, it would be open to you to have the case treated as withdrawn and the fee paid refunded.

If you wish to discuss this further please contact me at 01 6395678.

Yours sincerely,

Anne O'Reilly  
Investigator

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