

**Explanatory Memorandum to  
Decision No BoR/2018/03 of the Board of Regulators on  
confirmatory application for access to BEREC documents of the Net  
Neutrality EWG full year of 2017**

12 April 2018

An initial application for access to documents concerning meetings during 2017 of the Net Neutrality EWG was received on 05.02.2018.

In its response to the applicant of 19.03.2018 the BEREC Office after consulting the EWG Co-Chairs and the BEREC Chair's office granted partial access (removing confidential information, personal data and information that would seriously undermine the decision making process of BEREC) to the documents. A confirmatory application was submitted by the applicant on 19.03.2018 (registered on 20.03.2018) insisting on getting access to the full NN EWG documentation of 2017.

According to article 4 of Decision BoR (10) 26 concerning access to documents, the BoR, assisted by the Office, shall take decisions regarding confirmatory applications.

The general approach regarding access to documents was also discussed during the EWG Co-chairs meeting in order to find a sensitive approach for all affected parties and reaching a reasonable compromise and a trade-off between securing open discussions, the decision-making process and transparency.

Attached you will find as supporting documents, exchange of correspondence with the applicant together with the documents which were disclosed during the initial application.