



EUROPEAN COMMISSION

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Dear President,

The Commission thanks the Camera dei Deputati for its Opinion on the Communication on the reform of the EU State aid rules on Services of General Economic Interest (SGEI) {COM(2011) 146 final}, and apologises for the long delay in replying to it.

Please allow me to provide further information on the basis of the draft texts which were published for consultation on the Commission's web site:

http://ec.europa.eu/competition/state_aid/legislation/sgei.html

First, regarding the question on how the objective of a diversified and proportionate approach will be achieved, you ask what will be the conditions to consider certain aid measures as de minimis, what will be the type of services for which notification is required and whether it is appropriate to modify the threshold of application of the decision.

The proposed texts should lead to a simplification of the rules in particular for small-scale services organised by local authorities that only have a minor impact on trade between Member States, as well as for certain social services. The Commission is currently planning to adopt a de minimis regulation which would be specific to SGEI services. Taking account of the local character of many SGEI, this would provide another way – alternative to Altmark's – to identify compensations which would not be considered to be aid in view of their negligible effect on trade. The Commission may, where appropriate, extend the scope of application of the decision, regardless of the amount of compensation, to compensations for the provision of SGEI that meet essential social needs, whereas this exemption is currently applicable to hospitals and social housing only. For other services, the Commission could propose to lower the ceiling of application of the decision: this should enable the Commission to have a closer look at certain compensations which according to certain stakeholders have had a negative impact on the internal market.

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I am pleased that you share our objective of encouraging an efficient provision of public services for the benefit of both the tax payer and the service user. The Commission could propose to strengthen the compatibility conditions in the Framework by incentivising efficiency in various ways. As set out in the Communication, this appears to be justified by the fact that for large scale commercial services there is a particularly high risk of competition distortion which needs to be better addressed by the revised rules.

I hope that these clarifications address the concerns and questions raised in your Opinion .

I look forward to continuing our dialogue on these important issues.

Yours faithfully,

*Maroš Šefčovič
Vice-President*