

**Question for written answer E-011430/2015
to the Commission**

Rule 130

Josep-Maria Terricabras (Verts/ALE)

Subject: Castor project: dominant position of ENAGÁS

Directive 2015/29/EC of the European Parliament and of the Council of 11 May 2005 concerning unfair business-to-consumer commercial practices in the internal market – the 'Unfair Commercial Practices Directive' – regulates acts of unfair competition that have a negative impact on consumers.

However, Royal Decree Law 13/2014 of 3 October, adopting urgent measures in relation to the gas system – Official State Gazette No 241, 4.10.2014 – approved by the King of Spain, leaves consumer rights unprotected. The semi-public company Enagás Transporte, which runs the Castor facilities, has negotiated for losses to be borne by the population.

This dominant position contradicts the aforesaid directive, since it will have a detrimental impact on consumers and SMEs, by negotiating the debt acquired by private companies – ACS, ESCAL UGS – and passing on the losses to third parties. It should be recalled that this project has been financed using EU-EIB funds.

1. Will the Commission launch an investigation to identify responsibilities?
2. What measures will be taken to ensure that it is not consumers who pay what was initially a private debt?
3. Does the Commission consider the action of the Spanish authorities to be right?