

**Question for written answer E-004775/2014
to the Commission**

Rule 117

Kriton Arsenis (S&D)

Subject: Illegal state aid to individuals in the 'Small PPC' which is being sold off and the violation of Directive 2009/72 on consumer rights

The Greek Ministry of Environment and Climate Change has tabled a bill for breaking up the PPC and creating a new company, dubbed the 'Small PPC'. The new company, which will be established as a 100% subsidiary of the PPC and be sold to individual buyers, will include a total of eleven power plants with a capacity of 2 768 megawatts, five lignite mines, more than 3 000 employees and one third of the commercial activity of the current PPC, which is equivalent to about 2 million customers or a turnover of approximately EUR 1.8 to 2 billion. PPC customers are not being asked for their consent.

Under Article 9 of the bill, the new company will supply its customers in accordance with the terms provided for a period of 4 months, while for a period of 6 months the PPC will not be entitled to pursue an aggressive policy to win its customers back. Basically, the customers of the 'Small PPC' are forbidden by law from changing their provider and the rump public-sector PPC is forbidden from making offers to win them back for a period of six months.

In view of the above, will the Commission say: does the mandatory transfer of 30% of the PPC's customers to the new company constitute unlawful State aid within the meaning of Article 107 of the Treaty on the Functioning of the EU? Has the Greek government notified the competent Commission services about this arrangement?

Article 3, paragraph 5, of Directive 2009/72 concerning common rules for the internal market in electricity provides that 'Member States shall ensure that: a) where a customer, while respecting contractual conditions, wishes to change supplier, the change is effected by the operator(s) concerned within three weeks'. Do the compulsory transfer of customers and the ban on switching company constitute a breach of that article of the Directive?