

**Question for written answer E-002415/2021
to the Commission**

Rule 138

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Subject: Romania must comply with State aid rules

On 4 December 2020, Romania notified the Commission of a restructuring plan involving State aid for Oltenia Energy Complex (OEC) worth EUR 1.3 billion. The Commission opened an investigation (SA 59974). Despite Article 108(3) of the Treaty on the Functioning of the European Union (TFEU), the Romanian government then offered OEC a further rescue payment of EUR 241.4 million for the payment of 2020 CO₂ allowances in the form of a grant.

The emergency order states that the grant is part of the implementation of the restructuring plan. However, the Commission hasn't yet taken a decision on whether it is compatible with internal market rules.

1. How will the Commission ensure that Romania does not breach Article 108(3) of the TFEU by implementing the restructuring plan before the Commission's final decision?
2. Does the Commission consider that a grant to ensure the payment of carbon emissions allowances is compatible with the internal market if (a) the choice of a grant means that the cost of pollution will be paid by Romanian taxpayers, and (b) in a previous decision on the same undertaking the Commission required the support to take the form of a loan subject to specific financial conditions?
3. How will the Commission ensure that rescue and restructuring aid to coal companies is compatible with the objectives of the Green Deal and the environmental principles of the EU treaties?