

WRITTEN QUESTION P-4653/07
by Armando Veneto (PPE-DE)
to the Commission

Subject: European inquiry into special electricity tariffs in Italy

Following the establishment of ENEL in 1962, the hydroelectric power plant formerly owned by Terni Acciai Speciali was nationalised. By way of compensation for this expropriation, Terni Acciai were accorded special electricity tariffs. These rates were subsequently extended to Thyssen Krupp Acciai Speciali Terni S.p.A., Cementir S.p.A. and Nuova Terni Industrie Chimiche.

Under Section 11, Article 11, of Decree Law 35/2005 (Decree on competitiveness, subsequently Law 80/2005), this concessionary arrangement was extended until 31 December 2010, in respect of a quantity of electrical power of around 920 GWh.

Although it was intended to be a form of compensation, this special electricity tariff became the object of an inquiry by the European Commission in 2006, to determine whether it represented an unauthorised State aid. In undertaking this inquiry, however, DG Competition had no intention of suspending the application of the extension to the scheme. Similar inquiries into special tariff regimes were also launched in Spain and France.

However, as a result of the inquiry, which is still in progress, the Energy and Gas Authority (AEG) in Italy decided unilaterally to suspend application of the compensatory tariff for Thyssen Krupp Terni with effect from April 2007, in clear breach of Law 80/2005.

Bearing in mind that the power to recover State aid payments, once they have been recognised as such, resides not with the sectoral authorities, but solely with the State (government authorities), will the Commission answer the following:

- Does it believe that the suspension of the scheme represents an abuse of power by the AEG and thus a patent violation of the principle of free competition and equal treatment, bearing in mind also that the competent Spanish and French authorities have not seen fit to take any such measures in similar circumstances?
- What progress has been made with the inquiries under way into reduced electricity tariffs in Italy, Spain and France?