

**Question for written answer P-002576/2013
to the Commission**
Rule 117
Giuseppe Gargani (PPE)

Subject: Motorway management concessions in Italy and compliance with competition rules

In response to the points raised by the Commission in infringement proceedings C(2006) 2006/2419, Italian motorway concession rules were amended, which meant that the Anas S.p.A. corporation responsible for Italian roads and motorways, was required, by 31 March 2010, to launch a public tendering procedure for the renewal of motorway concessions expiring on or before 31 December 2014. The procedure initiated by it for renewal of the Brenner motorway concession, which is due to end on 31 December 2014, was suspended following an appeal by the current holder, Autostrade Brennero S.p.A., which was subsequently rejected by the Lazio Regional Administrative Tribunal and the Council of State. 81.1788% of Autostrade del Brennero S.p.A. is in public ownership, 12.9624% being held by the Trento e Bolzano Autonomous Provincial Authorities.

On 15 February 2013, an agreement was concluded between the Trento Autonomous Provincial Authorities, the Ministry for Infrastructures and Transport and the Ministry for Territorial Cohesion regarding extension of the motorway concession due to end in 2014 and the Brenner rail link infrastructural project.

In this connection:

1. Does the Commission consider the agreement in question to be compatible with the principles of free competition enshrined in Articles 101-106 of the Lisbon Treaty?
2. If there is any doubt about the matter, what action will it take under Article 106 of the Lisbon Treaty?