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Subject: **State Aid SA.107138 (2023/N) – Czechia**
TCTF: Temporary scheme to reduce the impact of natural gas and electricity prices

Excellency,

1. PROCEDURE

- (1) By electronic notification of 17 July 2023, Czechia notified aid for additional costs due to exceptionally severe increases in natural gas and electricity prices (TCTF: ‘Temporary scheme to reduce the impact of natural gas and electricity price increases on undertakings’, the ‘measure’ or the ‘scheme’) under the Temporary Crisis and Transition Framework for State aid measures to support the economy following the aggression against Ukraine by Russia (the ‘Temporary Crisis and Transition Framework’) ⁽¹⁾.

⁽¹⁾ Communication from the Commission on the Temporary Crisis and Transition Framework for State Aid measures to support the economy following the aggression against Ukraine by Russia (OJ C 101, 17.3.2023, p. 3). This Temporary Crisis and Transition Framework replaces the Temporary Crisis Framework adopted on 28 October 2022 (OJ C 426, 9.11.2022, p. 1), (‘Temporary Crisis Framework’), which had already replaced the previous Temporary Crisis Framework adopted on 23 March 2022 (OJ C 131I, 24.3.2022, p. 1), as amended on 20 July 2022 (OJ C 280, 21.7.2022, p. 1). The Temporary Crisis Framework was withdrawn with effect from 9 March 2023.

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- (2) Czechia exceptionally agrees to waive its rights deriving from Article 342 of the Treaty on the Functioning of the European Union ('TFEU'), in conjunction with Article 3 of Regulation 1/1958 ⁽²⁾ and to have this Decision adopted and notified in English.

2. DESCRIPTION OF THE MEASURE

- (3) Czechia considers that the Russian aggression against Ukraine and its direct and indirect effects, including the sanctions imposed and the countermeasures taken for example by Russia, have economic repercussions on the entire internal market ('the current crisis').
- (4) According to the Czech authorities, the current crisis has created significant economic uncertainties, disrupted trade flows and supply chains and led to exceptionally large and unexpected price increases, especially in natural gas and electricity, but also in numerous other input and raw materials and primary goods, including fertilisers, highly relevant for the agricultural sector. Those effects taken together have caused a serious disturbance of the economy in all Member States.
- (5) In particular, the Czech authorities point out that the current crisis affects the Czech economy in several ways, which include: (i) a sharp rise in the price of main energy sources, which affects virtually every economic activity, and of raw materials; (ii) disruptions to value chains and the shock to world trade; and (iii) uncertainty leading to lost investment or causing financial stress.
- (6) According to the Czech Statistical Office, the year-on-year increase in prices of energy for the main industrial groupings in Czechia was 40.4 % in December 2022 ⁽³⁾. On 31 March 2021, the price of electricity was approximately 58 €/MWh and the price of gas around 18.6 €/MWh; in the middle of March 2022 the price of electricity was 186 €/MWh and the price of gas was around 89.1 €/MWh, peaking on 26 August 2022 at just under 1000 €/MWh (984 €/MWh) for electricity and 317.5 €/MWh for gas, with recent (31 March 2023) price reaching 151.6 €/MWh for electricity and 60.6 €/MWh for gas (all figures refer to yearly baseload forward prices as published on the commodity exchange Power Exchange Central Europe, a. s.) ⁽⁴⁾.
- (7) Czechia underlines that this energy price increase entailed negative impacts on inflation and economic welfare of Czechs and citizens of the European Union ('EU'). Czechia has one of the highest inflation rates in the EU with a rate of 15.1% on average in 2022, largely as a result of high energy prices.

⁽²⁾ Regulation No 1 determining the languages to be used by the European Economic Community (OJ 17, 6.10.1958, p. 385).

⁽³⁾ <https://www.czso.cz/csu/czso/ari/producer-price-indices-december-2022>

⁽⁴⁾ In relation to electricity, see <https://www.kurzy.cz/komodity/cena-elektriny-graf-vyvoje-ceny/>. In relation to gas, see <https://www.kurzy.cz/komodity/pxe-zemni-plyn-graf-vyvoje-ceny/>.

- (8) The Czech authorities explain that they have already taken several countermeasures to alleviate the impact of the current crisis on undertakings, but that these measures were not aimed at undertakings falling under the scope of recital (20). As a result, the impact of the current crisis on those undertakings remains highly significant, as high energy prices constitute a serious financial burden to deal with, which for a considerable part of large undertakings may result in a complete termination of business.
- (9) Against this background, Czechia argues that the measure aims to mitigate the negative impacts of future further deterioration of the market conditions that may lead to bankruptcy of certain undertakings. Czechia further explains that the measure aims at stabilising the operations of undertakings that fall under the scope of recital (20) and giving them sufficient time to adjust to market conditions.
- (10) Thus, the measure aims to remedy the liquidity shortage faced by undertakings that fall under the scope of recital (20) that are directly or indirectly affected by the serious disturbance of the economy and do not benefit from existing aid measures for their energy consumption.
- (11) Czechia confirms that the aid under the measure is not conditioned on the relocation of a production activity or of another activity of the beneficiary from another country within the European Economic Area ('EEA') to the territory of the Member State granting the aid. This is irrespective of the number of job losses actually occurred in the initial establishment of the beneficiary in the EEA.
- (12) The compatibility assessment of the measure is based on Article 107(3), point (b), TFEU in light of Sections 1 and 2.4 of the Temporary Crisis and Transition Framework.

2.1. The nature and form of aid

- (13) The measure provides aid on the basis of a scheme in the form of direct grants for additional costs due to exceptionally severe increases in natural gas and electricity prices under section 2.4 of the Temporary Crisis and Transition Framework.
- (14) Czechia confirms that all figures used are gross, that is, before any deduction of tax or other charges.

2.2. Legal basis

- (15) The legal bases for the measure are:
 - (a) The Act No 458/2000 Coll., on business conditions and public administration in the energy sectors and amending certain laws (the 'Energy Act'), which, in its Section 19d, enables the Government of Czechia to set prices for electricity or gas supplied to customers or other market participants in exceptional market situations in a Government Decree;
 - (b) The Government Decree No 298/2022 Coll., on the determination of electricity and gas prices in an extraordinary market situation and on the determination of the related maximum permissible extent of the customer's

economic benefit, as amended by the Government Decree No 343/2022 Coll., Government Decree No 442/2022 Coll., Government Decree No 28/2023 Coll. and Government Decree No 77/2023 Coll. (the ‘Determination Decree’), under which some undertakings consuming electricity or gas in Czechia will be entitled to an aid if the monthly electricity or gas price exceeds certain thresholds;

- (c) The Government Decree No 5/2023 Coll., on compensation provided for the supply of electricity and gas at maximum price amount, as amended by the Government Decree No 65/2023 Coll. and the Government Decree No 77/2023 Coll. (the ‘Compensation Decree’), which sets the rules for energy suppliers compensations.
- (16) Czechia submits that the Determination Decree already entered into force as of January 2023, before obtaining the authorisation of the Commission. The first aid under the scheme has been granted for the energy costs incurred for the month of January 2023. In that regard, Czechia submits that the current situation with energy prices constitutes an unprecedented crisis that already resulted in significant negative impacts on undertakings in Czechia. Czechia explains that it therefore decided to proceed with the aid scheme in order to mitigate these negative impacts as soon as possible and thus prevent further deterioration of the situation in the market and even possible bankruptcy of certain undertakings.

2.3. Administration of the measure

- (17) The Czech electricity and gas market operator (OTE, a.s., a company wholly owned by Czechia) receiving funds from the Ministry of Industry and Trade, is responsible for administering the measure. Czechia confirms that OTE cannot operate on the electricity and gas market, and that it will not be a beneficiary of the measure.

2.4. Budget and duration of the measure

- (18) The estimated budget of the measure is CZK 19 000 000 000 (approx. EUR 802 million ⁽⁵⁾), financed from State budget.
- (19) Aid may be granted under the measure as from 1 January 2023 until no later than 31 December 2023.

2.5. Beneficiaries

- (20) The final beneficiaries of the measure are undertakings active in Czechia that are either large enterprises ⁽⁶⁾ or small and medium-size enterprises and that do not benefit from existing aid measures related to their energy consumption. Those beneficiaries are classified in three categories:

- (a) large enterprises that fall under one of the following subcategories:

⁽⁵⁾ [Czech koruna \(CZK\) \(europa.eu\)](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32016R0854).

⁽⁶⁾ As defined in Article 2, point 24, of Commission Regulation (EU) No 651/2014 of 17 June 2014 declaring certain categories of aid compatible with the internal market in application of Articles 107 and 108 of the Treaty (OJ L 187, 26.6.2014, p. 1).

- a public contracting authority according to the Public Procurement Act ⁽⁷⁾ classified in the register of economic entities according to the State Statistical Service Act ⁽⁸⁾ with institutional sector code 12100 (Czech National Bank) or institutional sector code sub-classified under code 13000 (governmental institutions including central, national and local governmental institutions and social security funds),
- a public procuring entity under the Public Procurement Act classified in the register of economic entities under the State Statistical Service Act under the institutional sector code 11001 (non-financial public undertakings) and is a legal entity for which Czechia, a region or a municipality holds, directly or indirectly, all shares and beneficial interests and voting rights,
- a state enterprise, with the exception of national enterprises, and the Czech Press Agency,
- a sports organisation classified in the register of sports organisations pursuant to the Act on the Promotion of Sport ⁽⁹⁾ and which is not a commercial corporation,
- a school or educational establishment classified in the register of schools and educational establishments, or a university classified in the register of universities and study programmes,
- a health service provider classified in the National Register of Health Service Providers under the Health Services Act, ⁽¹⁰⁾
- a social service provider classified in the register of social service providers under the Social Services Act, ⁽¹¹⁾
- a water supply or sewerage system operator classified in the central register of selected data on water supply and sewerage systems pursuant to the Water Supply and Sewerage Act, ⁽¹²⁾
- a provider of public cultural services pursuant to the Act on Certain Types of Cultural Support, ⁽¹³⁾ which is a reporting unit pursuant to the Act on the State Statistical Service;

(b) large enterprises that operate in railway transport or in electric traction means of transport according to the Railway Act; ⁽¹⁴⁾ and

⁽⁷⁾ Act No. 134/2016 Coll.

⁽⁸⁾ Act No. 89/1995 Coll.

⁽⁹⁾ Act No. 115/2001 Coll.

⁽¹⁰⁾ Act No 372/2011 Coll.

⁽¹¹⁾ Act No 108/2006 Coll.

⁽¹²⁾ Act No 274/2001 Coll.

⁽¹³⁾ Act No 203/2006 Coll.

- (c) any other large enterprises and small and medium-size enterprises that do not benefit from existing aid measures related to their energy consumption.
- (21) The Czech authorities consider that the expected number of potential beneficiaries under the measure is approximately 3 000.
- (22) Czechia explains that beneficiaries as defined in recital (20)(a) are entitled to an aid for electricity supply based on the consumption meter, which is connected to the distribution system at high or very high voltage level, and on all supplies of gas to a consumption point with a yearly consumption higher than 630 MWh. In addition, schools, universities, health service providers, social service providers, water and sewage system operators and providers of cultural services that fall under this category will only be eligible under the scheme on the condition that from 1 July 2021 to 30 June 2022 they have used at least 80% of their electricity and gas consumption in aggregate for the performance of the defined activity or service.
- (23) Czechia further explains that beneficiaries as defined in recital (20)(b) are entitled to an aid under the scheme for electricity supply measured based on an appropriate metering device. These beneficiaries are not entitled to an aid for gas consumption.
- (24) Czechia explains that beneficiaries as defined in recital (20)(c) are entitled to an aid for up to 80 % of the highest monthly value of electricity consumption at a metered point of consumption which is connected to the distribution system at high or very high voltage level, and on up to 80 % of the highest monthly value of gas consumption at a metered point of consumption (except for gas for production of electricity).
- (25) Czechia confirms that the aid under the measure is not granted to undertakings under sanctions adopted by the Union, including but not limited to: (i) persons, entities or bodies specifically named in the legal acts imposing those sanctions; (ii) undertakings owned or controlled by persons, entities or bodies targeted by sanctions adopted by the Union; or (iii) undertakings active in industries targeted by sanctions adopted by the Union, insofar as the aid would undermine the objectives of the relevant sanctions.
- (26) Czechia confirms that the measure may not in any way be used to undermine the intended effects of sanctions imposed by the Union or its international partners and will be in full compliance with the anti-circumvention rules of the applicable regulations ⁽¹⁵⁾. In particular, natural persons or entities subject to the sanctions will not benefit directly or indirectly from the measure.

⁽¹⁴⁾ Act No 266/1994 Coll.

⁽¹⁵⁾ For example, Article 12 of Council Regulation (EU) No 833/2014 of 31 July 2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine (OJ L 229, 31.7.2014, p. 1).

2.6. Sectoral and regional scope of the measure

- (27) The measure is open to all sectors, as described in recital (20). It applies to the whole territory of Czechia.
- (28) Credit institutions or other financial institutions are eligible as final beneficiaries insofar as they are final consumers of electricity, natural gas and heat. Czechia confirms that aid to those institutions does not have the objective to preserve or restore their viability, liquidity or solvency.

2.7. Basic elements of the measure

2.7.1. Presentation of the measure

- (29) The measure provides aid for additional costs due to exceptionally severe increases in electricity and natural gas prices.
- (30) The measure covers eligible costs incurred from 1 January 2023 until 31 December 2023 (the ‘eligible period’).
- (31) The Czech authorities explain that the aid will be granted in the form of advance payments in line with point 74 of the Temporary Crisis and Transition Framework based on a declaration of all the potential beneficiaries consuming electricity or gas in Czechia to their respective energy supplier (the ‘declaration of the customer’). As a result, the aid will be granted no later than 31 December 2023, meaning that the last individual (monthly) advance payment will be granted by the end of December 2023.
- (32) As detailed in Section 19f of the Energy Act, the advance payment will correspond to the difference between (i) the market price of electricity and gas at which energy suppliers would be selling the energy to potential beneficiaries over periods when prices are higher than the administratively-set maximum prices and (ii) the administratively-set maximum price of electricity amounting to 5 000 CZK/MWh (approx. 211 EUR/MWh ⁽¹⁶⁾) and the administratively-set maximum price of gas amounting to 2 500 CZK/MWh (approx. 106 EUR/MWh). An advance payment will only be granted in case that the market price of electricity or gas exceeds the administratively-set maximum prices.
- (33) In practice, the aid will be channelled to beneficiaries through the energy suppliers. The energy suppliers thus (i) will be obliged to sell the electricity and gas to beneficiaries for the maximum price under the Determination Decree (if the monthly market price exceeds the administratively-set maximum price) and (ii) will be subsequently compensated by Czechia for the loss stemming from selling the energy for the maximum price amount according to the Compensation Decree. The potential beneficiaries can submit their declarations (the declaration of the customer) to their respective energy suppliers until 30 November 2023.
- (34) For potential beneficiaries described in recital (20)(c), the maximum price applies only to the 80% of the highest monthly value of the electricity or gas consumption (see recital (24)).

⁽¹⁶⁾ [Czech koruna \(CZK\) \(europa.eu\)](http://europa.eu).

2.7.2. *Compatibility with the maximum aid ceilings laid down in the Temporary Crisis and Transition Framework*

- (35) Furthermore, the Czech authorities submit that the amount of the advance payments will be subject to the maximum aid amounts laid down in section 2.4 of the Temporary Crisis and Transition Framework, based on the eligible costs of the beneficiaries.
- (36) The Czech authorities explain that the eligible costs within the eligible period are calculated according to the following formula: $Y = (p - p(\text{ref}) \times 1.5) \times q$
- (a) Where: Y = eligible costs during the eligible period (in CZK).
 - (b) q = consumed quantity, i.e., the number of units of electricity and natural gas that the beneficiary purchased from external suppliers as a final customer (in MWh) during the eligible period. Sales and own production of gas and electricity are not taken into account to compute the number of units of natural gas and electricity procured. The quantity of natural gas and electricity used to calculate the eligible costs cannot exceed 70 % of the beneficiary's consumption for the same period in 2021.
 - (c) p = price per unit of electricity or natural gas paid by the beneficiary (in CZK/MWh) in absence of this measure in the eligible period and excluding taxes, charges, grid tariff, refunds of taxes and duties. In particular, for beneficiaries described under recital (20)(c), this would correspond to the price paid for the share of the energy consumption that is not covered by the measure (20% of the consumption is not covered by the scheme, as explained in recital (24)).
 - (d) p(ref) = price per unit of electricity or natural gas paid by the beneficiary on average in the reference period from 1 January 2021 to 31 December 2021 (in CZK/MWh).
- (37) As the market price is not always agreed in one specific amount for the whole 2023 and thus the exact amount is not yet known when calculating it during 2023, the Determination Decree provides rules for anticipating the price level paid by beneficiaries, using the following estimates:
- If the price for the supply of electricity or gas is not negotiated at a specific level for the entire eligible period, the average unit price of electricity or gas shall be determined as a weighted average of the weighted averages of the negotiated price of electricity or gas for the calendar months already elapsed and for future periods.
 - For the part of the eligible period for which the total amount of the electricity or gas is not known, the projected amount of electricity or gas consumption shall be used.
 - For the part of the eligible period for which the specific amount of the electricity or gas is not known, the weighted average of the agreed electricity or gas price for the future period shall be determined on the basis of different indexes.

- (38) The Determination Decree distinguishes the following categories for which different levels of aid intensity will apply based on Section 8a of the Determination Decree (corresponding to points 72(f) and 73(a) – (c) of the Temporary Crisis and Transition Framework):
- (a) Category I: Category I enterprises mentioned in the Determination Decree are not covered by the present scheme.
 - (b) Category II: the overall aid per beneficiary may not exceed 50 % of the beneficiary's eligible costs and the overall aid per undertaking may not exceed EUR 4 000 000.
 - (c) Category III: the overall aid per beneficiary may not exceed 40 % of the beneficiary's eligible costs and the overall aid per undertaking may not exceed EUR 100 000 000.
 - (d) Category IV: the overall aid per beneficiary may not exceed 65 % of the beneficiary's eligible costs and the overall aid per undertaking may not exceed EUR 50 000 000, if the beneficiary is an energy-intensive business. Energy-intensive businesses are defined as a legal entity where the purchases of energy products (including energy products other than natural gas and electricity) amount to at least 3.0 % of the production value or turnover, based on data from the financial accounting reports for the calendar year 2021. Alternatively, the beneficiary may qualify as energy-intensive business if the purchases of energy products (including energy products other than natural gas and electricity) amount to at least 6.0% of the production value or turnover, based on the data for the first semester of 2022. In addition, the beneficiary's earnings before interest, taxes, depreciation and amortization ('EBITDA'), excluding the aid provided under the measure must have decreased by at least 40 % in the eligible period compared to the reference period or be negative;
 - (e) Category V: the overall aid per beneficiary may not exceed 80 % of the beneficiary's eligible costs, and the overall aid per undertaking may not exceed EUR 150 000 000, if the beneficiary is an energy-intensive business (as described above in point (d)) in particularly affected sectors and sub-sectors defined in Annex 12 of the Determination Decree (corresponding to sectors in Annex I of the Temporary Crisis and Transition Framework) and whose EBITDA (without taking into account the aid provided under the measure) in the eligible period compared to the reference period decreased by at least 40 % or was negative.
- (39) Czechia explains that, in accordance with point 73(d) of the Temporary Crisis and Transition Framework, for aid granted to categories III, IV and V, the beneficiary's EBITDA in the eligible period, including the overall aid, may not exceed 70 % of its EBITDA in the reference period. In cases where the EBITDA was negative in the reference period, the aid may not lead to an increase of EBITDA in the eligible period above 0.
- (40) The Czech authorities submit that, as the advance payment granted will be subject to an ex-post verification of the supporting documentation of all the beneficiaries who applied for aid under the scheme, that the overall limits under points 72 and 73 of the Temporary Crisis and Transition Framework are respected. Potential

beneficiaries that have received advance payments will have to provide the market operator with documents and information confirming the calculation of their eligible costs. The verification of whether the maximum amount of aid under the relevant category was not exceeded will be carried out after the end of each quarter of year 2023. The verification of whether the beneficiary was entitled to a particular category regarding the maximum amount of benefit based on actual EBITDA in the eligible period will be carried out after the end of the eligible period, i.e., before 25 April 2024. In all cases, if the beneficiary received an excessive amount of aid, a clawback payment will take place before 30 June 2024.

- (41) Czechia also explains that if the beneficiary is part of an undertaking, the highest permissible aid for the entire undertaking shall be the highest value of the applicable aid category, while maintaining the highest possible aid per individual beneficiary. Thus, the support granted to individual beneficiary can never exceed not only the maximum limit for the whole undertaking but also for each beneficiary individually if a limit applies at beneficiary level in points 72 and 73 of the Temporary Crisis and Transition Framework. The aggregated amount of aid granted to beneficiaries that are part of the same undertaking will not exceed the maximum amount per undertaking. When granting aid to a new beneficiary, the individual amount of aid shall not exceed the difference between the maximum amount of aid per undertaking and the aid granted to the other parts of the undertaking.
- (42) In addition, Czechia explains that the current legislation establishes the obligation for undertakings employing at least 250 employees or with an annual turnover of more than approx. EUR 52 000 000 or an annual balance sheet total of more than approx. EUR 44 000 000 to regularly report on energy audits on the basis of the Act No 406/2000 Coll. on Energy Management. Czechia explains that this provision applies to more beneficiaries than what it is required under point 88 of the Temporary Crisis and Transition Framework as:
- (a) all large undertakings have to regularly report on energy audits on the basis of the Act No 406/2000 Coll. on Energy Management.
 - (b) small and medium-sized undertaking that would receive aid of at least EUR 50 million would have eligible costs of at least EUR 125 million and therefore a turnover over EUR 125 million and would therefore have to regularly report on energy audits on the basis of the Act No 406/2000 Coll. on Energy Management.
- (43) Furthermore, Czechia confirms that the energy audit contributes to a detailed analysis of the company's energy management and complies with all requirements set out in point 88 of the Temporary Crisis and Transition Framework, such as the time limit for submitting the plan to the granting authority.

2.7.3. Compensation of energy suppliers

- (44) Energy suppliers are entitled to compensation in line with the Energy Act and the Compensation Decree if the price set by the Determination Decree (i.e., 5 000 CZK/MWh for electricity and 2 500 CZK/MWh for gas) does not cover the costs incurred by the energy supplier for managing the measure. The monthly compensation shall be paid by the market operator upon request of the energy

suppliers and is covered by the State budget. The compensation mechanism is set so that the costs resulting from potential speculative behaviour of the supplier are not covered.

- (45) Czechia explains that the energy suppliers are only intermediates between the ultimate final beneficiaries and that the aid will be fully passed on to the final beneficiaries because all the eligible undertakings will automatically pay to energy suppliers the maximum price amount of electricity and gas set by the Determination Decree on the condition that they submit the declaration of the customer and that the monthly market energy price exceeds the relevant thresholds during 2023. This means that suppliers will not be allowed to charge prices exceeding the relevant thresholds under the Determination Decree. In other words, the measure guarantees that the final beneficiaries will not pay the electricity and gas at a price higher than the administratively-set maximum price.
- (46) In case that the energy suppliers consider there is a loss stemming from the application of the administratively-set maximum price of electricity and gas, they may apply to receive a monthly compensation after the end of each month of the eligible period. Applications are sent to the market operator within 14 days after the end of each month during the eligible period. Applications are then sent to the Energy Regulatory Office (ERO) which reviews the data and assesses the accuracy of the calculation, including a verification that the compensation granted to the suppliers corresponds to an actual limitation of energy prices applied according to the conditions detailed in the current decision. The ERO may authorise the compensation within 10 days after which the market operator may proceed to the payment of the compensation. In case the ERO has doubt about the correctness of calculation, it may invite the supplier to adjust it. If doubts persist after readjustment, the ERO will prohibit the compensation payment. For the months of January, February and March 2023, suppliers can apply to receive the monthly payment in advance, before the month has ended.
- (47) The Czech authorities explain that instead of establishing a right to reimbursement of the energy supplier's actual costs and profits in each individual case, the Compensation Decree establishes a market price reference based on the types of contracts for energy supply. Depending on the category of contract for energy supply, a so-called unit basis for the compensation calculation is calculated for each trading hour (for electricity supply) or gas day (for gas supply). The monthly compensation is determined as the sum of the unit bases for all contracts for which the energy supplier supplies commodity at a price set by the Determination Decree for all trading hours or gas days in a calendar month (the balance between the positive and negative values of the unit bases).
- (48) Czechia explains that having different kinds of price-setting to determine the compensation mechanism aims to ensure equality among suppliers, irrespective of the type of contract. The Compensation Decree therefore establishes eight categories of contract, based on (i) the moment when the contract has been entered into; (ii) whether a fixed or non-fixed price was agreed and whether the contract was for a fixed or indefinite period; and (iii) whether the customer is typically a household or an enterprise:
- (a) Category A contracts: contracts with a negotiated price dependent on changes in spot market prices (dynamic pricing contracts).

- (b) Category B contracts: contracts with a price other than a fixed price entered into until 7 September 2023 at the latest ⁽¹⁷⁾.
 - (c) Category C contracts: non-fixed-price contracts entered into after 7 September 2023.
 - (d) Category D contracts: fixed-price contracts which do not meet the characteristics of category E contract ⁽¹⁸⁾.
 - (e) Category E contracts: fixed-price contracts for a period of supply starting no earlier than 1 January 2023 and terminating no later than 31 December 2023.
 - (f) Category F contracts: contracts entered into until 31 December 2022 at the latest with a gradual purchase of electricity or gas according to the customer's instructions and where, in the absence of instructions, the supplier purchases a pro rata share of the electricity or gas defined in MWh or as a percentage of the agreed schedule for the agreed period.
 - (g) Category G contracts: contracts entered into until 31 December 2022 at the latest with gradual purchases or sales of forward electricity or gas products and where the difference between the actual consumption in the trading hour or day and the electricity or gas purchases is settled against the spot price of electricity or gas.
 - (h) Category H contracts: contracts entered into after 31 December 2022 that meets the substantive requirements of a category F or category G contract (except for the date of entering into the contract).
- (49) The Czech authorities explain that any monthly compensations made before the end of the eligible period (i.e., calendar year 2023) are considered as advance

⁽¹⁷⁾ The Czech Government's intention to introduce price caps for energy supplies in 2023 was announced on 7 September 2022. Given the effect of this announcement on the behaviour of market participants, the compensation follows this logic:

- (a) for contracts entered into on or before 7 September 2022, the agreed price of commodity is in principle respected and the difference between the agreed price and the price set by the Determination Decree is compensated for, as it is assumed that the energy supplier must have purchased the commodity at market prices (otherwise it bears the risk of speculation, which is not taken into account in the compensation mechanism);
- (b) for contracts entered into between 8 September and 31 December 2022, the Compensation Decree establishes a set of reference prices that represent the objectified cost prices of energy supply at which it was possible to procure the commodity for its delivery to customers in 2023 during that period (differentiated by days) and the price set by the Determination Decree;
- (c) for contracts entered into after 31 December 2022, the Compensation Decree provides for offset of the cost of securing the purchase of commodity for delivery to customers against the price set by the Determination Decree against the spot price of the commodity. In view of the impossibility of predicting wholesale commodity prices at the time of adoption of the Compensation Decree for the delivery period in 2023, compensation against spot prices was chosen and it is up to the energy supplier to purchase electricity/gas for delivery to customers at the time of delivery, i.e. to adapt to the adopted compensation mechanism.

⁽¹⁸⁾ Category D contracts refer to contracts entered into before 1 January 2023 and/or ending after 31 December 2023. Only the costs incurred during the eligible period (from 1 January 2023 to 31 December 2023) can be covered.

payments. The market operator and the energy supplier claiming the reimbursement of the costs incurred by the energy supplier for managing the measure shall be obliged to settle the difference between the advance payments for the reimbursement of the costs incurred by the energy supplier for managing the measure and the actual amount of the costs incurred by the energy supplier for managing the measure for the eligible period after the end of the eligible period (i.e., calendar year 2023).

- (50) Czechia explains that a mechanism is established in order to ensure that the aid is actually passed on to the final beneficiaries. In case of both an application for a monthly advance payment and an application for the final settlement of monthly compensations, the ERO verifies the correctness of the data provided in the applications in order to check the correctness of the calculation of the required compensations and to control that the requested compensation corresponds only to electricity and/or gas sold at administratively-set prices in accordance with the Determination Decree. In case there are discrepancies between the funds provided from the state budget as a monthly/final compensation to an energy supplier and the correct entitlement to a compensation according to the Compensation Decree, the energy supplier has a duty to return the difference to the market operator within 14 days after the verification deadline.
- (51) Moreover, the beneficiary of this measure will declare to the Ministry of Industry and Trade the individual amount of aid received through this measure. The amount of aid received by large consumers through this measure will be compared to the compensation provided to energy suppliers in the context of this measure. In case of discrepancy, the ERO decides ex officio that the costs incurred by the energy supplier for managing the measure have been paid in an incorrect amount, determines the extent to which the costs incurred by the energy supplier for managing the measure were compensated incorrectly, and imposes the duty to return the compensation (or a part of it) to the state budget. The verification of the correctness of the calculation of the requested compensation is therefore carried out ex officio (e.g. if the ERO suspects that the data in the application were incorrect, and thus the costs incurred by the energy supplier for managing the measure were overcompensated) both in case of applications for a monthly compensation (advance payment) and also subsequently after the final settlement of compensations after the end of the eligible period. Failure to provide complete, correct or true information in the application for payment of the costs incurred by the energy supplier for managing the measure (monthly/final compensation) or in the documents provided to the market operator by the energy supplier is an offense as well as a breach of the duty to supply electricity or gas to eligible beneficiaries at the administratively-set prices, for which the energy supplier may be exposed to significant penalties. Offense proceedings with energy suppliers are conducted by the ERO.
- (52) In addition, Czechia explains that competition between suppliers will be preserved because of the following points:
- (a) Most potential beneficiaries (described in recital (20)(c)) continue to be exposed to market prices above the 80% cap and thus remain incentivised to seek suppliers with a competitive price. Exceptions where the maximum price applies to the entire consumption apply to narrowly

defined services of public interest (described in recitals (20)(a) and (20)(b)).

- (b) The measure applies to all potential beneficiaries and thus to the customers of all the energy suppliers active in Czechia. The Czech authorities explain that the support granted to other category of customers that do not fall under the scheme (such as for instance support to SMEs) is also granted through energy suppliers. As a result, none of the suppliers (regardless of the customer composition) is discriminated by the measure.
- (c) The measure applies to all the energy suppliers active in Czechia equally, meaning that nothing prevents them from competing against each other as all of them are participants of the energy market and there are no additional and discriminatory rules that may prevent them from doing so.
- (d) It is anticipated that, in the future, the price cap will not apply during the majority of the year (the market prices anticipated being below the price cap level), thus maintaining competition between energy suppliers as the competition is intact below the retail price cap levels introduced by the measure.

2.8. Compliance with relevant provisions of Union law

- (53) The Czech authorities confirm that the proposed measure does not by itself, or by the conditions attached to it or by its financing method constitute a non-severable violation of Union law.

2.9. Cumulation

- (54) The Czech authorities confirm that aid granted under the measure may be cumulated with aid under *de minimis* Regulations ⁽¹⁹⁾ or the Block Exemption Regulations ⁽²⁰⁾ provided the provisions and cumulation rules of those

⁽¹⁹⁾ Commission Regulation (EU) No 1407/2013 of 18 December 2013 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to *de minimis* aid (OJ L 352, 24.12.2013, p. 1), Commission Regulation (EU) No 1408/2013 of 18 December 2013 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to *de minimis* aid in the agriculture sector (OJ L 352, 24.12.2013 p. 9), Commission Regulation (EU) No 717/2014 of 27 June 2014 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to *de minimis* aid in the fishery and aquaculture sector (OJ L 190, 28.6.2014, p. 45) and Commission Regulation (EU) No 360/2012 of 25 April 2012 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to *de minimis* aid granted to undertakings providing services of general economic interest (OJ L 114, 26.4.2012, p. 8).

⁽²⁰⁾ Commission Regulation (EU) No 651/2014 of 17 June 2014 declaring certain categories of aid compatible with the internal market in application of Articles 107 and 108 of the Treaty (OJ L 187 of 26.6.2014, p. 1), Commission Regulation (EU) 2022/2472 of 14 December 2022 declaring certain categories of aid in the agricultural and forestry sectors and in rural areas compatible with the internal market in application of Articles 107 and 108 of the Treaty on the Functioning of the European Union (OJ L 327, 21.12.2022, p. 1) and Commission Regulation (EU) 2022/2473 of 14 December 2022 declaring certain categories of aid to undertakings active in the production, processing and marketing of fishery and aquaculture products compatible with the internal market in application of Articles 107 and 108 of the Treaty on the Functioning of the European Union (OJ L 327, 21.12.2022, p. 82).

Regulations are respected. The Czech authorities confirm that aid under the measure may be cumulated with other forms of Union financing, provided that the maximum aid intensities indicated in the relevant guidelines or regulations are respected.

- (55) The Czech authorities confirm that aid under the measure may not be cumulated with aid under the COVID-19 Temporary Framework ⁽²¹⁾.
- (56) The Czech authorities confirm that aid granted under the measure may be cumulated with aid granted under other measures approved by the Commission under other sections of the Temporary Crisis and Transition Framework provided the provisions in those specific sections are respected.
- (57) Aid under the measure may be cumulated with aid under section 2.1 provided the maximum applicable ceilings per undertaking as described in recital (38) are not exceeded.
- (58) Czechia confirms that aid granted under the Temporary Crisis and Transition Framework and the previous Temporary Crisis Framework cannot exceed at any point in time the aid ceilings per undertaking provided by the Temporary Crisis and Transition Framework in section 2.4 for the same eligible period.

2.10. Monitoring and reporting

- (59) The Czech authorities confirm that they will respect the monitoring and reporting obligations laid down in section 3 of the Temporary Crisis and Transition Framework, including the obligation to publish relevant information on each individual aid above EUR 100 000 granted under the measure on the comprehensive national State aid website or Commission's IT tool within 12 months from the moment of granting ⁽²²⁾.

3. ASSESSMENT

3.1. Lawfulness of the measure

- (60) The Czech authorities have already started to apply the measure (see recital (16)), thereby violating the standstill obligation under Article 108(3) TFEU.

3.2. Existence of State aid

- (61) For a measure to be categorised as aid within the meaning of Article 107(1) TFEU, all the conditions set out in that provision must be fulfilled. First, the measure must be imputable to the State and financed through State resources.

⁽²¹⁾ Communication from the Commission - Temporary framework for State aid measures to support the economy in the current COVID-19 outbreak (OJ C 91I, 20.3.2020, p. 1), as amended by Commission Communications C(2020) 2215 (OJ C 112I, 4.4.2020, p. 1), C(2020) 3156 (OJ C 164, 13.5.2020, p. 3), C(2020) 4509 (OJ C 218, 2.7.2020, p. 3), C(2020) 7127 (OJ C 340I, 13.10.2020, p. 1), C(2021) 564 (OJ C 34, 1.2.2021, p. 6), and C(2021) 8442 (OJ C 473, 24.11.2021, p. 1).

⁽²²⁾ Referring to information required in Annex III to Commission Regulation (EU) No 651/2014 and Annex III to Commission Regulation (EU) 2022/2472 and Annex III to Commission Regulation (EU) 2022/2473.

Second, it must confer an advantage on its recipients. Third, that advantage must be selective in nature. Fourth, the measure must distort or threaten to distort competition and affect trade between Member States.

- (62) The measure is imputable to the State, since it is administered by the Czech electricity and gas market operator OTE, and it is based on the national legal basis (recital (15)). It is financed through State resources, since OTE receives the funds to be granted to beneficiaries from the Ministry, financed from the State budget (recital (17)).
- (63) The measure confers an advantage on its beneficiaries in the form of direct grants through monthly reductions of electricity and gas prices channelled via the energy suppliers (recitals (13) and (33)). The measure thus relieves those beneficiaries of costs which they would have had to bear under normal market conditions.
- (64) The advantage granted by the measure is selective, since it is awarded only to undertakings that do not benefit from existing aid measures related to their energy consumption.
- (65) The measure is liable to distort competition, since it strengthens the competitive position of its beneficiaries. It also affects trade between Member States, since those beneficiaries are active in sectors in which intra-Union trade exists.
- (66) Therefore, the Commission concludes that the measure constitutes aid within the meaning of Article 107(1) TFEU. The Czech authorities do not contest that conclusion.

3.3. Compatibility

- (67) Since the measure involves aid within the meaning of Article 107(1) TFEU, it is necessary to consider whether that measure is compatible with the internal market.
- (68) Pursuant to Article 107(3), point (b), TFEU, the Commission may declare compatible with the internal market aid '*to remedy a serious disturbance in the economy of a Member State*'.
- (69) By adopting the Temporary Crisis and Transition Framework, the Commission acknowledged that the current crisis has created significant economic uncertainties, disrupted trade flows and supply chains and led to exceptionally large and unexpected price increases, especially in natural gas and electricity, but also in numerous other input and raw materials and primary goods.
- (70) Those effects taken together have caused a serious disturbance of the economy in all Member States, including in the economy of Czechia. The Commission concluded that State aid is justified and can be declared compatible with the internal market on the basis of Article 107(3), point (b), TFEU for a limited period if it serves to remedy the liquidity shortage faced by undertakings that are directly or indirectly affected by the current crisis.
- (71) The measure aims at preventing further deterioration of the financial situation of the beneficiaries and even possible bankruptcy of large undertakings at a time

when a wide range of economic sectors are affected and the normal functioning of markets is severely disturbed.

- (72) The measure is one of a series of measures conceived at national level by the Czech authorities to remedy a serious disturbance in their economy. The importance of the measure to compensate large undertakings ⁽²³⁾ and small and medium-size enterprises that do not benefit from existing aid measures related to their energy consumption, for the severe increase in natural gas and electricity prices is widely accepted by economic commentators and the measure is of a scale which can be reasonably anticipated to produce effects across the entire Czech economy. Furthermore, the measure has been designed to meet the requirements of a specific category of aid (*‘Aid for additional costs due to exceptionally severe increases in natural gas and electricity prices’*) described in section 2.4 of the Temporary Crisis and Transition Framework.
- (73) The Commission accordingly, and for the reasons explained in recitals (74) to (91) below, considers that the measure is necessary, appropriate and proportionate to remedy a serious disturbance in the economy of a Member State and meets all the relevant conditions of the Temporary Crisis and Transition Framework. In particular:
- (74) Aid will be granted under the measure no later than 31 December 2023. The measure therefore complies with point 72(a) the Temporary Crisis and Transition Framework.
- (75) Aid channelled through an energy supplier, as described in recital (33), complies with point 34 of the Temporary Crisis and Transition Framework, since the Czech authorities confirm that competition between suppliers is preserved, and that aid is passed on to the final beneficiaries. In particular, the Czech authorities demonstrated that the measure will be open to all energy suppliers and will not discriminate among them (see recitals (52)(b) and (52)(c)). In addition, given the fact that most potential beneficiaries (described in recital (20)(c)) will still be exposed to market prices for their electricity and gas consumption above the 80% cap and that the price cap will not apply when the market price is below the retail price cap levels, suppliers will keep competing among themselves for customers (recital (52)(a) and (52)(d)). Furthermore, a designated legal entity, the Energy Regulatory Office (ERO), will ensure that the aid is passed on in full to the final beneficiaries by controlling that the administratively-set maximum prices for electricity and gas were actually the ones charged to potential beneficiaries, with potential sanctions in case of falsification (recitals (50) and (51)). The ERO will also assess the level of the compensation to suppliers, based on a thorough examination of their data to calculate the demonstrable loss stemming from the application of maximum prices (recital (50)). The amount of the compensation will depend on the type of contract and especially when it has been entered into, in order to avoid any risk of speculation from the energy suppliers, as explained in recital (47)). The Commission therefore considers that the competition

⁽²³⁾ As defined in Article 2, point 24, of Commission Regulation (EU) No 651/2014 of 17 June 2014 declaring certain categories of aid compatible with the internal market in application of Articles 107 and 108 of the Treaty (OJ L 187, 26.6.2014, p. 1).

intensity between suppliers will not be affected, and the aid will be passed on to the final beneficiaries.

- (76) The aid takes the form of direct grants (recital (13)); the nominal value of those direct grants does not exceed the applicable aid intensity and aid ceilings laid down in point 72(f) and 73 of the Temporary Crisis and Transition Framework for beneficiaries under Category II to Category V; all figures are gross, that is, before any deduction of tax or other charges (recital (14)). The measure therefore complies with point 72(b) of the Temporary Crisis and Transition Framework. In addition, as the aid takes the form of direct grants, point 72(c) of the Temporary Crisis and Transition Framework is not applicable to the measure.
- (77) Aid granted under the measure is granted on the basis of a scheme with an estimated budget as indicated in recital (18). The sectoral scope of the measure is designed so as to include specific large undertakings that operate services of public interest, any other large undertakings, and any undertakings that do not meet the material conditions to receive aid as SMEs (recital (20)). It therefore includes large undertakings which have been particularly affected by the crisis and does not exclude any sectors. It also includes small and medium-size enterprises that do not benefit from existing aid measures related to their energy consumption. The Commission therefore considers that the measure is designed broadly and does not lead to an artificial limitation of potential beneficiaries. The measure therefore complies with point 72(d) of the Temporary Crisis and Transition Framework.
- (78) The eligible costs are calculated in line with point 72(e) of the Temporary Crisis and Transition Framework for the period between 1 January 2023 and 31 December 2023. The amount of energy that is eligible for aid is set with reference to the current consumption of beneficiaries, over the calendar year 2023 (recital (36)(b)). In addition, the quantity of natural gas and electricity used to calculate the eligible costs must not exceed 70 % of the beneficiary's consumption for the same period in 2021 (recital (36)(b)). The measure therefore complies with point 72(e) of the Temporary Crisis and Transition Framework.
- (79) For Category II beneficiaries, the overall aid per beneficiary will not exceed 50 % of the eligible costs and the overall aid per undertaking will not exceed EUR 4 million at any given point in time (recital (38)(b)). The measure therefore complies with point 72(f) of the Temporary Crisis and Transition Framework.
- (80) For Category III beneficiaries, the overall aid per beneficiary will not exceed 40 % of the eligible costs and the overall aid per undertaking will not exceed EUR 100 million at any given point in time (recital (38)(c)). The measure complies with point 73(a) of the Temporary Crisis and Transition Framework.
- (81) Beneficiaries under Category IV are eligible under the measure if they qualify as energy-intensive businesses, defined as a legal entity for which the purchases of energy products (including energy products other than natural gas and electricity) amount to at least 3.0 % of the production value or turnover, based on data from the financial accounting reports for the calendar year 2021. Alternatively, the beneficiary may qualify as 'energy-intensive business' if the purchases of energy products (including energy products other than natural gas and electricity) amount to at least 6.0% of the production value or turnover, based on the data for the first semester of 2022 (recital (38)(d)). The overall aid for Category IV beneficiaries

will not exceed 65 % of the eligible costs and the overall aid per undertaking will not exceed EUR 50 million at any given point in time (recital (38)(d)). In addition, beneficiaries are only those that have either a reduction in earnings before interest, taxes, depreciation and amortization ('EBITDA') (excluding aid) of at least 40 % in the eligible period ⁽²⁴⁾ compared to the reference period ⁽²⁵⁾, or a negative EBITDA (excluding aid) in the eligible period. The measure therefore complies with point 73(b) of the Temporary Crisis and Transition Framework.

- (82) Beneficiaries under category V are eligible under the measure if they belong to sectors and subsectors covered by Annex I to the Temporary Crisis and Transition Framework. The measure allows increased aid intensities and amounts for energy-intensive businesses active in those sectors and subsectors (recital(38)(e)). The overall aid intensity for those beneficiaries will not exceed 80 % of the eligible costs and the overall aid amount will not exceed EUR 150 million per undertaking at any given point in time. In addition, beneficiaries in this category should have either a reduction in EBITDA (excluding aid) of at least 40 % in the eligible period compared to the reference period, or a negative EBITDA (excluding aid) in the eligible period. The measure therefore complies with point 73(c) of the Temporary Crisis and Transition Framework.
- (83) For beneficiaries of aid under point 73 (a), (b) and (c) of the Temporary Crisis and Transition Framework, the EBITDA in the eligible period, including the overall aid, may not exceed 70 % of their EBITDA in the reference period. In cases where the EBITDA was negative in the reference period, the aid may not lead to an increase of EBITDA in the eligible period above 0 (see recital (39)). The measure therefore complies with point 73(d) of the Temporary Crisis and Transition Framework.
- (84) The measure includes an ex-post mechanism on the basis of actual cost incurred to verify that the advance payments do not exceed the ceilings laid down in point 72(f) and 73 of the Temporary Crisis and Transition Framework. In line with point 74 of the Temporary Crisis and Transition Framework, the measure also includes a claw back mechanism recovering any aid payment that exceeds those ceilings no later than six months after the eligible period has ended (recital (40)).
- (85) Aid may be cumulated with aid under section 2.1 of the Temporary Crisis and Transition Framework provided the maximum ceilings in point 72 and 73 of that Framework are not exceeded (recital (57)). The measure therefore complies with point 72(g) of the Temporary Crisis and Transition Framework.
- (86) As of 1 January 2023, for aid amounts exceeding EUR 50 million, the measure requires the beneficiary to submit to the granting authority, within one year from the moment the aid is granted, a plan that specifies how it will reduce the carbon footprint of its energy consumption or how it will implement any of the requirements related to environmental protection or security of supply described in point 38 of the Temporary Crisis and Transition Framework (recital (42)). The measure complies with point 88 of the Temporary Crisis and Transition Framework.

⁽²⁴⁾ As defined in recital (30), the eligible period refers to 1 January 2023 to 31 December 2023.

⁽²⁵⁾ The reference period refers to 1 January 2021 to 31 December 2021.

- (87) In addition, the Commission recalls that State aid measures that entail, by themselves, by the conditions attached to them or by their financing method a non-severable violation of Union law cannot be declared compatible with the internal market ⁽²⁶⁾. Czechia has confirmed that the proposed measure does not by itself, or by the conditions attached to it or by its financing method constitute a non-severable violation of Union law (recital (53)). In addition, the Commission has no indications of any possible breach of Union law that would prevent the notified measure from being declared compatible with the internal market. Therefore, the Commission considers that the measure does not infringe any relevant provisions of Union law.
- (88) Czechia confirms that aid granted under the Temporary Crisis and Transition Framework and the Temporary Crisis Framework cannot exceed the aid ceilings provided by the Temporary Crisis and Transition Framework for the same eligible period at any point in time (recital (58)).
- (89) The Czech authorities confirm that, as required by point 51 of the Temporary Crisis and Transition Framework, the aid under the measure is not conditioned on the relocation of a production activity or of another activity of the beneficiary from another country within the EEA to the territory of the Member State granting the aid. This is irrespective of the number of job losses actually occurred in the initial establishment of the beneficiary in the EEA (recital (11)).
- (90) The Czech authorities confirm that, as required by point 52 of the Temporary Crisis and Transition Framework, the aid under the measure will not be granted to undertakings under sanctions adopted by the Union, including but not limited to:
- (a) persons, entities or bodies specifically named in the legal acts imposing those sanctions;
 - (b) undertakings owned or controlled by persons, entities or bodies targeted by sanctions adopted by the Union; or
 - (c) undertakings active in industries targeted by sanctions adopted by the Union, insofar as the aid would undermine the objectives of the relevant sanctions (recital (25)).
- (91) The Czech authorities confirm that the monitoring and reporting requirements set out in section 3 of the Temporary Crisis and Transition Framework will be respected (recital (59)). The Czech authorities further confirm that aid under the measure may only be cumulated with other aid if the specific provisions in the relevant sections of the Temporary Crisis and Transition Framework, the previous Temporary Crisis Framework and the cumulation rules in the relevant Regulations and applicable Communications are respected (recital (54) to (58)). Furthermore, cumulation with the COVID-19 Temporary Framework is not authorised under the measure (recital (55)).
- (92) The Commission therefore concludes that the measure is necessary, appropriate and proportionate to remedy a serious disturbance in the economy of a Member

⁽²⁶⁾ Judgment of 31 January 2023, *Commission v Braesch and Others*, C-284/21 P, EU:C:2023:58, paras, 96 *et seq.*

State and is compatible with the internal market pursuant to Article 107(3), point (b) TFEU, since it meets all the relevant conditions of the Temporary Crisis and Transition Framework. The Commission regrets that Czechia put the measure into effect in breach of Article 108(3) TFEU.

4. CONCLUSION

The Commission has decided not to raise objections to the aid on the grounds that it is compatible with the internal market pursuant to Article 107(3), point (b) of the Treaty on the Functioning of the European Union.

The decision is based on non-confidential information and is therefore published in full on the Internet site: <http://ec.europa.eu/competition/elojade/isef/index.cfm>.

Yours faithfully,

For the Commission

Margrethe VESTAGER
Executive Vice-President