

OTHER ACTS

COMMISSION

Notice concerning a request in accordance with Article 30 of Directive 2004/17/EC**Request from a contracting entity**

(2009/C 53/10)

On 26 February 2009, the Commission received a request pursuant to Article 30(5) of Directive 2004/17/EC of the European Parliament and of the Council of 31 March 2004 coordinating the procurement procedures of entities operating in the water, energy, transport and postal services sectors ⁽¹⁾. The first working day following receipt of the request is 27 February 2009.

The request from the Nederlandse Aardolie Maatschappij B.V. concerns exploration for, or extraction of, oil and gas in the Netherlands. The abovementioned Article 30 provides that Directive 2004/17/EC is not applicable when the activity in question is directly exposed to competition in markets to which access is not restricted. These conditions are evaluated solely for the purposes of Directive 2004/17/EC and are without prejudice to the application of competition rules.

The Commission is allowed a period of three months to take a decision on this request, commencing on the working day referred to above. The period therefore expires on 27 May 2009.

This period may be extended by three months. Any such extension must be published.

In accordance with the second subparagraph of Article 30(6), further requests concerning exploration for, or extraction of, oil and gas in the Netherlands submitted before the expiry of the period opened in respect of this request shall not be considered as new procedures and shall be treated in the context of this request.

⁽¹⁾ OJ L 134, 30.4.2004, p. 1.