

## OTHER ACTS

## EUROPEAN COMMISSION

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

(2012/C 131/07)

On 29 March 2012, the Commission received a request under 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. The first working day following receipt of the request was 30 March 2012.

This request, from EniPower SpA, concerns the production and sale of electricity in Italy. The abovementioned Article 30 provides that Directive 2004/17/EC is not applicable when the activity in question is directly exposed to competition on 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 has a period of three months commencing on the working day referred to above to reach a decision on this request. The period therefore ends on 2 July 2012.

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

Pursuant to the second subparagraph of Article 30(6), further requests concerning the production and sale of electricity in Italy submitted before the expiry of the period opened in respect of this request will not be considered as new procedures and will be treated in the context of this request.

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