The planned measures for the decommissioning of the above-mentioned reactors are the subject of constant scrutiny and dialogue, thus being elaborated in an iterative fashion. At this juncture, the Commission cannot provide a definitive appreciation as to whether it will be satisfied with the foreseen measures, timetables and phases. It remains open if such satisfaction will be expressed by any given cut-off date, as the Commission will monitor the elaboration and implementation of projects on a continuous basis throughout the accession process.

The inaugural meeting of the Ignalina International Decommissioning Support Fund was held in London, at the headquarters of the European Bank for Reconstruction and Development (EBRD) as the Fund Manager, on 5 April 2001. The meeting approved the above-mentioned PMU project as well as the work-plan and budget of the Fund. Appropriations to the approved project will be granted in accordance with the provisions of the respective grant agreement. Appropriations also depend on the ratification of the Grant Framework Agreement signed between the Fund Manager and the Government of Lithuania. The equivalent meeting of the Kozloduy International Decommissioning Support Fund was held on 15 June 2001, with an analogous outcome. The date of the meeting of the fund for Bohunice has not yet been determined, but the meeting is foreseen for during this year. Appropriations to the decommissioning projects in Bulgaria and Slovakia will only be made once the respective Funds will have become operational at the forthcoming inaugural meetings of their Assemblies of Contributors.

To date, no Euratom loans have been granted for decommissioning purposes at the three nuclear power plants.

PHARE financial assistance programmes in the energy field have concentrated on support to the elaboration of national energy strategies; the establishment of the framework conditions in candidate countries for the internal energy market; and energy efficiency measures.

The Commission is monitoring the implementation of programmes to decommission the nuclear power plants as part of its usual monitoring with regard to the accession process. This is reflected in the Commission's Regular Reports that contain an evaluation of progress in the nuclear energy sector. Should any candidate country fail to honour its commitments, the Commission will devise appropriate measures. The Commission does not see any grounds to foresee such measures at present. The Commission would also like to point out that the closure commitments are dealt with in the context of the Accession Negotiations under the Energy Chapter.

(2002/C 40 E/039) **WRITTEN QUESTION E-1443/01**

by Elly Plooij-van Gorsel (ELDR) to the Commission

(17 May 2001)

Subject: Competition on the internal electricity market

On 5 March 1998, 10 March 1999 and 26 November 1999 I tabled questions to the Commission on the compatibility of French electricity law with the electricity directive and European competition rules, in relation in particular to the transfer of a token amount from the French electricity network to Électricité de France (EDF) — (Questions P-0776/98 [1], H-0258/99 [2] and H-0748/99 [3]). The Commission answered at the time that it would look into the matter.

1. Can the Commission inform me of the results of its investigations?

2. Does the Commission agree that the transfer of the token amount of 1 franc by the French state's electricity transmission network to EDF amounts to a form of state support incompatible with the Treaty that distorts competition on the internal market?

---

[1] OJ C 304, 2.10.1998, p. 157.
[2] Written answer of 13.4.1999.
[3] Written answer of 14.12.1999.

Answer given by Mr Monti on behalf of the Commission

(10 September 2001)

Following the Honourable Member's previous questions (P-776/98 [1], H-258/95 [2] and H-748/99 [3]) in April 1999 the Commission requested the French authorities to provide information on the arrangements adopted by the French Parliament in connection with the ownership of the French electricity transmission network.

The information submitted by France on the said arrangements indicated that, following a great controversy in France over the nature of the concession granted to 'Electricité de France' (EDF) in 1958, the French Parliament had decided in 1997 to clarify the ownership status of the high voltage transmission network. In particular, pursuant to Article 3 of Law 97-1026 of 10 November 1997, EDF was allowed to reclassify in its balance sheet the assets concerning the transmission infrastructure from the item 'Immobilisations corporelles du domaine concédé' to the item 'Immobilisations corporelles du domaine propre'.

According to the information submitted, EDF had been entrusted with the operation of that infrastructure under a concession of 75 years included in its first 'Cahier de charges' adopted by Decree No 56-1225 of 28 November 1956. However, the concession contract appeared to be imperfect in several respects. In particular, the long-term concession arrangements did not specify the regime of ownership of the relevant assets during and at the end of the concession. By contrast, the concession clearly established that EDF was obliged to bear all the costs during the concession related to the maintenance, renewal, reinforcement and extension of the relevant infrastructure. On account of these considerations, the French Parliament had considered that the concession regime was that of 'biens propres' and that, consequently, EDF had received the ownership of the relevant assets 'ab initio' at the moment of the concession.

It is to be noted that under the 'biens propres' regime of concession, recognised by the French doctrine, the relevant assets are not subjected to any right or condition providing for the return of the assets to the grantor.

However, the Commission's attention has recently been drawn to the incoherence that may exist between the consideration of the concession regime as that of 'biens propres' and the accounting adjustments and the fiscal provisions connected with the reclassification.

The Commission has asked the French authorities for information about this alleged incoherence and will re-examine all the relevant arrangements as a whole. The Commission will inform the Honourable Member of the results of its investigation as soon as it takes a position.

(1) OJ C 304, 2.10.1998.
(2) Written answer of 13.4.1999.
(3) Written answer of 14.12.1999.

(2002/C 40 E/040) **WRITTEN QUESTION E-1450/01**

by Alexandros Alavanos (GUE/NGL) to the Commission

(17 May 2001)

Subject: Contract between the Greek Government and the company managing Athens airport

The airport development contract between the Greek Government and the companies building Athens airport contains a clause which states that for twenty years after the opening of the airport, no new or existing airport may be developed, improved or upgraded to a domestic service airport within a radius of 100 kilometres from Syntagma Square in Athens, with the aid of the Greek Government, unless the charges and fees imposed at the domestic service airport are lower than the corresponding charges and fees in force at Athens airport, and the domestic services operating from the airport are provided only by aircraft of 45 tonnes or less maximum gross weight on takeoff.