

PROCEDURES RELATING TO THE IMPLEMENTATION OF THE COMMON COMMERCIAL POLICY

COMMISSION

Notice concerning a request in accordance with Article 30 of Directive 2004/17/EC of the European Parliament and of the Council

Request made by a Member State

(2008/C 14/11)

On 10 January 2008, the Commission received a request in accordance with Article 30(4) 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 11 January 2008.

This request, made by the Republic of Austria, concerns electricity production in that country. Article 30 provides that Directive 2004/17/EC is not applicable when the relevant activity 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 11 April 2008.

The provisions of the third subparagraph of the abovementioned paragraph 4 are not applicable. Consequently, the period allowed to the Commission may be extended by three months. Any such extension must be published.

⁽¹⁾ OJ L 134, 30.4.2004, p. 1.