

## **Decision of the Competition Council**

**DECISION No. 16**

**Of 08.02.2005**

**concerning the notification of the Ministry of Public Finance regarding the financial support for S.C. CET Braila S.A.**

### **THE COMPETITION COUNCIL,**

Based on the provisions of the Decree no. 57/2004 for the appointment of the Competition Council members,

Based on the provisions of Competition Law no. 21/1996, published in Official Journal of Romania, Part I, no. 88 on 30 April 1996, amended and completed by Emergency Government Ordinance no. 121/2003 approved by the Law no. 184/2004;

Based on the provisions of Law no. 143/1999 on state aid published in the Official Journal of Romania, Part I, no. 370 on 3<sup>rd</sup> August 1999, amended and completed by Law no. 603/2003 and by Government Ordinance no. 94/2004 on regulating some financial measures, approved with amendments and completions by the Law no. 507/2004,

Taking into account the provisions of European Agreement establishing an association between Romania, and European Communities on one side and the Member States of those, on the other side, approved by Law no. 20/1993, published in Official Journal of Romania, Part I, no. 73 on 12 April 1993;

Taking into account the provisions of the Regulation on state aid in the form of compensations granted to certain undertakings entrusted with services of general economic interest.

**On the following grounds,**

#### **1. PROCEDURE**

(1) By the note no. 109.528/08.12.2004, registered at the Competition Council with the no. RS-AS 105/13.12.2004, the Ministry of Public Finance notified to the Competition Council under Art. 6 of *Law 143/1999 on state aid, with subsequent*

*amendments and completions*, the financial support under the form of guarantees for S.C. CET Braila S.A. .

(2) The notification became effective on the date the information were complete, namely on 28.12.2004.

## **2. DESCRIPTION OF THE FINANCIAL SUPPORT**

### **2.1. The beneficiary of state support measure**

(3) The beneficiary of the notified state measure of support is S.C. CET Braila S.A.

(4) The company was established based on the GD no. 679/1992 as a result of braking over of S.C. CELHART DONARIS S.A. Braila.

(5) The registered capital of the S.C. CET Braila S.A. is ROL 47.985.625 thousand is owned in totality by the Local Council of Braila City, divided in a number of 1,919,425 shares, having a face value of ROL 25,000/share.

(6) The premises are located in Braila and it is registered at the Trade Registry under no J09/1459/1992, with the unique registering number R3106589.

(7) The financial and economic results, based on the balance sheets for 2002, 2003 and 2004 (30.06.2004) are presented in table no. 1.

**Table no. 1** – Financial and economic situation of the company in the period 2002-2004

-thousand ROL-

<b>Indexes</b>	<b>2002</b>	<b>2003</b>	<b>2004</b>
Total turnover	364,723,116	561,675,506	348,328,825
Profit/loss	1,458,623	4,544,136	6,558,368

*Source: Notification form*

From the data presented in table 1 it results that between 2002-2004 the financial and economic results is registering a positive evolution.

(8) The main activity of the undertaking is the production, transport, distribution and supplying the heating energy designed for the population, institutions and undertakings in the Braila city. In accordance with its Status, the purpose of the undertaking is, according to the Romanian law, the performance of services for accomplishing its activity object. By the licenses granted by the National Agency for Regulation in the Energy field

(named from now on ANRE) the company was entrusted with the performance of public services of heating production, transport, distribution and supply and of the electricity production and supply, designated for the population, institutions and undertakings. According to art 16 align. (1) in the Law of Electricity no. 318/2003 „the activities and services for which the licenses are being granted are of public interest, excepting those exclusively designated for the consumption of the license or authorization's owner". These services cannot be delivered under normal market conditions because the undertakings are imposed certain conditions related to the delivery of the service.

**(9)** S.C. CET S.A. BRAILA.'s obligations as heating and electricity producer are, according to art. 30 in the Law of Electricity no. 318/2003, the following:

- To insure the electricity deliveries, respectively heating produced in co-generation and the system technological services, with the fulfillment of the criteria imposed by licenses, contract clauses and regulations in force;
- To offer in undiscriminating conditions the whole available electrical power, as well as system technological services;
- To maintain a stock of fuel at a sufficient level or, after case, a sufficient water supply, in order to carry on the obligations to continuously produce and supply electrical and heating as provisioned by the regulations in force;
- To comply from an operational point of view with the transport and system operator's demands and to establish, after case, its own operative management positions.

**(10)** Considering the above mentioned, the public interest services entrusted to the company are the following:

- production, transport, distribution and supply of the heating energy;
- production and supply of electricity.

**(11)** Heating energy production, transport, distribution and supply represents 67% of the total activity. Electricity is produced in co-generation and it is supplied in the National Energetic System, addressing to a regulated market by ANRE.

**(12)** The delivered products are:

- heating energy;
- electricity;
- soften water;
- clear water.

**(13)** Supply of heating energy for the heating and preparation of consumption warm water is accomplished through the urban heating system of the city of Braila, which is entrusted for administration by Decision of the Local Council of Braila city no.31/2002 to the company.

**(14)** In order to carry on its activity, S.C. CET Braila S.A. owns of the following equipments and installations

- 4 steam boilers 150t/h, 139 ata, 540<sup>0</sup>C;

- 3 steam turbines of 25 MW;
- 4 switches of 2x 85 Gcal/g, 2x 30 gcal/h.

### **2.3. The market affected by the financial support granted**

(15) SC TERMICA Braila activates on the production, transport, distribution and supply heating energy market and electricity production and supplying market.

(16) The market affected by the aid measures analysed by the present decision is the market of heating energy production, transport, delivery and supply. These services represent 67% of the company's total activities. The financial support notified by the Ministry of Public Finances have the purpose of assuring the necessary fuel for the production, transport, distribution and supply of the heating energy designated to heating and hot water preparation for the population and undertakings.

(17) Services of production, transport, delivery and supply, named services of local public interest, function in centralized system and are organized under the management and control of the local public administration authorities, based on the local autonomy principle. The geographical market is represented only by the area of Braila city and the chemical area Chiscani, therefore is a market of local interest. From the point of view of prices and tariffs is a regulated market, because S.C. TERMICA S.A. Braila sells heating energy at prices established by ANRE both for the household consumers as well as for the undertakings and it is obliged to supply heating energy to all consumers connected to the network, without discrimination. Therefore, all these consumers are captive consumers as they don't have the possibility to choose their heating energy supplier.

(18) S.C. CET Braila S.A. is the only producer and supplier of heating energy from the area it serves. Out of the total heating energy produced, 65% is sold to the population, and 35% to the budgetary institutions and undertakings.

### **2.4. Ways of granting the financial support**

(19) The financial support measures notified by the Ministry of Public Finance consist in the guarantee of an external credit contracted in order to co-finance the acquisition of energy resources for the winter 2004-2005. Based on G.D no. 1376/2004, the Ministry of Public Finances guarantees 100% external credit from HVB Bank amounting to USD 4,000 thousand, equivalent of ROL 115,488,000 thousand<sup>1</sup>. The credit shall be reimbursed in 9 equal installments, with a 2 years grace period; the interest will be paid each semester being equal to Libor + 1%/year. S.C. CET S.A. Braila shall pay on the account of the state guarantee, to the Ministry of Public Finance, a risk premium of 1.5% from the value of the loan, respectively of USD 60 thousand.

(20) According to the data from the notification form, S.C. CET Braila S.A. is also the beneficiary of other financial support measures during 2002-2005, as follows:

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<sup>1</sup> The credit has been contracted in USD, the amount in ROL is calculate dat the rate of BNR ROL - USD on 15.12.2004, respectively 27,872 ROL/USD

**Table or. 2 – Financial support for the period 2002-2005**

The type of financial support	-ROL thousand-				
	2002	2003	2004	2005	Total
Budgetary allocations for investments	0	5,000,000	0		5,000,000
Subsidy covering the difference between the national reference price <sup>2</sup> and the local delivery price of the heating energy <sup>3</sup>	30,322,304	118,259,514	173,501,008	187,122,391	509,205,217
Exemptions from the payment of delay penalties registered for the unpayment on time of the debts towards S.C. Distrigaz Sud (based on E.G.O no. 37/2004), debts related to the performance of the service of general economic interest of heating energy supply(as hot water)			101,161,682		101,161,682
<b>TOTAL</b>	30,322,304	123,259,514	274,662,690	187,122,391	<b>615,366,899</b>

*Source: the notification form*

As can be seen in the table no 2 , the total subsidies the company benefits of during 2002 - 2005 is in the amount of de ROL 509,205,217 thousand, budgetary allocations amounting to ROL 5,000,000 thousand and the exemption from the payment of certain delay penalties registered for the unpayment on time of certain debts related to the performance of the public service of heating energy supply (as hot water), in total amount of ROL 101,161,682 thousand.

#### **2.4. The evaluation of the financial aid mentioned in points (19) and (20)**

**(21)** The *Guidelines on the state aid granted under the form of guarantees* establish the criteria for the evaluation of the state aid under the form of guarantees.

**(22)** According to point 4.2. of the *Guidelines on the state aid granted under the form of guarantees*, an individual state guarantee does not constitute state aid if the following conditions are simultaneously fulfilled:

a) the debtor is not in a difficult situation;

<sup>2</sup> National reference price for heating energy is described in point 2.5.2.1.

<sup>3</sup> Local delivery price for heating energy is described in point 2.5.2.2.

- b) the debtor is, in principle, able to contract a loan under market conditions, without the State intervention;
- c) the granted guarantee is related to a certain financial operation, a certain amount, does not cover more than 80% from the loan or other financial obligation, except for bonds or other similar instruments, not unlimited in time;
- d) the guarantee implies the payment of a prime at market price.

(23) Analysing the economical-financial situation of S.C. CET Braila S.A it can be concluded that the company is not in difficulty. From the information provided by the beneficiary, it results that the company can contract credits from Romanian Comercial Bank, under market conditions, without State intervention. Thus, the Competition Council considers that the conditions from point 4.2. letters a) and b) from the *Guidelines on the state aid granted under the form of guarantees* are fulfilled.

(24) Although, in the situation when the guarantee covers more than 80% of the loan, the condition in point 4.2. letter c) from the *Guidelines on the state aid granted under the form of guarantees* is not fulfilled and thus, there is nodoubt that there is state aid involved.

(25) According to point 3.2. from the *Guidelines on the state aid granted under the form of guarantees*, the state aid under the form of guarantees can be calculated “in the same way as the net grant-equivalent of a loan granted in preferential conditions, the interest bonus representing the difference between the interest market and the interest with State guarantee, after any primes have been paid.”

(26) As the Romanian Comercial Bank would have granted SC CET Braila SA as mimilar credit without the State guarantee with a annual interest rate of 8.5%, the Competition Council considers that this rate can be taken as reference when calculating the financial support under the form of guarantee.

(27) In these conditions, the financial support under the form of guarantee is equal to the net grant equivalent<sup>4</sup> of the USD 4,000 thousand credit, guaranteed by the State, calculated as follows:

- the net present value of the difference between the market interest rate and the interest rate obtained due to the state guarantee – the risk premium paid by the company to the Ministry of Public Finance, respectively: USD 735,361 – USD 60,000 = USD 675,361, equivalent of ROL 19,499,022.8 thousand.<sup>5</sup>

(28) Point 1.1. in the *Guidelines on the state aid under the form of guarantees* stipulates that usually the beneficiary of a 100% guarantee is the borrower because it enables the

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<sup>4</sup> The net grant equivalent has been calculated according to Annex 2 point 3 of the *Guidelines on regional aid*, taking into account the terms of the loan, the reimbursement graphics as well as a reference rate (inflation rate) of the USD of 3% between 2004-2010.

<sup>5</sup> In calcul s-a folosit cursul de schimb al BNR din data de 15.12.2004: 1 USD = 28,872 lei.

latter – as has been demonstrated above – to obtain a loan it would not have obtained in the absence of such a guarantee.

(29) According to point 2.2. of the *Guidelines on the state aid granted under the form of guarantees*, in certain circumstances also the lender will benefit from the guarantee granted by the State, for example maybe the case where the guarantee is given ex-post related to a loan, in this case the guarantee can be a state aid for the lender.

(30) The guarantees granted by the Ministry of Public Finances for the contracted credits, represent a ex-ante condition for entering into force of these credits. The guarantees were issued before using any money from this credit. The guarantees were not granted for an existing loan before these were issued by the state.

(31) The Government Decisions approving the state guarantees for external credits which are to be contracted by the company, establish the maximum credit values which are to be guaranteed (together with the interests and related commissions), the purpose of the credit and the guarantor (Ministry of Public Finances). Based on these G.D.s, the company established in advance with Ministry of Public Finances the credit parameters (the granting period/maturity, the grace period, withdrawal period and the way of reimbursement). Thereafter, standard offer requests were issued addressed to prime international banks.

(32) The offer request contained the necessary information so that the interested banks could create a competitive price structure: the type of the loan, the beneficiary of the loan, the 100% state guarantee (by mentioning the GD's number), the credit value, the maturity of the loan, withdrawal period, the grace period, the way of reimbursement, the reply form, the deadline for the offers and any other data necessary to make a pertinent offer. As the offer is standard, all banks received the same information, being equally treated, in conditions of transparency and free access for transmitting the offers.

(33) After analyzing all offers received until the date mentioned in the offer request, the best offer was chosen. As all the banks are first rank banks and the criteria of the credit being the same, the main criterion for choosing was the cost of the credits (interest and the corresponding fees).

(34) Taking into account all the above, it is considered that the financing banks have offered their facilities at competitive pricing conditions thereby excluding any potential advantage deriving from the state guarantee. Consequently, the Competition Council comes to the conclusion that the state guarantees do not give any advantage to the lender but only to the borrower, S.C. CET S.A. Braila.

(35) The total amount of the financial support for S.C. CET S.A. Braila is of ROL 634,865,921.8 thousand, out of which ROL 19,499,022.8 thousand represent financial support under the form of guarantee, ROL 509,205,217 thousand subventions, ROL 5,000,000 thousand budgetary allocations and ROL 101,161,682 thousand represent financial support under the form of exemption from payment of penalties.

#### 2.4. Costs arising from the operation of the service of general economic interest

(36) The public service of caloric energy production, transport, delivery and supply to the captive consumers, entrusted to the company, is regulated by A.N.R.E. In order to perform the public service, the company registers costs with raw materials (fuels), materials, personnel, environmental, repairing and investments, contouring costs and others.

(37) S.C. CET S.A. Braila keeps a management accounting where the company's activities are registered separately. The activity of caloric energy production, transport, delivery and supply towards the captive consumers, which represents the public service obligation, is presented separately from its other activities. The separation of the financial records for the activities representing the service of general economic interest is a compulsory condition imposed to the undertaking by the license entrusting the discharge of the service. In the table no.3 it is presented the economical-financial result for delivering the public interest service of production, transport, distribution and supply of heating energy in the form of hot water.

*Table no. 3 –The economical-financial result form the delivering of the public interest service between 2002-2004*

<i>thousand ROL</i>			
Indicators	2002	2003	2004
Incomes from production, transport, distribution, delivery and supply heating energy in the fom of hot water (public service)	188,963,005	312,299,745	353,120,833
Expenses from production, transport, distribution, delivery and supply heating energy in the fom of hot water (public service)	199,166,960	344,070,989	387,238,060
Gross result from production, transport, distribution, delivery and supply heating energy in the fom of hot water (public service)	-10,203,955	-31,771,244	-34,117,227

Source: supplementary infromation

Although on the whole S.C. CET S.A. Braila makes a profit during 2002-2004, from the data presented in table no. 3 results that the company registers loses related to the public service of production, transport, delivery and supply of heating energy.

(38) The company has the obligation to submit to A.N.R.E., at the end of each year, the justifying documents for showing the real costs related to the public service performed in that year and the quantities of caloric energy produced and sold in each month. Starting with the input data, the standard methodology is applied to determine the costs for the



caloric energy production, transport, delivery and supply activity. Therefore, at the beginning of each financial exercise S.C. CET S.A Braila is drafting its revenues and expenditure budget. In the same time, the justification of the prices to be used is submitted for approval by A.N.R.E., which establishes the national reference price and the local delivery price.

#### **2.5.1. Investment costs**

(39) We mention that the budgetary allocations from which the company has benefited from in 2002 have been destinated to investments absolutely necessary for safe functioning, confort and continuity of the public interest service, taking into account the ageness and the usage of the equipments and installations, as weel as the mounting of the new mesurement systems for the heating energy according to GO no. 73/2002. The investments had in view the rehabilitation of the 2 heat swichers (ROL 1,293,348.05 thousand) and the appartment contourisation (ROL 3,706,751.95 thousand).

#### **2.5.2 Difference between national reference price and local delivery price of caloric energy**

##### **2.5.2.1. THE NATIONAL REFERENCE PRICE**

(40) The national reference price for heating energy supplied to the population through centralized systems with the purpose of heating and to preparing hot water was instituted by GEO no. 162/1999.

(41) The national reference price is set in order to achieve equilibrium between the affordability degree for the population and the state budget subsidizing possibilities. Regarding the social dimension, this price is determined considering the weight of thermal energy cost in the budget of an average income family.

(42) The level of the national reference price of the thermal energy is set in advance through Government decision, proposed by A.N.R.E., as an average of the local prices of the producers using the same type of fuel, added with the related distribution tariffs, taking into account subsidizing possibilities from the state budget.

(43) The standard methodology of calculating this price is established through an order of A.N.R.E. Among the factors influencing the modification of the national reference price are the price of natural gas, the price of electric energy, consumer price index, the exchange rate (ROL/USD or ROL/EURO, as the case may be). The national reference price for 2002-2004 was regulated by the following administrative decisions:

**Table no. 4** - *Administrative decisions establishing the level of the national reference price for 2002-2004*

	2002	2003	2004
The legal act establishing the national reference price	Government Decision no. 1303/27.12.2001; -Government Decision no. 340/04.04.2002 -Government Decision no. 686/03.07.2002	- Government Decision no. 686/03.07.2002	Government Decision no. 1155/23.07.2004
National reference price (ROL/GCAL)	575,000 600,000 800,000	800,000	896,000

*Source: National legislation in force*

The information from the Table 4 leads to the conclusion that national reference price is established in advance, through government decisions.

#### **2.5.2.2. THE LOCAL DELIVERY PRICE**

**(44)** The local delivery price for the heating energy is established by A.N.R.E., both for the population as well as for the undertakings. The methodology of establishing the local delivery price is being applied by A.N.R.E. to all thermal energy co-generation producers. Thus, the undertaking has the obligation to submit to A.N.R.E., at the end of each fiscal year, justifying documentation outlining the costs related to the discharged public service in the respective year and the quantities of thermal energy which were produced and sold in each month of the year.

**(45)** Prices are set separately for each activity/service, the local delivery price resulting from adding the production price, the transport service tariff and the tariff for the distribution and supply service.

**(46)** Local delivery prices are set at the beginning of each year and adjusted at the beginning of each second half of the year.

The following stages are pursued:

- identification of regulated activities and services;
- identification of production sources for caloric energy (separate sources and/or cogeneration);
- estimation of quantities delivered to final consumers based on the undertaking's previous year figures, taking into account the losses in the transport networks and of produced quantities, taking into account the own consumptions of the power plant;
- assignment of technological fuel expenses;
- allocation of direct expenses, excluding fuel expenses, broken down by activities/services and producing sources;

- allocation of indirect, general and administration expenses by services, on a pro rata basis with the value of direct expenses, excluding fuel;
- determining total expenses with the production of thermal energy;
- determining unit costs;
- redistributing by activities of expenses related to own consumptions;
- allocation of financial expenses by regulated services;
- determining total expenses for the regulated services.

### 2.5.2.3. CONCLUSIONS

(47) The national reference price is regulated on grounds related of social protection. Thus, if the local price for producing and supplying the heating energy is higher than the national reference price, the population will only pay the latter.

(48) If the local price of the gig calorie (GCAL) is higher than the national reference price, the difference incurred by the supplier is subsidized as follows, according to the GEO no. 162/1999:

- a) by the state budget, up to the ceilings approved through the budget law, allocated for this purpose;
- b) by the local budgets, for the part left uncovered through the state budget.

(49) During 2001-2004, the national reference price was lower than the local delivery price for the heating energy settled for S.C. CET S.A. Braila. In the year 2005 will be the same situation. For covering this difference, the company benefits during 2002 - 2005, according to G.E.D no. 162/1999, of subsidies in amount of ROL 509,205,217 thousand (see paragraph 20).

**Table no. 5** *The quantity supplied to the population and the value of the subsidy granted for covering the difference between the national reference price and local delivery price during 2002-2005*

Period	Quantity delivered to population (Gcal)	Subsidy (ROL thousand)
Total year 2002	123,889	30,322,304
Total year 2003	258,008	118,259,514
Total year 2004	233,878	173,501,008
Total year 2005 (forecast)	235,800	187,122,391
General Total	851,575	<b>509,205,217</b>

*Source: Supplementary information*

The ROL 509,205,217 thousand subsidy covers exclusively the losses due to the difference between the national reference price and the local price for heating energy reported to the total quantity supplied to the population. The methodology of calculating the subsidy is presented in table no. 7 from the Annex, which describes in detail the evolution in each month of the national reference price, local delivery price, the negative difference between those two and the granted subsidies for covering the difference.

### **2.5.3. Costs in excess of the local delivery price**

(50) When analyzing the measures of support for S.C. CET S.A. Braila one must consider that, for the services of production, transport, delivery and supply of heating energy, the company registers costs higher than the local price for supplying heating energy established by A.N.R.E., this situation resulting from the management accounting of the undertaking, in which expenses are separately recorded.

(51) The operating cost of the service was calculated based on effective expenses recorded by the company in each year of the analyzed period, respectively expenses for raw materials, materials, personnel, environment, repairs, investments, metering of the real production of thermal energy delivered in the respective year.

(52) However, in reality the local delivery price established by A.N.R.E. does not cover all costs due to the fact that fuel price increase estimates are not considered. Subsequent to the fuel price increase during the year A.N.R.E. is adjusting the energy price only when the increase is more than 5% and the adjustment refers only to the fuel; however, it is common knowledge that as a chain effect, the raw materials and materials prices increase also. This increase is taken into account is not considered when adjusting but only when prices are reviewed, once a year. Thus, there is a gap (lag) during the year between the costs of the energy operator and the local delivery price.

(53) The high operating costs of S.C. CET S.A. Braila are due mainly to the following causes:

- ageness and the high usage degree of equipments lead to a high consumption of natural gases which represents 65-70% of the cost structure; natural gases, raw materials and materials are bought at prices comparable with the international ones. Contrary, heating energy is sold on local market at a price established by ANRE lower than the medium international price ;
- proposals of price increasing are submitted to local authorities and to A.N.R.E. after the sub suppliers already increased their product prices and considering that until the company gets the A.N.R.E. certifying documents and decision uncovered costs shall be record;
- A.N.R.E. agreed technological loss are lower as the real loss which are higher because of old transport and distribution pipe line networks which require high maintenance costs. Those costs are not considered when the reference price is estimated by A.N.R.E;
- the population pays a national reference price for the caloric energy, approved by Government Decision and established mainly according to the purchasing power of the population, the difference between this and the production and distribution costs of

thermal energy being subsidized. This subsidy hardly reaches the producer, because the Local Council budget which ensures a significant percentage of it (55%) does not have the liquidities required to pay in due time. As a result of the delays in providing the subsidies, the financial costs of the company increase because the real value of the subsidies is significantly diminished by the inflation rate; thus, a part of the real costs remains not covered.

(54) In Table no. 8 presented in the Annex, the evolution of the local delivery price for caloric energy as hot water and the real costs of production, transport, delivery and supply of it during 2002-2005 are shown. As it may be noticed, during analyzed period, most of the times, the operating cost for producing, transporting, delivering and supplying heating energy - hot water - is higher than the local delivery price, both for the population and for the undertakings.

(55) The differences between the local delivery price and the real cost of production, transport, distribution, delivery and supply of caloric energy lead to company losses from operating the service, losses which are shown in Table no. 6

Table no. 6 – *Losses evolution for 2002-2005 due to the difference between the local delivery price and the real cost of producing and supplying heating energy*

PERIOD	QUANTITY SUPPLIED			LOSSES CAUSED BY FAILURE TO COVER THE REAL COST OF THE HEATING ENERGY IN FORM OF HOT WATER
	TOTAL	of which:		
		POPULATI ON	UNDERTAKI NGS	
	Gcal	Gcal	Gcal	ROL thousand
TOTAL year 2002	268,511	123,888	144,623	10,203,955
TOTAL year 2003	314,572	258,008	56,564	31,771,244
TOTAL year 2004	269,695	233,878	35,817	34,117,227
TOTAL year 2005 (estimated)	276,455	235,800	40,655	84,508,976
TOTAL GENERAL	1,129,233	851,574	277,659	160,601,402

Source: supplementary information

From table no. 6 it can be seen that the company registers during the period 2002-2005 ROL **160,601,402** thousand related to the performing of the service of production, transport, delivery and supply of heating energy. We mention that the calculation of these losses is presented in Table no. 9 from the Annex presenting in detail in each month the evolution of the difference between the local delivery price and the real cost of production, transport, delivery and supply of caloric energy separately for population and undertakings.

### **3. ANALYSIS OF THE STATE MEASURE OF SUPPORT**

#### **3.1. Object of the decision**

(56) On the basis of the notification to the Competition Council by the Ministry of Public Finances, the object of the present decision consists of the financial support measure in form of state guarantee, budgetary allocations, subsidies and exemption from the payment of penalties owed to the gas supplier (see para.28), in total amount of ROL 634,865,921.8 thousand. These measures of the financial support are analyzed by S.C. CET S.A. Braila in the context of meeting the public service requests during 2002-2005.<sup>6</sup>

#### **3.2. Obligation of service of general economic interest**

(57) The financial support granted to a company entrusted with a service of general economic interest is not considered state aid for the purposes of Art, 2 of *Law 143/1999 on state aid with subsequent amendments and completions*, if the following conditions are cumulatively met:

- a) the obligation to discharge a service of general economic interest is entrusted through a normative/administrative act and is clearly defined;
- b) the parameters based on which the compensation is calculated must be established in advance, in an objective and transparent way, in order to avoid granting an economic advantage to the beneficiary;
- c) the compensation must not exceed the amount necessary to totally or partially cover the costs incurred through the service of general economic interest, taking in consideration the relevant incomes and a reasonable profit in performing these obligations;
- d) if the undertaking entrusted with the service of general economic interest was not selected through open public tender which would have allowed the selection of an bidder able to discharge this public service at the lowest costs, then the level of compensation must be set based on a comparative analysis of the company's costs and the costs of

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<sup>6</sup> It was considered including the year 2005 because the credit contracted at the beginig of 2005 is designated for covering costs for the public services in this year.

well-managed and profitable enterprise which meets all the conditions set for the performance of the particular public service, given the relevant incomes and a reasonable profit from the meeting of the service of general economic interest obligations,

### **3.3. The condition from par. 3.2. a):**

(58) S.C. CET Braila S.A. is entrusted with the production, transport, distribution and supply of heating energy for the population, institutions and undertakings, under the ANRE licenses no., 114/2000, 502/2002, 503/2002. In the licenses are mentioned, among other things, the obligations specific for the undertakings performing a service of general economic interest, namely: continuity in supplying heating energy, ensuring access to heating networks for new customers, achieving performance standards. Also, by EGO no.162/1999, producers and suppliers of thermal energy are under the obligation to sell thermal energy to the population at a fixed price which regularly is lower than the costs incurred by the discharge of the service (national reference price).

(59) According to the *Law on town management no. 326/2001*, the supply of heating which is centralized produced is a public use service.

(60) According to Law no, 326/2001, public services must fulfill the following conditions:

- Continuity both in quality and quantity, according to the conditions stipulated in the contract;
- Adaptability to consumers' requests;
- Equal access to the public service, in the conditions stipulated in the contract;
- Ensuring the public health and life quality.

(61) Organization, operation and functioning of public services must ensure:

- a) Meeting the quantity and quality demands of users, according to the contract provisions;
- b) The optimal operation in safety, profitability and economic efficiency conditions of buildings, equipments, installations and all assets, according to the projected technological parameters and in compliance with the requested conditions, operation guidelines and organization and functioning regulations;
- c) Protecting the public estate and environment by observing the legal provisions;
- d) Informing and consultation the citizens with the purpose of protecting the health of the population benefiting from these services,.

(62) The obligations of the operators which are suppliers/providers of public services towards the consumer are mainly the following:

- a) to serve all users in the area for which they were authorized/certified;
- b) to comply with all the performance parameters settled by the local public authorities and the national regulating authority, respectively ANRE;
- c) to supply the information requested by the local public administration and the national regulating authority and to enable the access to the documentation of the respective utilities, according to the conditions of the operating contract.

(63) The supply of town heating for heating and preparing hot water for consumption is made through the heating system of the Municipality of Braila which is part of the technical- municipal infrastructure of the town. The system administration needed for delivering the public interest service is entrusted by the Local Council of Braila city through H.C.L.M. 31/2002.

(64) Regarding the above presented facts, S.C. CET S.A. Braila is under the obligation to ensure the effective functioning of services relating to the production, transport, distribution and supply of heating that are essential for the population, institutions and undertakings of Braila city. In addition, the company is required to provide these services at a regulated price that is intended to ensure the affordability for the consumer. Consequently one can conclude that S.C. CET S.A. Braila by licenses, is entrusted with the discharging of a service of general economic interest.

#### **3,4, The condition from par, 3,2, b):**

(65) According to this criterion the compensation of the public service obligation must be calculated on pre-established objectives and based on transparent parameters and may not grant an economic advantage to the beneficiary.

(66) The two parameters based on which the level of the compensation is calculated are the national reference price, established by ANRE, and the local delivery price established by ANRE. These parameters are set in advance by Government decision, at the proposal of ANRE. The methodology used to establish the national reference price is based on the following:

- price of fuel used for the production of caloric energy;
- the electric energy price;
- the consumer price index;
- the USD/ROL exchange rate.

The local delivery price is set based on the methodology of establishing regulated prices for purchase/sale, transport and distribution tariffs for caloric energy issued by ANRE .



The producers of caloric energy submit to the regulatory authority the own price calculation; this contains the costs incurred in the previous 12 months, fixed and variable, as well as estimated costs for the following 12 months of operation.

The regulatory authority analyses the variable costs (price of fuel, specific consumptions related to the production of caloric energy, losses of caloric energy in the transport and distribution networks), as well as fixed costs and approves the local delivery price of the caloric energy, resulting different local delivery prices specific to each company.

(67) The information submitted to the Competition Council prove the fact that the procedure mentioned at paragraph 66 is carried out based on the criteria of *ex-ante* calculation, the parameters based on which the compensation for the service of general economic interest is established are usually set up in advance.

### **3.5. Condition in 3.2. c):**

(68) Condition 3.2.c) requires that the compensation must not exceed the costs incurred through the service of general economic interest.

(69) From Table no. 7 from the Annex, it can be seen that the amounts received by S.C. CET S.A.Braila as subsidies, in amount of ROL 509,205,217 thousand covers only the negative difference between the national reference price and the local delivery price for the heating energy.

(70) Furthermore, from the data in Table no 6 it can be seen that during the analyzed period S.C. CET Braila S.A. registered a total loss of ROL 160,601,402 thousand caused by the difference between the local delivery price for the heating energy supplied and the real cost for its production and delivery.

(71) The financial support measures from which the company benefits in the period 2002-2005 is in amount to ROL **634,865,921.8** thousand, from which:

- ROL 509,205,217 thousand were exclusively used to cover the difference between the national reference price and the local delivery price;
- ROL 125,660,704.8 thousand the value of the state guarantee (ROL 19,499,022.8 thousand), the budgetary allocations for investments (ROL 5,000,000 thousand) and exemption from payment of penalties (ROL 101,161,682 thousand).

(72) Taking into account the losses of ROL 160,601,402 thousand that the company incurred due to the performing of the service of general economic interest of production, transport, distribution and supply of heating energy, it can be seen that the facilities granted to the company under the form of guarantees, budgetary allocations and exemption from payment of penalties amounting to ROL 125,660,704.8 thousand do not fully cover the company losses. Thus, the financial support granted to the company doesn't exceed the total costs incurred from the performing of the public service.

(73) The Competition Council considers that the state aid granted to S.C. CET S.A. Braila during 2002-2005 represents only a compensation for the costs related to the performing of the public service of general economic interest for the production, transport, delivery and supply of heating energy in the city of Braila.

### **3.6. Condition in 3.2. d):**

(74) S.C. CET S.A. Braila was not entrusted with the service of general economic interest of production, transport, delivery and supply of heating energy following a public tender procedure.

(75) The public service of production, transport, distribution and supply of heating energy was entrusted to S.C. CET S.A. Braila by a license from ANRE. Thus, in order to establish the compensation level, it is necessary to analyze the costs that another well-run undertaking would have had, in providing the same service. On the Romanian heating energy market there are acting other producers and suppliers as well (e.g, Termoelectrica, CET Govora, CET Bacau, Electrocentrale etc.). Still, a comparison with these companies would not be relevant, as they are also public undertakings receiving aid from the state for discharging the public service obligation. However, making a comparative analysis with other undertakings producing and supplying heating energy, it can be noticed that their situation is similar to the situation of the analyzed undertaking, respectively the real costs of the service exceed local delivery prices set by ANRE and the causes leading to this situation are in fact similar,

(76) Considering the above, one can conclude that the four conditions under point 3.2. are not met cumulatively, mainly the condition under par.3.2. (d) was not proved. Therefore, the state support measures for S.C. CET Braila S.A, notified by the Ministry of Public Finances, constitute state aid for the purposes of *ar., 2 of Law 143/1999 on State aid, with subsequent modifications and completions* and of the *Regulation on state aid in the form of compensations granted to certain undertakings entrusted with services of general economic interest*.

(77) The facilities granted to the company during 2002-2004 (except for the guarantee) were notified after their granting so they represent illegal state aid, according to the art, 3<sup>1</sup> in the Law no, 143/1999 on the state aid, with the subsequent amendments and completions.

(78) The total value of the state aid granted to S.C. CET S.A. Braila, between 2002 – 2005, is of ROL **634,865,921.8** thousand.

## **4. Compatibility of the Aid**

(79) According to the *Regulation on state aid in the form of compensations granted to certain undertakings entrusted with services of general economic interest* compensations granted in view of discharging the service of general economic interest may constitute

state aid compatible with a normal competition environment if the following conditions are met:

- a) the state aid is necessary for discharging a service of general economic interest;
- b) the state aid does not unduly affect the trade between Romania and the EU Member States,

#### **4.1. State aid necessary for discharging a service of general economic interest**

(80) In order to be able to assess the necessity of the aid with respect to the discharging of the service the following conditions should be observed:

- the beneficiary needs to be officially entrusted with discharging a clearly defined service of general economic interest; and
- the compensation level should not exceed what is necessary to discharge the service of general economic interest, taking into account the revenues arising from its performance.

(81) As discussed under point 3.,3. above S.C. CET Braila S.A. is delivering a service of general economic essential for the population, institutions and undertakings and that it is clearly defined by license.

(82) S.C. CET Braila S.A operates its service is under the public ANRE licenses no. 114/2000, 502/2002, 503/2002. The licenses in conjunction with the relevant law clearly define the obligations of the service that the company is supposed to discharge. Therefore it can be concluded that S.C. CET Braila S.A, has been officially entrusted with the public service that it discharges.

(83) It follows, from the assessment under point 3.5 above, that under the conditions of a regulated market for discharging this service the company can not impose on its consumers a price that is sufficient to cover its operating costs. This is the main cause for which the company has annual losses. Furthermore, the compensation granted to the company does not fully cover all the costs that are currently being incurred by the provision of the public service.

(84) Therefore, one can conclude that the state aid granted to S.C. CET Braila S.A for the period 2002- 2005 does not exceed what is necessary to discharge under normal conditions of continuity, safety and comfort the public service of production, transport, distribution and supply of heating energy within the city of Braila.

(85) Without granting this compensation its activity would be blocked, therefore it could not deliver the service anymore This could have serious consequences on population and undertakings of the Braila city, which would be private from the heating energy, especially in the cold season.

#### **4.2. No unduly affect the trade between Romania and the EU Member States**

(86) It needs to be noted that the activity of the company is restricted to a limited geographical area, represented only by the Braila city territory. S.C. CET Braila S.A. is the only operator. The company is not involved in export activities. Under these circumstances it is considered that the commerce with the Member States is not unduly affected.

#### **4.3. There is no over-compensation**

(87) The state aid granted to S.C. CET Braila S.A. under the form of subsidies for covering the difference between the national reference price and the local delivery price, under the form of guarantee granted by the state for an external credit contracted by the company, under the form of budgetary allocations and exemption from payment of penalties (see par. 19 and 20), does not represent an over-compensation because it does not exceed the costs which are absolutely necessary in order to perform the service of general economic interest.

(88) Thus, the two conditions provided at point (79), conditions provided in the *Regulation on state aid in the form of compensations granted to certain undertakings entrusted with services of general economic interest* are cumulatively met.

(89) The total amount of state aid granted to S.C. CET Braila S.A. amounting to ROL **634,865,921.8** thousand is compatible with normal competition environment.

### **DECIDES**

**Art. 1.** The measures of financial support granted during 2002-2005 to S.C. CET Braila S.A. constitute state aid for the purposes of Art. 2 of *Law 143/1999 on State aid, published in the Official Monitor, Part I, no. 370 on August the 3<sup>rd</sup> 1999, modified and completed by Law 603/2003 and GO 94/2004 on regulation of financial measures, approved with modifications and completions by the Law no.507/2004.*

**Art. 2.** The notified state aid represents a necessary compensation to achieve, under normal conditions of safety and continuity the service of general economic interest to produce, transport, distribute and supply heating energy, and this compensation does not affect the trade between Romania and the EU Member States in an unjustified way.

**Art. 3.** Pursuant to Art. 12 art. 2 (b) read in conjunction with Art. 14 par. 1 (j) of *Law 143/1999 regarding state aid with subsequent modifications and completions*, we authorize the state aid for to S.C. CET S.A. Braila as aid to achieve under conditions of safety and continuity the service of general economic interest.

**Art. 4.** Pursuant to Art. 24 of *Law 143/1999 with subsequent modifications and completions*, suppliers shall annually convey to the Competition Council information regarding the state aid granted to S.C. CET Braila S.A. in view of monitoring the aid.

**Art. 5.** This decision is applicable as of its date of communication.

**Art.6.** Pursuant to Art, 29 of *Law 143/1999 regarding state aid with subsequent modifications and completions*, this decision may be appealed by he interested persons before the Bucharest Court of Appeal, the administrative section, within 30 days from its communication.

**Art.7.** This Decision shall be communicated by the General Secretariat of the Competition Council to:

- The Ministry of Public Finance, Apolodor Street, no. 17, sect, 5, Bucuresti;
- S.C. CET Braila S.A. Street Braila-Viziru, km, 10, jud, Braila.

**Art. 8.** The Secretariat-General and the Directorate for State Aid Authorization of the Competition Council shall pursue the fulfillment of the present Decision.

PRESIDENT  
MIHAI BERINDE

## ANNEX

**Table no. 7** - *Evolution of the local delivery price, of the reference price and of the subsidy granted in order to cover the difference between them, during 2002-2005*

Period	Local delivery price to the population	Local delivery to the population with VAT	Reference price without VAT	Reference price with VAT	Difference between reference price	Difference between reference price	Volume delivered to the population	Subsidy value
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	on without VAT				and local delivery price without VAT	and the local delivery price with VAT		
	ROL/ Gcal	ROL/ Gcal	ROL/ Gcal	ROL/ Gcal	ROL/ Gcal	ROL/ Gcal	Gcal	Thousands ROL
1	2	3	4	5	6=4-2	7=3-5	9	10=7*9
Jan 02								
Feb.0 2								
Mar.0 2								
Apr02	862010	862010	483193	483193	378817	378817	10242	3879813
May 02	864152	864152	504202	504202	359950	359950	5386	1938658
Jun.02	724074	861648	423699	504202	300375	357447	3728	1332712
Jul.02	722394	859649	423699	504202	298695	355448	2057	731073
Aug.0 2	723334	860768	564932	672269	158402	188499	3191	601558
Sep.0 2	723922	861468	564932	672269	158990	189198	3892	736372
Oct.02	713583	849164	564932	672269	148651	176895	4169	737429
Nov02	726875	864981	564932	672269	161943	192712	33385	6433605
Dec.0 2	874672	1040860	672269	800000	202403	240860	57839	13931084
Total year 2002							123,889	30,322,304
Jan 03	981337	1167791	672269	800000	309068	367791	51937	19101957
Feb.0 3	974019	1159083	672269	800000	301750	359083	52909	18998765
Mar.0 3	977629	1163378	672269	800000	305360	363378	48065	17466230
Apr03	982445	1169109	672269	800000	310176	369109	7152	3008975
May 03	1014168	1206860	672269	800000	341899	406860	4294	1747055
Jun.03	1014866	1207690	672269	800000	342597	407690	3231	1317246
Jul.03	1015647	1208620	672269	800000	343378	408620	2589	1057916
Aug. 03	1013119	1205611	672269	800000	340850	405611	2209	895996
Sep. 03	1081098	1286507	672269	800000	408829	486507	2275	1106804
Oct.03	1237523	1472652	672269	800000	565254	672652	4090	2751147
Nov. 03	1211402	1441568	672269	800000	539133	641568	31932	20486476
Dec. 03	1210669	1440696	672269	800000	538400	640696	47325	30320947
Total year 2003							258,008	118,259,514
Jan 04	1206625	1435884	672269	800000	534356	635884	54569	34699547

Feb. 04	1207451	1436866	672269	800000	535182	636866	46097	29357175
Mar. 04	1210977	1441062	672269	800000	538708	641062	33480	21462749
Apr. 04	1235984	1470821	672269	800000	563715	670821	6378	4278497
May 04	1238715	1474071	672269	800000	566446	674071	3919	2641686
Jun.04	1239645	1475177	672269	800000	567376	675177	3029	2045110
Jul.04	1526645	1816709	672269	800000	854376	1016708	2497	2538720
Aug. 04	1553758	1848973	752941	896000	800817	952973	2513	2394822
Sep. 04	1546677	1840546	752941	896000	793736	944546	2177	2056277
Oct.04	1554813	1850228	752941	896000	801872	954228	3069	2928527
Nov. 04	1519391	1808075	752941	896000	766450	912075	28150	25674898
Dec. 04	1513148	1800646	752941	896000	460207	904646	48000	43423000
<b>Total year 2004</b>							<b>233,878</b>	<b>173,501,008</b>
Jan 05	1660665	1976191	1001412	1191680	659253	784511	54000	42363598
Feb. 05	1661193	1976819	1001412	1191680	659781	785139	46000	36116412
Mar. 05	1667881	1984778	1001412	1191680	666469	793098	32000	25379139
Apr. 05	1706074	2030228	1001412	1191680	704662	838548	6350	5324779
Mai. 05	1709833	2034701	1001412	1191680	708421	843021	3850	3245630
Jun. 05	1709833	2034700	1001412	1191680	708421	843020	2750	2318304
Jul. 05	1712318	2037658	1001412	1191680	710906	845978	2400	2030348
Aug. 05	1712318	2037658	1001412	1191680	710906	845978	2400	2030348
Sep. 05	1689944	2011033	1001412	1191680	688532	819353	1650	1351933
Oct. 05	1709832	2034700	1001412	1191680	708420	843020	4400	3709287
Nov .05	1667881	1984778	1001412	1191680	666469	793098	32000	25379140
Dec. 05	1664463	1980711	1001412	1191680	663051	789031	48000	37873473
<b>Total year 2005</b>							<b>235,800</b>	<b>187,122,391</b>
<b>Total amount</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>851,575</b>	<b>509,205,217</b>

*Source: supplementary information*

**Table no. 8 - Evolution of local delivery price, of the heating energy cost and of the volume of hot water sold by S.C. CET S.A. Braila**

PERIOD	LOCAL DELIVERY PRICE		QUANTITY SUPPLIED			UNIT COST UNDERTAKINGS
	POPULATION	UNDERTAKINGS	TOTAL	OF WHICH		
				POPULATION	POPULATION	
	ROL/Gcal	ROL/Gcal	Gcal		ROL/Gcal	Rol/gCAL
1	2	3	5	6	7	8
ian.02	-	469898	46051	-	46051	466990
feb.02	-	479061	43253	-	43253	469799
mar.02	-	575420	33188	-	33188	561046
apr.02	862016	1148356	12223	10242	1981	1010457
mai.02	864144	1225767	5648	5386	262	1280762
iun.02	804634	1301314	3920	3729	191	1291095
iul.02	802840	1333879	2206	2057	149	1414325
aug.02	830797	1279856	3379	3191	188	1729893
sep.02	829216	1232099	4091	3880	211	1300587
oct.02	820673	979162	5600	4169	1431	1227752
nov.02	834213	844322	39633	33385	6248	832870
dec.02	876825	836837	69319	57849	11470	864199
Total year 2002	869,227	561,986	268,511	123,888	144,623	
ian.03	1057442	649751	71018	51937	19081	597430
feb.03	1057442	649751	62858	52909	9949	615653
mar.03	1057442	649751	56731	48065	8666	779215
apr.03	1057442	649751	9236	7152	2084	2130642
mai.03	1057442	649751	4557	4294	263	4054676
iun.03	1057442	649751	3435	3231	204	4621884
iul.03	1057442	649751	2747	2589	158	7751349
aug.03	1057442	649751	2334	2209	125	7445883
sep.03	1057442	649751	2448	2275	173	5648772
oct.03	1057442	649751	5467	4090	1377	4220248
nov.03	1057442	649751	37968	31932	6036	1013878
dec.03	1057442	649751	55773	47325	8448	907791
Total year 2003	1,057,442	649,751	314,572	258,008	56,564	
ian.04	1323605	1216147	65230	5469	10661	780064
feb.04	1323605	1216147	54991	46097	8894	783200
mar.04	1323605	1216147	39066	33480	5586	1153769
apr.04	1323605	1216147	7068	6378	690	3487074
mai.04	1323605	1216147	4161	3919	242	5321919
iun.04	1323605	1216147	3231	3029	202	5039852
iul.04	1323605	1216147	2648	2497	151	10070060
aug.04	1323605	1216147	2656	2513	143	9086905
sep.04	1323605	1216147	2321	2177	144	7550663
oct.04	1323605	1216147	3525	3069	456	6528100



nov.04	1323605	1216147	32795	28150	4645	1080584
dec.04	1323605	1216147	52003	48000	4003	1122293
<b>Total year 2004</b>	<b>1,323,605</b>	<b>1,216,147</b>	<b>269,695</b>	<b>233,878</b>	<b>35,817</b>	
ian.05	1668272	1762134	64150	54000	10150	1626197
feb.05	1668272	1762134	54250	46000	8250	1665810
mar.05	1668272	1762134	37500	32000	5500	1631741
apr.05	1668272	1762134	6980	6350	630	3518739
mai.05	1668272	1762134	4070	3850	220	7201944
iun.05	1668272	1762134	2960	2750	210	6689315
iul.05	1668272	1762134	2550	2400	150	7192474
aug.05	1668272	1762134	2550	2400	150	8200616
sep.05	1668272	1762134	1745	1650	95	9409280
oct.05	1668272	1762134	5600	4400	1200	1644754
nov.05	1668272	1762134	38150	32000	6150	1663968
dec.05	1668272	1762134	55950	48000	7950	1637360
<b>Total year 2005</b>	<b>1,668,272</b>	<b>1,762,134</b>	<b>276,455</b>	<b>235,800</b>	<b>40,655</b>	

*Source: supplementary information*

**Table no. 9** – *Evolution of the difference between the local delivery price and the cost of the heating energy and of the losses caused by this difference for hot water*

PERIOD	Difference between the local delivery price and cost		QUANTITY DELIVERED			LOSSES CAUSED BY FAILURE TO COVER THE COST
	POPULATION	UNDERTAKINGS	TOTAL	DIN CARE:		
				POPULATION	UNDERTAKINGS	
	ROL/Gcal	ROL/Gcal	Gcal	Gcal	Gcal	Thousand ROL
1	2	3	4	5	6	7=2*5+3*6
ian.02	2907	2907	46051	-	46051	+133877
feb.02	9263	9263	43253	-	43253	+400644
mar.02	14373	14373	33188	-	33188	+477023
apr.02	102034	102034	12223	10242	1981	-1247157
mai.02	399843	399843	5648	5386	262	-2258315
iun.02	462396	462396	3920	3729	191	-1812593
iul.02	575616	575616	2206	2057	149	-1269810
aug.02	731387	731387	3379	3191	188	-2471357
sep.02	448159	448159	4091	3880	211	-1833419

oct.02	151135	151135	5600	4169	1431	-846356
nov.02	2920	2920	39633	33385	6248	+115747
dec.02	5833	5833	69319	57849	11470	+407761
<b>Total year 2002</b>	<b>38,002</b>	<b>38,002</b>	<b>268,511</b>	<b>123,888</b>	<b>144,623</b>	<b>-10,203,955</b>
ian.03	+210409	+210409	71018	51937	19081	+14942826
feb.03	+337832	+337832	62858	52909	9949	+21235444
mar.03	+131689	+131689	56731	48065	8666	+7470849
apr.03	-1224223	-1224223	9236	7152	2084	-11306923
mai.03	-3126953	-3126953	4557	4294	263	-14249525
iun.03	-3511987	-3511987	3435	3231	204	-12063675
iul.03	-6737072	-6737072	2747	2589	158	-18506737
aug.03	-6433820	-6433820	2334	2209	125	-15016536
sep.03	-4569430	-4569430	2448	2275	173	-11185965
oct.03	-3001028	-3001028	5467	4090	1377	-16406620
nov.03	+189073	+189073	37968	31932	6036	+7178724
dec.03	+289331	+289331	55773	47325	8448	+16136884
<b>Total year 2003</b>	<b>100,998</b>	<b>100,998</b>	<b>314,572</b>	<b>258,008</b>	<b>56,564</b>	<b>-31,771,244</b>
ian.04	+412229	+412229	65230	54569	10661	+26889698
feb.04	+416063	+416063	54991	46097	8894	+22879720
mar.04	+47426	+47426	39066	33480	5586	+1852744
apr.04	-2255565	-2255505	7068	6378	690	-15942333
mai.04	-4084670	-4084670	4161	3919	242	-16996312
iun.04	-3802070	-3802070	3231	3029	202	-12284488
iul.04	-8542892	-8542892	2648	2497	151	-22621578
aug.04	-7547658	-7547658	2656	2513	143	-20046580
sep.04	-6004866	-6004866	2321	2177	144	-13937294
oct.04	-4974635	-4974635	3525	3069	456	-17535591
nov.04	+441256	+441256	32795	28150	4645	+14470990
dec.04	+368321	+368321	52003	48000	4003	+19153797
<b>Total year 2004</b>	<b>126,503</b>	<b>126,503</b>	<b>269,695</b>	<b>233,878</b>	<b>35,817</b>	<b>-34,117,227</b>
ian.05	+56926	+56926	64150	54000	10150	+3651834
feb.05	+16736	+16736	54250	46000	8250	+907907
mar.05	+50297	+50297	37500	32000	5500	+1886141
apr.05	-1841995	-1841995	6980	6350	630	-12857128
mai.05	-5528598	-5528598	4070	3850	220	-22501393
iun.05	-5014401	-5014401	2960	2750	210	-14842626
iul.05	-5518681	-5518681	2550	2400	150	-14072637
aug.05	-6526823	-6526823	2550	2400	150	-16643399
sep.05	-7735898	-7735898	1745	1650	95	-13499143
oct.05	+43632	+43632	5600	4400	1200	+244337
nov.05	+19434	+19434	38150	32000	6150	-741419
dec.05	+44249	+44249	55950	48000	7950	+2475712
<b>Total year 2005</b>	<b>305,688</b>	<b>305,688</b>	<b>276,455</b>	<b>235,800</b>	<b>40,655</b>	<b>-84,508,976</b>
<b>Total</b>			<b>1,129,233</b>	<b>851,574</b>	<b>277,659</b>	<b>160,601,402</b>

<b>amount</b>						
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*Source: supplementary information*