



R O M A N I A

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Decision of the Competition Council

No. 26 Of 21.02.2005

concerning the notification of the Ministry of Public Finance regarding the financial support for S.C. UZINA TERMICA COMANESTI 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 3rd 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. 109528/08.12.2004, 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 for S.C. UZINA TERMICA COMANESTI S.A.
- (2) Since the dates presented in the notification were not complete, supplementary information were required in address DAAS/1049/15.12.2004. The answer was received in addresses DASS/1077/23.12.2004. The notification became effective on the date the information were complete, namely on 23.12.2004.

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. UZINA TERMICA COMANESTI S.A.
- (4) The company was established in accordance with the romanian law, as a company of local interest based on GD no. 1093/25.10.2001, modified by G.D no. 185/28.02.2002, as a result of the integral transfer of the company's shares package to the private property of Bacau county. In accordance with G.D. no. 1093/2001 SC UZINA TERMICA COMANESTI SA was founded at 01.01.2002 its main activity only consisted in the production of the caloric energy. Since 01.03.2003, according with the Local Council Decision no. 20/30.03.2003, the activity of transport and supply of the caloric energy was taken over in administration from SC Comunal Service S.A. Comanesti to SC UZINA TERMICA COMANESTI SA.
- (5) The registered capital of SC UZINA TERMICA COMANESTI S.A. is R.O.L. 54,050,100 thousand it is totally owned by the Local Council of Comanesti, being divided into 540,501 shares with a nominal value of R.O.L. 100,000 per share.
- (6) The company is headquartered in the city of Comanesti and is registered at the Trade Registry under no. J04/8/2002. Its single register code is 14382601.
- (7) The financial and economic results, based on the balance sheets of the last 3 years are presented in table no. 1.

Tabel no. 1 – The financial and economic results of the company during 2002-2004 period
-R.O.L. thousand-

Indexes	2002	2003	2004 (on 30.06.2004)
Total turnover	37,810,310	35,057,529	25,335,567
Profit/loss	-9,386,033	-3,631,705	-7,798,472

Source: notification form

Data presented in the table above shows the undertaking incurred losses in 2002 – 2004.

(8) According to GD no. 1093/25.10.2001 on S.C. UZINA TERMICA COMANESTI S.A.'s establishment, the company's main line of business in the public service performance of local management is the production, transport and distribution of caloric energy as hot water used for heating and for household warm water. In accordance with art. No. 2 from Law of local management public services no. 326/2001 which settles the judicial framework concerning the establishing, organization, monitor and control the local management public service functioning in counties, cities and communes. The local management public services represent the entire activities of local utility and interest carried on under the local public management and aiming to supply the public utility services. By the licenses granted by the National Agency for Regulation in the Local Services field (hereinafter named as ANRSC) the company was entrusted with the performance of public services of caloric energy production, transport, distribution and supply, designated for the population, institutions and undertakings.

(9) S.C. UZINA TERMICA COMANESTI S.A.'s obligations as a local management public service performer towards the consumer mainly are:

- a) to serve all the consumers from the coverage area that they have been authorized/attested for;
 - b) to observe all the performance parameters settled by the local public administration authorities, namely the National Regulation Authority;
 - c) to submit the required information to the local public administration authority namely the National Regulation Authority and to assure the access to the documents of these utilities, in accordance with the operating contract clauses.
- (10)** The company delivers caloric energy as hot water for the preparation of warm water for domestic use and for heating, for the consumption for the population, budgetary institutions and undertakings. The company's consumers are not industrial undertakings.
- (11)** Supply of urban energy for the heating and preparation of consumption water is accomplished through the urban heating production system of the city of Comanesti, which is entrusted for administration to the company by the local City Council of Comanesti.

(12) In order to carry on its main activity, S.C. UZINA TERMICA COMANESTI S.A. owns of the following equipments and installations:

- **For the production of caloric energy:**

This is achieved through with the use of the following equipments:

- for industrial steam: boilers of different types and dimensions;
- for hot water: boilers of different types and dimensions.

- **For the transport of caloric energy:**

- A thermo network is operated and maintained covering the way from the thermo-plant to neighborhood thermo-units and the consuming undertakings.

- **For the distribution of caloric energy:**

It is achieved through the thermal units and the secondary networks.

(13) The thermo-plant is part of SC UZINA TERMICA COMANESTI S.A.'s patrimony and owns in administration the urban thermo system of Comanesti city. The urban thermo system mainly consists in :

- primary transport networks – 46,5 km;
- 8 thermo zonal points;
- secondary distribution networks – 40,2 km.

(14) Taking into account paragraphs no. 8 and 9 the company performs a service of general economic interest which consists in production, transport and distribution of caloric energy as hot water. This service has certain characteristics which involves the functioning of the company within a state regulated framework. This implies certain obligations that the company would not assume in normal market conditions if it considered its own interest.

2.2. The market

(15) SC UZINA TERMICA COMANESTI S.A activates on the market of caloric energy production and supply, being only designed to deliver caloric agent without producing electric energy in cogeneration. The company produces and supplies caloric energy devoted for heating and providing warm water to the population and to the undertakings.

(16) The market affected by the financial support's granting, assessed in the present decision, is the market of the production, delivery, transport and supply services for the caloric energy. These services represent 100% from S.C. UZINA TERMICA COMANESTI S.A.'s total activity, and the financial support measures granted by the

State and notified by the Ministry of Public Finance aim to insure the fuel necessary for the production and supply of caloric energy for heating during the winter seasons.

(17) The caloric energy market is a regulated market, the prices for caloric energy being set by ANRE, both for household consumers as well as industrial consumers, by Government decisions. These consumers are captive consumers as they don't have the possibility to choose their caloric energy supplier.

(18) The services of caloric energy production and supply function in centralized system and are organized under the management of the local public administration authorities' control, based on the local autonomy principle.

(19) The geographical market is represented only by the area of Comanesti city, therefore is a market of local interest

(20) S.C. UZINA TERMICA COMANESTI S.A. is the sole producer and supplier of caloric energy in the area it serves. 69% from the produced energy by the company is sold to the population and 31% is sold to undertakings and budgetary institutions.

2.3. Financial support measures to be granted to S.C. UZINA TERMICA COMANESTI S.A.

(21) The financial support measures notified by the Ministry of Public Finance consist in:

- the guarantee granted by the State in 2004, based on G.D no. 1367/2004 for obtaining an external credit necessary for financing the fuel imports for insuring the energetical resources for the winter 2004 – 2005. The value of the contracted credit is of USD 500,000, respectively ROL 14,436,000 thousand;
- the subsidy to be granted by the state in 2004, through the local budget of the Comanesti city, in amount of ROL 10,421,190 thousand;
- the subsidy to be granted by the state in 2005, through the local budget of the Comanesti city, in amount of ROL 6,480,000 thousand.

2.4. The financial support measures previously granted by the State

(22) According to the data presented in the notification, S.C. UZINA TERMICA COMANESTI S.A benefited until now by financial support measures, as it follows:

Table no. 2 – Financial support received by the company during 2002 – 2003
-thousand ROL-

The type of financial support	2002	2003	Total
Subsidies granted to the company to cover the difference between the national reference price and the local delivery price for caloric energy	49,352	5,656,773	5,706,125
Increases and delay penalties	2,031,624.656	0	2,031,624.656

exemptions based on GDO 40/2002			
Credits contracted with State guarantee	28,872,000	0	28,872,000
Total	30,952,976.656	5,656,773	36,609,749.656

Source: the notification form

We specify that the increases and the delay penalties exempted in bases GED no. 40/2002 in amount of ROL 2,031,624.656 thousand are related to budgetary obligations of the company unpaid in due course of time, as follows: increases and penalties due to the delay of debt payments to the social insurance fund, increases and penalties due to the delay of debt payments towards the unemployment fund.

The subsidies the company benefited of during 2002 – 2003, in amount of ROL 5,706,125 thousand were granted for the coverage of tariff differences for the caloric energy delivered to the population.

The USD 1,000,000 equivalent for ROL 28,872,000 thousand guarantees granted by the State, through the Ministry of Public Finance were designated for the contracting of external credit necessary for financing fuel imports during the winter season, based on GD no 1006 for 2002-2003 winter.

2.5. Costs arising from the operation of the public service of general economic interest

(23) The public service of caloric energy production and delivery to the captive consumers, entrusted to the company, is regulated by ANRSC. In order to perform the public service, the company registers costs with raw materials (fuels), materials, personnel, environmental, repairing and investments, monitor costs and others.

(24) According to the provisions of art. 20 para 5 of the Law no. 326/2001 on public services for communal husbandry the undertakings which deliver services of public interest must keep control accountability where the company's activities are being registered separately, so as their activities could be easily evaluated, monitored and controlled. S.C. UZINA TERMICA COMANESTI S.A. only performs caloric energy production and supply towards captive consumers, that represents public service obligation, thus the company's accounting exclusively reflects the activity related to the performance of the service of general economic interest.

(25) The company has the obligation to submit to ANRE, 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 entering data, the standard methodology applies and the costs for the caloric energy production, transport and supply activity are found. Therefore, at the beginning of each financial exercise S.C. UZINA TERMICA COMANESTI S.A. founds its income and costs budget. In the same time, funding the prices to be used is submitted to be approved by ANRE, which establishes the national reference price and the local delivery price.

2.6. The difference between the national reference price and the local delivery price for the caloric energy

2.6.1. The national reference price

- (26) The national reference price was stipulated in EGO no. 162/1999 for caloric energy supplied to the population in centralized system, for house heating and preparing hot water.
- (27) The level of the national reference price for caloric energy is established in advance, by Government decision, at ANRE's proposal, as an average between the local prices of the producers using the same type of fuel, added to the related delivery tariffs. In the same time, the national reference price takes into account the possibility to be subsidized from the State's budget.
- (28) The national reference price is established to realize the equilibrium between the populations's buying power and the State budget's possibility to grant subsidies. As far as the social dimension is concerned, in funding this price is taken into account the proportion held by the caloric energy cost within the budget of a family with an average income.
- (29) The standard methodology to calculate this price is established by ANRE order. The factors influencing the national reference price modification are: the fuel's price, the electric energy's price, the modifying of the consumer price index, the modification of the exchange rate (ROL/USD or, after case, ROL/EURO).
- (30) The national reference price during 2001 - 2004 was the following:

Table no. 3 *The evolution of the national reference price for the caloric energy*

	2001	2002	2003	2004
The normative act for establishing the national reference price	- GD no. 724/26.07.2001	- GD no.1303/27.12.2001; - GD no. 340/0.04.2002 - GD no. 686/03.07.2002;	GD no.686/03.07.2002	GD no.1155/23.07.2004
The national reference price (ROL/GCAL)	550,000	575,000 600,000 800,000	800,000	896,000

Source: The national legislation in force

The data from the table lead to the conclusion that the national reference price is established in advance, periodically, through GDs.

2.6.2. The local delivery price for the caloric energy

- (31) The local delivery price for caloric energy is established by ANRE for the population as well as for the undertakings. The methodology for establishing the local delivery price is applied by ANRE to all producers of caloric energy in co-generation. This way, the undertaking has the obligation to present to ANRE, at the end of each year, the justifying documents from which to come forth the real costs related to the public service performed in that year and the quantities of caloric energy produced and sold each month.
- (32) Funding the prices is made separately for each activity/ service, the local delivery price being the result of adding the price for the production activity to the tariff for the transport service and the price for the service of delivery and supply.
- (33) The local delivery prices are established at the beginning of each year and adjusted at the beginning of the second semester of the year. The steps are the following:
- identifying the regulating activities and services;
 - identifying the sources for producing caloric energy (separate sources and/or co-generation);
 - estimating the quantities delivered to the final customers, based on the undertaking's accomplishments in the previous year, taking into account the losses in the transport network and the quantities produced as well as the power plants' own consumption;
 - allocating the costs with technological fuel;
 - allocation of direct costs, exclusively those with the fuel, on activities/services and production sources;
 - allocating the indirect costs and the general management costs, on services, proportionally with the value of the direct costs, exclusively the fuel;
 - establishing the total costs for producing caloric energy under the form of hot water and steam;
 - establishing the total costs;
 - re-distribution on activities of the costs related to the own consumption;
 - allocation of the financial costs on regulated services;
 - establishing the total costs for regulated services.

2.6.3. Conclusions

- (34) The national reference price is regulated first of all due to the social protection reasons. Therefore, if the local price for caloric energy production and delivery is higher than the national reference price, the population will pay only the last price.
- (35) When the local price for GCAL is higher than the national reference price, in accordance with EGO no.162/1999, the difference is subsidized as it follows:
- a) from the state budget, within the limit of the sums approved by the state budget law;
 - b) from the local budgets, for that part uncovered from the state budget.

(36) During 2002-2005, the national reference price was lower than the caloric energy's local delivery price established for S.C. UZINA TERMICA COMANESTI S.A.. In order to cover the difference between them, the company receives, in accordance with EGO no.162/1999, subsidies in amount of ROL 22,607,315 thousand (see table no.4).

Tabel no. 4 *Evolution of the delivered quantity to the population and of the granted subsidy to cover the difference between the national reference price and the local delivery price, during 2002-2005 period.*

Period	Delivered quantity to the population	Subsidy's value
	Gcal	ROL thousand
total 2002	202	49,352
total 2003	8,659	5,656,773
total 2004	10,818	10,421,190
total 2005	10,800	6,480,000
Total general		22,607,315

Source: notification form

The ROL 22,607,315 thousand subsidy covers the difference between the national reference price and the local delivery price of the caloric energy addressed to the population. Subsidy's calculation mode is shown in table no. 5 (Annex), table that presents in detail, monthly, the national reference price, the local delivery price evolutions and, also, the evolution of the difference between these and the subsidies granted to cover this difference.

2.7. Costs higher than the local delivery price for the caloric energy

(37) When analyzing the measures of support for S.C. UZINA TERMICA COMANESTI S.A, one must also consider that, for the services of production and supply of caloric energy, the company registers costs higher than the local price for supplying caloric energy established by ANRE.

(38) Actually, the local delivery price established by ANRE 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, ANRE is adjusting the energy price only when the increase is more than 5% and the adjustment refers only to the fuel, without taking into account the raw materials and materials' prices that increase chain effect. This increase is not considered when adjusting but only when prices are reviewed, once a year. Thus, there is a gap during the year between the costs of the energy operator and the local delivery price.

(39) The high operating costs of S.C. UZINA TERMICA COMANESTI S.A are due mainly to the following causes:

- the caloric agent is only supplied during the cold season and therefore fix costs have a negative influence on total cost of Gcal;
- technological fuel, raw materials and materials are purchased at comparable with those operated with in the European Union. In turn, caloric energy is sold on the local market at a price agreed by ANRE which is lower than the average price operated with in the European Union;.
- in the price structure approved by ANRE isn't enclosed the development quota for modernizing the technological equipments the company works with. This way, the company makes investments, repairs and other upgrades in the energetic system which it operates, but these expenses are not always reflected in the local delivery price of caloric energy;
- the proportion of technological fuel's costs in the price structure is very high (approx. 70 %), and changes to the fuel price were made on a quarterly basis, in a 5% quota/quarter. A.N.R.E. did only approve one increase during the year that didn't include the prevision of the gas price increasement.
- the population pays a national reference price, 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. In this way the real value of the subsidies is strongly diminished by the inflation rate and because of that a part of the costs can not be covered by the initial foresighted subsidy.

(40) Evolution of the local delivery price for caloric energy used for hot water and the real cost for its producing and supplying during 2002-2005 period is shown in table no. 6 (annex). As one can see, during the analyzed period, in most of cases, the exploitation cost for the service of producing and supplying caloric energy is higher than its local delivery price, settled by ANRE, both at the population and the undertakings.

(41) Evolution of company's losses registered in 2002-2005 period as a difference between local delivery price and real cost of producing and supplying caloric energy for hot water is shown in table no. 7

Tabelul nr. 7 Losses rezulted from the performance of general economic interest service
-ROL thousand-

Indexes	2002	2003	2004	2005	TOTAL
Losses	5,790,648	28,432,420	25,069,132	24,519,884	83,812,084

Source: supplementary information

As one can observe, during the analyzed period, because the local delivery price for caloric energy settled by ANRE is lower than the exploitation cost for the service of producing and supplying caloric energy, the company records losses in amount of ROL 83,812,084 thousand due to the activity of public service performance. Evolution of the difference between the local delivery price and the caloric energy cost as hot water, as well as the losses caused by this difference is shown in tabel no. 8 (annexes).

3. ANALYSIS OF THE STATE SUPPORT MEASURES

3.1. Object of the decision

(42) On the basis of the notification to the Competition Council by the Ministry of Public Finance, the object of the present decision is the financial support measures granted by the State, mentioned in paragraphs (22) and (23), amounting ROL 67,946,939.656 thousand. These measures are analyzed in the context of meeting the obligations of public service of general economic interest by S.C. UZINA TERMICA COMANESTI S.A.

3.2. Obligation of service of general economic interest

(43) 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 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):

(44) S.C. UZINA TERMICA COMANESTI S.A. is entrusted with the production, transport, distribution and supply of caloric energy for the population, institutions and undertakings, under the ANRE licenses no. nr.1370/2001, 1371/2001 si 1485/2002. 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 caloric 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).

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

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

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

(47) 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.

(48) 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.

(49) The supply of town caloric energy for heating and preparing hot water for consumption is made through the caloric energy system of the city of Comanesti which is part of the technical- municipal infrastructure of the town. The City Council of Comanesti provides to the Company the heating system needed for accomplishing services of general economic interest through administration contract.

(50) Regarding the above presented facts, S.C. UZINA TERMICA COMANESTI S.A. is under the obligation to ensure the effective functioning of services relating to the production, transport, distribution and supply of caloric energy that are essential for the population, institutions and undertakings of Comanesti 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. UZINA TERMICA COMANESTI S.A, by licenses, is entrusted with the discharging of a service of general economic interest.

3.4. The condition from par. 3.2. b):

(51) 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.

(52) 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.

(53) The information submitted to the Competition Council prove the fact that the procedure mentioned at paragraph 52 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) :

- (54) Condition 3.2.c) requires that the compensation must not exceed the costs incurred through the service of general economic interest.
- (55) From Table no. 4 it can be seen that the amounts received by S.C. UZINA TERMICA COMANESTI S.A. as subsidies, in amount of ROL 22,607,315 thousand, cover only the difference between the national reference price and the local delivery price for the caloric energy.
- (56) Furthermore, from the data in Table no.8 it can be seen that during the analyzed period S.C. UZINA TERMICA COMANESTI S.A. registered a total loss of ROL 83,812,084 thousand caused by the difference between the local delivery price established by ANRE for the heating energy supplied and the real cost for its production and delivery.
- (57) The financial support measures from which the company benefits in the period 2002-2005 is in amount to ROL 67,946,939.656 thousand, from which:
- ROL 22,607,315 thousand were exclusively used to cover the difference between the national reference price and the local delivery price (table no.4);
 - ROL 2,031,624.656 thousand represents increases and delay penalties exemptions, based on GDO 40/2002;
 - ROL 43,308,000 thousand the value of the credits contracted with the state's guarantee;
- (58) Taking into account the losses of ROL 83,812,084 thousand that the company incurred due to the performing of the service of general economic interest, it can be seen that the facilities granted to the company do not fully cover the company losses. The subsidies granted to the company amount ROL 22,607,315 thousand, cover the difference between the national reference price and the local delivery price, and the credits guaranteed by the State in amount of ROL 43,308,000 thousand together with the other facilities in amount of ROL 2,031,624.656 thousand cover only a part of the losses registered by the company, in amount of ROL 83,812,084 thousand.
- (59) The Competition Council finds out that the financial support granted to the company doesn't exceed the total costs incurred from the performing of the public service.
- (60) The Competition Council considers that the state aid granted to S.C. UZINA TERMICA COMANESTI S.A. during 2002-2005 represents 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 caloric energy in the city of Comanesti, as its level doesn't exceed the total costs resulted from the obligation of service of general economic interest.

3.6. Condition in 3.2. d) :

- (61) S.C. UZINA TERMICA COMANESTI S.A was not entrusted with the service of general economic interest to produce heating energy following a public tender procedure.
- (62) The public service to produce heating energy was entrusted to S.C. UZINA TERMICA COMANESTI S.A. 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.
- (63) 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. UZINA TERMICA COMANESTI S.A, notified by the Ministry of Public Finance, constitute state aid for the purposes of *art. 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*.
- (64) The facilities granted to the company during 2002-2003 were notified after their granting so they represent illegal state aid, according to the art. 3¹ in the Law no. 143/1999 on the state aid, with the subsequent modifications and completions (see para. no.22).

3.7. Assessment of the state aid

- (65) The state aid for S.C. UZINA TERMICA COMANESTI S.A. is granted under the form of subsidies to cover the difference between the national reference price and the local delivery price, under the form of exemptions of increases and delay penalties exemptions, based on GDO 40/2002 and under the form of guarantees granted by the State for external credits contracted by the company, for the period 2002 – 2005.
- (66) The state aid under the form of subsidies, for the period 2002-2005, amounts ROL 43,308,000 thousand. As the credits are obtained 100% with the State's guarantee and the company registers losses, for the assessed period, no bank would grant guarantees for the contracted credits. This way, according to art.3.2.2 in the Guidelines on the state aid under the form of guarantees, the value of the state aid under the form of

guarantees, for the period 2002 – 2005, is equal to the value of the external credits contracted, respectively ROL 43,308,000 thousand.

- (67) Point 1.1. in the Guidelines on the state aid under the form of guarantees stipulates that, usually, the beneficiary of such assistance is the borrower because it enables the latter – as has been demonstrated above – to obtain better financial terms than those normally available on the market.
- (68) 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 may be 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.
- (69) The guarantees granted by the Ministry of Public Finances, for 2002 - 2005, 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.
- (70) The Government Decisions approving the state guarantees for external credits which are to be contracted by the company, are established the maximum credit values which are to be guaranteed (together with the interests and afferent commissions), the purpose of the credit and the guardant (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 external first rank banks.
- (71) 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.
- (72) 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).
- (73) 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, SC UZINA TERMICA COMANESTI SA.

(74) The total amount of the state aid granted to S.C. UZINA TERMICA COMANESTI S.A. during 2002- 2005, is of ROL 67,946,939.656 thousand, according to Table nr. 9.

Table nr. 9– The state aid received by the company during 2002 – 2005
-thousand ROL-

Type of state aid	2002	2003	2004	2005	Total
Subsidy granted to the company	49,352	5,656,773	10,421,190	6,480,000	22,607,315
Increases and delay penalties exemptions based on GDO 40/2002	2,031,624.6 56	0	0	0	2,031,624.6 56
Credits contracted with the state's guarantee	28,872,000	0	14,436,000	0	43,308,000
Total	30,952,976. 656	5,656,773	24,857,190	6,480,000	67,946,939. 656

Source: supplementary information

4. Compatibility of the Aid

(75) 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

(76) 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.

- (77) As discussed under point 3.3. above S.C. UZINA TERMICA COMANESTI S.A is exercising a service of general economic essential for the population, institutions and undertakings and that it is clearly defined by license.
- (78) S.C. UZINA TERMICA COMANESTI S.A. operates its service is under the public ANRE licenses no. 1370/2001, 1371/2001 and 1485/2002. 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. UZINA TERMICA COMANESTI S.A. has been officially entrusted with the public service that it discharges.
- (79) 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.
- (80) Therefore, one can conclude that the state aid granted to S.C. UZINA TERMICA COMANESTI 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 COMANESTI.
- (81) Not granting this compensation would lead to forced execution of company's obligations, would block its activity and therefore the performance of the public service would stop. This could have serious consequences over the population and the undertakings from Comanesti city because they will not have access to the necessary caloric energy, especially during the cold seasons of the year.

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

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

4.3. There is no over-compensation

- (83) The state aid granted to S.C. UZINA TERMICA COMANESTI S.A. under the form of budgetary obligation pay exemption, guarantees granted by the State for credits and subsidies (see para 74) 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.

(84) Thus, the two conditions provided at point (75), 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. This gives the basis to conclude that the support measures for S.C. UZINA TERMICA COMANESTI S.A., representing compensations for the performance of the service of general economic interest, are state aid compatible with the normal competitive environment.

(85) The total amount of state aid granted to S.C. UZINA TERMICA COMANESTI S.A. amounting to ROL 67,946,939.656 thousand, from which ROL 36,609,749.656 thousand is state aids received in the period 2002- 2003, and ROL 31,337,190 thousand is state aid to be granted in the period 2004 – 2005 by the Ministry of Public Finance, is compatible with normal competition environment.

DECIDES

Art. 1. The measures of financial support granted during 2002-2005 to S.C. UZINA TERMICA COMANESTI 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 3rd 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 para. 2 (b) corroborated with Art. 14 para. 1 (j) of *Law 143/1999 regarding state aid with subsequent modifications and completions*, is authorized the state aid for S.C. UZINA TERMICA COMANESTI S.A. 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. UZINA TERMICA COMANESTI 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. UZINA TERMICA COMANESTI S.A., Moldovei Street, no. 18, Comanesti, Bacau county.

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

ANNEXE

Tabel no. 5 *Evolution of local delivery price, of reference price and of the granted subsidy for covering the difference between them (2002-2005 period)*

Period	Local delivery price (TVA not included) population	Local delivery price (TVA included) Population	Reference price (TVA not included)	Reference price (TVA included)	Difference between the reference price and the local delivery price (TVA not included)	Difference between reference price and local delivery price (TVA included)	Delivered quantity to the population	Subsidy's value
	ROL/Gcal	ROL/Gcal	ROL/Gcal	ROL/Gcal	ROL/Gcal	ROL/Gcal	Gcal	ROL thousand
1	2	3	4	5	6=4-2	7=3-5	8	9=7*8
ian.02	792,400	942,956	483,193	575,000	309,207	367,956	30	11,039
feb.02	792,400	942,956	483,193	575,000	309,207	367,956	25	9,199
mar.02	792,400	942,956	483,193	575,000	309,207	367,956	24	8,831
apr.02	792,400	942,956	483,193	575,000	309,207	367,956	12	4,415
mai.02	792,400	942,956	483,193	575,000	309,207	367,956		0
iun.02	792,400	942,956	483,193	575,000	309,207	367,956		0
iul.02	792,400	942,956	483,193	575,000	309,207	367,956		0
aug.02	792,400	942,956	483,193	575,000	309,207	367,956		0
sep.02	792,400	942,956	672,269	800,000	120,131	142,956		0
oct.02	792,400	942,956	672,269	800,000	120,131	142,956		0
nov.02	792,400	942,956	672,269	800,000	120,131	142,956	53	7,577
dec.02	792,400	942,956	672,269	800,000	120,131	142,956	58	8,291
total 2002							202	49,352
ian.03	792,400	942,956	672,269	800,000	120,131	142,956	54	7,720
feb.03	792,400	942,956	672,269	800,000	120,131	142,956	46	6,576

mar.03	1,089,200	1,296,148	672,269	800,000	416,931	496,148	2,248	1,115,341
apr.03	1,089,200	1,296,148	672,269	800,000	416,931	496,148	937	464,891
mai.03	1,089,200	1,296,148	672,269	800,000	416,931	496,148	714	354,249
iun.03	1,089,200	1,296,148	672,269	800,000	416,931	496,148	644	319,519
iul.03	1,089,200	1,296,148	672,269	800,000	416,931	496,148		0
aug.03	1,089,200	1,296,148	672,269	800,000	416,931	496,148		0
sep.03	1,089,200	1,296,148	672,269	800,000	416,931	496,148		0
oct.03	1,089,200	1,296,148	672,269	800,000	416,931	496,148	425	210,863
1-15 nov.03	1,089,200	1,296,148	672,269	800,000	416,931	496,148	770	382,034
16-30 nov.03	1,505,033	1,790,989	672,269	800,000	832,764	990,989	885	877,025
dec.03	1,505,033	1,790,989	672,269	800,000	832,764	990,989	1,936	1,918,555
total 2003							8,659	5,656,773
ian.04	1,505,033	1,790,989	672,269	800,000	832,764	990,989	2,159	2,139,545
feb.04	1,505,033	1,790,989	672,269	800,000	832,764	990,989	1,945	1,927,474
mar.04	1,505,033	1,790,989	672,269	800,000	832,764	990,989	1,761	1,745,132
apr.04	1,505,033	1,790,989	672,269	800,000	832,764	990,989	472	467,746
mai.04	1,505,033	1,790,989	672,269	800,000	832,764	990,989	461	456,846
iun.04	1,505,033	1,790,989	672,269	800,000	832,764	990,989	457	452,882
iul.04	1,505,033	1,790,989	672,269	800,000	832,764	990,989	445	440,990
aug.04	1,505,033	1,790,989	752,941	896,000	752,092	894,989		0
sep.04	1,505,033	1,790,989	752,941	896,000	752,092	894,989		0
oct.04	1,505,033	1,790,989	752,941	896,000	752,092	894,989		0
Nov.04	1,505,033	1,790,989	752,941	896,000	752,092	894,989	1,339	1,198,390
dec.04	1,505,033	1,790,989	752,941	896,000	752,092	894,989	1,779	1,592,185
total 2004							10,818	10,421,190
ian.05	1,505,033	1,790,989	1,000,000	1,190,000	505,033	600,989	1,700	1,021,681
feb.05	1,505,033	1,790,989	1,000,000	1,190,000	505,033	600,989	1,700	1,021,681
mar.05	1,505,033	1,790,989	1,000,000	1,190,000	505,033	600,989	1,700	1,021,681
apr.05	1,505,033	1,790,989	1,000,000	1,190,000	505,033	600,989	500	300,495
mai.05	1,505,033	1,790,989	1,000,000	1,190,000	505,033	600,989	400	240,396
iun.05	1,505,033	1,790,989	1,000,000	1,190,000	505,033	600,989	400	240,396
iul.05	1,505,033	1,790,989	1,000,000	1,190,000	505,033	600,989	400	240,396
aug.05	1,505,033	1,790,989	1,000,000	1,190,000	505,033	600,989	400	240,396
sep.05	1,505,033	1,790,989	1,000,000	1,190,000	505,033	600,989	400	240,396
oct.05	1,505,033	1,790,989	1,000,000	1,190,000	505,033	600,989	400	240,396
Nov.05	1,505,033	1,790,989	1,000,000	1,190,000	505,033	600,989	1,400	841,385
dec.05	1,505,033	1,790,989	1,000,000	1,190,000	505,033	600,989	1,400	841,385
Total 2005							10,800	6,480,000
Total genera l							30,479	22,607,315

Source: notification form

Tabel no. 6 - The evolution of the local delivery price, of the caloric energy cost and of the sold quantity of hot water by SC Uzina Termica Comanesti SA

Period	Delivery price		Legal ground	Delivered quantity			Unitary cost
	Population	Undertakings		Total	of which		
					Population	Undertakings	
	ROL/Gcal	ROL/Gcal		Gcal	Gcal	Gcal	ROL/Gcal
1	2	3	4	5	6	7	8
ian.02	792,400	792,400	Decizia ANRE nr,1254/27,12,01	9,948	30	9,918	940,578
feb.02	792,400	792,400		7,323	25	7,298	940,578
mar.02	792,400	792,400		7,171	24	7,147	940,578
apr.02	792,400	792,400		3,146	12	3,134	940,578
mai.02	792,400	792,400		1,047	0	1,047	940,578
iun.02	792,400	792,400		0			
iul.02	792,400	792,400		0			
aug.02	792,400	792,400		0			
sep.02	792,400	792,400		0			
oct.02	792,400	792,400		0			
nov.02	792,400	792,400		4,857	53	4,804	940,578
dec.02	792,400	792,400		5,587	58	5,529	940,578
total 2002				39,079	202	38,877	940,578
ian.03	792,400	792,400		5,165	54	5,111	2,313,313
feb.03	792,400	792,400		4,455	46	4,409	2,313,313
mar.03	1,089,200	1,089,200	Decizia ANRE nr,24/27,12,01	3,553	2,248	1,305	2,313,313
apr.03	1,089,200	1,089,200		1,212	937	275	2,313,313
mai.03	1,089,200	1,089,200		785	714	71	2,313,313
iun.03	1,089,200	1,089,200		707	644	63	2,313,313
iul.03	1,089,200	1,089,200		0			
aug.03	1,089,200	1,089,200		0			
sep.03	1,089,200	1,089,200		0			
oct.03	1,089,200	1,089,200		887	425	462	2,313,313
1-15 nov 03	1,089,200	1,089,200		1,250	770	480	2,313,313
16-30 nov.03	1,505,033	1,548,034	Aviz ANRSC nr,4300/15,11,03	1,365	885	480	2,313,313
dec.03	1,505,033	1,548,034		3,084	1,936	1,148	2,313,313
Total 2003				22,463	8,659	13,804	2,313,313
ian.04	1,505,033	1,548,034		3,476	2,159	1,317	3,134,362
feb.04	1,505,033	1,548,034		3,075	1,945	1,130	3,134,362
mar.04	1,505,033	1,548,034		2,742	1,761	981	3,134,362
apr.04	1,505,033	1,548,034		844	472	372	3,134,362
mai.04	1,505,033	1,548,034		512	461	51	3,134,362
iun.04	1,505,033	1,548,034		501	457	44	3,134,362
iul.04	1,505,033	1,548,034		486	445	41	3,134,362
aug.04	1,505,033	1,548,034		0			
sep.04	1,505,033	1,548,034		0			

oct.04	1,505,033	1,548,034		0			
Nov.04	1,505,033	1,548,034		1,720	1,339	381	3,134,362
dec.04	1,505,033	1,548,034		2,154	1,779	375	3,134,362
total 2004				15,510	10,818	4,692	3,134,362
ian.05	1,505,033	1,548,034		2,400	1,700	700	3,100,000
feb.05	1,505,033	1,548,034		2,400	1,700	700	3,100,000
mar.05	1,505,033	1,548,034		2,400	1,700	700	3,100,000
apr.05	1,505,033	1,548,034		1,200	500	700	3,100,000
mai.05	1,505,033	1,548,034		550	400	150	3,100,000
iun.05	1,505,033	1,548,034		550	400	150	3,100,000
iul.05	1,505,033	1,548,034		550	400	150	3,100,000
aug.05	1,505,033	1,548,034		550	400	150	3,100,000
sep.05	1,505,033	1,548,034		550	400	150	3,100,000
oct.05	1,505,033	1,548,034		550	400	150	3,100,000
Nov.05	1,505,033	1,548,034		1,900	1,400	500	3,100,000
dec.05	1,505,033	1,548,034		1,900	1,400	500	3,100,000
Total 2005				15,500	10,800	4,700	3,100,000

Source: notification form

Tabelul nr. 8 – Evolution of the difference between the local delivery price and the cost of caloric energy and of the losses caused by this difference for hot water

Period	Difference between the price settled by ANRE and cost		Delivered quantity			Losses caused by uncovering the cost
			Total	Of which		
	Population n	Undertaking s			Population n	
	ROL/Gcal	ROL/Gcal	Gcal	Gcal	Gcal	ROL thousand
ian.00	2	3	4	5	6	7=2*5+3*6
ian.02	148,178	148,178	9,948	30	9,918	1,474,075
feb.02	148,178	148,178	7,323	25	7,298	1,085,107
mar.02	148,178	148,178	7,171	24	7,147	1,062,584
apr.02	148,178	148,178	3,146	12	3,134	466,168
mai.02	148,178	148,178	1,047	0	1,047	155,142
iun.02	148,178	148,178	0			0
iul.02	148,178	148,178	0			0
aug.02	148,178	148,178	0			0
sep.02	148,178	148,178	0			0
oct.02	148,178	148,178	0			0
nov.02	148,178	148,178	4,857	53	4,804	719,701
dec.02	148,178	148,178	5,587	58	5,529	827,870
total 2002			39,079	202	38,877	5,790,648
ian.03	1,520,913	1,520,913	5,165	54	5,111	7,855,516
feb.03	1,520,913	1,520,913	4,455	46	4,409	6,775,667
mar.03	1,224,113	1,224,113	3,553	2,248	1,305	4,349,273
apr.03	1,224,113	1,224,113	1,212	937	275	1,483,625

mai.03	1,224,113	1,224,113	785	714	71	960,929
iun.03	1,224,113	1,224,113	707	644	63	865,448
iul.03	1,224,113	1,224,113	0			0
aug.03	1,224,113	1,224,113	0			0
sep.03	1,224,113	1,224,113	0			0
oct.03	1,224,113	1,224,113	887	425	462	1,085,788
1-15 nov 03	1,224,113	1,224,113	1,250	770	480	1,530,141
16-30 nov.03	808,280	765,279	1,365	885	480	1,082,662
dec.03	808,280	765,279	3,084	1,936	1,148	2,443,370
total 2003			22,463	8,659	13,804	28,432,420
ian.04	1,629,329	1,586,328	3,476	2,159	1,317	5,606,915
feb.04	1,629,329	1,586,328	3,075	1,945	1,130	4,961,596
mar.04	1,629,329	1,586,328	2,742	1,761	981	4,425,436
apr.04	1,629,329	1,586,328	844	472	372	1,359,157
mai.04	1,629,329	1,586,328	512	461	51	832,023
iun.04	1,629,329	1,586,328	501	457	44	814,402
iul.04	1,629,329	1,586,328	486	445	41	790,091
aug.04	1,629,329	1,586,328	0			0
sep.04	1,629,329	1,586,328	0			0
oct.04	1,629,329	1,586,328	0			0
Nov.04	1,629,329	1,586,328	1,720	1,339	381	2,786,062
dec.04	1,629,329	1,586,328	2,154	1,779	375	3,493,449
total 2004			15,510	10,818	4,692	25,069,132
ian.05	1,594,967	1,551,966	2,400	1,700	700	3,797,820
feb.05	1,594,967	1,551,966	2,400	1,700	700	3,797,820
mar.05	1,594,967	1,551,966	2,400	1,700	700	3,797,820
apr.05	1,594,967	1,551,966	1,200	500	700	1,883,860
mai.05	1,594,967	1,551,966	550	400	150	870,782
iun.05	1,594,967	1,551,966	550	400	150	870,782
iul.05	1,594,967	1,551,966	550	400	150	870,782
aug.05	1,594,967	1,551,966	550	400	150	870,782
sep.05	1,594,967	1,551,966	550	400	150	870,782
oct.05	1,594,967	1,551,966	550	400	150	870,782
Nov.05	1,594,967	1,551,966	1,900	1,400	500	3,008,937
dec.05	1,594,967	1,551,966	1,900	1,400	500	3,008,937
Total 2005			15,500	10,800	4,700	24,519,884
Total general			92,552	30,479	62,073	83,812,084

Source: notification form