



ROMÂNIA

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FORMAL OPINION

On the amendment of the regional State aid scheme on the capitalization of the renewable energy resources, set up by the Government Decision no.750/2008

By analyzing the following:

Draft of Government Decision for the amendment and completion of the Government Decision no. 750/2008 for the approval of the *Regional State aid scheme on the capitalization of the renewable energy resources* (hereby named the *Draft*)

and

The draft of Synthetic Information sheet on the State aid granted in accordance with the *Commission Regulation (EC) no. 800/2008 declaring certain categories of aid compatible with the common market in application of Articles 87 and 88 of the Treaty (General block exemption Regulation)*¹,

submitted by the Ministry of Economy, Commerce and Business Environment by the address no. 146269/22.03.2012, registered at the Competition Council with no. RG 4086/23.03.2012, in order to receive a formal opinion,

and ascertaining that:

1. By the *Draft* it is approved the amendment of a regional State aid scheme on the capitalization of the renewable energy resources, scheme set up in accordance with the *Commission Regulation (EC) no. 1628/2006 in application of Articles 87 and 88 of the EC Treaty to the national regional investment aid*² and therefore, exempted from the notification obligation;
2. The amended scheme is set up in accordance with the *Commission Regulation (EC) no. 800/2008 declaring certain categories of aid compatible with the common market in application of Articles 87 and 88 of the Treaty* which abolished the *EC Regulation no. 1628/2006* and meets the intensities provisioned for by the Regional State aid map approved by the European Commission for Romania for 2007 - 2013³;
3. The objective of the scheme is to support the economic operators to make investments in order to capitalize the renewable energy resources (solar sources, wind, hydro-energetically sources for systems having less than 10 MW installed power, bio-mass, geo-thermal sources, wave source, bio-gas, gases resulted from the ferment of waste –

¹ Published in the Official Journal of the European Union no. L 214/09.08.2008.

² Published in the Official Journal of the European Union no. L 302/01.11.2006.

³ Approved by the Decision no. N 2/2007, published in the Official Journal of the European Union no. C 73/30.03.2007.

deposit gas, gas from the ferment of mud from the installations for purifying waste waters) in order to produce electricity and thermal energy;

4. The main amendment brought to the scheme is the increase of its budget, from 200.000.000 Euro to 463.276.864 Euro, of which 407.683.641 Euro represent European non-reimbursable funds ensured by the European Regional Development Fund and 55.593.223 Euro represent national funds;
5. The scheme established by the Government Decision no.750/2008 and amended by the *Draft* is valid until 31.12.2013;
6. The Information sheet meets the form and content of the standard form enclosed in Annex III to the *Commission Regulation (EC) no. 800/2008 declaring certain categories of aid compatible with the common market in application of Articles 87 and 88 of the Treaty*.

COMPETITION COUNCIL

Based on art. 8 recital (1) of the *Government Emergency Ordinance no. 117/2006 on the national procedures in the State aid field, approved with amendments and completions by the Law no. 137/2007*,

ISSUES FORMAL OPINION

On the amendment of the *Regional State aid scheme on the capitalization of the renewable energy resources*, set up by the *Draft of Government Decision for the amendment and completion of the Government Decision no.750/2008 for the approval of the Regional State aid scheme on the capitalization of the renewable energy resources*, and for the *Draft of Synthetic Information sheet* submitted by Romania in accordance with the *Commission Regulation (EC) no. 800/2008 declaring certain categories of aid compatible with the common market in application of Articles 87 and 88 of the EC Treaty*.