

**Question for written answer P-005159/2015  
to the Commission**

Rule 130

**Herbert Dorfmann (PPE)**

Subject: Examination of possible distortions of competition resulting from the provisions of Decree Law No 190 of the Italian Republic of 23 December 2014

Article 1(294) of Decree Law No 190 of the Italian Republic of 23 December 2014 (the 'Stability Law'), provides that the sum of EUR 100 million will be allocated annually to railway undertakings for the transportation of goods having their origin or destination in the Italian regions of Abruzzo, Molise, Lazio, Campania, Apulia, Basilicata, Calabria, Sardinia or Sicily. Cross-border transportation in conjunction with other Member States which has its origin or destination in one of these regions would also be included. This compensation is said to be necessary to offset the cost of transportation of railway goods in these regions, and will be determined according to the number of kilometres travelled by the railway undertakings.

In the absence of additional provisions, it seems that the compensation will be calculated on the basis of both the kilometres travelled in the regions mentioned above and those travelled in other regions crossed by the trains. Accordingly, the Commission is asked to answer the following:

1. Does this provision distort or threaten to distort competition by favouring certain undertakings, and is it equivalent to an aid granted by the state or through state resources, and thus in breach of Article 107(1) of the Treaty on the Functioning of the European Union (TFEU) and incompatible with the internal market?
2. If, on the contrary, this provision is compatible with the internal market, as it may cover aid to facilitate the development of certain economic activities or of certain economic areas (Article 107(3)(c) TFEU), why is the region of Lazio also included? Given that the region is not eligible for either the European Regional Development Fund or the European Social Fund for the 2014-2020 period, such inclusion does not seem justified.