



EUROPEAN COMMISSION

Brussels, 14.12.2015  
C(2015) 9353 final

PUBLIC VERSION

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**Subject: State Aid SA. 43404 (2015/N) – Finland**  
**Prolongation of aid scheme concerning high-speed broadband**  
**construction in sparsely populated areas in Finland**

Sir,

**1. PROCEDURE**

- (1) Following informal pre-notification contacts, Finland has notified a prolongation of the above-referenced aid scheme concerning high-speed broadband construction in sparsely populated areas in Finland by four years, from 01.01.2016 to 31.12.2019. The notified measure has no budgetary consequences.
- (2) Finland initially notified the measure to the Commission on 17 February 2010 pursuant to Article 108 (3) of the Treaty on the Functioning of the European Union (TFEU). The Commission approved the measure by decision of 06.05.2010, amended by decisions of 07.09.2012 and 20.02.2014 ("the 2010 authorisation decision, as amended")<sup>1</sup>.

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<sup>1</sup> State aid decision N62/2010 dated 06.05.2010 (OJ C 56, 26.2.2013, p. 3–4), as subsequently amended by decisions SA.34290 dated 07.09.2012 (OJ C 43, 15.2.2013, p. 12–16) and SA.37685 dated 20.02.2014 (OJ C 117, 16.4.2014, p. 1–70); see <http://ec.europa.eu/competition/elojade/isef/index.cfm>.

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- (3) By email of 13 November 2015 the Finnish authorities have confirmed that the applicable legal basis for this state aid scheme contains a clause respecting the stand-still obligation set forth in article 108(3) TFEU, in conjunction with Article 3 of Council Regulation (EU) 2015/1589<sup>2</sup>.
- (4) The Finnish authorities have provided a language waiver and agree that the decision will be adopted in English as the authentic language.

## **2. DETAILED DESCRIPTION OF THE MEASURE**

- (5) The Commission makes reference to recitals (11) to (27) of the 2010 authorisation decision, as amended, for a detailed description of the aid measure.

## **3. ASSESSMENT OF THE MEASURE**

- (6) The Commission's conclusion in recital (35) of the 2010 authorisation decision, as amended, that the notified aid measure constitutes state aid within the meaning of Article 107(1) TFEU is not affected by the notified modification to the approved measure. The considerations set out in that decision therefore continue to apply.
- (7) The Commission's conclusion in recital (45) of the 2010 authorisation decision, as amended, that the measure notified by Finland meets the compatibility criteria set out in the Broadband Guidelines<sup>3</sup>, is not affected by the notified prolongation. On the basis of the considerations set out in that decision, the Commission finds that the notified measure is compatible with the internal market pursuant to Article 107(3)(c) TFEU read in conjunction with the Broadband Guidelines.

## **4. CONCLUSION**

The Commission has accordingly decided:

- (8) not to raise objections to the aid on the grounds that it is compatible with the internal market pursuant to Article 107(3)(c) TFEU.
- (9) The Commission reminds Finland of the requirement to submit to it two-yearly reports on the application of the aid measure and to inform it pursuant to Article 108(3) TFEU of all plans to amend/extend this measure.

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<sup>2</sup> Council Regulation (EU) 2015/1589 of 13 July 2015 laying down detailed rules for the application of Article 108 of the Treaty on the Functioning of the European Union, OJ L 248, 24.9.2015, p. 99.

<sup>3</sup> EU Guidelines for the application of State aid rules in relation to the rapid deployment of broadband networks, dated 15.01.2013, OJ C25, 26.01.2013, p.1.

Your request should be sent electronically to the following address:

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Directorate-General Competition  
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Yours faithfully  
For the Commission

Margrethe VESTAGER  
Member of the Commission

