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**PUBLIC VERSION**

**WORKING LANGUAGE**

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**Subject: State aid SA.35884 (2012/N) – Austria  
Breitband Austria Zwanzigdreizehn**

Sir,

## **1. PROCEDURE**

1. On 12 December 2012 the Austrian authorities notified a budget increase regarding the State aid scheme Breitband Austria Zwanzigdreizehn which aims at closing the digital gap between rural and other areas and enabling access to high speed internet throughout the country.
2. By decision of 10 December 2010 (N 336/2010), the Commission had authorised the current scheme until 31 December 2013.

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

3. The notified aid measure provides for an increase of the overall budget to be spent during the three years of the application of the scheme from €26 million to €41 million. The other relevant aspects of the scheme remain unchanged.

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

### **3.1. Existence of aid**

4. The measure constitutes State aid within the meaning of Article 107(1) TFEU, as already described in the State aid decision N 336/2010.

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### **3.2. Compatibility with the TFEU**

5. The measure merely provides for a budget increase for a scheme which the Commission had already found to be compatible with the internal market, in accordance with Article 107(3)c TFEU. In view of the success of the implementation of the scheme, Austria decided to make available these additional funds.
6. The notified measure doesn't contain any changes which could affect the assessment of the aid scheme made at the occasion of the previous notification. Thus the conclusions of the Commission as to its compatibility remain unchanged.

### **3.3. Conclusion**

7. Therefore the Commission has concluded that the notified change to the aid scheme is compatible with the internal market according to Article 107(3)c TFEU.

## **4 DECISION**

8. The Commission has accordingly decided to consider the notified budget increase regarding the aid scheme Breitband Austria Zwanzigdreizehn to be compatible with Article 107(3)c of the Treaty on the Functioning of the European Union and not to raise objections to it.
9. If this letter contains confidential information which should not be disclosed to third parties, please inform the Commission within fifteen working days of the date of receipt. If the Commission does not receive a reasoned request by that deadline, you will be deemed to agree to the disclosure to third parties and to the publication of the full text of the letter in the authentic language on the Internet site: <http://ec.europa.eu/competition/elojade/isef/index.cfm>.
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Yours faithfully,

For the Commission

Joaquín ALMUNIA  
Vice-President of the Commission