



Response to public consultation on the Commission’s Call for Evidence for the initiative “State aid – Exemptions for small amounts of aid (de minimis aid)”

ETNO welcomes the initiative of the Commission and the possibility to provide preliminary comments in response to the Call for Evidence.

Beyond the fact that the Regulation in force is going to expire at the end of 2023, a review is needed in order to take into account the experience registered since its adoption, the review applied to other State aid relevant laws (i.e. GBER thresholds) and the new market context.

ETNO members believe that the Regulation is a useful tool to avoid burdensome procedures for small aid, and therefore, it is important that the amount remains adequate in view of the market circumstances.

In this sense, we fully agree that the maximum amount of de minimis needs to be adjusted to factor in inflation, given the price pressure we are experiencing across the EU. The new value will have to consider that the current threshold of EUR 200,000 has been applied since 2006 and not only since 2013.

In addition, it should be considered that the current international and European economic crisis will also lead to inflationary increases in the coming years. In this context, we welcome the fact that the review will take inflation into account with a forward-looking approach for the period 2014-2030.

Considering the high uncertainty and volatility of the markets, the Regulation should also allow the Commission to carry out a mid-term review of the amount (e.g. after 3 years) in case actual inflation rates deviate significantly from the provisional data used to update the amount.

We also welcome an increase in transparency (i.e. a mandatory public register) to facilitate checks on the amount received (vs the cap), both for the granting authorities and for the beneficiaries. A mandatory public register would also facilitate the Commission's monitoring activities pursuant to Article 6(5).

There is also the need to improve the effectiveness and efficiency of already implemented public registers, which should allow granting authorities and beneficiaries:

- a quick and easy access to updated and complete/exhaustive information;
- with a clear indication of the relevant 3-year period to which the plafond applies and,
- data at the level of both the ‘Single undertaking’ and the individual enterprises.

On the side of the beneficiaries, this is particularly relevant for medium-sized and large groups of companies for which it is important to be aware of the State aid already granted under the De minimis Regulation based on clear and comprehensive information, both to guide the initial decisions on the



access to State aids and to monitor the plafond at the level of the Single undertaking in order to avoid exceeding the amount.

Finally, we agree on the technical nature of the proposed changes, but bearing in mind that the fitness check of State aid rules dates back to 2019, a brief impact assessment would be useful to:

- highlight the amounts of state aid provided under the De minimis Regulation across the EU countries and their evolution over time;
- assess the effectiveness and efficiency of public registers already implemented.

About ETNO

ETNO (European Telecommunications Network Operators' Association) represents Europe's telecommunications network operators and is the principal policy group for European e-communications network operators. ETNO's primary purpose is to promote a positive policy environment allowing the EU telecommunications sector to deliver best quality services to consumers and businesses.

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