
Changes to legislation: There are currently no known outstanding effects for the Commission Decision of 29 October 2007 exempting the production and sale of electricity in Sweden from the application of Directive 2004/17/EC of the European Parliament and of the Council of 31 March 2004 coordinating the procurement procedures of entities operating in the water, energy, transport and postal services sectors (notified under document number C(2007) 5197) (Only the Swedish text is authentic) (Text with EEA relevance) (2007/706/EC). (See end of Document for details)

Commission Decision of 29 October 2007 exempting the production and sale of electricity in Sweden from the application of Directive 2004/17/EC of the European Parliament and of the Council of 31 March 2004 coordinating the procurement procedures of entities operating in the water, energy, transport and postal services sectors (notified under document number C(2007) 5197) (Only the Swedish text is authentic) (Text with EEA relevance) (2007/706/EC)

- Article 1 Directive 2004/17/EC shall not apply to contracts awarded by contracting...
- Article 2 This Decision is addressed to the Kingdom of Sweden.
Signature

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- (1) OJ L 134, 30.4.2004, p. 1. Directive as last amended by Directive 2006/97/EC of the Council (OJ L 363, 20.12.2006, p. 107).
- (2) OJ L 27, 30.1.1997, p. 20.
- (3) OJ L 176, 15.7.2003, p. 37.
- (4) Cf. p. 334, paragraph A.2 5) of COM(2006) 851 final of 10.1.2007: Commission Communication: Inquiry pursuant to Article 17 of Regulation (EC) No 1/2003 into the European gas and electricity sectors, hereinafter referred to as 'Final Report'.
- (5) Cf. p. 333, paragraph A.1, table c, of the Final Report.
- (6) Point 28 of Case COMP/M.3867 Vattenfall/Elsam and E2 Assets of 22.12.2005.
- (7) Cf. the just mentioned Case COMP/M.3867, points 22-33, and Commission Decision 2006/422/EC of 19 June 2006 establishing that Article 30(1) of Directive 2004/17/EC of the European Parliament and of the Council coordinating the procurement procedures of entities operating in the water, energy, transport and postal services sectors applies to the production and sale of electricity in Finland, excluding the Åland Islands, OJ L 168 of 21.6.2006, p. 33. See also in that sense the Final Report, p. 334, paragraph A.2.5.
- (8) COM(2005) 568 final of 15.11.2005.
- (9) The 2005 Report, p. 2.
- (10) Cf. the 2005 Report, p. 7.
- (11) Commission Staff Working Document, Technical Annex to the 2005 Report, SEC(2005) 1448.
- (12) P. 44, table 4,1, of the Technical Annex.
- (13) According to the Final Report, Annex C, p. 338.
- (14) Cf. recital 9.
- (15) Final Report, p. 126, paragraph 380, table 16.
- (16) Emphasis added for ease of reading.
- (17) P. 141, paragraph 424.
- (18) P. 44, table 4,1, of the Technical Annex.
- (19) According to the information supplied by the Swedish authorities.
- (20) Final Report, p. 112, paragraph 319.
- (21) Final Report, p. 127, paragraph 383, table 17.
- (22) See the Final Report, p. 127, paragraph 383, table 17.
- (23) P. 44-45.
- (24) P. 193, paragraph 581.
- (25) In comparison, there are six main suppliers active in the household market with additional companies active in the large user sector in the U. K., cf. Commission Decision 2007/141/EC of 26 February 2007 establishing that Article 30(1) of Directive 2004/17/EC of the European Parliament and of the Council coordinating the procurement procedures of entities operating in the water, energy, transport and postal services sectors applies to the supply of electricity and gas in England, Scotland and Wales, OJ L 62 of 1.3.2007, p. 23, whereas the number of economic operators on the retail market in Finland is more than 60, cf. the above-mentioned Decision 2006/422/EC.
- (26) Technical Annex, p. 45.
- (27) Technical Annex, p. 67-68.
- (28) 2005 Report, p. 9.
- (29) Technical Annex, p. 17.
- (30) SEC(2006) 1709 of 10.1.2007: Accompanying document to the Communication from the Commission to the Council and the European Parliament: prospects for the internal gas and

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electricity market — implementation report, COM(2006) 841 final'. Hereinafter, these documents will be referred to, respectively, as 2007 Staff Document and 2007 Communication.

(31) 2007 Staff Document, p. 158.

(32) Technical Annex p. 124.

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