

FORM I - BALEARIC ISLANDS - MARITIME TRANSPORT

1. SGEI ASSIGNED

- ☐ Port pilotage (Case C-266/96) under Article 2(1)(a) of the Decision.
- ☐ Postal Services (Case C-320/91) under Article 2(1)(a) of the Decision.
- ☐ Electricity (Case-393/92) under Article 2(1)(a) of the Decision.
- ☐ Water distribution (Case 96/82) under Article 2(1)(a) of the Decision.
- ☐ Services in the sphere of telecommunications (Case 41/83) under Article 2(1)(a) of the Decision.
- ☐ Television broadcasts (Case 155/73) under Article 2(1)(a) of the Decision.
- ☐ Article 2(1)(b) of the Decision, hospitals and social housing undertakings carrying out activities classified as SGEI.
- ☐ Article 2(1)(c) et seq. of the Decision concerning air and maritime links. **YES**

2. UNDERTAKINGS TO WHICH DUTIES ARE ASSIGNED

Acciona Trasmediterránea SA, Eurolíneas Marítimas SA, Iscomar SA, Mediterránea Pitiusa SL, Trasmapi Balearia CB, Interilles Exprés SL, Menorquina Mediterránea SL

3. CONTRACTUAL OR LEGAL FORM OF THE ASSIGNMENT:

- ☐ Legislative or regulatory act **YES**
- ☐ Contract
- ☐ Mandate

4. SGEI TERRITORIAL SCOPE:

- ☐ infra-municipal
- ☐ municipal
- ☐ provincial
- ☐ regional **YES**
- ☐ national

5. EXCLUSIVE OR SPECIAL RIGHTS ATTRIBUTED TO FIRMS RECEIVING COMPENSATION. (case of restricted competence or taking competence away from other economic operators). Justification of the need for these rights:

6. NATURE OF PUBLIC SERVICE OBLIGATIONS: (description of the Public Service)
Discounts applied to maritime passenger transport between islands

7. DURATION OF THE PUBLIC SERVICE OBLIGATIONS: **Annual**

8. AMOUNT OF THE COMPENSATION or payment made by the Administration to the undertaking for provision of the service¹:

2009: €7 639 508.89

2010: €7 934 538.35

2011: €7 860 564.34

Triennial Total €23 434 611.58

CALCULATION PARAMETERS: **25% FOR BALEARIC ISLAND RESIDENTS AND 39% FOR RESIDENTS OF FORMENTERA**

9. CONTROLS TO PREVENT OVERCOMPENSATION:

- ☐ Checks performed by officials or auditors. **YES**

Number of checks: One quarterly inspection for each dossier performed by officials of the *Capitanía Marítima* (maritime authority), Directorate-General for Ports and Airports and by the General Audit Office of the Autonomous Community of the Balearic Islands.

Result:

- ☐ The rules (particularly accounting) notified to the undertaking to prevent any cross-subsidisation allow for a fair distribution of costs and prevent overcompensation.

Indication of the rule notified: Royal Decree 1316/2001 of 30 November 2001 amended by Royal Decree 1340/2007 of 11 October 2007; Decree 42/2008 of 11 April (Autonomous Community of the Balearic Islands); Decree 43/2008 of 11 April (Autonomous Community of the Balearic Islands).

Brief reference to their content: regulation of the discount applied to regular maritime transport tariffs between islands for residents of the Autonomous Community of the Balearic Islands.

- ☐ Reimbursement method in the event of overcompensation.

Description: Discounts are paid by bank transfer. Where necessary, compensation is corrected following checks.

- ☐ Other:

Description:

¹ The amount of compensation **may not exceed what is necessary to cover the costs incurred in discharging the public service obligations**, taking into account the relevant receipts and a reasonable profit on any own capital necessary for discharging those obligations. The compensation must be actually used for the operation of the service of general economic interest concerned, without prejudice to the undertaking's ability to enjoy a reasonable profit.