

## **FORM I - ASTURIAS - HOSPITALS**

### **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.

### **2. UNDERTAKINGS TO WHICH DUTIES ARE ASSIGNED**

Private hospitals forming part of the Public Hospital Network of the Autonomous Community of Asturias.

### **3. CONTRACTUAL OR LEGAL FORM OF THE ASSIGNMENT:**

- ☐ Legislative or regulatory act
- ☐ Contract
- ☒ Specific agreement

### **4. SGEI TERRITORIAL SCOPE:**

- ☐ infra-municipal
- ☐ municipal
- ☐ provincial
- ☒ regional
- ☐ national

### **5. EXCLUSIVE OR SPECIAL RIGHTS ATTRIBUTED TO FIRMS RECEIVING**

**COMPENSATION.** (case of restricted competition or exclusion of other economic operators from competing). Justification of the need for these rights:

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### **6. NATURE OF PUBLIC SERVICE OBLIGATIONS: (description of the Public Service)**

Provision of services by private health-care hospitals to users of the National Health System with the scope and direct services as provided under Royal Decree 1030/2006 of 15 September 2006 establishing the list of common National Health System services and the updating procedure.

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

Annual

8. AMOUNT OF COMPENSATION or payment made by the Administration to the undertaking for provision of the service<sup>1</sup>:

A provisional total of €85 334 573 for all hospitals combined during the 2011 economic year.

**CALCULATION PARAMETERS:**

Based on the estimated number of hospital admissions, consultations, surgical procedures and individually-assessed services valued at what are considered to be market prices.

**9. CONTROLS TO PREVENT OVERCOMPENSATION:**

☒ Checks performed by officials or auditors.

Number of checks: one monthly with each invoicing and one annually at the time of the year-end settlement of accounts.

Result: compensation matches invoicing for services actually provided.

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

Indication of the rule notified:

Brief reference to its content:

☒ Reimbursement method in the event of overcompensation.

Description: in the event of early payment or penalties, adjustments are made at the final settlement of accounts, which in some circumstances can be by compensation with other financial periods.

☐ Other:

Description:

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<sup>1</sup> 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.