



Broadband Guidelines

The Commission applies the "**Community Guidelines for the application of State aid rules in relation to rapid deployment of broadband networks**" for the assessment of state aid to broadband measures.

The document is available at: http://ec.europa.eu/competition/state_aid/legislation/specific_rules.html#broadband

Commission decisions on State aid to broadband (2003-2010)

#	Decision	Decision Date	Decision type (*)
1	N 282 / 2003 - Cumbria Broadband-Project ACCESS – United Kingdom	10/12/2003	Article 4(3)
	Decision text - Authentic version (English): http://ec.europa.eu/community_law/state_aids/comp-2003/n282-03.pdf		
2	N 213 / 2003 - ATLAS: Broadband infrastructure scheme for business parks – United Kingdom	20/07/2004	Article 4(3)
	Decision text - Authentic version (English) http://ec.europa.eu/community_law/state_aids/comp-2003/n213-03.pdf		
3	N 199 / 2004 - Broadband Business Fund - United Kingdom	16/11/2004	Article 4(3)
	Decision text - Authentic version (English) http://ec.europa.eu/community_law/state_aids/comp-2004/n199-04.pdf		
4	N 307 / 2004 - Broadband in Scotland - remote and rural areas- United Kingdom	16/11/2004	Article 4(3)
	Decision text - Authentic version (English) http://ec.europa.eu/community_law/state_aids/comp-2004/n307-04.pdf		
5	N 381 / 2004 - Haut débit en Pyrénées-Atlantiques - France	16/11/2004	Article 4(2)
	Decision text - Authentic version (French) http://ec.europa.eu/community_law/state_aids/comp-2004/n381-04.pdf		
6	N 126 / 2004 - Broadband in Lincolnshire - United Kingdom	14/12/2004	Article 4(3)
	Decision text - Authentic version (English) http://ec.europa.eu/community_law/state_aids/comp-2004/n126-04.pdf		
7	N 583 / 2004 - Broadband in rural and ultra-remote areas – Spain	06/04/2005	Article 4(2)
	Decision text - Authentic version (Spanish) http://ec.europa.eu/community_law/state_aids/comp-2004/n583-04.pdf		
8	N 382 / 2004 - Haut débit en Limousin - DORSAL - France	03/05/2005	Article 4(3)
	Decision text - Authentic version (French) http://ec.europa.eu/community_law/state_aids/comp-2004/n382-04.pdf		
9	N 57 / 2005 - Regional Innovative Broadband Support - United Kingdom	01/06/2005	Article 4(3)
	Decision text - Authentic version (English) http://ec.europa.eu/community_law/state_aids/comp-2005/n057-05.pdf		
10	N 117 / 2005 - Broadband aggregated procurement - Scotland - United Kingdom	21/09/2005	Art. 4(2)/ 4(3)
	Decision text - Authentic version (English) http://ec.europa.eu/community_law/state_aids/comp-2005/n117-05.pdf		
11	N 267 / 2005 - Rural Broadband Access Project - United Kingdom	05/10/2005	Article 4(3)
	Decision text - Authentic version (English) http://ec.europa.eu/community_law/state_aids/comp-2005/n267-05.pdf		
12	N 263 / 2005 - Broadband for Kaernten - Austria	20/10/2005	Article 4(3)
	Decision text - Authentic version (German) http://ec.europa.eu/community_law/state_aids/comp-2005/n263-05.pdf		
13	C 35 / 2005 (ex N59 / 2005) - Broadband development Appingedam – the Netherlands	20/10/2005	Article 4(4)
	Decision to open the formal investigation procedure		
	Decision text - http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:52005XC1216(04):EN:NOT		
14	N 131 / 2005 - Fibre Speed Broadband Project Wales - United Kingdom	22/02/2006	Article 4(3)
	Decision text - Authentic version (English) http://ec.europa.eu/community_law/state_aids/comp-2005/n131-05.pdf		
15	N 284 / 2005 - Metropolitan Area Network Broadband Program, Ireland	08/03/2006	Article 4(3)
	Decision text - Authentic version (English) http://ec.europa.eu/community_law/state_aids/comp-2005/n284-05.pdf		
16	N 398 / 2005 - Development tax benefit - modification of measure Hungary 3/04	16/05/2006	Article 4(3)
	Decision text - Authentic version (Hungarian) http://ec.europa.eu/community_law/state_aids/comp-2005/n398-05.pdf		
	Decision Text - Working Language (English) http://ec.europa.eu/comm/competition/state_aid/register/ii/doc/N-398-2005-WLWL-en-16.05.2006.pdf		
17	N 118 / 2006 - Development of broadband communication networks in rural	07/06/2006	Article 4(3)



	areas - Latvia		
	Decision text - Authentic version (Latvian) http://ec.europa.eu/community_law/state_aids/comp-2006/n118-06.pdf		
	Decision Text - Working Language (English) http://ec.europa.eu/comm/competition/state_aid/register/ii/doc/N-118-2006%20WLWL-en-07.06.2006.pdf		
18	N 201 / 2006 - National broadband project - Greece	04/07/2006	Article 4(3)
	Decision text - Authentic version (Greek) http://ec.europa.eu/community_law/state_aids/comp-2006/n201-06.pdf		
	Decision Text - Working Language (English) http://ec.europa.eu/comm/competition/state_aid/register/ii/doc/N-201-2006-WLWL-en-04.07.2006.pdf		
19	C 35 / 2005 - Broadband development Appingedam – the Netherlands	19/07/2006	Article 7(5)
	Final decision - Authentic version (Dutch) http://ec.europa.eu/comm/competition/state_aid/register/ii/doc/C-35-2005-WLAL-nl-19.07.2006.pdf		
	Decision Text - Working Language (English) http://ec.europa.eu/comm/competition/state_aid/register/ii/doc/C-35-2005-WLWL-en-19.07.2006.pdf		
20	N 264 / 2006 - Broadband for rural Tuscany - Italy	13/09/2006	Article 4(3)
	Decision text - Authentic version (Italian) http://ec.europa.eu/community_law/state_aids/comp-2006/n264-06.pdf		
	Decision Text - Working Language (English) http://ec.europa.eu/comm/competition/state_aid/register/ii/doc/N-264-2006-WEBL-en-13.09.2006.pdf		
21	N 222 / 2006 - Digital Divide in Sardinia - Italy	22/09/2006	Article 4(3)
	Decision text - Authentic version (Italian) http://ec.europa.eu/community_law/state_aids/comp-2006/n222-06.pdf		
	Decision Text - Working Language (English) http://ec.europa.eu/comm/competition/state_aid/register/ii/doc/N-222-2006-WLWL-en-22.09.2006.pdf		
22	N 157 / 2006 - South Yorkshire Digital Region Broadband Project - United Kingdom	22/11/2006	Article 4(3)
	Decision text - Authentic version (English) http://ec.europa.eu/community_law/state_aids/comp-2006/n157-06.pdf		
23	C 53 / 2006 (ex N 262 / 2005) – Citynet Amsterdam – the Netherlands	20/12/2006	Article 4(4)
	Decision to open the formal investigation procedure - Authentic version (Dutch) http://ec.europa.eu/comm/competition/state_aid/register/ii/doc/C-53-2006-WLAL-nl-20.12.2006.pdf		
	Decision Text - Working Language (English) http://ec.europa.eu/comm/competition/state_aid/register/ii/doc/C-53-2006-WLWL-en-20.12.2006.pdf		
24	N 746 / 2006 – NYNET North Yorkshire Advanced Broadband Project - United Kingdom	21/02/2007	Article 4(3)
	Decision text - Authentic version (English) http://ec.europa.eu/community_law/state_aids/comp-2006/n746-06.pdf		
25	NN 24 / 2007 – Prague Municipal Wireless Network – Czech Republic	30/05/2007	Article 4(2)
	Decision text - Authentic version (Czech) http://ec.europa.eu/community_law/state_aids/comp-2007/nn024-07.pdf		
	Decision text – Working language (English) http://ec.europa.eu/comm/competition/state_aid/register/ii/doc/NN-24-2007-WLWL-en-30.05.2007.pdf		
26	N 46 / 2007 – Welsh Public Sector Network Scheme - United Kingdom	30/05/2007	Article 4(2)
	Decision text - Authentic version (English) http://ec.europa.eu/community_law/state_aids/comp-2007/n046-07.pdf		
27	N 890 / 2006 – Aid to Sicoval – France	10/07/2007	Article 4(3)
	Decision text - Authentic version (French) http://ec.europa.eu/community_law/state_aids/comp-2006/n890-06.pdf		
28	N 475 / 2007 – National Broadband Scheme - Ireland	25/09/2007	Article 4(3)
	Decision text – Authentic version http://ec.europa.eu/community_law/state_aids/comp-2007/n475-07.pdf		
29	N 473 / 2007 - Broadband connections for Alto Adige - Italy	11/10/2007	Article 4(3)
	Decision text - Authentic version (Italian) http://ec.europa.eu/community_law/state_aids/comp-2007/n473-07.pdf		
30	N 570 / 2007 – Broadband in rural areas of Baden-Württemberg - Germany	23/10/2007	Article 4(3)
	Decision text - Authentic version (German) http://ec.europa.eu/community_law/state_aids/comp-2007/n570-07.pdf		
	Decision text – Working language (English) http://ec.europa.eu/comm/competition/state_aid/register/ii/doc/N-570-2007-WLWL-en-23.10.2007.pdf		
31	N 442 / 2007 – Aid in favour of broadband in rural areas of Veneto - Italy	23/10/2007	Article 4(3)
	Decision text - Authentic version (Italian) http://ec.europa.eu/community_law/state_aids/comp-2007/n442-07.pdf		
32	C 53 / 2006 (ex N 262 / 2005) – Citynet Amsterdam – the Netherlands	11/12/2007	Article 4(2)



	Decision text - Authentic version (Dutch) http://ec.europa.eu/comm/competition/state_aid/register/ii/doc/C-53-2006-WLAL-nl-11.12.2007.pdf Decision text – Working language (English) http://ec.europa.eu/comm/competition/state_aid/register/ii/doc/C-53-2006-WLWL-en-11.12.2007.pdf		
33	N 692 / 2007 Amendment of N131/2005 Fibrespeed broadband project in Wales – United Kingdom	10/01/2008	Article 4(3)
	Decision text – Working language (English) http://ec.europa.eu/community_law/state_aids/comp-2007/n692-07.pdf		
34	N 412 / 2007 – Aid to reduce digital divide in Piedmont, Italy	11/03/2008	Article 4(3)
	Decision text – Working language (English) http://ec.europa.eu/comm/competition/state_aid/register/ii/doc/N-412-2007-WLWL-en-11.03.2008.pdf Decision text – Authentic language (Italian) http://ec.europa.eu/community_law/state_aids/comp-2007/n412-07.pdf		
35	N 14 / 2008 - Broadband in Scotland - Extending broadband reach, United Kingdom	30/04/2008	Article 4(3)
	Decision text – Authentic language (English) http://ec.europa.eu/community_law/state_aids/comp-2008/n014-08.pdf		
36	N 73 / 2008 - Public support to broadband, digital TV, mobile and infrastructures in rural areas, Spain	17/06/2008	Article 4(3)
	Decision text - Authentic version (Spanish) http://ec.europa.eu/community_law/state_aids/comp-2008/n073-08.pdf		
37	N 250 / 2008 - Broadband connections in Alto Adige II, Italy	2/07/2008	Article 4(3)
	Decision text - Authentic version (Italian) http://ec.europa.eu/community_law/state_aids/comp-2008/n250-08.pdf Decision text – Working language (English) http://ec.europa.eu/competition/state_aid/register/ii/doc/N250-2008-wlwl-en-02.07.2008.pdf		
38	N 115 / 2008 - Broadband in rural areas of Germany	2/07/2008	Article 4(3)
	Decision text - Authentic version (German) http://ec.europa.eu/community_law/state_aids/comp-2008/n115-08.pdf Decision text – Working language (English) http://ec.europa.eu/comm/competition/state_aid/register/ii/doc/N115-2008-WLWL-en-02%2007%202008.pdf		
39	N 497 / 2007 - Broadband infrastructure in Lazdijai and Alytus, Lithuania	17/07/2008	Article 4(3)
	Decision text - Authentic version (Lithuanian) http://ec.europa.eu/community_law/state_aids/comp-2007/n497-07.pdf Decision text – Working language (English): http://ec.europa.eu/competition/state_aid/register/ii/doc/N-497-07-WLWL-lt-16.07.2008.pdf		
40	N 150 / 2008 - Broadband in rural areas of Freistaat Sachsen, Germany	5/11/2008	Article 4(3)
	Decision text - Authentic version (German) http://ec.europa.eu/community_law/state_aids/comp-2008/n150-08.pdf Decision text – Working language (English): http://ec.europa.eu/competition/state_aid/register/ii/doc/N-150-08-WLWL-en-05.11.2008.pdf		
41	N 237 / 2008 - Broadband support in Niedersachsen, Germany	5/11/2008	Article 4(3)
	Decision text - Authentic version (German) http://ec.europa.eu/community_law/state_aids/comp-2008/n237-08.pdf Decision text – Working language (English) http://ec.europa.eu/competition/state_aid/register/ii/doc/N-237-2008-WLWL-en-05.11.2008.pdf		
42	N 266 / 2008 - Broadband in rural areas of Bayern, Germany	5/11/2008	Article 4(3)
	Decision text - Authentic version (German) http://ec.europa.eu/community_law/state_aids/comp-2008/n266-08.pdf Decision text – Working language (English) http://ec.europa.eu/competition/state_aid/register/ii/doc/N-266-2008-WLWL-en-05.11.2008.pdf		
43	N 508 / 2008 - Provision of Remote Broadband Services in Northern Ireland, United Kingdom	10/12/2008	Article 4(3)
	Decision text – Authentic language (English) http://ec.europa.eu/community_law/state_aids/comp-2008/n508-08.pdf		
44	N 238 / 2008 – Broadband infrastructure development in Germany	23/02/2009	Article 4(3)
	Decision text - Authentic version (German) http://ec.europa.eu/community_law/state_aids/comp-2008/n238-08.pdf Decision text – Working language (English) http://ec.europa.eu/competition/state_aid/register/ii/doc/N-238-2008-WLWL-en-23.02.2008.pdf		
45	N 153/2009 - Amendment of the State aid broadband scheme N266/2008, Germany	19/05/2009	Article 4(3)



	Decision text - Authentic version (German) http://ec.europa.eu/community_law/state_aids/comp-2009/n153-09.pdf Decision text – Working language (English) http://ec.europa.eu/competition/state_aid/register/ii/doc/N-153-2009-WLWL-en-19.05.2009.pdf		
46	N 183/2009 - Development of Rural Area Information Technology Network, Lithuania	17/07/2009	Article 4(3)
	Decision text - Authentic version (Lithuanian) http://ec.europa.eu/community_law/state_aids/comp-2009/n183-09.pdf Decision text – Working language (English) http://ec.europa.eu/competition/state_aid/register/ii/doc/N-183-2009-WLWL-en-17.07.2009.pdf		
47	N 243/2009 Extension of broadband coverage in Niedersachsen, Germany	14/08/2009	Article 4(3)
	Decision text - Authentic version (German) http://ec.europa.eu/community_law/state_aids/comp-2009/n243-09.pdf Decision text – Working language (English) http://ec.europa.eu/competition/state_aid/register/ii/doc/N-243-2009-WLWL-en-14.08.2009.pdf		
48	N 331/2008 Réseau à très haut débit en Hauts-de-Seine, France	30/09/2009	Article 4(2)
	Decision text - Authentic version (French) http://ec.europa.eu/community_law/state_aids/comp-2008/n331-08.pdf		
49	N 172/2009 - Broadband development in Slovenia	19/10/2009	Article 4(3)
	Decision text - Authentic version (Slovenian) http://ec.europa.eu/community_law/state_aids/comp-2009/n172-09.pdf Decision text – Working language (English) http://ec.europa.eu/competition/state_aid/register/ii/doc/N172-2009-WLWL-EN-19.10.2009.pdf		
50	N 418/2009 - Northern Ireland - Next Generation Broadband, United Kingdom	5/11/2009	Article 4(3)
	Decision text - Authentic version (English) http://ec.europa.eu/community_law/state_aids/comp-2009/n418-09.pdf		
51	N 607/2009 - Rural Broadband Scheme, Ireland	4/12/2009	Article 4(3)
	Decision text - Authentic version (English) http://ec.europa.eu/community_law/state_aids/comp-2009/n607-09.pdf		
52	N 423/2009- Broadband infrastructure deployment in Cyprus	10/12/2009	Article 4(3)
	Decision text - Authentic version (English) http://ec.europa.eu/community_law/state_aids/comp-2009/n423-09.pdf		
53	N 323/2009 - Broadband in rural areas of Asturias, Spain	14/12/2009	Article 4(3)
	Decision text - Authentic version (Spanish) http://ec.europa.eu/community_law/state_aids/comp-2009/n323-09.pdf Decision text – Working language (English) http://ec.europa.eu/competition/state_aid/register/ii/doc/N323-09-WLWL-en-14.12.2009.pdf		
54	N 388/2009 – High-speed broadband pilot projects in Finland	16/12/2009	Article 4(3)
	Decision text - Authentic version (Finnish) http://ec.europa.eu/community_law/state_aids/comp-2009/n388-09-fi.pdf Decision text - Authentic version (Swedish) http://ec.europa.eu/community_law/state_aids/comp-2009/n388-09-sv.pdf Decision text – Working language (English) http://ec.europa.eu/competition/state_aid/register/ii/doc/N388-09-WLWL-en-16.12.2009.pdf		
55	N 368/2009 - Amendment of the State aid broadband scheme N115/2008, Germany	22/12/2009	Article 4(3)
	Decision text - Authentic version (German) http://ec.europa.eu/community_law/state_aids/comp-2009/n368-09.pdf Decision text – Working language (English) http://ec.europa.eu/competition/state_aid/register/ii/doc/N-368-2009-WLWL-en-08.03.2010.pdf		
56	N 383/2009 – Amendment of the State aid broadband scheme N 150/2008, Germany	08/02/2010	Article 4(3)
	Decision text - Authentic version (German) http://ec.europa.eu/community_law/state_aids/comp-2009/n383-09.pdf Decision text – Working language (English) http://ec.europa.eu/competition/state_aid/register/ii/doc/N-368-2009-WLWL-en-08.03.2010.pdf		
57	N 596/2009 – Bridging the digital divide in Lombardia, Italy	08/02/2010	Article 4(3)
	Decision text - Authentic version (Italian) http://ec.europa.eu/community_law/state_aids/comp-2009/n596-09.pdf Decision text – Working language (English) http://ec.europa.eu/competition/state_aid/register/ii/doc/N596-09-WLWL-en-08.02.2010.pdf		



58	N 30/2010 - Broadband development within the framework of rural development, Sweden	25/03/2010	Article 4(3)
	Decision text – Working language (English) http://ec.europa.eu/community_law/state_aids/comp-2010/n030-10-en.pdf		
59	N 646/2009 National broadband plan for rural areas in Italy	30/04/2010	Article 4(3)
	Decision text – Working language (English) http://ec.europa.eu/competition/state_aid/register/ii/doc/N-646-2009-WLWL-en-30.04.2009.pdf		
60	N 62/2010 High-speed Broadband Construction Aid in Sparsely Populated Areas of Finland	06/05/2010	Article 4(3)
	Decision text - Authentic version (Finnish) http://ec.europa.eu/community_law/state_aids/comp-2010/n062-10-fi.pdf Decision text - Authentic version (Swedish) http://ec.europa.eu/community_law/state_aids/comp-2010/n062-10-sv.pdf Decision text – Working language (English) http://ec.europa.eu/competition/state_aid/register/ii/doc/N62-2010-WLWL-en-06.05.2010.pdf		
61	N 461/2009 Cornwall & Isles of Scilly Next Generation Broadband, United Kingdom	12/05/2010	Article 4(3)
	Decision text - Authentic version (English) http://ec.europa.eu/community_law/state_aids/comp-2009/n461-09.pdf		
62	N 626/2009 NGA for industrial districts of Lucca, Italy	28/06/2010	Article 4(3)
	<i>Not yet published</i>		
63	N 559/2009 North Yorkshire – Next Generation Broadband, United Kingdom	28/06/2010	Article 4(3)
	<i>Not yet published</i>		
64	N 53/2010 Federal framework programme on duct support, Germany	12/07/2010	Article 4(3)
	<i>Not yet published</i>		
65	N 196/2010 Establishment of a Sustainable Infrastructure Permitting Estonia-wide Broadband Internet Connection (EstWin project)	20/07/2010	Article 4(2)
	<i>Not yet published</i>		

(*) **Commission decisions:** the Commission issues the following types of decisions – as defined in the [Council Regulation \(EC\) No 659/1999](#) of 22 March 1999 laying down detailed rules for the application of Article 93 of the EC Treaty (*Official Journal L 83, 27.03.1999, pages 1-9*), (see http://ec.europa.eu/comm/competition/state_aid/legislation/rules.html)

After a preliminary examination (phase I decisions):

1. **decision that a measure does not constitute aid** - where the Commission, after a preliminary examination, finds that the notified measure does not constitute aid - **art. 4(2)**
2. **decision not to raise objections** - where the Commission, after a preliminary examination, finds that no doubts are raised as to the compatibility with the common market of a notified measure, in so far as it falls within the scope of Article 87(1) of the Treaty - **art. 4(3)**
3. **decision to initiate the formal investigation procedure** - where the Commission, after a preliminary examination, finds that doubts are raised as to the compatibility with the common market of a measure - **art. 4(4)**

After a formal investigation procedure (phase II decisions):

1. **decision that a measure does not constitute aid (after formal investigation procedure)** - where the Commission, after formal investigation procedure, finds that, where appropriate following modification by the Member State concerned, the notified measure does not constitute aid - **art. 7(2)**
2. **positive decision** - where the Commission, after formal investigation procedure, finds that, where appropriate following modification by the Member State concerned, the doubts as to the compatibility of the notified measure with the common market have been removed - **art. 7(3)**
3. **conditional decision** - where the Commission attached to a positive decision conditions subject to which an aid may be considered compatible with the common market or laid down monitoring obligations - **art. 7(4)**
4. **negative decision without recovery** - where the Commission finds that the aid is not compatible with the common market and shall not be put into effect - **art. 7(5)**
5. **negative decision with recovery** - where the Commission finds that the aid is not compatible with the common market and, as it was unlawful aid, the Commission decides that the Member State concerned shall take all necessary measures to recover the aid from the beneficiary - **art. 7(5) with art. 14(1)**
6. **decision to close formal investigation procedure following the withdrawal of notification** – **art. 8(2)**

Other types of decisions:

1. **revocation of decision** - where the Commission decides to revoke its previous decision due to the fact it was based on incorrect information provided during the procedure which was a determining factor for the decision – **art. 9**
2. **information injunction** – where the Commission requires the Member State to provide the information on alleged unlawful aid in a situation in which the Member State despite a reminder did not provide the information previously requested or provided incomplete information - **art. 10(3)**



Articles on public funding of broadband

"The new State aid Broadband Guidelines: not all black and white"

by Lambros Papadias, Filomena Chirico and Norbert Gaál
Competition Policy Newsletter, number 2009/3.

http://ec.europa.eu/competition/publications/cpn/cpn2009_3.pdf

"Citynet Amsterdam: an application of the Market Economy Investor Principle in the electronic communications sector"

by Norbert Gaál, Lambros Papadias and Alexander Riedl
Competition Policy Newsletter, number 2008/1, p. 82-85.

http://ec.europa.eu/comm/competition/publications/cpn/cpn2008_1.pdf

"Public procurement and State aid control - the issue of economic advantage"

by Nóra Tosics and Norbert Gaál
Competition Policy Newsletter, number 2007/3, p. 116-118.

http://ec.europa.eu/comm/competition/publications/cpn/cpn2007_3.pdf

"Municipal wireless networks and State aid rules: Insights from *Wireless Prague*"

by Norbert Gaál, Lambros Papadias and Alexander Riedl
Competition Policy Newsletter, number 2007/3, p. 15-18.

http://ec.europa.eu/comm/competition/publications/cpn/cpn2007_3.pdf

"Public funding for broadband networks - recent developments"

by Lambros Papadias, Alexander Riedl and Jan Gerrit Westerhof.
Competition Policy Newsletter, number 2006/3, p. 17-18

http://ec.europa.eu/comm/competition/publications/cpn/cpn2006_3.pdf

"State aid rules and public funding of broadband"

by Monika Hencsey, Olivia Reymond, Alexander Riedl, Sandro Santamato and Jan Gerrit Westerhof.
Competition Policy Newsletter, number 2005/1, p. 8-15

http://ec.europa.eu/comm/competition/publications/cpn/cpn2005_1.pdf