

## Susanna Tuikka

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**Lähetäjä:** DONNAY Alejandro <Alejandro.DONNAY@ec.europa.eu>  
**Lähetetty:** tiistai 4. kesäkuuta 2024 11.29  
**Vastaanottaja:** Päivi Rautio  
**Kopio:** SULOWSKA Alina; BESLIU Elena Cristina; Stateaidgreffe@ec.europa.eu; Susanna Tuikka  
**Aihe:** SA.113644: RE: Kannanottopyyntö

Dear Ms Päivi Rautio,

Following our recent call on May 24th, please find below the summary of our preliminary conclusions regarding your letter dated March 25th, 2024, providing market information in relation to the adjustment of Wind Turbine Construction Permit Fees and Request for Opinion on alleged Illegal Aid.

As explained during the call, after carefully examining the documents submitted, we have concluded that the measure in question cannot be considered state aid for the following reasons:

In terms of substance, for a measure to be categorized as aid within the meaning of Article 107(1) TFEU, all the conditions set out in that provision must be fulfilled. First, the measure must be imputable to the State and financed through State resources. Second, it must confer an advantage on its recipients. Third, that advantage must be selective in nature. Fourth, the measure must distort or threaten to distort competition and affect trade between Member States.

We would like to emphasize that, in order to consider the existence of aid, the advantage granted by a measure would have to be selective, which means that it is awarded only to certain undertakings, excluding other undertakings in a comparable legal and factual situation that are not eligible for aid. In response to your question regarding the potential existence of illegal state aid, we have concluded that the selectivity criterion is not present after evaluating the documents you submitted. This would be the case, as the Municipality adopted a decision, the reduction of construction permit fees, of general application, allowing all potential undertakings to benefit from the reduced construction permit fee.

We hope this clarifies your doubts about the legality of the measure from a State aid point of view.

Best regards,

**Alejandro DONNAY**  
Deputy Head of Unit



**European Commission**  
DG COMPETITION  
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