

Form for the submission of complaints concerning alleged unlawful State aid

The form sets out the information the Commission needs in order to be able to follow-up a complaint about alleged unlawful aid.

Please complete all the compulsory fields marked with a star (*).

1. Information regarding the complainant.

First Name:* Gerry
Surname:* Wolff
Address line 1:* 18 Penlon
Address line 2:
Town/City:* Menai Bridge
County/State/Province: Anglesey
Postcode:* LL59 5LR
Country:* UK
Telephone: +44 (0) 1248 712962
Mobile Telephone: +44 (0) 7746 290775
E-mail address:* nuclearsubsidies@gmail.com
Fax:

2. I am submitting the complaint on behalf of somebody (a person or a firm)

Yes No

Name of the person/firm you represent*: Energy Fair
Address line 1:* Address details as above. The Energy Fair website is at <http://www.energyfair.org.uk/home>.
Address line 2:
Town/City:*
County/State/Province:
Postcode:*
Country:*
Telephone 1:
Telephone 2:
E-mail address:
Fax:

You will be asked later to attach proof that the representative is authorized to act on behalf of this person/firm.

If the complainant is an enterprise, a brief description of the complainant and its field (s) and place (s) of activity:

Please select one of the following two options*

Yes, you may reveal my identity
~~No, you may not reveal my identity~~

Confidentiality: If you do not wish your identity or certain documents or information to be disclosed, please indicate this clearly, identify the confidential parts of any documents and give your reasons. The information contained in points 3, 4 and 5 cannot be designated as confidential.

3. Information regarding the Member State granting the aid*

a) Country: UK

b) Level at which the alleged unlawful State aid has been granted. Please specify which Ministry or institution if known:

Central government: Yes

Region (please specify): No

other (please specify): No

4. Information regarding the alleged aid measure.*

Please be aware: the information provided under this point is regarded as non-confidential.

a) To your knowledge when was the alleged aid given or granted?

It has been in place for several decades.

b) What is the amount of the alleged aid, if known? In what form is it given (loans, grants, guarantees, tax incentives or exemptions etc)?

The aid takes two main forms:

- Exemptions from costs that businesses are normally required to pay.
- The transfer of risk and corresponding costs from nuclear operators to taxpayers and members of the public.

c) Who is the beneficiary? Please give as much information as possible, including a description of the main activities of the beneficiary/firm (s) concerned

The operators of nuclear power plants in the UK.

d) For what purpose was the alleged aid given (if known)?

It is likely that the aid was given originally for two main reasons (neither of which are valid now):

- Nuclear power plants were a source of nuclear materials for the manufacture of nuclear weapons.
- Nuclear power was one of the few alternatives to coal-fired generation of electricity.

5. Grounds of complaint.*

Please explain in detail the grounds for your complaint. If known, what rules of community law you think have been infringed by the granting of the alleged aid.

Please be aware: the information provided under this point is regarded as non-confidential.

The detailed grounds for the complaint are set out in the accompanying document *Grounds of complaint*, and in supporting documents referenced therein.

6. Please summarize briefly to what extent the award of the alleged aid affects.*

a) your commercial interests / commercial interests of the person/firm you represent

Not at all. Energy Fair is a campaigning group seeking to protect the interests of the public.

b) the market(s) in which the beneficiary(ies) of the alleged aid operate.

The beneficiaries operate most directly in the supply of electricity. Since electricity can be a substitute for other forms of energy, and the conservation of energy, the beneficiaries operate less directly in the markets for other forms of energy and the conservation of energy.

c) EU State aid control rules only apply when the alleged measure may affect trade between Member States. Please explain how this is the case for the measure you are complaining about.

Electricity, other forms of energy, and resources for the conservation of energy, are traded between Member States. State aid for nuclear power in the UK distorts those markets.

7. Information on other procedures.*

a) Have you already approached the Commission's services or any other European or national institution concerning the same issue?

Yes No If yes, attach copies of correspondence

Here is a copy of an email sent to the then Commissioner for Competition on 2009-12-10.

Neelie Kroes
Commissioner for Competition
Directorate General for Competition
European Commission
B-1049 Brussels
Belgium

Dear Neelie Kroes,

I understand from a recent press report that Peter Mandelson, UK Secretary of State for Business, Innovation & Skills, "is ... pushing for the European Commission to relax state aid rules to make it easier for governments to provide funding for key low-carbon industries." Here, "low-carbon industries" almost certainly means the nuclear industry.

In this connection, I urge you strongly **not** to allow any relaxation of the rules that would make it easier for any government to provide new funding for nuclear power. The main reasons are these:

- The nuclear industry is **already** receiving large subsidies, as described in the report “Nuclear Subsidies” (www.mng.org.uk/nsubsidies.pdf) prepared by the Energy Fair group (www.nonukes.org.uk/home).
- There are more than enough alternatives to meet current and anticipated future demands for energy, not just electricity, as described on www.nonukes.org.uk/potential-of-renewables.
- In terms of the fight against climate change, nuclear power is a serious mis-allocation of resources, as described on www.nonukes.org.uk/npcc.

In general, we should be aiming to wind down the ‘arms race’ of subsidies, as described on www.nonukes.org.uk/reducing-subsidies .

With thanks,

Yours sincerely,

Gerry Wolff

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Dr Gerry Wolff PhD Ceng

Energy Fair

nuclearsubsidies@gmail.com, +44 (0) 1248 712962, www.nonukes.org.uk.

b) Approaches already made to national authorities or recourse to national courts or other procedures.

Yes No If yes, indicate whether there has already been a decision or award and attach a copy

8. I understand that for a faster treatment of the complaint the information provided above in point 3, 4 and 5 are non-confidential and can be sent to the Member State in question.*

Yes No

9. Supporting documents

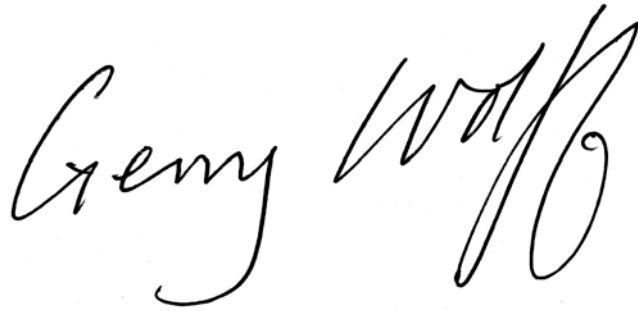
Please list any documents and evidence which is submitted in support of the complaint and add annexes if necessary

- Whenever possible, a copy of the national law or other measure which provides the legal basis for the payment of the alleged aid should be provided
- If the complaint is submitted on behalf of someone else (a person or a firm) please attach proof that you as a representative are authorized to act
- If the complainant is an enterprise, please feel free to attach a brief description of the complainant and its field(s) and place (s) of activity
- Copies of previous correspondence with the European Commission or any other European or national institution concerning the same issue
- If the issue has already been dealt with by a national Court, a copy of a judgement if available.

That I am Coordinator of Energy Fair can be seen from our website at <http://www.energyfair.org.uk/contact> .

Place, date and signature of complainant

Menai Bridge, UK, 2011-02-03,

A handwritten signature in black ink, appearing to read "Gemy Wolf". The signature is written in a cursive style with a large, looping initial 'G' and a stylized 'W'.