

Case handler: Gunnar Örn Indriðason
Tel: Tel: (+32)(0)2 286 1847
e-mail: Gin@eftasurv.nit

Brussels, 29 November 2024
Case No: 90137
Document No: 1502318

To: Ministry of Transport
Postboks 8010 Dep
0030 Oslo
Norway

CC: Ministry of Foreign Affairs

Follow-up letter to the package meeting in Norway on 24-25 October 2024

Dear Sir/Madam,

On behalf of the Authority, I would like to thank the Norwegian Government for the very useful and constructive meetings and for the hospitality offered to us during the recent package meeting.

The enclosed follow-up letter reflects the Authority's understanding of the results of the discussions that took place during the package meeting and as such, save for correcting minor errors - e.g. dates, we do not anticipate any further changes to the document.

Yours sincerely,

Valgerður Guðmundsdóttir
Deputy Director
Internal Market Affairs Directorate

This document has been electronically authenticated by Valgerdur Gudmundsdottir.

**Package Meeting in Norway
24 October 2024**

Follow-up letter

**Transport
(Annex XIII)**

Responsible case handlers: Gunnar Örn Indriðason

1. *Norway - Direct award of PSO (Østlandet 1 and 2) for the period 2023-2033 (Case No 90137)*

The meeting was attended by:

- Erik Syvertsen and Nora Balteskard from the Ministry of Transport;
- Tørris Aalbu Rasmussen, Evlyn Amland, Marte Junge Svendsen from the Railway Directorate; and
- Valgerður Guðmundsdóttir, Gunnar Örn Indriðason, Kadus Basit, Rachel Harriot, Bisma Rasool and Kyrre Isaksen from the EFTA Surveillance Authority ('the Authority').

During the meeting, the representatives of the Norwegian Government had a presentation on the recently announced mandate of the Ministry of Transport to the Railway Directorate on a direct award of a PSO contract on the basis of Article 5(3a) of Regulation 1370/2007. The representatives of the Authority expressed their concerns on the announced award and the legal basis for such measures in this instance. The representatives of the Authority informed the representatives of the Norwegian Government that a Request for Information would be sent following the package meeting.

The Authority encouraged Norway to not hesitate to reach out informally to the Authority when deciding to apply the derogations from the general provision of the Regulation.

The representatives also discussed a letter sent by the Authority in July, which was referred to earlier in the day, but not received by Norway. The Authority informed Norway that it would investigate the matter upon return and send the letter as well as the attached documents.

The Authority, furthermore, informed Norway of the current status of the ongoing investigation into the direct award of the railway PSO contracts for Østlandet 1 and 2.

The representatives agreed that Norway would provide the Authority with information on the announced merger between Flytoget and Vygruppen.

As agreed/discussed during the meeting:

The Authority sent a Request for information concerning the announced award on the basis of Article 5(3a) of Regulation 1370/2007 on 30 Oct 2024 (Doc No 1494184). A reply was received from Norway before the deadline of 27 November 2024 (your ref 24/2174-, our ref Doc No 1501678).

The Authority resent the letter from July 2024, including attachments to Norway with a cover letter on 30 October 2024 (Doc No 1494198).

The Norwegian Government provided the Authority with information on the announced merger between Flytoget and Vygruppen on 26 November 2024 (Your ref 23/2616-, our ref Doc No 1501300).