



EUROPEAN COMMISSION

Competition DG

State Aid General Scrutiny and Enforcement
Infrastructure and Regional Aid

Brussels, 24.10.2017
COMP H1/KDM-CGF-CDA/D (2017) - 099885

Permanent Representation of the
United Kingdom to the EU
10 Avenue d'Auderghem
1040 Brussels

Subject: SA.45479 (2016/FC) - Alleged aid to West Ham for the use of the London Olympic Stadium. United Kingdom

Dear Sir/Madam,

In the above mentioned matter and further to cases SA.33604 and SA.36401, the Commission has received a formal complaint concerning the granting of alleged state aid to West Ham. We thank you for the reply to our letter dated 11 July 2016 that the UK authorities have provided on 6 September 2016. As regards the non-confidential version of that letter and the information referred to in that letter, the UK authorities have requested to only share a redacted version of that information with the complainant, provided that, before sharing, the complainant first agrees not to disclose the letter or any of the information contained therein to any other party.

The Commission services are not in a position to accept this request both for the reason that such a commitment made by the complainant would not be enforceable as in the light of the public access to documents possibility under Regulation 1049/2001¹ by which the complainant (or any other person) could request the documents without making such a commitment.

The Commission services have been asked to forward a non-confidential version of your answer to the complainant. Please find in attachment redacted versions of the five documents making up your answer of 6 September 2016. We assume your agreement that those documents can be forwarded to the complainant. Should this not be the case, please indicate the precise issues that you consider confidential and provide a non-confidential version.

¹ Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents, OJ L 145 of 31.5.2001.

Please specify the name of the case and the case number in all correspondence.

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I would appreciate to receive your reply within 20 working days from the date of receipt of this letter. Please note that if you do not submit a non-confidential version for one or more of the five documents, the Commission will assume that the document does not contain any business secrets or other confidential information and can be forwarded to the complainant.

Yours faithfully

e-signed
Harold Nyssens
Deputy Head of Unit

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