

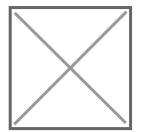
# 29 July 2009: Public transportation of travellers by river shuttles on the Seine

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## **The Autorité de la concurrence draws the attention of the STIF to the necessary competitive conditions for the implementation of the Voguéo project**

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After referral by the Syndicat des transports d'Ile-de-France (STIF), the Autorité de la concurrence provides today its opinion on the conditions that will ensure compliance with competition rules at the time of the implementation of a regular transport service for people by means of river shuttles on the Seine river.

In order to complete the existing collective transport offer, the Syndicat plans to implement, by 2010/2011, a regular public transport service for people by means of river shuttles on the Seine.

The Autorité issues several recommendations in order to ensure that competition rules are respected throughout the process.

## **The Autorité reminds the STIF the need to organise a truly open competition when launching the procedure for selecting the operator in charge of the Voguéo service**

The STIF plans to use the public service delegation procedure in order to award the service's operation: the chosen operator would then assume part of the operating risk, and would be compensated from the operating receipts.

The Autorité draws the attention of the STIF to the need to comply - both in the procedure for the public call for candidacies and the procedure for awarding the delegation - with the principles of equal treatment between candidates, transparency and proportionality, and to guarantee an adequate degree of

advertising in favour of any potential bidder, notably with regard to the relevant European regulations.

**For the STIF, the launch of Voguéo would be accompanied by a series of new obligations as a result of the service's monopoly situation**

The Autorité takes note of the fact that the community's requirement for the future Voguéo operator to apply the Ile-de-France transport pricing amounts to granting it a monopoly. Indeed, this pricing is such that no non-subsidized company could offer an identical service that would be competitive in price terms.

The Autorité draws the attention of the STIF to its future responsibility relative to possible competitors of Voguéo, should the latter consider new transport services in the future (notably for tourism purposes) on related markets. In a monopoly situation, it must not abuse its market power, for example by preventing the access of competitors to these related markets: a private operator wishing to develop a transport service should be able to obtain access to piers and receive the necessary navigation authorisations, under conditions that are objective, transparent and non-discriminatory.

**The Autorité invites the STIF to initiate a pre-notification procedure with the European Commission in order to alleviate any uncertainty as to the usage of public subsidies**

The Autorité also invites the STIF to contact the Commission's services in order to avoid having the public resources allocated to Voguéo be considered as State aids according to the EC treaty, even though, on the face of it, the Autorité feels that this risk is virtually non-existent.