

**ELŻBIETA BIEŃKOWSKA**

MEMBRE DE LA COMMISSION EUROPEENNE

Mr David Borelli, MEP  
Co-Chair of the Europe of Freedom  
and Direct Democracy Group  
European Parliament  
Bât. Altiero Spinelli  
07H140  
Rue Wiertz, 60  
B-1047 Bruxelles

Brussels, 13. 01. 2017

Dear Mr Borelli,

Thank you for the further information you sent to me on 8 July 2016 concerning the system of porphyry quarrying concessions in Trentino.

I have asked the responsible services in Directorate General for Internal Market, Industry, Entrepreneurship and SMEs to look in detail into the issue in the light of the additional information submitted by you. My services are in parallel liaising with the Italian authorities for additional clarifications.

It should be noted specifically that the recent judgement delivered by the European Court of Justice on 14 July 2016 in Joint Cases C-458/14 and C-67/15 examined the similar problem of concession's renewal on beaches in Italy. The Court made it clear that the Services Directive and Article 49 TFEU preclude national measures to extend existing authorisations or concessions on state-owned property without a proper selection procedure for potential candidates.

Therefore, in the light of this judgement, the recourse through the Italian judicial system could also be an appropriate route to pursue.

For any further information your office is welcome to contact Mr Hubert Gambs ([Hubert.Gambs@ec.europa.eu](mailto:Hubert.Gambs@ec.europa.eu)) Director at DG GROW - Directorate E, which is in charge of the specific issue.

Yours sincerely,

  
Elżbieta Bieńkowska