

Case handler: Gunnar Orn Indridason
Tel: (+32)(0)2 286 1
e-mail: GIn@eftasurv.int

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EFTA SURVEILLANCE
AUTHORITY

The Organization "Nei til bompenger i Nordhordland"
Harald Breivik
Juviknipa 6
N-5918 Frekhaug
Norway

Dear Mr. Breivik,

Subject: Closure of a complaint case against Norway in the area of road transport (road tolls)

On 14 December 2017, you submitted a complaint on behalf of the organisation "Nei til bompenger i Nordhordland"(Doc No 888958) to the EFTA Surveillance Authority ("the Authority") against Norway concerning the toll road project Nordhordlandspakken. In the complaint you allege that this project, which was approved by the Norwegian Parliament in August 2017, is not compatible with Directive 1999/62 *on the charging of heavy goods vehicles for the use of certain infrastructures*¹ as amended by Directive 2011/76/EU of the *European Parliament and of the Council of 27 September 2011*² ("Directive").

By letter dated 26 March 2018, the Internal Market Affairs Directorate ("the Directorate") of the Authority informed you of its intention to propose that the Authority close the case arising from your complaint. You were invited to submit your observations on the assessment in the above mentioned letter, and to present any new information by 27 April 2018.

You replied by letter dated 26 April 2018. In your response, you presented further arguments in relation to your complaint, in particular regarding the calculations presented by the Norwegian Government. On 9 October and 28 November, you also presented further observations by an e-mail. However, the Directorate did not consider that these observations altered the conclusions set out in its letter of 26 March 2018.

¹ OJ L 187, 20.7.1999, p. 42, as incorporated into the EEA Agreement at Annex XIII Point 18a.

² OJ L 269, 16.2.2011, p. 1, as incorporated into the EEA Agreement at Annex XIII Point 18a.

The decision to close the case is attached to this letter for your information (Doc No 932912) The decision to close the case at hand is without prejudice to any future decision by the Authority to open a new case on this or a related issue in light of further developments.

Yours sincerely,

Kristin Saether Bangsund
Deputy Director
Internal Market Affairs Directorate

This document has been electronically authenticated by Kristin Saether Bangsund.

Enclosure: Decision to close the case (Doc No: 932912)