

**Question for written answer E-003666/2025/rev.1
to the Commission**
Rule 144
Ana Miranda Paz (Verts/ALE)

Subject: Motorway AP-9: request for access to the Spanish Government's reply to the reasoned opinion and to infringement procedure INFR(2021)4052 as a whole

On 17 July 2025, the European Commission issued a reasoned opinion requesting the Spanish State (INFR(2021)4052) to comply with the EU rules on public procurement, including concession contracts. The Spanish Government extended the duration of the concession for the AP-9 motorway by 25 years and subsequently sold that concession without initiating a prior tendering procedure. According to Directive 93/37/EEC and the principles of equal treatment and transparency underlying the EU rules on public procurement, such an extension constitutes a substantial modification equivalent to the awarding of new concession contracts and, therefore, requires a competitive tendering procedure.

The Spanish State had two months to reply and rectify the situation, which affected thousands of Galician residents, but it failed to carry out a competitive tendering procedure, so the extension should have been cancelled and the AP-9 motorway made free of charge.

In view of the above:

1. Has the Commission been informed of the Spanish Government's reasoned opinion?
2. Can the Commission clarify the current status of the proceedings, given the public interest in this matter in my country and the economic impact of this illegal extension?

Submitted: 22.9.2025