

**Question for written answer E-003233/2026
to the Commission**
Rule 144
Ana Miranda Paz (Verts/ALE)

Subject: Public interest in Galicia in accessing documents in the infringement procedure concerning the AP-9 motorway

In July 2025, the Commission issued a reasoned opinion in infringement procedure INFR(2021)4052, requesting Spain to comply with EU rules on public procurement, including concession contracts. The Spanish Government had extended the duration of the concession for the AP-9 motorway by 25 years and sold it without initiating a tendering procedure. According to Directive 2014/24/EU and the principles of equal treatment and transparency underlying EU public procurement rules, such an extension constitutes a substantial modification equivalent to the award of a new concession and requires a competitive tendering procedure.

Spain had two months to respond and rectify the situation. However, it has not carried out a competitive tendering procedure, has rejected the Commission's position and has refused to comply with the reasoned opinion.

The Supreme Court has now requested the Commission to clarify whether access to the reasoned opinion is legally permissible. This raises questions regarding transparency and access to the documents exchanged between the Commission and Spain during the procedure.

1. Can the Commission provide access to the response submitted by the Spanish Government to the reasoned opinion, in particular the document in which it rejected or declined to comply with the Commission's request?
2. What is the current status of the infringement procedure and what further steps does the Commission intend to take in response to Spain's refusal to comply with the reasoned opinion?

Submitted: 8.8.2026