



ROYAL NORWEGIAN
MINISTRY OF TRANSPORT

EFTA Surveillance Authority (ESA)
Avenue des Arts 19H
BE-1000 Brussels
Belgium

Your ref	Our ref	Date
No: 90137 - 1480752	23/17-	19 September 2024

Supplementary Request for Information on the Direct Award of Railway PSO Contracts to Vy

Dear Sir/Madam,

Reference is made to the letter of 12 September from the Authority regarding certain information for the ongoing case 90137 regarding the award of rail PSO contracts to Vygruppen AS.

The Ministry of Transport take note that the Authority considers the requested information necessary and relevant for the investigations in the ongoing case and the application of Regulation 1370/2007 in Norway. Please find the requested information enclosed. Annex 3 and sub-annexes are provided both in redacted public and confidential versions.

Please note that the Ministry still considers the information provided as confidential according to Norwegian public law as indicated in our letter of 26 August. In particular, the information identifying the bidders for Trafikkpakke 4 and the detailed information on their offers should be regarded as strictly confidential, and shall under no circumstances be disclosed to the public, nor to the complainants in the present case.

Annex 1 contains the combined document for the invitation to tender, as requested, and contains an unredacted version of the document provided in our previous submission (transfer via OneDrive on 28 August 2024), with certain confidential information. Please note that certain sub-annexes contain a vast number of files and data which are not taken into the

Postal address	Office address	Telephone	Department	Reference
Postboks 8010 Dep	Akersg. 59	+47 22 24 90 90	Department of Rail,	Erik Syvertsen
0030 Oslo		Org. nr.	Planning and	+47 22 24 81 94
postmottak@sd.dep.no	www.sd.dep.no	972 417 904	Environment	

document in Annex 1.¹ The Ministry stands ready to provide these additional files upon request.

Yours sincerely

Cecilie Taule Fjordbakk
Deputy Director General

Erik Syvertsen
Assistant Director General

This document is signed electronically and has therefore no handwritten signature

Annex 1: Tender Versjon 4.0 – 28. mai 2021 with sub-annexes (confidential version)

Annex 2: Offers overview (confidential)

Annex 3 1: Assessment of legal framework for direct award (public and confidential version)

Annex 3 2: Annex 1 to assessment (public and confidential version)

Annex 3 3: Annex 2 to assessment (public and confidential version)

¹ Sub-annexes referred to under “Bilag 3 Markedsinformasjon” from page 607 and “Bilag 4 Kjøretøy” from page 618 in Annex 1.