

№	Question	Answer
1	<p>We established that on the website of the DG "CAA" (<a href="https://www.caa.bg/bg/category/724/zhalbi-i-resheniya-vuv-vruzka-s-prilaganeto-na-direktiva-200912eo-na-evropeyskiya-parlament-i-na">https://www.caa.bg/bg/category/724/zhalbi-i-resheniya-vuv-vruzka-s-prilaganeto-na-direktiva-200912eo-na-evropeyskiya-parlament-i-na</a>) there is an appeal by Wizz Air against Decision 3-599/30.10.2017 of the Current Operator on determining the amounts of the aeronautical charges. We also found there the decision of the DG CAA rejecting the appeal. Kindly provide us with further detail regarding the current status of the file? Has the decision of the DG CAA been appealed before the authority immediately superior to it (i.e. the MTITC), or, alternatively, before the Administrative Court of Sofia City? If yes, what is the current status of the proceedings?</p>	<p>Court Order No 6241 of 08.10.2018 terminated the case due to lack of subject-matter. The reason for this termination was the repeal of the decisions of the Director General of DG CAA upon entry into force of the Supreme Administrative Court Decision under Administrative case 3667/2018.</p>
2	<p>Kindly provide us with information regarding the current status of the files organised with respect to appeals of Bulgaria Air and Wizz Air against Decision 553/28.10.2016 of the Current Operator on determining the amounts of the aeronautical charges, following the confirmation of the Supreme Administrative Court (under case 3667/2018) of the Decision of the ACSC returning the file to the DG CAA for second review.</p>	<p>The information is available for review in the Physical Data Room.</p>
3	<p>In refer to Q1&amp;Q8 in QA_18.10.18_1_en, has the regulator actually stipulated what WACC is to be used in the setting of airport charges for 2019 onwards. Or, did the airport submit a proposed WACC of 5.51% to users for the negotiation of 2019 airport charges. Again, did the regulator actually stipulate this WACC to be used? Is there any glide slope assumed with the WACC across the concession period? OR, it is an assumed flat 5.51% across the entire concession period?</p>	<ul style="list-style-type: none"> <li>- In line with the established legal order, WACC was calculated by Sofia Airport EAD and a proposal for WACC of 5.51% was submitted to consumers in the 2019 airport charges consultations.</li> <li>- The Regulator (DG CAA) does not determine WACC.</li> <li>- the use of WACC is statutory (item II.1 .7 of the Methodology for determining airport charges).</li> <li>- under the established legal procedure for determining airport charges at Sofia Airport, WACC must be calculated in each setting of new airport charges, i.e. the proposed amount of 5.51% will apply only to the 2019 charges.</li> </ul>

4	Please update us on the outcome of the negotiation with users that has/is currently taking place in relation to the 2019 charges. Please confirm or provide us with guidance based on the feedback from users to date, on the likely 2019 charges outcome.	The issues raised during discussion with consumers are taken into account and the final decision on the amount of airport charges for 2019 will be published on 31.10.2018
5	Can you please identify why the WACC of 5.51% for the airport differs to the WACC stipulated by the Bulgarian Energy and Water Regulatory Commission for distribution companies, being 7.04% for the fourth regulatory period. What is the fundamental difference being assumed to provide such a material variance?	We have no information about the model and method used by distribution companies and by the Energy and Water Regulatory Commission (EWRC) for calculating WACC, which is why we cannot comment on their decision. We note that the EWRC regulates an industry different from aviation and the existence of a difference in the calculated percentage is explainable.
6	What form does the WACC quoted in Q1 QA_18.10.18_1_en take? Is it pre/post tax, real/nominal?	Under Bulgarian legislation (Art. 120, paragraph 7 of the Civil Aviation Act (CAA), in the existing mode of operation of Sofia Airport EAD as airport operator, the airport charges are not taxed, respectively nominal values were used for the calculation of WACC. Please consider the text of Article 120, paragraph 7 of the CAA in connection to Art. 120, para 5, item 2 of the same Act
7	Can you confirm the WACC quoted in Q1 QA_18.10.18_1_en is the WACC value used in the setting of airport charges in 2019?	Yes, 5.51% is the value of WACC used by Sofia Airport EAD to calculate the amount of airport charges, presented to consumers in the consultations for 2019.
8.	In order to fill out Application Form D (Participation Guarantee) information on the address and the bank account details of the Ministry of Transport, Information Technology and Communications of the Republic of Bulgaria (the "Grantor") is required. Please provide this information at your earliest convenience. Thank you.	MTITC Bank Account details:  Bulgarian National Bank IBAN: BG77 BNBG 9661 3300 1248 01 BIC: BNBG BGSD