PUBLIC SERVICE – MEANS OF ACHIEVING THE PUBLIC ADMINISTRATION MISSION

Vasilica NEGRUŢ*

Abstract

The role of public administration is to satisfy citizens' interests, respecting their rights and freedoms. This goal is achieved by high standards for public services. In this article, using the logical interpretation and the comparative analysis, we intend to investigate the public service as a means of achieving the public administration mission, highlighting aspects related to the need to organize public services, their definition, the features and principles of organization and functioning, establishment, managing and dissolution of public services. Over time, the notion of public service has been extensively analyzed, starting from the notion of belonging to the state, which is organized to meet the general interests of society. At present, there is no normative act regulating the organization and functioning of public services, as also mentioned in the explanatory memorandum of the Draft Law on the Administrative Code adopted by the Parliament on 9 July 2018 declared unconstitutional in November 2018 by the Constitutional Court of Romania. The European Union's policy in this area is based on the principle of free competition necessary to create a single market. In this regard, the European Commission has pursued a policy of liberalization of services of general economic interest, covering transport, postal and telecommunications services as well as the energy sector. It is a public service approach from an exclusively economic perspective, not taking into account the social dimension of the public service. In conclusion, the notion of public service has historical content, representing the "quintessence of public administration", a component with a fundamental role in fulfilling its mission.

Keywords: *public service, public administration, principles of organization, establishment and abolition*

1. Introduction

The notion of *public service* has historical content, representing the "*quintessence of public administration*"[1], a component with a fundamental role in the construction of administrative law.

In the current French doctrine, after a long period when the notion of public service became "obsolete"[2], even speaking of its decline, the public service is today regarded as a *real key to the construction of the state*.[3]

The essence of administrative action, as shown in the French legal literature, is to ensure the functioning of public services, which is the reason for being part of the administration.[4]

The expression *public service* evokes simultaneously three meanings, namely: *institutional*, *juridical* and *ideological*[5].

At European Union level, the expression "*public service"* is replaced by other forms. The Treaty of Rome, for example, contains the expression "*service of general economic interest"* (article 86 becomes article 106 of the TFEU) and the Treaty on the Functioning of the European Union recognizes the "*place occupied by services of general economic interest within the common values of the Union*", as well as *"their role in promoting the social and territorial cohesion of the Union"* (article 14 TFEU, ex-article 16 of TEC). The European Union's policy in this area is based on the principle of free competition necessary to create a single market. In this regard, the European Commission has pursued a policy of liberalization of services of general economic interest, covering transport, postal and telecommunications services as well as the energy

* Professor, PhD, Faculty of Law, Danubius University of Galati, Romania, Address: 3 Galati Blvd., Galati 800654, Romania, corresponding author: vasilicanegrut@univ-danubius.ro & Associate Professor, Faculty of Law, „Nicolae Titulescu" University of Bucharest, Romania.

[1] I. Alexandru, M. Cărăuşan, S. Bucur, *Drept administrativ*, ed. a III-a, revizuită şi adăugită, Ed. Universul Juridic, 2009, p. 144 and the next.

[2] Antonie Iorgovan, *Tratat de drept administrativ*, vol. II, ed. 4, Ed. All Beck, Bucharest, 2005, p. 182.

[3] Dana Apostol Tofan, *Drept administrativ*, vol. I, ed. 3, Ed. C.H. Beck, Bucharest, 2014, p. 10. The current French literature shows that public service is the most politically sensitive object of administrative law, occupying an important place in the public debate. For many, it symbolizes the historical economic and social model of France. The public service has experienced many doctrinal and practical crises, but it is always present and indispensable from a social point of view. For details see Didier Truchet, *Droit administratif*, 3 édition mise à jour, Thémis droit, Presses Universitaires de France, Paris, 2010, p. 324.

[4] Marie-Christine Rouault, *Droit administratif*, Gualino éditeur, Paris, 2005, p. 375.

[5] J. Chevallier, *Le Service Public*, Presses Universitaires de Frace, Paris, 1994, pp. 3-6. In an article dedicated to this topic, it is shown that by combining the three meanings of the public service, *a state capable of responding to all public issues emerges.* For more details see Ana Dâmbu, *Aspecte privind noţiunea serviciului public în contextul actual*, Revista Transilvană de Ştiinţe Administrative, VIII, 2002, pp. 51-60.

sector[6]. It is, therefore, an approach of public service from an exclusively economic perspective, not taking into account the social dimension of the public service.[7]

In our country, in the specialized doctrine, the importance of public service is supported in this period of achieving reform in public administration. Professor Antonie Iorgovan stressed that public services "*are strictly necessary in our constitutional system*", as they "*evoke obligations of the state towards the fundamental rights of the citizen*"[8].

2. The Public Service - Means of Achieving the Public Administration Mission

2.1. Definition of Public Service

The public service is defined by the Administrative Contentious Law no. 554/2004 by reference to two fundamental notions of administrative law, namely the notion of *public authority* and the notion of *public interest*. According to art. 2 par. (1) letter m), the public service represents "*the activity organized or, as the case may be, authorized by a public authority, in order to satisfy a public legitimate interest*".

According to art. 5, letter t) of the Administrative Code[9], the public service represents "*the activity or the set of activities organized by a public administration authority or by a public institution or authorized or delegated by it, to meet a general or public interest need, on a regular and continuous basis*".

The notion of public service has acquired constitutional valences by including it in the constitution texts[10]. The Constitution expressly or implicitly refers to the idea of a public service, either as an activity or as an ensemble of means[11] in: art. 6 (the state's guarantee of the right to identity); art. 7 (for the support of the state to strengthen the Romanians' foreign relations in Romania); art. 21 (to ensure free access to justice); art. 22 and 23 (to guarantee life, physical and mental integrity, and individual freedom); art. 26, 27, 28 (to protect intimate life to ensure inviolability of domicile and correspondence); art. 31 (right to information); art. 39 (to guarantee freedom of assembly); art. 50 (for the protection of persons with disabilities), art. 52 (for the exercise of administrative litigation); art. 79 (for systematization, unification and coordination of legislation); art. 118 (to ensure national defense, public order and national security); art. 120 (to achieve the principles of local government); art. 124 (for the performance of justice) and so on.

2.2. Principles of Organization and Operation of Public Services

The administrative code, in art. 587, regulates the principles underlying the establishment[12], organization and functioning of public services: the principle of transparency; the principle of equal treatment; the principle of continuity; the principle of adaptability of

[6] Vasilica Negruț, *Regimul juridic al serviciilor comunitare de utilități publice*, Revista Transilvană de Ştiinţe Administrative, 1 (21)/2008, pp. 99-104. See also the Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions - Accompanying the Communication on A Single Market for 21st Century Europe Services of general interest, including social services of general interest: a new European commitment (http://eur-lex.europa.eu/legal-content/RO/TXT/?uri=CELEX%3A52007DC0725), and also Directive 2006/123 / EC of the European Parliament and of the Council of 12 December 2006 on services in the internal market, published in the Special Edition of the Official Journal No 0 of 1 January 2007.

[7] Didier Truchet, *op. cit*., p. 328.

[8] *Ibidem*, p. 185

[9] Adopted on 09.07.2018 by the Chamber of Deputies, the Administrative Code was declared unconstitutional by the C.C.R. No. 681 / 2019 of 6 November 2018

[10] O. Puie, *Serviciile de utilitate publică*, Ed. Universul Juridic, Bucharest, 2012, p. 16.

[11] See Antonie Iorgovan, *op. cit*., 2005, vol. II, p. 185; V. Vedinaş, *Drept administrativ*, Ediţia a X-a, revizuită şi actualizată, Ed. Universul Juridic, Bucharest, 2017, p. 524. The author carries out a grouping in several categories of the constitutional provisions applicable to the public service: a) regulations laying down general principles established by the Romanian constituent legislator at the basis of the functioning of all public authorities (article 16, paragraphs (1) and (1) equality of rights, article 32 (6) - guaranteeing university autonomy, etc.); b) regulations laying down principles governing the organization and functioning of public administration in general or expressly of public services (article 120 - the principles underlying the organization and functioning of local public administration, namely the principles of decentralization, local autonomy and the deconcentration of public services); c) regulations for the public authorities with competence in the provision of public services (article 122, par. 1), for example, according to which the county council is the authority of the public administration for the coordination of the activity of the communal councils and the town councils in order to carry out the public services of the county interest or article 123 paragraph (2), which establishes that the prefect is the representative of the Government at the local level and manages the deconcentrated public services of the ministries and of the other central public administration bodies in the administrative-territorial units); (d) regulations contained in Chapters II and III on fundamental rights, freedoms and duties.

[12] The public service feature of an activity or a set of activities is recognized by normative acts (article 593 of the Administrative Code). The regulatory act regulating a public service must contain at least the following elements:

a) the activity or activities constituting the respective public service;
b) the objectives of the public service;
c) type of public service;
d) public service obligations, where appropriate;
e) the structure responsible for the provision of the public service;
f) management arrangements;
g) sources of financing;
h) modalities for monitoring, evaluation and control of the provision of public service;
i) sanctions;
j) quality and cost standards, if they are established by law;
k) other elements established by law.

the public service; the principle of accessibility; the principle of providing high quality public services; the principle of ensuring public service responsibility.

Regarding the principle of transparency, the public administration authorities are required to provide information on "*the ways of establishing the component activities and objectives, the ways of regulating, organizing, operating, financing, delivering and evaluating public services, and also protection measures and complaint and litigation mechanisms*".

The principle of equal treatment in conducting public services presupposes the "*abolition of any discrimination of the beneficiaries of public services based on ethnic or racial origin, religion, age, gender, sexual orientation, disability, as well as the enforcement of rules, requirements and identical criteria for all public service authorities and bodies, including in the process of delegating the public service*."

The principle of continuity is defined in article 12 of the Administrative Code and it is intended to carry out the activity of the public administration without interruption, in compliance with the legal provisions[13].

The principle of adaptability implies the obligation of the public administration to meet the needs of society through the organization of public services.

In order to respect the *principle of accessibility*, which presupposes the provision of access to public services for all beneficiaries, especially those services that meet their basic needs, the public authorities must take into account, from the foundation of the public service, aspects regarding costs, availability, adaptation, proximity. Also, public authorities must comply with both the quality standards[14] and the cost standards[15] used to deliver public services.

The principle of responsibility for ensuring public service involves the existence of an authority of the competent public administration for ensuring the public service, independent of the way it is managed and provided/delivered to the beneficiary.

The principles of organization and functioning of public services are also found in normative acts of special nature. For example, the Community Public Utilities Act no. 51/2006[16], republished[17], amended and completed, in art. 7 establishes the requirements for the organization and functioning of these services: universality; continuity in qualitative and quantitative terms; adaptability to user requirements[18]; equal and non-discriminatory access to public service; decisional transparency and user protection. Law no. 51/2006 establishes, in art. 1 par. (3), the following features of public utility services: a) have economic and social feature; b) respond to requirements and needs of public interest and utility; c) have technical-municipal feature; d) have permanent feature and continuous operation regime; e) the operating regime may have monopoly characteristics; f) they presuppose the existence of adequate technical infrastructure; g) the coverage area has local dimensions: communal, urban, municipal or county; h) they are the responsibility of the local public administration authorities; i) are organized on economic and efficiency principles in conditions that enable them to fulfill their specific public service missions and obligations; j) the management way is determined by decisions of the deliberative authorities of the local public administration; k) are provided / rendered on the basis of the "beneficiary pays" principle; (l) the recovery of operating and investment

[13] The Administrative Code does not specify what these provisions are, but we take into account the provisions of the Social Dialogue Law no. 61/2011, regarding the obligation to provide certain public services in case of strike organization. We exemplify the provisions of art. 205, according to which "in the sanitary and social assistance, telecommunications, public radio and television stations, in railway transport, in the units providing the joint transport and sanitation of the localities, as well as the population supply with gas, electricity, heat and water, the strike is allowed provided the strike organizers provide the services, but not less than one-third of normal activity." Law no. 61/2011 was published in the Official Monitor of Romania, Part I, no. 322 of May 10, 2011, republished on the basis of art. 80 of Law no. 76/2012 for the implementation of Law no. 134/2010 on the Civil Procedure Code, published in the Official Monitor of Romania, Part I, no. 365 of 30 May 2012, giving the texts a new numbering.

[14] "*The set of quality norms in the provision of a public service and / or public utility, established by normative acts*" (article 5, letter xx) of the Administrative Code).

[15] "*The normative costs used to determine the amount of resources allocated to the local budgets of the administrative-territorial units in order to provide a public service and / or public service to the quality standard established by normative acts*" (article 5, letter yy) of the Administrative Code).

[16] Public utility services are defined as all the activities regulated by law and special laws, which ensure the satisfaction of the essential needs of general utility and social interest of local communities with regard to: water supply; sewage treatment; collecting, channeling and evacuating rainwater; centralized heat supply; sanitation of localities; public lighting; local public passenger transport (art. 1 par. (2)].

[17] Published in the Official Monitor of Romania, Part I, no. 254 of 21 March 2006, as subsequently amended and supplemented, republished on the basis of Art. III of Government Emergency Ordinance no. 13/2008 for amending and completing the Law on community services of public utilities no. 51/2006 and the Law of the Water Supply and Sewerage Service no. 241/2006, published in the Official Monitor of Romania, Part I, no. 145 of February 26, 2008, approved with amendments and completions by Law no. 204/2012, published in the Official Monitor of Romania, Part I, no. 791 of 26 November 2012, giving the texts a new numbering.

[18] The requirement of adaptability expresses the characteristic of the public service being permanently in line with the dynamic requirements of social life. V. Negruţ, *Regimul juridic al serviciilor comunitare de utilităţi publice*, Revista Transilvană de Ştiinţe Administrative, 1 (21)/2008, pp. 99-104. Simplifying administrative procedures in the delivery of public services is an example of the application of the principle of adaptability. See Emergency Ordinance no. 41 of June 28, 2016 on the establishment of simplification measures at central public administration level and on amending and completing some normative acts. According to art. 1 of this normative act, "*public institutions and specialized bodies of the central public administration have the obligation to publish, ex officio, information and models of forms or requests related to all public services provided in electronic format on their own website, as well as on the unique electronic contact point defined by the Government Decision no. 922/2010 on the organization and functioning of the Single Electronic Contact Point in its up-to-date version and in a technical format allowing for downloading and editing for the purpose of completing the computer on the beneficiary.*"

costs shall be made through prices and tariffs or fees and, where appropriate, budgetary allocations. The measure may involve elements of the nature of the state aid, in which case the local public administration authorities request the opinion of the Competition Council.

The community services of public utilities ensure the fulfillment of the essential needs of general social utility and public interest of the local communities with regard to: water supply; sewage and sewage treatment; collecting, channeling and evacuating rainwater; centralized heat supply; sanitation of localities; public lighting; natural gas supply; local public passenger transport (article 1, par. (4) of Law No 51/2006).[19]

2.3. Management of Public Services

Regarding the organization and management of public services, the following are distinguished: management through an autonomous administration or a public institution; a concession contract for the valuation of a public property, either for the performance of public works or for the satisfaction of other collective needs; lease; location in management; civil contract; the commercial contract[20].

Recent forms of public service management are mentioned in the recent literature[21]: direct management[22]; delegated management[23]; semi-direct management. They are also listed as forms of organization and management of public services, joint venture[24] and public-private partnership[25].

According to art. 597 of the Administrative Code, the management modalities of a public service are direct management and delegated management[26]. Direct management means "*the manner in which an authority of the public administration assumes / exercises its direct competence in relation to the provision of a public service under the law or regulation of the public service*" (article 598, par. (1) of the Administrative Code).

Direct management may be carried out by a public administration authority, by the structures with or without legal personality, by the companies governed by the Company Law no. 31/1990, republished, with the subsequent amendments and

[19] In November 2018, the draft Government Decision for the approval of the Preliminary Theses of the draft Community Services Code for Public Utilities was publicly debated. As stated in the Fundamental Note, the necessity of adopting such a code is justified by: the lack of legislative coherence in the field, determined by the multitude of existing normative acts; overlaps between provisions aimed at establishing, operating and developing a Community utility of public utilities and provisions in the field of public administration; the lack of clarity of the normative acts in the field and the limitation of accessibility, determined by the successive modifications of the specific legislation; the lack of systematization of the rules governing the activity in the field of community services of public utilities, so that the normative system is understood by all and therefore easy to apply; lack of unitary terminology. It is also considered that "*the development of a Community Utilities Code of Practice is an effort to facilitate the implementation of the Strategy for Strengthening Public Administration 2014-2020, approved by the Government Decision no. 909/2014, as subsequently amended, since it is intended to create a framework that provides the most efficient and responsive public services to the needs of society."*

[20] A. Iorgovan, *op. cit.*, vol. II, 2005, p. 187.

[21] L. Cătană, *Drept administrativ*, Editura C. H. Beck, Bucharest, 2017, p. 213.

[22] Direct management is the way in which the local or state collectivity ensures the achievement of the public service through specialized structures. According to art. 22 par. (1) of the Community Public Utilities Act no. 51/2006, "*the local public administration authorities are free to decide how to manage the public utility services under their responsibility. Public administration authorities have the possibility to directly manage public utility services on the basis of a management decision or to entrust their management, i.e. all or only a part of their own competences and responsibilities regarding the provision of a public utility service or one or more activities within the scope of that public utility service under a management delegation contract*".

Art. 28 para. (1) of the Law no. 51/2006 defines direct management as "*the manner of management in which the deliberative and executive authorities, on behalf of the administrative-territorial units they represent, assume and exercise directly all their powers and responsibilities under the law regarding the provision / provision of public utilities, respectively, to the management, operation and operation of the public utility systems related to them*".

[23] In the case of the delegated management, the public authority resorts to a commercial company for the achievement of public service, while retaining its public responsibility (article 2 paragraph (1) letters g) and f), for example, from Law no. 100/2016 on concessions of works and concessions of services, defining the works concession contract, respectively the service concession contract). According to art. 2 of the Law no. 51/2006 "*the delegation of the management of a public utility services represent the action by which a territorial-administrative unit assigns to one or more operators, under the law, the provision of a service or activity in the sphere of public utility services, its responsibility. The delegation of the management of a public utility service / activity involves the actual operation of the service / activity, the provision of the public utility system related to the delegated service / activity as well as the operator's right and obligation to manage and operate the public utility system. Delegation of management may also be carried out by intercommunity development associations with the purpose of public utility services in the name and on behalf of the member-administrative territorial units, on the basis of a special mandate granted by them*."

[24] Article 1949 of the Civil Code defines joint venture as "*a contract by which a person grants one or more persons a share in the profits and losses of one or more operations it undertakes*."

[25] The legal framework of the public-private partnership is established by the Emergency Ordinance no. 39/2018. The public-private partnership has as object, according to art. 1 par. (2) "*the achievement or, as the case may be, the rehabilitation and / or extension of a good or property belonging to the public partner's patrimony and / or the operation of a public service*", under the conditions established by this normative act. Art. 4 of the Emergency Ordinance no. 39/2018 establishes the following forms of public-private partnership: the public-private partnership contract - the public-private partnership under a contract between the public partner, the private partner and a new company whose share capital is wholly owned by the private partner act as a project company; institutional public-private partnership - a public-private partnership based on a contract between the public partner and the private partner, through which a new company is set up by the public partner and the private partner to act as a project company and, after registration in the company register, acquires the capacity as a party to the respective public-private partnership contract. Emergency Ordinance no. 39/2018 was published in the Official Monitor no. 427 of May 18, 2018.

[26] Dan Răzvan Grigorescu, *Reglementarea serviciului public în Codul administrativ*, Revista de Drept Public, nr. 3/2018, pp. 59-66.

completions[27], with full social capital of the state or of the administrative-territorial unit established by the public administration authorities or other legal entities of private law, as the case may be, in compliance with the legal provisions [art. 598 par. (2)].

Unlike direct management, *delegated management* is the management way through which the provision of public service is carried out on the basis of a delegation act and / or authorization by the competent public administration authority, in compliance with the provisions of the legislation on public procurement, sector procurement and the concession of services, by the bodies providing public services other than those provided by art. 598 par. (2).

The Administrative Code establishes the legal nature of the act of delegation to an economic operator for providing the service of general economic interest, this being an administrative act, which must include at least the following elements, unless otherwise provided by special laws:

(a) the content of public service obligations, (b) the body providing the public service (s) and, where applicable, the territory it provides, (c) the duration of the service, (d) the nature of any special entitlements granted to the public service provider by the legislator or by the competent public administration authority e) a description of the compensation mechanism and the parameters for calculating, controlling and reviewing the compensation[28] granted for the provision of the public service f) the ways to avoid overcompensation and to recover any overcompensation; g) exclusive rights granted, under the law, to the provider of public services by the legislator or by the competent public administration authority; h) cases and situations of termination of the delegation act; i) rights and obligations of the parties involved; j) performance indicators and efficiency of the service [art. 600 paragraph (1)]. Regardless of how public services are managed, the public administration authorities have the obligation to monitor, evaluate and control the provision of public services within their competence, within the limits set by the legislation applicable to each type of public service (article 601).

According to the provisions of art. 590 of the Administrative Code, the establishment of the constituent activities, the mission, the assigning procedure, the compensation, as the case may be, as well as the provision of the public services shall be carried out in accordance with the standards and requirements established by the specific EU legislation applicable in the Member States.

2.4. The Dissolution of Public Services

Public services may be dissolved at the initiative of the competent public administration authority and following public consultation, if a public service no longer responds to a need in the public interest. The establishment of public services shall be ordered by an act of the same level as the one with which it was established (article 602 of the Administrative Code).

The competence to dismantle or dissolve the structure responsible for the provision of public services belongs to the competent central public administration authority in the case of public services of national interest or the local public administration authority in the case of public services of local interest (article 603 of the Administrative Code).

3. Conclusions

In conclusion, the public service, as a dimension of public administration, has a historical content, representing the "*quintessence of public administration*", a component with a fundamental role in fulfilling its mission. Therefore, public services "*are strictly necessary in our constitutional system*" as they "*evoke the obligations of the state towards the fundamental rights of the citizen*".

[27] Republished on the basis of art. XII of Title II of Book II of Law no. 161/2003 on certain measures for ensuring transparency in the exercise of public dignities, public functions and business environment, prevention and sanctioning of corruption, published in the Official Monitor of Romania, Part I, no. 279 of April 21, 2003, with subsequent amendments, giving the texts a new numbering.

[28] At European Union level, the notion of compensation is clarified in the Commission Notice on the application of the European Union State aid rules to compensation for services of general economic interest [2012 / C 8/02]. The Commission Communication 2012 / C8 / 03 establishes the European Union Framework for State Aid in the form of Compensation for the Public Service Obligation (2011).

The Court of Justice of the European Union in the judgment in Altmark's case further clarified the conditions under which public service compensation does not constitute State aid due to the absence of any advantage (Case C-280/00 Altmark Trans GmbH and Regierungspräsidium Magdeburg/Nahverkehrsgesellschaft Altmark GmbH). According to the Court of Justice of the European Union, in order for such compensation in a particular case not to qualify as State aid, a number of conditions must be fulfilled: "the beneficiary's undertaking must be in fact entrusted with the execution public service obligations and these obligations must be clearly defined; the parameters on the basis of which the compensation is calculated must be established in advance, in an objective and transparent manner, in order to avoid conferring an economic advantage which may favor the recipient undertaking compared to competing undertakings; compensation may not exceed what is necessary to cover all or part of the costs incurred in discharging the public service obligations, taking into account the revenue generated by that activity and a reasonable profit; where the choice of the undertaking to be entrusted with the performance of public service obligations in a particular case is not made in the context of a public procurement procedure which enables the tenderer to be able to provide those services at the lowest price for the community, the level of compensation required must be determined on the basis of a cost analysis that a typical, well-run and appropriately-equipped undertaking to meet the public service requirements it would have incurred in discharging those obligations, taking into account the revenue generated by that activity, as well as a reasonable profit for the performance of these obligations".

References

- Alexandru, Ioan, Cărăuşan, Mihaela, Bucur, Sorin, *Drept administrative/Administrative Law*, 3rd revised and added Ed., Ed. Universul Juridic, 2009
- Apostol Tofan, Dana, *Drept administrativ/Administrative Law*, vol. I, 3rd Ed., Ed. C.H. Beck, Bucharest, 2014
- Cătană, Emilia Lucia, *Drept administrative/Administrative Law*, Editura C. H. Beck, Bucharest, 2017
- Chevallier, Jacques, *Le Service Public/The Public Service*, Presses Universitaires de Frace, Paris, 1994
- Dâmbu, Ana, *Aspecte privind noţiunea serviciului public în contextul actual/Aspects of the concept of public service in the current context*, Revista Transilvană de Ştiinţe Administrative, VIII, 2002, pp. 51-60
- Grigorescu, Dan Răzvan, *Reglementarea serviciului public în Codul administrative/Regulation of the public service in the Administrative Code*, Revista de Drept Public, nr. 3/2018, pp. 59-66
- Iorgovan, Antonie, *Tratat de drept administrative/Treaty of Administrative Law*, vol. II, ed. 4, Ed. All Beck, Bucureşti, 2005
- Negruţ, Vasilica, *Regimul juridic al serviciilor comunitare de utilităţi publice/The legal regime of community services of public utilities*, Revista Transilvană de Ştiinţe Administrative, 1 (21)/2008, pp. 99-104
- Puie, Oliviu, *Serviciile de utilitate publică/Public utility services*, Ed. Universul Juridic, Bucharest, 2012
- Rouault, Marie-Christine, *Droit administrative*/*Administrative Law*, Gualino éditeur, Paris, 2005
- Truchet, Didier, *Droit administrative*/*Administrative Law*, 3 édition mise à jour, Thémis droit, Presses Universitaires de France, Paris, 2010
- Vedinaş, Verginia, *Drept administrative*/*Administrative Law*, 10th Revised and added Ed., Ed. Universul Juridic, Bucharest, 2017.