

Third ground of appeal: Error of law in that the General Court did not find that the Commission, in adopting the contested decision, breached the principle of good administration. Error of law in not finding the infringement of the rights and procedural guarantees available to the Diputación as a party concerned in the proceedings pursuant to Article 108(2) TFEU. Error of law in holding implicitly that the Commission's letter of 15 April 2010 was a satisfactory response to the requirements flowing from the above-cited general principle. Distortion of the clear sense of the main evidence. Breach of the right to a fair hearing. Breach of the rights of defence.

<sup>(1)</sup> Commission Decision C(2012) 4194 final of 27 June 2012, concerning state aid SA. 28356 (C 37/20090) (ex N 226/2009).

<sup>(2)</sup> Council Regulation No 659/1999 of 22 March 1999, laying down detailed rules for the application of Article [108 TFEU] (OJ 1999 L 83, p.1).

**Request for a preliminary ruling from the Lietuvos vyriausiasis administracinis teismas (Lithuania)  
lodged on 10 August 2015 — Lietuvos Respublikos aplinkos ministerijos Aplinkos projektų valdymo  
agentūra v UAB 'Alytaus regiono atliekų tvarkymo centras'**

(Case C-436/15)

(2015/C 337/13)

*Language of the case: Lithuanian*

**Referring court**

Lietuvos vyriausiasis administracinis teismas

**Parties to the main proceedings**

*Appellant*: Lietuvos Respublikos aplinkos ministerijos Aplinkos projektų valdymo agentūra

*Other parties*: UAB 'Alytaus regiono atliekų tvarkymo centras', Lietuvos Respublikos finansų ministerija, UAB 'Skirnuva', UAB 'Parama', UAB 'Alkesta', UAB 'Dzūkijos statyba'

**Questions referred**

1. What constitutes a 'multiannual programme' within the meaning of Article 3(1) of Council Regulation (EC, Euratom) No 2988/95 of 18 December 1995 <sup>(1)</sup> on the protection of the European Communities' financial interests?
2. Do projects such as No 2001/LT/16/P/PE/003: 'Establishment of a waste management system for the Alytus Region', which was granted support by Commission Decision No PH(2001)5367 of 13 December 2001 approving Measure 2001 LT 16 P PE 003, as amended by Commission Decision No PH/2002/9380 of 23 December 2002, correspond to the concept of a 'multiannual programme' set out in Article 3(1) of Council Regulation (EC, Euratom) No 2988/95 of 18 December 1995 on the protection of the European Communities' financial interests?
3. If the answer to the second question is 'yes': what point in time should be regarded as constituting the start of the limitation period for proceedings under Article 3(1) of Council Regulation (EC, Euratom) No 2988/95 of 18 December 1995 on the protection of the European Communities' financial interests?

<sup>(1)</sup> OJ 1995 L 312, p. 1.