

Finally, the applicant submits that the contested decision is not adequately reasoned and for that reason infringes Article 253 EC.

(¹) Directive 2003/87/EC of the European Parliament and of the Council of 13 October 2003 establishing a scheme for greenhouse gas emission allowance trading within the Community and amending Council Directive 96/61/EC (OJ L 275, 25.10.2003, p. 32).

Action brought on 5 June 2007 — Dyckerhoff Polska v Commission

(Case T-196/07)

(2007/C 170/72)

Language of the case: Polish

Parties

Applicant: Dyckerhoff Polska sp. z o. o. (represented by: P.K. Rosiak, legal adviser, and F. Puel, lawyer)

Defendant: Commission of the European Communities

Form of order sought

— annul the Commission's decision of 26 March 2007 concerning the national allocation plan for greenhouse gas emission allowances notified by Poland in accordance with Directive 2003/87/EC of the European Parliament and of the Council;

— order the Commission to pay the costs.

Pleas in law and main arguments

The applicant seeks the annulment of Commission Decision C(2007) 1295 final of 26 March 2007 concerning the national allocation plan for greenhouse gas emission allowances notified by Poland in accordance with Directive 2003/87/EC of the European Parliament and of the Council (¹), in which the Commission decided that certain aspects of the Polish National Allocation Plan for CO₂ Emission Allowances for 2008-2012, notified to the Commission on 30 June 2006, were not compatible with Articles 9(1) and (3), 10 and 13(2) of and the criteria set out in Annex III to Directive 2003/87/EC. The decision in question reduces the carbon dioxide emission limit in 2008-2012 by 26.7 % compared to the limit proposed by Poland in the national allocation plan for emission allowances notified to the Commission.

The pleas in law and main arguments put forward by the applicant are the same as those of the applicant in Case T-195/07.

(¹) Directive 2003/87/EC of the European Parliament and of the Council of 13 October 2003 establishing a scheme for greenhouse gas emission allowance trading within the Community and amending Council Directive 96/61/EC (OJ L 275, 25.10.2003, p. 32).

Action brought on 5 June 2007 — Grupa Ożarów v Commission

(Case T-197/07)

(2007/C 170/73)

Language of the case: Polish

Parties

Applicant: Grupa Ożarów SA (represented by: P.K. Rosiak, legal adviser, and F. Puel, lawyer)

Defendant: Commission of the European Communities

Form of order sought

— annul the Commission's decision of 26 March 2007 concerning the national allocation plan for greenhouse gas emission allowances notified by Poland in accordance with Directive 2003/87/EC of the European Parliament and of the Council;

— order the Commission to pay the costs.

Pleas in law and main arguments

The applicant seeks the annulment of Commission Decision C(2007) 1295 final of 26 March 2007 concerning the national allocation plan for greenhouse gas emission allowances notified by Poland in accordance with Directive 2003/87/EC of the European Parliament and of the Council (¹), in which the Commission decided that certain aspects of the Polish National Allocation Plan for CO₂ Emission Allowances for 2008-2012, notified to the Commission on 30 June 2006, were not compatible with Articles 9(1) and (3), 10 and 13(2) of and the criteria set out in Annex III to Directive 2003/87/EC. The decision in question reduces the carbon dioxide emission limit in 2008-2012 by 26.7 % compared to the limit proposed by Poland in the national allocation plan for emission allowances notified to the Commission.