

GENERAL COURT

Judgment of the General Court of 2 July 2015 — France v Commission

(Joined Cases T-425/04 RENV and T-444/04 RENV) ⁽¹⁾

(State aid — Financial measures in favour of France Télécom — Shareholder loan offer — Public statements of the French State — Decision declaring the aid incompatible with the internal market — Absence of extension of the formal investigation procedure — Rights of the defence — Test of the prudent private investor — Normal market conditions — Errors of law — Manifest errors of assessment)

(2015/C 270/25)

Language of the case: French

Parties

Applicants: French Republic (represented by: G. de Bergues, D. Colas and J. Bousin, acting as Agents) (T-425/04 RENV); and Orange, formerly France Télécom (Paris, France) (represented by: S. Hautbourg and S. Cochard-Quesson, lawyers) (case T-444/04 RENV)

Defendant: European Commission (represented by: C. Giolito and D. Grespan, acting as Agents)

Intervener in support of the applicant, the French Republic: Federal Republic of Germany (represented by: T. Henze and J. Möller, acting as Agents, and by U. Soltész, lawyer)

Re:

Actions for the annulment of Commission Decision 2006/621/EC of 2 August 2004 on the State Aid implemented by France for France Télécom (OJ 2006 L 257, p. 11).

Operative part of the judgment

The Court:

1. Annuls Article 1 of Commission Decision 2006/621/EC of 2 August 2004 on the State Aid implemented by France for France Télécom;
2. Declares that it is no longer necessary to adjudicate on the claims for annulment of Article 2 of Decision 2006/621;
3. Orders the European Commission to bear its own costs as well as eight-tenths of the costs incurred by the French Republic and Orange, formerly France Télécom;
4. Orders the French Republic and Orange, formerly France Télécom, each to bear two-tenths of their own costs;
5. Orders the Federal Republic of Germany to bear its own costs.

⁽¹⁾ OJ C 19, 22.1.2005.