

GENERAL COURT

Order of the General Court of 9 June 2015 — *Stahlwerk Bous v Commission*

(Case T-172/14) ⁽¹⁾

(State aid — Measures adopted by Germany in favour of electricity generated from renewable energy sources and of energy-intensive undertakings — Decision to open the procedure under Article 108(2) TFEU — Adoption of the final decision after the action was brought — No need to adjudicate — Action for annulment — Application to amend the form of order sought — No new information — Inadmissibility)

(2015/C 294/60)

Language of the case: German

Parties

Applicant: Stahlwerk Bous GmbH (Bous, Germany) (represented by: H. Höfler, C. Kahle and V. Winkler, lawyers)

Defendant: European Commission (represented by: T. Maxian Rusche and R. Sauer, acting as Agents, and by C. Renner, lawyer)

Intervener in support of the defendant: EFTA Surveillance Authority (represented by: initially X. Lewis, M. Schneider, M. Moustakali and C. Perrin, acting as Agents)

Re:

Application to annul in part Commission decision C (2013) 4424 final of 18 December 2013 to open the procedure under Article 108(2) TFEU regarding measures implemented by the Federal Republic of Germany in favour of renewable electricity and of energy-intensive users (State aid SA.33995 (2013/C) (ex 2013/NN)).

Operative part of the order

1. There is no longer any need to adjudicate on the present action.
2. The application seeking that the form of order sought in the present action be amended to cover Commission decision C (2014) 8786 final of 25 November 2014 relating to State Aid SA. 33995 (2013/C) (ex 2013/NN) implemented by the Federal Republic of Germany in favour of renewable electricity and of energy-intensive users is rejected as inadmissible.
3. There is no longer any need to adjudicate on the applications for intervention submitted by Flachglas Torgau GmbH and Saint-Gobain Isover G+H AG, by Kronotex GmbH & Co. KG and Kronoply GmbH, by Bayer MaterialScience AG, by Sabic Polyolefine GmbH, by Ineos Manufacturing Deutschland GmbH, Ineos Phenol GmbH and Ineos Vinyls Deutschland GmbH, and by Advansa GmbH, Akzo Nobel Industrial Chemicals GmbH, Aurubis AG, CBW Chemie GmbH, CFB Chemische Fabrik Brunsbüttel GmbH & Co. KG, Clariant Produkte (Deutschland) GmbH, Dralon GmbH, Hahl Filaments GmbH, Messer Produktionsgesellschaft mbH Siegen, Messer Produktionsgesellschaft mbH Salzgitter, Nabaltec AG, Siltronic AG and Wacker Chemie AG.
4. Stahlwerk Bous GmbH shall bear its own costs and those incurred by the European Commission, including those relating to the proceedings for interim measures.
5. The EFTA Surveillance Authority shall bear its own costs.

⁽¹⁾ OJ C 142, 12.5.2014.