

Order of the General Court of 1 December 2016 — STC v Commission(Case T-355/14) ⁽¹⁾**(Public services contracts — Tendering procedure — Construction and maintenance of a tri-generation plant with a gas turbine — Rejection of the tender submitted by a tenderer — Withdrawal of the contested measure — No need to adjudicate)**

(2017/C 022/44)

Language of the case: Italian

Parties

Applicant: STC SpA (Forlì, Italy) (represented by: A. Marelli and G. Delucca, lawyers)

Defendant: European Commission (represented by: initially L. Di Paolo, F. Moro and L. Cappelletti, then L. Di Paolo and F. Moro, acting as Agents)

Intervener in support of the defendant: CPL Concordia Soc. coop. (Concordia Sulla Secchia, Italy) (represented by: A. Penta, lawyer)

Re:

First, an application based on Article 263 TFEU and seeking annulment, (i), of the Commission's decision of 3 April 2014 rejecting the tender submitted by the applicant in tendering procedure JRC IPR 2013 C04 0031 OC for the construction and maintenance of a tri-generation plant with a gas turbine (OJ 2013/S 137-237146) on the site of the Joint Research Centre (JRC) in Ispra (Italy), (ii) of the Commission's decision awarding the contract to CPL Concordia and any connected measure, prior or subsequent to that decision, including the potential decision approving the contract and, where appropriate, the contract itself, (iii) the Commission's letter of 15 April 2014 rejecting the applicant's request for access to the tendering documents, and second, application requesting, principally, an order for the Commission to revoke the award of the contract and to grant that contract to the applicant, and alternatively, if the harm cannot be repaired, to order the Commission to compensate the applicant for the harm suffered.

Operative part of the order

1. There is no longer any need to adjudicate on the present action.
2. CPL Concordia Soc. coop's forms of order sought are rejected as being manifestly inadmissible.
3. Each party shall bear its own costs relating to the present proceedings and to the proceedings for interim relief.

⁽¹⁾ OJ C 223, 14.7.2014.

Order of the General Court of 1 December 2016 — Europower v Commission(Case T-383/14) ⁽¹⁾**(Public works contracts — Tendering procedure — Construction of a gas-turbine tri-generation power plant and associated maintenance — Rejection of a tenderer's bid — Withdrawal of the contested act — No need to adjudicate)**

(2017/C 022/45)

Language of the case: Italian

Parties

Applicant: Europower SpA (Milan, Italy) (represented by: G. Cocco and L. Salomoni, lawyers)