

**Order of the Court of First Instance of 19 February 2008  
— Apple Computer International v Commission**

(Case T-82/06) <sup>(1)</sup>

*(Actions for annulment — Common Customs Tariff — Classification in the Combined Nomenclature — Person not individually concerned — Inadmissibility)*

(2008/C 107/43)

Language of the case: English

**Parties**

*Applicant:* Apple Computer International (Cork, Ireland) (represented by: G. Breen, Solicitor, P. Sreenan SC, and B. Quigley, Barrister)

*Defendant:* Commission of the European Communities (represented by: X. Lewis and J. Hottiaux, Agents)

**Re:**

APPLICATION for annulment of Commission Regulation (EC) No 2171/2005 of 23 December 2005 concerning the classification of certain goods in the Combined Nomenclature (OJ 2005 L 346, p. 7)

**Operative part of the order**

1. *The action is dismissed as inadmissible.*
2. *Apple Computer International shall pay the costs.*

<sup>(1)</sup> OJ C 108, 6.5.2006.

**Order of the Court of First Instance of 22 February 2008  
— Base v Commission**

(Case T-295/06) <sup>(1)</sup>

*(Action for annulment — Telecommunications — Article 7 of Directive 2002/21/EC — Wholesale market for voice call termination on individual mobile networks in Belgium — Significant power on the market — Commission's comments letter — Non-actionable measure — Lack of direct concern — Inadmissibility)*

(2008/C 107/44)

Language of the case: French

**Parties**

*Applicant:* Base NV (Brussels, Belgium) (represented by: A. Verheyden, Y. Desmedt and F. Bimont, lawyers)

*Defendant:* Commission of the European Communities (represented by: É. Gippini Fournier, M. Shotter and K. Mojzesowicz, Agents)

**Re:**

Application for annulment of the decision allegedly contained in the letter of the Commission of 4 August 2006, addressed to the Institut belge des services postaux et des telecommunications (Belgian Institute of Post and Telecommunications Services) containing comments, pursuant to Article 7 of Directive 2002/21/EC of the European Parliament and of the Council of 7 March 2002 on a common regulatory framework for electronic communications networks and services (Framework Directive) (OJ 2002 L 108, p. 33), concerning a draft decision notified by that institute (Case BE/2006/0433).

**Operative part of the order**

*The Court:*

1. *dismisses the action as inadmissible;*
2. *orders the applicant to pay its own costs and the costs of the Commission;*
3. *orders Mobistar SA and the Kingdom of the Netherlands to pay their own costs.*

<sup>(1)</sup> OJ C 310, 16.12.2006.

**Action brought on 26 January 2008 — EREF v Commission**

(Case T-40/08)

(2008/C 107/45)

Language of the case: English

**Parties**

*Applicant:* European Renewable Energies Federation ASBL (EREF) (Brussels, Belgium) (represented by: D. Fouquet, lawyer)

*Defendant:* Commission of the European Communities

**Form of order sought**

- The Decision C(2007) 4323 final of the European Commission of 25 September 2007 is declared null and void;
- the financial vehicle in question in its present shape and structure is declared unlawful state aid;