

**Judgment of the General Court of 1 July 2010 — Nuova Terni Industrie Chimiche v Commission**(Case T-64/08) <sup>(1)</sup>

*(State aid — Compensation for expropriation on grounds of public interest — Temporal extension of a preferential tariff for the supply of electricity — Decision declaring the aid incompatible with the common market and ordering its recovery — Concept of advantage — Principle of the protection of legitimate expectations — Aid measure put into effect)*

(2010/C 221/60)

Language of the case: Italian

**Parties**

*Applicant:* Nuova Terni Industrie Chimiche SpA (Milan, Italy) (represented by: T. Salonic, G. Pellegrino, G. Pellegrino and G. Barone, lawyers)

*Defendant:* European Commission (represented by: C. Giolito and G. Conte, agents)

**Re:**

Application for annulment of Commission Decision 2008/408/EC of 20 November 2007 on the State aid C 36/A/06 (ex NN 38/06) implemented by Italy in favour of ThyssenKrupp, Cementir and Nuova Terni Industrie Chimiche (OJ 2008 L 144, p. 37)

**Operative part of the judgment**

The Court:

1. Dismisses the application.
2. Order Nuova Terni Industrie Chimiche SpA to pay the costs.

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<sup>(1)</sup> OJ C 92, 12.4.2008.

**Judgment of the General Court of 2 July 2010 — Kerstens v Commission**(Case T-266/08 P) <sup>(1)</sup>

*(Appeal — Staff case — Officials — Change of posting — Article 7 of the Staff Regulations — Interests of the service — Distortion of facts and evidence — Obligation on the Civil Service Tribunal to state reasons — Rights of the defence)*

(2010/C 221/61)

Language of the case: French

**Parties**

*Appellant:* Petrus Kerstens (Overijse, Belgium) (represented by: C. Mourato, lawyer)

*Other party to the proceedings:* European Commission (represented by: K. Herrmann and M. G. Berscheid, agents)

**Re:**

Appeal against the judgment of the Civil Service Tribunal of the European Union (Second Chamber) of 8 May 2008 in Case F-119/06 *Kerstens v Commission* seeking to have that judgment set aside.

**Operative part of the judgment**

The Court:

1. Dismisses the appeal.
2. Orders Petrus Kerstens to bear his own costs as well as the costs incurred by the Commission in the appeal proceedings.

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<sup>(1)</sup> OJ C 247, 27.9.2008.