

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders IG Communications Ltd to pay the costs.

(¹) OJ C 244, 10.10.2009.

Judgment of the General Court of 20 September 2012 — Poland v Commission

(Case T-333/09) (¹)

(EAGGF — Modulation — Allocation between the Member States of savings made — Distinction between the old Member States and those which acceded to the European Union in 2004 — Article 9(2) of Regulation (EC) No 73/2009 — Solidarity — Equal treatment — Duty to state reasons)

(2012/C 343/18)

Language of the case: Polish

Parties

Applicant: Republic of Poland (represented: initially by M. Dowgielewicz, and subsequently by M. Szpunar, B. Majczna and D. Krawczyk, Agents)

Defendant: European Commission (represented by: F. Clotuche-Duvieusart and M. Owisany-Hornung, Agents)

Re:

Application for partial annulment of Commission Decision 2009/444 of 10 June 2009 allocating the amounts resulting from the modulation provided for in Articles 7 and 10 of Council Regulation (EC) No 73/2009 to the Member States for the years 2009 to 2012 (OJ 2009 L 148, p. 29) in so far as Annex I allocates to Member States for 2012 the amounts resulting from the modulation provided for in Article 9(2) and (3) of Council Regulation (EC) No 73/2009 of 19 January 2009 establishing common rules for direct support schemes for farmers under the common agricultural policy and establishing certain support schemes for farmers, amending Regulations (EC) No 1290/2005, (EC) No 247/2006, (EC) No 378/2007 and repealing Regulation (EC) No 1782/2003 (OJ 2009 L 30, p. 16).

Operative part of the judgment

The Court:

1. Dismisses the application;
2. Orders the Republic of Poland to pay the costs.

(¹) OJ C 267, 7.11.2009.

Judgment of the General Court of 20 September 2012 — DEI v Commission

(Case T-421/09) (¹)

(Competition — Abuse of dominant position — Greek markets for the supply of lignite and wholesale electricity — Decision establishing the specific measures to correct the anti-competitive effects of an infringement of Article 86(1) EC, in conjunction with Article 82 EC, identified in an earlier decision — Article 86(3) EC — Annulment of the earlier decision)

(2012/C 343/19)

Language of the case: Greek

Parties

Applicant: Dimosia Epicheirisi Ilektrismou AE (DEI) (Athens, Greece) (represented by: P. Anestis, lawyer)

Defendant: European Commission (represented by: T. Christoforou and A. Antoniadis, Agents, and by A. Oikonomou, lawyer)

Intervener in support of the applicant: Hellenic Republic (represented by: P. Mylonopoulos and K. Boskovits, Agents, and by M. Marinos, lawyer)

Re:

Application for annulment of Commission Decision C(2009) 6244 final of 4 August 2009 establishing the specific measures to correct the anti-competitive effects of the infringement identified in the Commission Decision of 5 March 2008 on the granting or maintaining in force by the Hellenic Republic of rights in favour of DEI for the extraction of lignite.

Operative part of the judgment

The Court:

1. Annuls Commission Decision C(2009) 6244 final of 4 August 2009 establishing the specific measures to correct the anti-competitive effects of the infringement identified in the Commission Decision of 5 March 2008 on the granting or maintaining in force by the Hellenic Republic of rights in favour of Dimosia Epicheirisi Ilektrismou AE (DEI) for the extraction of lignite;
2. Orders the European Commission to pay the costs incurred by DEI, in addition to bearing its own;
3. Orders the Hellenic Republic to bear its own costs.

(¹) OJ C 11, 16.1.2010.