2. The second plea claims that there is a risk of overcompensation linked to the mechanism for financing France Télévisions. The applicant complains, first, that, not having access to several administrative documents, it was not in a position usefully to exercise its right of action and, secondly, that the Commission misinterpreted Article 106(2) TFEU by not taking account of the condition of economic efficiency in the provision of public service, in the context of its analysis of the legality of the contested measure.

3. The third plea claims failure to take account of other rules of the TFEU and secondary law. The applicant argues, first, that the tax on electronic communications is contrary to Article 110 TFEU; second, that the disputed taxes constitute a restriction on the freedom to provide services and the freedom of establishment in that the accumulation of specific taxes on the broadcasting and telecommunications sectors largely limits the possibility for broadcasting and telecommunications operators to carry on their economic activities in France; and, third, that the disputed measure is contrary to Directive 2002/20 of 7 March 2002 on the authorisation of electronic communications networks and services in so far as it places a tax on telecoms operators who do not comply with the conditions laid down by the directive.

Action brought on 31 May 2011 — Carlotti v Parliament

(Case T-276/11)

(2011/C 232/59)

Language of the case: French

Parties

Applicant: Marie-Arlette Carlotti (Marseilles, France) (represented by: S. Orlandi, A. Coolen, J.-N Louis, É. Marchal and D. Abreu Caldas, lawyers)

Defendant: European Parliament

Form of order sought

— Declare the decision taken by the Bureau of the European Parliament on 1 April 2009 amending the additional voluntary pension scheme for Members of the European Parliament to be unlawful;

— Annul the contested decision;

— Order the European Parliament to pay the costs

Pleas in law and main arguments

The present action seeks annulment of the decision of 28 March 2011 refusing the applicant entitlement to her additional pension at the age of 60 (with effect from February 2012), taken on the basis of the decision of the European Parliament of 1 April 2009 amending the additional voluntary pension scheme for Members of the European Parliament.

In support of her action, the applicant relies on five pleas in law alleging:

— infringement of acquired rights conferred by legal acts and of the principle of legal certainty;

— infringement of the principles of equal treatment and of proportionality, in so far as the decision of 1 April 2009 and the contested decision raise the age at which the pension may be drawn by three years and do so without making any transitional provision;

— infringement of Article 29 of the Rules Governing the Payment of Expenses and Allowances of Members of the European Parliament, which provides that the quaestors and the Secretary-General are to be responsible for the interpretation and strict enforcement of those rules;

— manifest error of assessment vitiating the decision of the Bureau of the European Parliament of 1 April 2009 amending the rules serving as a basis to the contested decision in that it is based on an unfounded assessment of the financial situation of the pension fund;

— breach of good faith in the performance of the contracts and nullity of the purely discretionary clauses.

Action brought on 30 May 2011 — T&L Sugars and Sidul Açúcares/Commission

(Case T-279/11)

(2011/C 232/60)

Language of the case: English

Parties

Applicants: T&L Sugars Ltd (London, United Kingdom) and Sidul Açúcares, Unipessoal Lda (Santa Iria de Azóia, Portugal) (represented by: D. Waelbroeck, lawyer, and D. Slater, Solicitor)

Defendant: European Commission

Form of order sought

— Declare the present application for annulment under Article 263(4) TFUE and/or plea of illegality under Article 277 TFUE against Regulation 222/2011, Regulation 293/2011, Regulation 302/2001 and Regulation 393/2011 admissible and well founded;

— Annulment of Regulation 222/2011 laying down exceptional measures as regards the release of out-of-quota sugar and isoglucose on the Union market at reduced surplus levy during marketing year 2010/2011;