

provisions or a national practice, such as those at issue in the main proceedings, under which the number of days of paid annual leave which a full-time worker was unable to exercise during the reference period is, due to the fact that that worker moved to a scheme of part-time work, subject to a reduction which is proportional to the difference between the number of days of work per week carried out by that worker before and after such a move to part-time work.

(¹) OJ C 366, 24.11.2012.

Order of the Court (Ninth Chamber) of 7 May 2013 — TME SpA — Termomeccanica Ecologia v European Commission

(Case C-418/12 P) (¹)

(Appeal — Public service contracts — Call for tenders in relation to the rehabilitation of the Bucharest wastewater treatment plant, jointly financed by the ISPA structural funds — Allegedly unlawful decision of the Romanian authorities to reject the tender submitted by the appellant — Refusal of the Commission to open an infringement or financial adjustment procedure against Romania)

(2013/C 225/90)

Language of the case: Italian

Parties

Appellant: TME SpA — Termomeccanica Ecologia (represented by: C. Malinconico and A. Gigliola, avvocati)

Other party to the proceedings: European Commission (represented by: A. Aresu and P. van Nuffel, agents)

Re:

Appeal against the order of the General Court (Third Chamber) of 4 July 2012 in Case T-329/11 *TME v European Commission*, by which that court dismissed as manifestly inadmissible, first, an application for annulment of the Commission's letter of 20 April 2011 concerning the complaint lodged by TME in connection with the failure on the part of Romania to fulfil its obligations under European Union law in the context of the project 'Bucharest Wastewater Treatment Plant Rehabilitation: Stage I ISPA 2004/RO/16/P/PE/003-03', linked to the restructuring of the Bucharest wastewater treatment plant, and, second, a claim for damages — Misinterpretation of the subject of the action — Practical Guide to Contract Procedures for External Actions — Commission under an obligation to issue a reasoned opinion in the event of irregularities or breaches arising in the course of the tendering procedure

Operative part of the order

1. *The appeal is dismissed.*

2. TME SpA — Termomeccanica Ecologia is ordered to pay the costs.

(¹) OJ C 373, 1.12.2012.

Order of the Court (Fifth Chamber) of 13 June 2013 — Veolia Acqua Compagnia Generale delle Acque srl, in liquidation v European Commission, Italian Republic

(Case C-436/12 P) (¹)

(Appeal — State aid — Aid to undertakings established in the territory of Venice and Chioggia)

(2013/C 225/91)

Language of the case: Italian

Parties

Appellant: Veolia Acqua Compagnia Generale delle Acque srl, in liquidation (represented by: A. Vianello, A. Bortoluzzi and A. Vegliani, avvocati)

Other parties to the proceedings: European Commission (represented by: V. Di Bucci, G. Conte and D. Grespan, acting as Agents), Italian Republic

Re:

Appeal against the order of the General Court (Fourth Chamber) of 12 July 2012 in Case T-264/00 *Compagnia Generale delle Acque v Commission*, by which that court dismissed an action for annulment of Commission Decision 2000/394/EC of 25 November 1999 on aid to firms in Venice and Chioggia by way of relief from social security contributions under Laws No 30/1997 and 206/1995 (OJ 2000 L 150, p. 50) — Whether intra Community trade is affected — Impact on competition — Extent of control — Burden of proof — Duty to state reasons

Operative part of the order

1. *The appeal is dismissed.*

2. *Veolia Acqua Compagnia Generale delle Acque srl shall pay the costs.*

(¹) OJ C 379, 8.12.2012.