

Defendant: European Commission (represented by: F. Clotuche-Duvieusart, acting as Agent)

Re:

Application for the annulment of the Commission's implied decision to refuse the applicants access to a document concerning European Union energy policy.

Operative part of the order

1. *There is no longer any need to adjudicate on the action.*
2. *The European Commission shall bear its own costs and pay those incurred by ClientEarth and Stitching BirdLife Europe.*

⁽¹⁾ OJ C 101, 6.4.2013.

Order of the President of the General Court of 29 August 2013 — France v Commission

(Case T-366/13 R)

(Interim relief — State aid — Aid implemented in favour of companies responsible for the public service of providing maritime transport services between Corsica and Marseille — Compensation paid in respect of additional services provided to cover peak periods during the tourist season — Decision classifying that aid as incompatible with the internal market and ordering the recovery of that aid from the recipients — Application for stay of execution — No urgency)

(2013/C 298/11)

Language of the case: French

Parties

Applicant: French Republic (represented by: E. Belliard, N. Rouam, G. de Bergues and D. Colas, acting as Agents)

Defendant: European Commission (represented by: M. Afonso and B. Stromsky, acting as Agents)

Re:

APPLICATION for stay of execution of Decision C(2013) 1926 final of the European Commission of 2 May 2013 on State aid No SA.22843 (2012/C) (ex 2012/NN) implemented by France in favour of the Société nationale Corse Méditerranée and the Compagnie méridionale de navigation.

Operative part of the order

1. *The application for interim relief is rejected.*
2. *Costs are reserved.*

Action brought on 18 June 2013 — Commission v Thales développement et coopération

(Case T-326/13)

(2013/C 298/12)

Language of the case: French

Parties

Applicant: European Commission (represented by: R. Lyal and B. Conte, acting as Agents, and by N. Coutrelis, lawyer)

Defendant: Thales développement et coopération SAS (Vélizy-Villacoublay, France)

Form of order sought

The applicant claims that the General Court should:

— order Thales to repay to the European Commission all the sums received under the NEMECEL and DREAMCAR contracts, namely, in relation to the NEMECEL contract, the principal sum of EUR 700 335,66 plus interest outstanding and, in relation to the DREAMCAR contract, the principal sum of EUR 812 821,43 plus interest outstanding;

— order Thales to pay all the costs.

Pleas in law and main arguments

Following an investigation by the European Anti-Fraud Office (OLAF), the Commission is seeking, by the action brought under Article 272 TFEU, an order from the Court that the defendant repay all of the sums received by the defendant's former subsidiary, SRTI (SRTI System, Industrial Process Department), a company that became first, SODETEG (Société d'Études Techniques et d'Entreprises Générales SA) then THALESEC (Thales Engineering and Consulting), in connection with two research contracts known as 'NEMECEL' and 'DREAMCAR'.

The Commission claims that the sums at issue were wrongly paid, following serious financial irregularities, non-compliance with contractual obligations and breaches of fundamental rules of law. The defendant's subsidiary *inter alia* declared excessive costs by over-billing for hours not worked.