

**Judgment of the General Court of 11 July 2018 — CSTP Azienda delle Mobilità v Commission****(Case T-186/15) <sup>(1)</sup>**

*(State aid — Undertaking operating networks of bus routes in the Regione Campania — Advantage — Service of general economic interest — Compensation for tariff obligations as a result of public service obligations, paid following a decision of a court ruling at final instance — Decision declaring the aid incompatible with the internal market — Existing aid and new aid — Regulation (EEC) No 1191/69 — Conditions for exemption from the requirement for notification — Article 4(5) and Article 7(6) of Regulation (EC) No 659/99 — Respective jurisdictions of the Commission and the national courts in respect of the monitoring of State aid — Force of res judicata of a judgment of a higher national court — Temporal application of the rules of substantive law — Legitimate expectations — Legal certainty)*

(2018/C 301/32)

Language of the case: Italian

**Parties**

*Applicant:* CSTP Azienda delle Mobilità SpA (Salerno, Italy) (represented by: G. Capo and L. Visone, lawyers)

*Defendants:* European Commission (represented by: L. Armati, G. Conte and P.-J. Loewenthal, Agents)

*Intervener in support of the applicant:* Asstra Associazione Trasporti (Rome, Italy) (represented by: M. Malena, lawyer)

**Re:**

Application based on Article 263 TFEU and seeking annulment of Commission Decision (EU) 2015/1074 of 19 January 2015 on State aid SA.35842 (2014/C) (ex 2012/NN) implemented by Italy — Additional public service compensation for CSTP (OJ 2015 L 179, p. 112).

**Operative part of the judgment**

*The Court:*

1. Dismisses the action;
2. Orders CSTP Azienda delle Mobilità SpA, in addition to bearing its own costs, to pay those incurred by the European Commission;
3. Declares that Asstra Associazione Trasporti is to bear its own costs.

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<sup>(1)</sup> OJ C 190, 8.6.2015.