

**Action brought on 14 April 2015 — CSTP Azienda della Mobilità v Commission****(Case T-186/15)**

(2015/C 190/32)

*Language of the case: Italian***Parties**

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

*Defendant:* European Commission

**Form of order sought**

The applicant claims that the Court should:

- annul the decision of the European Commission of 19 January 2015 on State aid SA.35842 (2014/C) (ex 2012/NN), notified to the applicant on 19 February 2015, implemented by Italy;
- declare, in accordance with Article 263 TFEU and Article 264 TFEU, that the Commission's decision of 19 January 2015 in the proceedings relating to State aid SA.35842 (2014/C) (ex 2012/NN) (for EUR 4 951 838) is entirely null and void in so far as it states that the sums awarded by way of compensation for public service obligations within the meaning of Regulation (EEC) No 1191/69, granted under Article 11 of that regulation in respect of tariff obligations in the Local Public Transport sector, could be deemed a non-notified measure constituting State aid under Article 107(1) TFEU which is incompatible with the internal market;
- declare, in accordance with Article 263 TFEU and Article 264 TFEU, that the Commission's decision of 19 January 2015 in the proceedings relating to State aid SA.35842 is entirely null and void in so far as it lays down operational measures for the recovery of aid paid by the Italian State;
- order the Commission to pay the costs.

**Pleas in law and main arguments**

The pleas in law and main arguments are those relied on in Case T-185/15 *Buonotourist v Commission*.

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**Action brought on 17 April 2015 — Compagnia Trasporti Pubblici and Others v Commission****(Case T-187/15)**

(2015/C 190/33)

*Language of the case: Italian***Parties**

*Applicants:* Compagnia Trasporti Pubblici SpA (Arzano, Italy); Atap — Azienda Trasporti Automobilistici Pubblici delle Province di Biella e Vercelli SpA (Biella, Italy); Actv SpA (Venice, Italy); Ferrovie Appulo Lucane Srl (Bari, Italy); Asstra Associazione Trasporti (Rome, Italy); and Associazione Nazionale Autotrasporto Viaggiatori (ANAV) (Rome) (represented by: M. Malena, lawyer)

*Defendant:* European Commission

**Form of order sought**

The applicants claim that the Court should annul those chapters and parts of the contested decision which are subject to appeal.

**Pleas in law and main arguments**

The pleas in law and main arguments are similar to those relied on in Case T-185/15 *Buonotourist v Commission* and Case T-186/15 *CSTP Azienda della Mobilità v Commission*.

In particular, the applicants allege infringement of Articles 93, 94, 107 and 108 TFEU, infringement of Council Regulation (EEC) No 1191/69 of 26 June 1969 on action by Member States concerning the obligations inherent in the concept of a public service in transport by rail, road and inland waterway (OJ 1969 L 156, p. 1), infringement of Regulation No 1370/2007 of the European Parliament and of the Council of 23 October 2007 on public passenger transport services by rail and by road and repealing Council Regulations (EEC) Nos 1191/69 and 1107/70 (OJ 2007 L 315, p. 1), lack of competence on the part of the Commission, infringement of Regulation (EC) No 1191/69, a misuse of powers, and infringement of the Communication from the Commission on interpretative guidelines concerning Regulation No 1370/2007.

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**Action brought on 15 April 2015 — TMG Landelijke Media and Willems v Commission****(Case T-189/15)**

(2015/C 190/34)

*Language of the case: Dutch***Parties**

*Applicants:* TMG Landelijke Media BV (Amsterdam, Netherlands) and Menzo Willems (Voorburg, Netherlands) (represented by: R. Le Poole and L. Broers, lawyers)

*Defendant:* European Commission

**Form of order sought**

The applicants claim that the Court should:

- annul the Commission Decision of 17 February 2015;
- order the Commission to pay the costs of the present action.

**Pleas in law and main arguments**

The applicants challenge the Commission Decision whereby their request for access to the correspondence between the Netherlands and the Commission, concerning the European additional tax imposed on the Netherlands in 2014, was rejected in part.

In support of their action, the applicants rely on four pleas in law.

1. First plea in law, alleging infringement of Article 4(1)(a) of Regulation No 1049/2001<sup>(1)</sup>. The applicants claim that the Commission wrongly did not make certain documents public because public disclosure would lead to an undermining of the protection of the public interest regarding European Union financial, monetary or economic policy.