Request for a preliminary ruling from the Verwaltungsgericht Berlin (Germany) lodged on 3 February 2017 — INEOS Köln GmbH v Bundesrepublik Deutschland

(Case C-58/17)

(2017/C 144/29)

Language of the case: German

Referring court

Verwaltungsgericht Berlin

Parties to the main proceedings

Applicant: INEOS Köln GmbH

Defendant: Bundesrepublik Deutschland

Question referred

Must Commission Decision 2011/278/EU ([1]) of 27 April 2011 determining transitional Union-wide rules for harmonised free allocation of emission allowances pursuant to Article 10a of Directive 2003/87/EC of the European Parliament and of the Council be interpreted as meaning that the definition of 'process emissions sub-installation' in Article 3(h) of Decision 2011/278/EU covers only incompletely oxidised carbon in a gaseous state, or does it also include incompletely oxidised carbon in a liquid state?

([1]) OJ 2011 L 130, p. 1.

Request for a preliminary ruling from the Landesarbeitsgericht Berlin-Brandenburg (Germany) lodged on 6 February 2017 — Miriam Bichat v APSB — Aviation Passage Service Berlin GmbH & Co. KG

(Case C-61/17)

(2017/C 144/30)

Language of the case: German

Referring court

Landesarbeitsgericht Berlin-Brandenburg

Parties to the main proceedings

Applicant: Miriam Bichat

Defendant: APSB — Aviation Passage Service Berlin GmbH & Co. KG

Questions referred

1. Must the notion of a controlling undertaking specified in the first subparagraph of Article 2(4) of Council Directive 98/59/EC of 20 July 1998 on the approximation of the laws of the Member States relating to collective redundancies ([1]) be understood to mean only an undertaking whose influence is ensured through shareholdings and voting rights or does a contractual or de facto influence (e.g. as a result of the power of natural persons to give instructions) suffice?

2. If the answer to Question 1 is to the effect that an influence ensured through shareholdings and voting rights is not required: