

**Request for a preliminary ruling from the Hanseatisches Oberlandesgericht in Bremen (Germany)  
lodged on 29 May 2017 — Stadtwerke Delmenhorst GmbH v Manfred Bleckwehl**

(Case C-309/17)

(2017/C 318/05)

*Language of the case: German*

**Referring court**

Hanseatisches Oberlandesgericht in Bremen

**Parties to the main proceedings**

*Applicant:* Stadtwerke Delmenhorst GmbH

*Defendant:* Manfred Bleckwehl

**Questions referred**

1. Is Article 3(3) of Directive 2003/55/EC <sup>(1)</sup> of the European Parliament and of the Council of 26 June 2003 concerning common rules for the internal market in natural gas and repealing Directive 98/30/EC, in conjunction with points (b) and (c) of Annex A thereto, to be interpreted as meaning that failure to give gas customers timely and direct notice of the preconditions and reasons for and the extent of an imminent change in the tariff for gas supplies precludes the effectiveness of such a change in tariff?
2. If that question is answered in the affirmative:

Has Article 3(3) of Directive 2003/55/EC of the European Parliament and of the Council of 26 June 2003 concerning common rules for the internal market in natural gas and repealing Directive 98/30/EC, in conjunction with points (b) and (c) of Annex A thereto, been directly applicable since 1 July 2004 to a supply undertaking incorporated under private law (as a German GmbH), because the abovementioned provisions of that directive are unconditional, so far as their subject matter is concerned, and can therefore be applied without any further implementing act, and confer rights on citizens vis-à-vis an organisation which, despite its private-law legal form, is subject to the authority of the State because the State is the sole shareholder in the undertaking?

<sup>(1)</sup> OJ 2003 L 176, p. 57.

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**Request for a preliminary ruling from the Verwaltungsgerichtshof (Austria) lodged on 1 June 2017 —  
Gerhard Prenninger and Others**

(Case C-329/17)

(2017/C 318/06)

*Language of the case: German*

**Referring court**

Verwaltungsgerichtshof

**Parties to the main proceedings**

*Applicants:* Gerhard Prenninger, Karl Helmberger, Franziska Zimmer, Franz Scharinger, Norbert Pühringer, Agrargemeinschaft Pettenbach, Marktgemeinde Vorchdorf, Marktgemeinde Pettenbach, Gemeinde Steinbach am Ziehberg

**Question referred**

Must Directive 2011/92/EU <sup>(1)</sup> of the European Parliament and of the Council of 13 December 2011 on the assessment of the effects of certain public and private projects on the environment (the EIA Directive) be interpreted as meaning that the 'clearance of a path' for the purpose of the construction of a power supply system and for the duration of its lawful existence constitutes 'deforestation for the purposes of conversion to another type of land use' within the meaning of point 1(d) of Annex II to the EIA Directive?

<sup>(1)</sup> OJ 2012 L 26, p. 1.