

**Judgment of the General Court of 20 September 2019 — FVE Holýšov I and Others v Commission**(Case T-217/17) <sup>(1)</sup>

*(State aid — Market for electricity generated from renewable sources — Measures setting a minimum purchase price for electricity generated from renewable energy sources or granting a bonus to producers of that electricity — Amendment of the initial measures — Decision declaring the aid scheme compatible with the internal market at the end of the preliminary examination stage — Article 107, paragraph 3(c) TFEU — Beneficiaries of the aid and shareholders of the beneficiaries — Legitimate expectations — State resources — Commission's competence to examine the compatibility of the measures with other provisions of EU law than State aid)*

(2019/C 413/49)

Language of the case: English

**Parties**

*Applicants:* FVE Holýšov I s. r. o. (Prague, Czech Republic) and the 27 other applicants whose names appear in the Annex to the Judgment (represented by: A. Reuter, H. Wendt, C. Bürger, T. Christner, W. Schumacher, A. Compes and T. Herbold, lawyers)

*Defendant:* European Commission (represented by: L. Armati, P. Němečková and T. Maxian-Rusche, acting as Agents)

*Interveners in support of the defendant:* Czech Republic (represented by: M. Smolek, J. Vláčil, T. Müller and O. Serdula and L. Dvořáková, acting as Agents), Kingdom of Spain (represented initially by: A. Gavela Llopis, and subsequently by A. Rubio González and S. Centeno Huerta, acting as Agents), Republic of Cyprus (represented by: E. Symeonidou and E. Zachariadou, acting as Agents), Slovak Republic (represented by: B. Ricziová and M. Kianička, acting as Agents)

**Re:**

Application pursuant to Article 263 TFEU for the partial annulment of Commission Decision C(2016) 7827 final of 28 November 2016 on State aid SA.40171 (2015/NN), concerning the promotion of electricity production from renewable energy sources, a summary of which has been published in the Official Journal of the European Union (OJ 2017 C 69, p. 2).

**Operative part of the judgment**

The Court:

1. *Dismisses the action;*
2. *Orders FVE Holýšov I s. r. o. and the other applicants whose names are included in the annex to bear their own costs and to pay those incurred by the European Commission;*
3. *Orders the Czech Republic, the Republic of Spain, the Republic of Cyprus and the Slovak Republic to bear their own costs.*

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<sup>(1)</sup> OJ C 202, 26.6.2017.