

**Request for a preliminary ruling from the Consiglio di Stato (Italy) lodged on 9 March 2018 —
Agrenergy Srl v Ministero dello Sviluppo Economico**

(Case C-286/18)

(2018/C 249/18)

Language of the case: Italian

Referring court

Consiglio di Stato

Parties to the main proceedings

Appellant: Agrenergy Srl

Respondent: Ministero dello Sviluppo Economico

Question referred

Should Article 3(3)(a) of Directive 2009/28/EC⁽¹⁾ be interpreted — including in view of the general principle of the protection of legitimate expectations and the overall system of rules introduced by that directive to incentivise the production of energy from renewable sources — as rendering incompatible with EU law national legislation which allows the Italian Government, in subsequent implementing decrees, to reduce or even remove incentives introduced earlier?

⁽¹⁾ Directive 2009/28/EC of the European Parliament and of the Council of 23 April 2009 on the promotion of the use of energy from renewable sources and amending and subsequently repealing Directives 2001/77/EC and 2003/30/EC (OJ 2009 L 140, p. 16).

**Request for a preliminary ruling from the Consiglio di Stato (Italy) lodged on 9 March 2018 —
Fusignano Due Srl v Ministero dello Sviluppo Economico**

(Case C-287/18)

(2018/C 249/19)

Language of the case: Italian

Referring court

Consiglio di Stato

Parties to the main proceedings

Appellant: Fusignano Due Srl

Respondent: Ministero dello Sviluppo Economico

Question referred

Should Article 3(3)(a) of Directive 2009/28/EC⁽¹⁾ be interpreted — including in view of the general principle of the protection of legitimate expectations and the overall system of rules introduced by that directive to incentivise the production of energy from renewable sources — as rendering incompatible with EU law national legislation which allows the Italian Government, in subsequent implementing decrees, to reduce or even remove incentives introduced earlier?

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