

GENERAL COURT

Judgment of the General Court of 8 September 2021 — Naturgy Energy Group v Commission

(Case T-328/18) ⁽¹⁾

(State aid — Environmental incentive adopted by Spain in favour of coal-fired power plants — Decision to initiate the procedure laid down by Article 108(2) TFEU — Obligation to state reasons — Manifest error of assessment — Selective nature)

(2021/C 422/13)

Language of the case: Spanish

Parties

Applicant: Naturgy Energy Group, SA, formerly Gas Natural SDG, SA (Madrid, Spain) (represented by: F. González Díaz and J. Blanco Carol, lawyers)

Defendant: European Commission (represented by: P. Němečková and D. Recchia, acting as Agents)

Interveners in support of the applicant: EDP España, SA (Oviedo, Spain) (represented by: J. Buendía Sierra and A. Lamadrid de Pablo, lawyers), Viesgo Producción, SL, successor in title to Viesgo Generación, SL (Santander, Spain) (represented by: F. Plasencia Sánchez, L. Ques Mena and L. de Pedro Martín, lawyers)

Re:

APPLICATION under Article 263 TFEU for annulment of Commission Decision C(2017) 7733 final of 27 November 2017, concerning State Aid SA.47912 (2017/NN) — Environmental incentive adopted by Spain in favour of coal-fired power plants, initiating the formal investigation procedure laid down by Article 108(2) TFEU.

Operative part of the judgment

The Court:

1. Dismisses the action;
2. Orders Naturgy Energy Group, SA to bear its own costs and to pay those incurred by the European Commission;
3. Orders Viesgo Producción, SL and EDP España, SA to bear their own costs.

⁽¹⁾ OJ C 268, 30.7.2018.

Judgment of the General Court of 8 September 2021 — Brunswick Bowling Products v Commission

(Case T-152/19) ⁽¹⁾

(Protection of the health and safety of consumers and workers — Directive 2006/42/EC — Safeguard clause — National measure of withdrawal from the market and prohibition of placing on the market of a pinsetter machine and a supplementary kit — Essential health and safety requirements — Commission decision declaring the measure justified — Equal treatment)

(2021/C 422/14)

Language of the case: English

Parties

Applicant: Brunswick Bowling Products LLC, formerly Brunswick Bowling & Billiards Corporation (Muskegon, Michigan, United States) (represented by: R. Martens and V. Ostrovskis, lawyers)