

**Order of the Court (Seventh Chamber) of 31 January 2020 — Association européenne du charbon et du lignite (Euracoal) v European Commission, Deutscher Braunkohlen-Industrie — Verein eV, Lausitz Energie Kraftwerke AG, Mitteldeutsche Braunkohlengesellschaft mbH, eins energie in sachsen GmbH & Co. KG**

(Case C-172/19 P) <sup>(1)</sup>

*(Appeal — Article 181 of the Rules of Procedure of the Court of Justice — Environment — Directive 2010/75/EU — Best available techniques (BAT) conclusions — Implementing Decision (EU) 2017/1442 — Large combustion plants — Action for annulment — Inadmissibility — Lack of direct concern — Participation in the process leading to the adoption of the act — Procedural guarantees at the time of the adoption of the act — Substitution of grounds — No grounds alleging infringement of the appellant's procedural rights — Act not of individual concern — Appeal manifestly unfounded)*

(2020/C 313/07)

Language of the case: German

**Parties**

*Appellant:* Association européenne du charbon et du lignite (Euracoal) (represented by: W. Spieth and N. Hellermann, Rechtsanwälte)

*Other parties to the proceedings:* Deutscher Braunkohlen-Industrie — Verein eV, Lausitz Energie Kraftwerke AG, Mitteldeutsche Braunkohlengesellschaft mbH, eins energie in sachsen GmbH & Co. KG (represented by: W. Spieth and N. Hellermann, Rechtsanwälte), European Commission (represented by: R. Tricot and A. C. Becker, acting as Agents)

**Operative part of the order**

1. The appeal is dismissed as being manifestly unfounded.
2. Association européenne du charbon et du lignite (Euracoal) shall pay the costs.

---

<sup>(1)</sup> OJ C 164, 13.5.2019.

**Order of the Court (Eighth Chamber) of 16 January 2020 (request for a preliminary ruling from the Consiglio di Stato — Italy) — Telecom Italia SpA, Wind Tre SpA, Vodafone Italia SpA, Lindam Srl v Roma Capitale, Regione Lazio, Vodafone Italia SpA, Telecom Italia SpA, Wind Tre SpA, Wind Telecomunicazioni SpA**

(Case C-368/19) <sup>(1)</sup>

*(Reference for a preliminary ruling — Article 53(2) and Article 94 of the Rules of Procedure of the Court of Justice — Approximation of laws — Electronic communications networks and services — Restrictions on the installation of mobile phone base transceiver stations established by local authorities — Insufficient details concerning the reasons why an answer to the question referred is necessary for the outcome of the dispute in the main proceedings — Manifest inadmissibility)*

(2020/C 313/08)

Language of the case: Italian

**Referring court**

Consiglio di Stato

**Parties to the main proceedings**

*Appellants:* Telecom Italia SpA, Wind Tre SpA, Vodafone Italia SpA, Lindam Srl

*Respondents:* Roma Capitale, Regione Lazio, Vodafone Italia SpA, Telecom Italia SpA, Wind Tre SpA, Wind Telecomunicazioni SpA

*Interveners:* Regione Lazio, Wind Tre SpA, Telecom Italia SpA, Ente Suore Francescane Missionarie del Cuore Immacolato di Maria and Others, Agenzia Regionale Protezione Ambiente (ARPA), Congregazione delle Religiose di Gesù e Maria

**Operative part of the order**

The request for a preliminary ruling made by the Consiglio di Stato (Council of State, Italy), by decision of 2 February 2018, is manifestly inadmissible.

---

<sup>(1)</sup> OJ C 312, 16.9.2019.

---

**Order of the Court (Ninth Chamber) of 15 January 2020 (request for a preliminary ruling from the Curtea de Apel Cluj — Romania) — SC Banca E S.A. v G.D.**

(Case C-381/19) <sup>(1)</sup>

*(Reference for a preliminary ruling — Article 99 of the Rules of Procedure of the Court of Justice — Consumer protection — Directive 93/13/EEC — Introduction of a new legal remedy in the course of the proceedings — Principles of legal certainty and effectiveness)*

(2020/C 313/09)

Language of the case: Romanian

**Referring court**

Curtea de Apel Cluj

**Parties to the main proceedings**

*Appellant:* SC Banca E S.A.

*Respondent:* G.D.

**Operative part of the order**

The principles of legal certainty and effectiveness must be interpreted as not precluding a procedural rule which modifies the system of legal remedies provided for under national law, by introducing an additional legal remedy and an additional level of jurisdiction, and which applies to proceedings between a consumer and a seller or supplier already in progress at the time of that modification, where that new legal remedy is available to both the consumer and the seller or supplier.

---

<sup>(1)</sup> OJ C 288, 26.8.2019.