

by which an infrastructure manager involved in a freight corridor is provided, for its network statement, with stipulations for structuring that application system which are not agreed with the national regulatory bodies of the other States involved in the freight corridors?

- (¹) Regulation (EU) No 913/2010 of the European Parliament and of the Council of 22 September 2010 concerning a European rail network for competitive freight (OJ 2010 L 276, p. 22).
- (²) Directive 2012/34/EU of the European Parliament and of the Council of 21 November 2012 establishing a single European railway area (OJ 2012 L 343, p. 32).

Request for a preliminary ruling from the Juzgado de lo Mercantil de Badajoz (Spain) lodged on 15 January 2020 — Asociación de Usuarios de Bancos, Cajas y Seguros de España (Adicae Consumidores Críticos y Responsables) v Caja Almedralejo Sociedad Cooperativa de Crédito

(Case C-15/20)

(2020/C 137/45)

Language of the case: Spanish

Referring court

Juzgado de lo Mercantil No 1 de Badajoz

Parties to the main proceedings

Applicant: Asociación de Usuarios de Bancos, Cajas y Seguros de España (Adicae Consumidores Críticos y Responsables)

Defendant: Caja Almedralejo Sociedad Cooperativa de Crédito

Questions referred

The questions referred for a preliminary ruling are identical to those in referred in Case C-224/19. (¹)

(¹) OJ 2019 C 246, p. 4.

Request for a preliminary ruling from the Juzgado de lo Mercantil No 1 de Badajoz (Spain) lodged on 15 January 2020 — Asociación de Usuarios de Bancos, Cajas y Seguros de España (Adicae Consumidores Críticos y Responsables) v Liberbank S.A.

(Case C-16/20)

(2020/C 137/46)

Language of the case: Spanish

Referring court

Juzgado de lo Mercantil No 1 de Badajoz

Parties to the main proceedings

Applicant: Asociación de Usuarios de Bancos, Cajas y Seguros de España (Adicae Consumidores Críticos y Responsables)

Defendant: Liberbank, S.A.

Questions referred

The questions referred for a preliminary ruling are identical to those in referred in Case C-224/19. ⁽¹⁾

⁽¹⁾ OJ 2019 C 246, p. 4.

Request for a preliminary ruling from the Verwaltungsgericht Köln (Germany) lodged on 24 January 2020 — Telekom Deutschland GmbH v Bundesrepublik Deutschland

(Case C-34/20)

(2020/C 137/47)

Language of the case: German

Referring court

Verwaltungsgericht Köln

Parties to the main proceedings

Applicant: Telekom Deutschland GmbH

Defendant: Bundesrepublik Deutschland

Questions referred

1. (a) In the case where a mobile communications tariff including a monthly data allowance and providing for reduced transmission speed once that data volume has been used can be extended by a free option which allows certain services provided by content partners of the telecommunications company to be used without offsetting the data volume used for those services against the monthly data allowance included in the mobile communications tariff, and the end-user agrees to limitation of the bandwidth to a maximum of 1,7 Mbit/s for video-streaming, irrespective of whether the video-streaming service is provided by content partners or other providers, is Article 3(2) of Regulation (EU) 2015/2120 ⁽¹⁾ to be understood as meaning that agreements on the characteristics of internet access services within the meaning of Article 3(2) of that regulation must fulfil the requirements of Article 3(3) thereof?
- (b) If the answer to Question 1.(a) is in the affirmative: Is Article 3(3), third subparagraph, of Regulation (EU) 2015/2120 to be understood as meaning that, in a situation such as that at issue in the present case, bandwidth limitation qualifies as the slowing down of one category of service?
- (c) If the answer to Question 1.(b) is in the affirmative: Is the term ‘impending network congestion’ within the meaning of Article 3(3), third subparagraph, point c), of Regulation (EU) 2015/2120 to be understood as meaning that it covers only (impending) exceptional or temporary network congestion?
- (d) If the answer to Question 1.(b) is in the affirmative: Is Article 3(3), third subparagraph, point (c), of Regulation (EU) 2015/2120 to be understood as meaning that, in a situation such as that at issue in these proceedings, the need for equal treatment of equivalent categories of traffic precludes bandwidth limitation that applies in the case of one optional add-on only, but not in the case of other mobile communication tariffs, and applies, moreover, to video-streaming alone? [**Or. 3**]
- (e) If the answer to Question 1.(b) is in the affirmative: Is Article 3(3), third subparagraph, of Regulation (EU) 2015/2120 to be understood as meaning that, in a situation such as that at issue in these proceedings, bandwidth limitation that depends on the addition of the optional add-on and that the end-user can, moreover, deactivate at any time for up to 24 hours fulfils the requirement that one category of service may be slowed down only for as long as is necessary to achieve the objectives of Article 3(3), third subparagraph, points (a) to (c), of Regulation (EU) 2015/2120?