

Pleas in law and main arguments

- With regard to the information required under Article 18(1) of Regulation No 2847/93, the French authorities have still not provided this for 1999 or 2000. Moreover, for the subsequent years, that information has been provided late.
- With regard to the information required under Article 19i of Regulation No 2847/93, the French authorities have not provided this for 1999, 2000, 2001 or 2002. Nor has that information has been provided for subsequent years.

(¹) Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy (OJ L 261, 20.10.1993, p. 1).

Action brought on 22 April 2005 by Commission of the European Communities against the Hellenic Republic

(Case C-182/05)

(2005/C 155/17)

(Language of the case: Greek)

An action against the Hellenic Republic was brought before the Court of Justice of the European Communities on 22 April 2005 by the Commission of the European Communities, represented by Maria Patakia, Legal Adviser in the Commission's Legal Service and Bernhard Schima, a member of that service, with an address for service in Luxembourg.

The applicant claims that the Court should:

- declare that, by not ensuring publication by the Dimosia Epikhirisi Elektrismou of separate annual accounts for its activities of lignite mining and electricity production, the Hellenic Republic has failed to fulfil its obligations under Article 14 of Directive 96/92/EC (¹) of the European Parliament and of the Council of 19 December 1996 concerning common rules for the internal market in electricity;
- order the Hellenic Republic to pay the costs.

Pleas in law and main arguments

1. After the Commission received a complaint on the matter and on the basis of information from Greece (various letters from the Ministry of Development and from the Energy Regulatory Authority) concerning the requirement that separate accounts should be published by the integrated company 'Dimosia Epikhirisi Elektrismou' [Public Electricity Undertaking] (DEE), in accordance with Article 14 of Directive 96/92/EC of the European Parliament and of the Council of 19 December 1996 concerning common rules for the internal market in electricity (OJ 1997 L 27 p. 20), the Commission formed the view that Greece had infringed the provisions of that article.
2. The Commission considers that the publication of common accounts for DEE's activities of electricity production and lignite mining and the failure to separate those two activities constitute an infringement of the requirements of Article 14(3) of Directive 96/92/EC,
3. In the Commission's view, despite the existence of DEE's internal accounting system under which, as is required, its lignite mining activity is separated from its electricity production activity, such separation needs also to be reflected in DEE's published accounts. The Commission points out that the efforts of the Greek authorities have not so far succeeded in bringing about the requisite result. The submission of information to the Regulatory Authority as regards separate accounts does not suffice to satisfy the requirement of publication.

(¹) OJ L 27 of 30.01.1997, p. 20.

Action brought on 28 April 2005 by the Commission of the European Communities against the Portuguese Republic

(Case C-191/05)

(2005/C 155/18)

(Language of the case: Portuguese)

An action against the Portuguese Republic was brought before the Court of Justice of the European Communities on 28 April 2005 by the Commission of the European Communities, represented by Michel van Beek and António Cairos, acting as Agents, with an address for service in Luxembourg.