

JUDGMENT OF THE COURT OF FIRST INSTANCE

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of 15 June 2005

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in Case T-17/02 Fred Olson SA v Commission of the European Communities ⁽¹⁾

in Case T-171/02 Regione autonoma della Sardegna v Commission of the European Communities ⁽¹⁾

(State aid — Maritime transport — Existing aid — New aid — Service of general economic interest)

(State aid — Aid scheme for the restructuring of small agricultural enterprises — Aid affecting trade between Member States and distorting or threatening to distort competition — Guidelines on State aid for rescuing and restructuring firms in difficulty — Conditional decision — Time-limits applicable to the procedure for controlling State aid — Protection of legitimate expectations — Statement of reasons — Intervention — Intervener's claims, pleas and arguments)

(2005/C 205/29)

(2005/C 205/30)

(Language of the case: Spanish)

(Language of the case: Italian)

In Case T-17/02: Fred Olson SA, established in Santa Cruz, Tenerife (Spain), represented by R. Marín Correa and F. Marín Riaño, lawyers, against Commission of the European Communities (Agent: J. Buendía Sierra, with an address for service in Luxembourg), supported by the Kingdom of Spain (Agent: N. Díaz Abad, lawyer, with an address for service in Luxembourg — application for annulment of the Commission Decision of 25 July 2001 relating to State aid file NN 48/2001 — Spain — Aid for the Trasmediterránea shipping company (OJ 2002 C 96, p. 4) — the Court of First Instance (Second Chamber, Extended Composition Chamber), composed of J. Pirrung, President, A.W.H. Meij, N. J. Forwood, I. Pelikánová and S. Papa-savvas, Judges; J. Palacio González, Principal Administrator for the Registrar, gave a judgment on 15 June 2005, in which it:

1. Dismisses the application.
2. Orders the applicant to bear its own costs and to pay the costs incurred by the Commission.
3. Orders the Kingdom of Spain to bear its own costs.

In Case T-171/02: Regione autonoma della Sardegna, represented by G. Aiello and G. Albenzio, avvocati dello Stato, with an address for service in Luxembourg, supported by Confederazione italiana agricoltori della Sardegna, Federazione regionale coltivatori diretti della Sardegna, Federazione regionale degli agricoltori della Sardegna, established in Cagliari (Italy), represented by F. Ciulli and G. Dore, lawyers, against Commission of the European Communities (Agent: V. Di Bucci, with an address for service in Luxembourg) — application for annulment of Commission Decision 2002/229/EC of 13 November 2001 on the aid scheme which the Sardinia Region (Italy) is planning to implement for the restructuring of holdings in difficulty in the protected crops sector (OJ 2002 L 77, p. 2) — the Court of First Instance (Fourth Chamber, Extended Composition), composed of H. Legal, President, V. Tiili, A.W.H. Meij, M. Vilaras and N.J. Forwood, Judges; J. Palacio González, Principal Administrator, for the Registrar, gave a judgment on 15 June 2005, in which it:

1. Dismisses the application;
2. Orders the Regione autonoma della Sardegna to pay the costs, with the exception of those referred to in point 3 below;
3. Orders the Confederazione italiana agricoltori della Sardegna, the Federazione regionale coltivatori diretti della Sardegna and the Federazione regionale degli agricoltori della Sardegna to bear their own costs, in addition to those incurred by the Commission as a result of their intervention.

⁽¹⁾ OJ C 97 of 20.04.2002

⁽¹⁾ OJ C 191 of 10.8.2002