

Pleas in law and main arguments

The Commission criticises the defendant on the ground that it has failed correctly and fully to implement all of the requirements laid down in Article 5(4) of, and in Annexes II (A.1, A.2, A.3 and A.5) and III (1.1, 1.2, 1.3 and 2) to, Directive 91/676/EEC. The Commission has doubts as to whether the national legislation complies with the European Union law relating to:

- the periods during which the land application of fertiliser is inappropriate, or indeed prohibited;
- the capacity for storage of livestock manures;
- the method of calculating the amount of nitrogen to be applied for purposes of balanced fertilisation;
- the quantitative limitation of the land application of livestock manures;
- the regulation of the land application of fertiliser to steeply sloping ground;
- the regulation of the land application of fertiliser to water-saturated, flooded, frozen or snow-covered ground.

⁽¹⁾ OJ 1991 L 375, p. 1.

Reference for a preliminary ruling from the Tribunale Amministrativo Regionale per il Lazio lodged on 24 May 2012 — WIND Telecomunicazioni SpA v Autorità per le Garanzie nelle Comunicazioni

(Case C-254/12)

(2012/C 217/25)

Language of the case: Italian

Referring court

Tribunale Amministrativo Regionale per il Lazio

Parties to the main proceedings

Applicant: WIND Telecomunicazioni SpA

Defendant: Autorità per le Garanzie nelle Comunicazioni

Question referred

Are the Community provisions in the sector, and in particular the provisions of Directive No 2002/20/EC, ⁽¹⁾ to be interpreted as precluding the national rules referred to, in particular Law No 266 of 2005, as those provisions are actually applied by regulation included.

⁽¹⁾ Directive 2002/20/EC of the European Parliament and of the Council of 7 March 2002 on the authorisation of electronic communications networks and services (Authorisation Directive); OJ 2002 L 108, p. 21.

Reference for a preliminary ruling from the Tribunale Amministrativo Regionale per il Lazio (Italy) lodged on 24 May 2012 — Telecom Italia SpA v Autorità per le Garanzie nelle Comunicazioni, Presidenza del Consiglio dei Ministri

(Case C-255/12)

(2012/C 217/26)

Language of the case: Italian

Referring court

Tribunale Amministrativo Regionale per il Lazio

Parties to the main proceedings

Applicant: Telecom Italia SpA

Defendant: Autorità per le Garanzie nelle Comunicazioni, Presidenza del Consiglio dei Ministri

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Reference for a preliminary ruling from the Tribunale Amministrativo Regionale per il Lazio (Italy) lodged on 24 May 2012 — Telecom Italia SpA v Autorità per le Garanzie nelle Comunicazioni, Presidenza del Consiglio dei Ministri

(Case C-256/12)

(2012/C 217/27)

Language of the case: Italian

Referring court

Tribunale Amministrativo Regionale per il Lazio

Parties to the main proceedings

Applicant: Telecom Italia SpA

Defendant: Autorità per le Garanzie nelle Comunicazioni, Presidenza del Consiglio dei Ministri