

4. Do Directive 2009/72/EC of the European Parliament and of the Council of 13 July 2009 concerning common rules for the internal market in electricity and repealing Directive 2003/54/EC, Regulation (EC) No 714/2009 ⁽²⁾ of the European Parliament and of the Council of 13 July 2009 on conditions for access to the network for cross-border exchanges in electricity and repealing Regulation (EC) No 1228/2003, ⁽³⁾ [Commission] Regulation (EU) 2015/1222 ⁽⁴⁾ [of 24 July 2015] establishing a guideline on capacity allocation and congestion management [and] Regulation (EU) No 1227/2011 ⁽⁵⁾ of the European Parliament and of the Council of 25 October 2011 on wholesale energy market integrity and transparency permit restrictions on the number of persons to whom a licence for electricity transmission may be issued in a particular territory?
5. If the foregoing questions are answered in the affirmative and [on the basis that] in accordance with Article 43(1)(1) [of the *Zakon na energetikata* (Law on the energy sector)] only one single licence is issued for the territory of the Republic of Bulgaria: Must it be assumed that there is a conflict of interest within the meaning of [recital 12 of] Directive 2009/72/EC of the European Parliament and of the Council of 13 July 2009 concerning common rules for the internal market in electricity and repealing Directive 2003/54/EC?
6. Must it be assumed that, in providing that only one licence for electricity transmission may be issued within the national territory, the national rule laid down in Article 43(1)(1) [of the Law on the energy sector] restricts competition within the meaning of Articles 101 TFEU and 102 TFEU?

⁽¹⁾ OJ 2009 L 211, p. 55.

⁽²⁾ OJ 2009 L 211, p. 15.

⁽³⁾ Regulation (EC) No 1228/2003 of the European Parliament and of the Council of 26 June 2003 on conditions for access to the network for cross-border exchanges in electricity (OJ 2003 L 176, p. 1).

⁽⁴⁾ OJ 2015 L 197, p. 24.

⁽⁵⁾ OJ 2011 L 326, p. 1.

Request for a preliminary ruling from the Audiencia Provincial de Navarra (Spain) lodged on 27 June 2016 — Instituto de Religiosas Oblatas del Santísimo Redentor v Joaquín Taberna Carvajal

(Case C-352/16)

(2016/C 326/27)

Language of the case: Spanish

Referring court

Audiencia Provincial de Navarra

Parties to the main proceedings

Appellant: Instituto de Religiosas Oblatas del Santísimo Redentor

Respondent: Joaquín Taberna Carvajal

Question referred

Is Royal Decree 1373/2003 compatible with Article 4(3) [TEU] and Article 101 TFEU, given that, even though that legal provision was enacted by the State, the courts may not review whether, in the light of the circumstances of the case, the amount of the tariff is excessive, this being a limitation of judicial review which, regardless of the importance and quality of the services, might constitute a restriction of free competition?

Reference for a preliminary ruling from Supreme Court of the United Kingdom (United Kingdom) made on 22 June 2016 — MP v Secretary of State for the Home Department

(Case C-353/16)

(2016/C 326/28)

Language of the case: English

Referring court

Supreme Court of the United Kingdom