

**Reference for a preliminary ruling from the Consiglio di Stato (Italy) lodged on 15 November 2012 — CTP v Regione Campania, Provincia di Napoli**

(Case C-516/12)

(2013/C 26/63)

*Language of the case: Italian*

**Referring court**

Consiglio di Stato

**Parties to the main proceedings**

*Applicant:* CTP — Compagnia Trasporti Pubblici SpA

*Defendants:* Regione Campania, Provincia di Napoli

**Questions referred**

Does the right to compensation arise, for the purposes of Article 4 of Regulation No 1191/69, <sup>(1)</sup> only where, following the submission of an appropriate application, the competent authorities have not terminated the public service obligation which imposes an economic disadvantage on the transport undertaking, or is that provision applicable only in respect of service obligations which are to be terminated and cannot be maintained under the regulation?

---

<sup>(1)</sup> Regulation (EEC) No 1191/69 of the Council of 26 June 1969 on action by Member States concerning the obligations inherent in the concept of a public service in transport by rail, road and inland waterway (OJ 1969 L 156, p. 1).

---

**Reference for a preliminary ruling from the Consiglio di Stato (Italy) lodged on 15 November 2012 — CTP v Regione Campania**

(Case C-517/12)

(2013/C 26/64)

*Language of the case: Italian*

**Referring court**

Consiglio di Stato

**Parties to the main proceedings**

*Applicant:* CTP — Compagnia Trasporti Pubblici SpA

*Defendant:* Regione Campania

**Question referred**

Does the right to compensation arise, for the purposes of Article 4 of Regulation No 1191/69, <sup>(1)</sup> only where, following the submission of an appropriate application, the competent authorities have not terminated the public service obligation which imposes an economic disadvantage on the transport undertaking, or is that provision applicable only in respect of service obligations which are to be terminated and cannot be maintained under the regulation?

---

<sup>(1)</sup> Regulation (EEC) No 1191/69 of the Council of 26 June 1969 on action by Member States concerning the obligations inherent in the concept of a public service in transport by rail, road and inland waterway, (OJ 1969 L 156, p. 1).

---

**Reference for a preliminary ruling from the Consiglio di Stato (Italy) lodged on 15 November 2012 — CTP v Regione Campania, Provincia di Napoli**

(Case C-518/12)

(2013/C 26/65)

*Language of the case: Italian*

**Referring court**

Consiglio di Stato

**Parties to the main proceedings**

*Applicant:* CTP — Compagnia Trasporti Pubblici SpA

*Defendants:* Regione Campania, Provincia di Napoli

**Questions referred**

Does the right to compensation arise, for the purposes of Article 4 of Regulation No 1191/69, <sup>(1)</sup> only where, following the submission of an appropriate application, the competent authorities have not terminated the public service obligation which imposes an economic disadvantage on the transport undertaking, or is that provision applicable only in respect of service obligations which are to be terminated and cannot be maintained under the regulation?

---

<sup>(1)</sup> Regulation (EEC) No 1191/69 of the Council of 26 June 1969 on action by Member States concerning the obligations inherent in the concept of a public service in transport by rail, road and inland waterway (OJ 1969 L 156, p. 1).