

- refer the case back to the General Court;
- order the defendant at first instance to pay the costs of these proceedings.

Pleas in law and main arguments

The Appellant is putting forward the following pleas in law:

- Infringement of the right of defence
- Infringement of Article 114 of the Rules of Procedure
- Error in law
- Infringement of European Law

(¹) OJ L 322, p. 22

**Request for a preliminary ruling from the Tribunale Amministrativo Regionale per la Lombardia
(Italy) lodged on 3 October 2014 — Promoimpresa srl v Consorzio dei Comuni della Sponda
Bresciana del Lago di Garda e del Lago di Idro, Regione Lombardia**

(Case C-458/14)

(2014/C 448/14)

Language of the case: Italian

Referring court

Tribunale Amministrativo Regionale per la Lombardia

Parties to the main proceedings

Applicant: Promoimpresa srl

Defendants: Consorzio dei Comuni della Sponda Bresciana del Lago di Garda e del Lago di Idro, Regione Lombardia

Question referred

Do the principles of freedom of establishment, non-discrimination and safeguarding competition, respectively laid down in Articles 49, 56 and 106 TFEU, and the precept of reasonableness implicit therein, preclude national legislation under which the validity of concessions of economically significant publicly-owned maritime, lakeside and waterway assets is to be repeatedly extended through a succession of legislative acts, the duration of that validity being statutorily increased for at least 11 years, with the effect that the same concessionaire retains the exclusive right to exploit the asset economically, even though the period of validity under the concession awarded to that concessionaire has meanwhile expired, whereby interested economic operators are deprived of any opportunity of obtaining a concession for the asset on the basis of a public tendering procedure?
