

The United Kingdom challenges this refusal and submits that the Commission's letter of 1 February 2005 is a reviewable act under Article 230 EC as it is intended to have legal effects since the Commission has adopted a definitive position as to whether the United Kingdom is entitled to make amendments to the provisional national allocation plan.

The United Kingdom further alleges that the Commission's letter of 1 February 2005 is wrong as a matter of law since:

- Articles 9(1), 9(3) and 11(1) of the Directive allow for amendments to be made to the total quantity of allowances that a Member State will allocate after the adoption of a decision by the Commission under Article 9(3) of the Directive,
- Article 3(3) of the Commission's Decision C(2004)2515/4 final envisages that amendments may be made to deal with matters other than the incompatibilities identified in the Decision, and
- the United Kingdom cannot fully comply with its obligations under Article 11(1) of the Directive until the Commission has considered the amended national allocation plan in accordance with Article 9(3) of the Directive.

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(<sup>1</sup>) OJ L 275 of 25 October 2003, p. 32.

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#### Removal from the Register of Case T-289/99 (<sup>1</sup>)

(2005/C 115/70)

*(Language of the case: Dutch)*

By order of 28 January 2005, the President of the Second Chamber (Extended Composition) of the Court of First Instance of the European Communities has ordered the removal from the Register of Case T-289/99, V.O.F. Heiliger, supported by the Kingdom of the Netherlands v Commission of the European Communities.

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(<sup>1</sup>) OJ C 63 of 4.3.2000.

#### Removal from the Register of Case T-122/03 (<sup>1</sup>)

(2005/C 115/71)

*(Language of the case: German)*

By order of 9 February 2005, the President of the Second Chamber of the Court of First Instance of the European Communities has ordered the removal from the Register of Case T-122/03, AGA AB v Commission of the European Communities.

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(<sup>1</sup>) OJ C 171 of 19.7.2003.

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#### Removal from the Register of Case T-197/03 (<sup>1</sup>)

(2005/C 115/72)

*(Language of the case: Italian)*

By order of 19 January 2005, the President of the Third Chamber of the Court of First Instance of the European Communities has ordered the removal from the Register of Case T-197/03, Proras Srl Engineering and Contracting v Commission of the European Communities.

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(<sup>1</sup>) OJ C 184 of 2.8.2003.

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#### Removal from the Register of Case T-412/03 (<sup>1</sup>)

(2005/C 115/73)

*(Language of the case: German)*

By order of 25 February 2005, the President of the Fifth Chamber of the Court of First Instance of the European Communities has ordered the removal from the Register of Case T-412/03, Angelo Wille v European Parliament.

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(<sup>1</sup>) OJ C 94 of 17.4.2004.