

Defendants: European Parliament (represented by A. Lukošūūtė, R. Ignătescu and G. Mazzini, acting as Agents) and Commission of the European Communities (represented by: J. Currall and A. Aresu, acting as Agents)

Intervener in support of the applicant: Hellenic Republic (represented by: S. Vodina and M. Michelogiannaki, acting as Agents)

Re:

Annulment of the notice of open competition EPSO/AD/95/07 to constitute a reserve pool for 20 posts of Administrator (AD5) in the field of 'Information Science (Library/Documentation)', published in the *Official Journal of the European Union* of 8 May 2007 (OJ 2007 C 103 A, p. 7)

Operative part of the order

1. *The action is dismissed as inadmissible in so far as it is directed against the Commission.*
2. *The Italian Republic shall pay the costs incurred by the Commission, in addition to bearing the costs which it has itself incurred in this action in so far as it is directed against the Commission.*

⁽¹⁾ OJ C 116, 9.5.2008.

Order of the Court of First Instance of 16 December 2008 — Italy v EESC and Commission

(Case T-117/08) ⁽¹⁾

(Procedural issue — Objection of inadmissibility — Partial inadmissibility of the action — Lack of imputability of acts to the Commission)

(2009/C 55/50)

Language of the case: Italian

Parties

Applicant: Italian Republic (represented by: I. Bruni, acting as Agent, and P. Gentili, Avvocato dello Stato)

Defendants: European Economic and Social Committee (represented by M. Bermejo Garde, acting as Agent, and A. Dal Ferro, lawyer) and Commission of the European Communities (represented by J. Currall, acting as Agent);

Intervener in support of the applicant: Kingdom of Spain (represented by F. Diez Moreno, Abogado del Estado)

Re:

Annulment of Vacancy Notice No 73/07 concerning the post of Secretary-General (grade A* 16) to the EESC, published in the *Official Journal of the European Union* on 28 December 2007 (OJ 2007 C 316 A, p. 1), and the corrigendum to that notice published in the *Official Journal of the European Union* on 30 January 2008 (OJ 2008 C 25 A, p. 21).

Operative part of the order

1. *The application is rejected as inadmissible in so far as it is directed against the Commission.*
2. *The Italian Republic is ordered to pay, in addition to the costs it incurred in the context of the present action in so far as it is directed against the Commission, the costs incurred by the Commission.*

⁽¹⁾ OJ C 116, 9.5.2008.

Order of the President of the Court of First Instance of 23 December 2008 — AES-Tisza v Commission

(Case T-468/08 R)

(Application for interim measures — State aid — Commission decision declaring aid awarded by the Republic of Hungary to certain electricity producers through power purchase agreements to be incompatible with the common market — Application for suspension of operation — Lack of urgency — Weighing up of interests)

(2009/C 55/51)

Language of the case: English

Parties

Applicant: AES-Tisza Erőmű kft (AES-Tisza kft) (Tiszaújváros, Hungary) (represented by: T. Ottervanger and E. Henny, lawyers)

Defendant: Commission of the European Communities (represented by: L. Flynn, N. Khan and K. Talabér-Ritz, acting as Agents)

Re:

Application for suspension of the operation of Article 1 of Commission Decision C(2008) 2223 final of 4 June 2008 on the State aid awarded by the Republic of Hungary through power purchase agreements.