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(Announcements)

COURT PROCEEDINGS

COURT OF JUSTICE

**Request for a preliminary ruling from the Kúria (Hungary)
lodged on 25 September 2013 — E.ON Földgáz Trade Zrt.
v Magyar Energetikai és Közmű-szabályozási Hivatal**

(Case C-510/13)

(2014/C 15/02)

*Language of the case: Hungarian***Referring court**

Kúria

Parties to the main proceedings*Applicant:* E.ON Földgáz Trade Zrt.*Defendant:* Magyar Energetikai és Közmű-szabályozási Hivatal**Questions referred**

1. In proceedings relating to an administrative decision adopted when Directive 2003/55/EC ⁽¹⁾ of the European Parliament and of the Council of 26 June 2003 concerning common rules for the internal market in natural gas and repealing Directive 98/30/EC (‘the 2003 Directive’) was in force, do the provisions laid down in Article 25 of that directive, determining who is entitled to bring an action, apply, or are the provisions to be taken into consideration for the purposes of those proceedings those laid down in Article 41 of Directive 2009/73/EC ⁽²⁾ of the European Parliament and of the Council of 13 July 2009 concerning common rules for the internal market in natural gas and repealing Directive 2003/55/EC (‘the 2009 Directive’), which entered into force during the proceedings, account being taken of the second subparagraph of Article 54(1) of that directive, under which those provisions are to be applicable from 3 March 2011?

2. In the event that the 2009 Directive is applicable, can an approved vendor with a financial interest comparable to the interest at stake in the present proceedings, in relation to an action contesting the decision approving a network code or determining its content, be regarded as ‘a party affected’ for the purposes of Article 41(17) of that directive, or can only the network manager who is authorised to seek approval of the code be regarded as ‘a party affected’?

3. In the event that the 2003 Directive is applicable, does the approval or amendment of the network code, such as that which has taken place in the present case, fall within the situations contemplated in Articles 25(5) and (6), in as much as it refers to the assessment of requests for reserve capacity?

4. In the event that the case falls within one of the situations contemplated in Article 25(6) of the 2003 Directive, can an approved vendor with a financial interest comparable to the interest at stake in the present proceedings, in relation to an action contesting the decision approving a network code or determining its content, be regarded as ‘a party affected’ for the purposes of Article 41(17) of that directive, or can only the network manager who is authorised to seek approval of the code be regarded as ‘a party affected’?

5. What interpretation is to be given to Article 25(11) of the 2003 Directive, in accordance with which the claims referred to in Article 25(5) and (6) are to be without prejudice to the exercise of rights of appeal under Community and national law, in the event that it is apparent from the answers to the preceding questions that national law makes the bringing of an action subject to more stringent requirements than those laid down in the directive or in Community law?

⁽¹⁾ OJ 2003 L 176, p. 57.

⁽²⁾ OJ 2009 L 211, p. 94.