

Competition
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EDITORIAL: Articles 101 & 102 of the TFEU: Direct and existing interest of competitors – new insights provided by the CJEU

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- CJEU ordered interim measures in appeal against bleaching chemicals cartel
- The CJEU annulled the European Commission decisions relating to requests for information directed at cement manufacturers
- Advocate General at the CJEU emphasized the importance of competition law arguments in international arbitration (Opinion of AG Wathelet in Case C-567/14)
- The Bundeskartellamt initiated proceedings against Facebook on suspicion of having abused its market power by infringing data protection rules
- HCC cleared the acquisition of 14 Greek regional airports by Fraport AG
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Editorial:

Articles 101 & 102 of the TFEU: Direct and existing interest of competitors – new insights provided by the CJEU

On 1 March 2016, by its Order in Case C-635/15 P(I), the Court of Justice of the European Union ("CJEU") dismissed an appeal by Cousins Material House Ltd ("Cousins"), a wholesale supplier of spare parts for watches. Cousins had lodged an appeal of a decision of the General Court of the European Union ("GC") which dismissed Cousins' application to intervene in a case concerning the refusal of luxury watch manufacturers to supply spare parts to independent retailers.

More specifically, in 2004, the Confédération européenne des associations d'horlogers-réparateurs ("CEAHR"), lodged a complaint, alleging that luxury watch manufacturers were in breach of EU competition law. According to the complaint, from 2002, watch manufacturers began to refuse to supply spare parts to repairers that did not belong to their selective systems for repair and maintenance whereas luxury watches had previously traditionally been repaired by independent multi-brand repairers. CEAHR's complaint alleged that since there are no alternative sources for most of these spare parts, this practice threatens to drive independent repairers out of business. In July 2014 the Commission announced that it had closed the investigation for the second time, taking into account an earlier GC judgment which had concluded that the Commission had committed manifest errors in its previous investigation. CEAHR lodged its second action for annulment in 2014.

Cousins subsequently submitted an application to intervene, which was dismissed by the GC in 2015. Cousins appealed further to the CJEU, which dismissed the appeal in its entirety and held that the GC had not erred in concluding that the annulment of the European Commission's decision would not be capable of altering the legal position of Cousins¹.

According to the Court, "In accordance with the second paragraph of Article 40 of the Statute of the Court of Justice of the European Union, any person may intervene in cases before the Courts of the European Union if he can establish an interest in the result of the case submitted to one of those Courts." Furthermore according to the Court, "Article 7 of Council Regulation (EC) No 1/2003 of 16 December 2002 on the implementation of the rules on competition laid down in Articles [101 TFEU] and [102 TFEU] (OJ 2003 L 1, p. 1) does not give a complainant the right to insist that the Commission take a final decision as to the existence or non-existence of the alleged infringement and does not oblige the Commission to continue the proceedings, whatever the circumstances, right up to the stage of a final decision". In the case at hand the Court stressed that the contested decision of the Commission did not proceed to give a definitive legal characterization of the practices of the watch manufacturers in question, and that the issue of the lawfulness of those practices therefore remained open.

¹ See also, in regards to the direct concern of the applicant, CJEU, Case [C-386/96P](#) Société Louis Dreyfus & Cie v Commission of the European Communities and Case [C-417/04P](#) Regione Siciliana v Commission.

In line with the above, the CJEU held that Cousins did not have a direct and existing interest in the result of the case², that there were no errors in the statement of reasons of the GC, and that “the mere fact of being a wholesaler on a market and of sharing an economic interest with retailers is clearly not sufficient to place that wholesaler in the same procedural position as a professional association which brings together retailers”. This is in line with the well-established case law of the CJEU which has held that “Persons other than those to whom a decision is addressed may only claim to be individually concerned if that decision affects them by reason of certain attributes which are peculiar to them or by reason of circumstances in which they are differentiated from all other persons and by virtue of these factors distinguishes them individually just as in the case of the person addressed”³.

The importance of this order of the CJEU is that it demonstrates the well-settled case-law of the CJEU, namely that the concept of an ‘interest in the result of a case’, within the meaning of the second paragraph of Article 40 of the Statute of the CJEU, must be defined in the light of the precise subject-matter of the case and be understood as meaning a direct and existing interest in the ruling on the form of order sought, and not as an interest in relation to the pleas in law or arguments put forward⁴. To read the

full order of the court in case C-635/15 P (I) click [here](#).

Antitrust

The CJEU ordered interim measures in appeal against bleaching chemicals cartel.

On 2 March 2016, the Court of Justice of the European Union (“CJEU”) granted an order in Case C-162/15 (Evonik Degussa GmbH v European Commission) for interim measures in relation to an appeal brought by Evonik Degussa GmbH (“Evonik Degussa”) against the Commission intention to publish an updated version of its bleaching chemicals cartel decision.

As regards the first condition for an interim measure, the establishment of a *prima facie* case, the CJEU held that the condition is satisfied when at least one of the pleas in law appears, *prima facie*, not unfounded. The CJEU found that it is not obvious that the information at issue is not confidential. Therefore, according to the CJEU, a *prima facie* case is established. Concerning the condition for urgency, the CJEU confirmed that interim measures must be granted only where there would be serious and irreparable harm to the party seeking interim protection. It also held that the possibility of disclosure increasing the risk of private damages did not, in itself, establish that the damage would be irreparable. The CJEU agreed with Evonik Degussa that damage caused by the publication would be irreparable on the basis that information cannot be unlearned and concluded that the application for interim measures satisfied the criteria for urgency. Finally,

Etairia Larymnis Larko v Commission), para 6 and therein cited jurisprudence.

² With regard to the notion of the “direct and existing interest” see also CJEU, [Case C-50/00P](#) (Unión de Pequeños Agricultores v Council of the European Union)

³ See ECJ, Case [25/62](#), *Plaumann v Commission*

⁴ See also to this effect CJEU, Case [C-385/15P\(I\)](#) (*Metallleftiki kai Metallourgiki*

the CJEU held that a judgment upholding the appeal would be rendered ineffective if the Commission could publish the disputed decision immediately. Accordingly, the CJEU ordered that the operation of the contested decision must be suspended, and the Commission must refrain from publishing a new, more complete, non-confidential version of the decision until the delivery of final judgment in the appeal proceedings. To read the full order of the CJEU in Case C-162/15 click [here](#).

The CJEU annulled the European Commission decisions relating to requests for information directed at cement manufacturers.

On 10.03.2016, by its Judgments in Cases C-247/14 (HeidelbergCement v Commission), C-248/14 (Schwenk Zement v Commission), C-267/14 (Buzzi Unicem v Commission) and C-268/14 (Italmobiliare v Commission), the CJEU annulled a request for information by the European Commission into several cement producers in a cartel probe. The commission opened an antitrust investigation in late 2010 looking at the activities of Cemex, Holcim, Lafarge, HeidelbergCement and others. Originally the cement companies were suspected by the Commission of colluding with rivals to fix prices and share markets in Austria, Belgium, the Czech Republic, France, Germany, Italy, Luxembourg, the Netherlands, Spain and the UK. However, the investigation was closed in mid-2015 due to insufficient evidence. Since then the cement producers challenged the commission's right to ask for the level of detail they requested. The ruling overturned a 2014 decision by the EU's General Court, which held that the

commission questionnaires were justified. To read the full press release (No. 27/16) of the CJEU in Cases C-247/14, C-267/14 and C-268/14 click [here](#).

The European Commission sent Statement of Objections to Google on Android operating system and applications.

The European Commission informed Google of its preliminary view that the company has, in breach of EU antitrust rules, abused its dominant position by imposing restrictions on Android device manufacturers and mobile network operators. The Commission's preliminary view is that Google has implemented a strategy on mobile devices to preserve and strengthen its dominance in general internet search. First, the practices mean that Google Search is pre-installed and set as the default, or exclusive, search service on most Android devices sold in Europe. Second, the practices appear to close off ways for rival search engines to access the market, via competing mobile browsers and operating systems. In addition, they also seem to harm consumers by stifling competition and restricting innovation in the wider mobile space. The Commission's concerns were outlined in a Statement of Objections. Sending a Statement of Objections does not prejudice the outcome of the investigation. To read the full press release of the European Commission (IP-16-1492) click [here](#). To read the full factsheet of the European Commission (MEMO-16-1484) click [here](#). To read the full statement of Commissioner Vestager (STATEMENT-16-1506) click [here](#).

The ICC Leniency Manual: Launch Edition

The International Chamber of Commerce (ICC) Task Force on Cartels and Leniency issued two publications on leniency and leniency markers – the ICC Leniency Manual and the Proposal for a One-Stop-Shop Mechanism for Leniency Markers – illustrating its engagement in the discussion on current cartels and leniency issues worldwide. To read the full press release of the ICC click [here](#).

The European Commission fined Riberebro €5.2 million for participation in canned mushrooms cartel.

The European Commission found that Spanish canned and fresh vegetable company Riberebro participated in a cartel to coordinate prices and allocate customers of canned mushrooms in Europe for more than a year and imposed a fine of € 5 194 000 on the company. The Commission adopted a settlement decision in June 2014 concerning the participation in this same cartel of Bonduelle, Lutèce and Prochamp. Riberebro chose not to settle and consequently the investigation continued under the normal cartel procedure. The Commission sent Riberebro a statement of objections in May 2015, giving it the opportunity to exercise its rights of defence. To read the full press release of the European Commission (IP-16-1261) click [here](#).

The European Commission published a report on functioning of Insurance Block Exemption Regulation.

The European Commission published a report focusing on the functioning of the Insurance Block Exemption Regulation, which exempts certain types

of cooperation in the insurance sector from EU antitrust rules under certain conditions. The Commission's preliminary view was that it is no longer necessary to maintain sector-specific block exemptions in this field. To read the full press release of the European Commission (IP-16-861) click [here](#).

Greece: Quantification by the HCC of the criteria used in the prioritization of cases investigated by the Directorate-General for Competition by means of an updated “Point System”

By its Decision No. 616/2015 (as published in the Official Journal No. 585/B/4.3.2016) the Hellenic Competition Commission (“HCC”) updated the “Point System” for the prioritization of pending cases by the Directorate-General for Competition, which was initially set up by HCC Decision No. 539/VII/2012, in the light of the experience gained during the past three years of its implementation. The Point System was first introduced pursuant to Law 3959/2011 (the new Competition Act) and aimed at enhancing the efficiency of handling pending cases (both complaints and ex officio investigations), based on objective criteria, the ultimate objective being to ensure a more coherent and consistent application of national and EU competition rules. To read the full press release of the HCC click [here](#). To read Decision No. 616/2015 of the HCC click [here](#).

Greece: The HCC accepted commitments by steel producers regarding the exchange of information in the context of their trade association, while further rejecting complaints about other alleged infringements in the markets for the production, distribution and accreditation of steel products.

The HCC accepted commitments by steel producers regarding the exchange of information in the context of their trade association, while further rejecting complaints about other alleged infringements in the markets for the production, distribution and accreditation of steel products

In the context of an ex officio investigation in the steel sector, the HCC decided, upon majority vote, to accept and make binding – pursuant to Art. 25 para. 6 of the Greek Competition Act – the commitments proposed by the three largest steel producers in Greece, namely SIDENOR SA, HELLENIC HALYVOURGIA SA and HALYVOURGIKI SA, and by their trade association, ENHE, to address competition concerns in the market for the production of steel products. In particular, the three steel producers agreed to change the terms and conditions of their ongoing cooperation within their trade association, so as to ensure that any information exchanged in that context does not increase the prospects of them coordinating their business policy. In case of non-compliance with the said commitments, the HCC may impose considerable fines on the undertakings and the association of undertakings concerned. To read the full press release of the HCC click [here](#).

UK: CMA fined Bathroom supplier £826,000 for restricting online prices.

Ultra Finishing Limited agreed to pay a fine of £ 826,000 after admitting trying to stop retailers from discounting online prices. The penalty includes a 20% settlement discount to reflect the resource savings generated by Ultra's admissions and agreement to co-operate with the investigation of the Competition and Markets Authority (CMA). The CMA had received complaints of potentially similar conduct by other suppliers of bathroom fittings in the UK. No decision has yet been taken on possible future investigations but the CMA expects businesses involved in similar practices to bring them to an end as soon as possible. To read the full press release of the CMA click [here](#).

UK: CMA: Water tank firms admitted cartel and agree to pay £2.6 million fines.

In a settlement with the CMA, the companies agreed to pay fines totaling more than £2.6 million for taking part in the cartel. This includes a discount to reflect the resource savings to the CMA generated by the companies' admissions and their co-operation with the CMA's investigation. Under the cartel arrangements, Franklin Hodge Industries Ltd, Galglass Ltd and Kondea Water Supplies Ltd agreed with each other, and with CST Industries (UK) Ltd, to share the market between them, fix prices and rig bids between 2005 and 2012. To read the full press release of the CMA click [here](#).

France: The Autorité de la concurrence published the opinion issued to the Government on the implementation of the Le.taxi platform.

Following publication of the texts launching the Le.taxi service, the Autorité de la concurrence published the opinion it issued to the Government. Subject to compliance with a certain number of conditions, the Autorité is in favour of the introduction of this State-operated register, which enables information to be collected, on a voluntary basis, on the real-time availability and geo-tracking of taxis. As the law presupposes that it is possible to transpose the principle of taxis cruising (in the street) to electronic cruising, the Autorité in particular insisted on the necessity of ensuring that all the rules and obligations applicable to taxi cruising that may be transposed to electronic cruising are actually transposed. The pursued objective is to avoid distortion of competition in the market of prior booking by means of a tool reserved for taxis and financed by public funds. The Autorité was followed in its recommendations, in particular with regard to the non-charging of journeys to the pick-up point, the universality of the service and the prohibition for taxi drivers to refuse a ride. To read the full press release of the Autorité de la concurrence click [here](#).

France: the Autorité de la concurrence published three opinions regarding the ways in which driver licence tests are organized.

The Autorité de la concurrence published on 09.03.2016 three opinions issued to the Government in December 2015 regarding driver licence tests. These opinions are related to decrees

and orders taken under the Law of August 6th 2015 for growth, activity and equality of economic opportunities (known as, and hereinafter referred to as, the “Macron law”). To read the full press release of the Autorité de la concurrence click [here](#).

Germany: The Bundeskartellamt initiated proceedings against Facebook on suspicion of having abused its market power by infringing data protection rules.

The Bundeskartellamt initiated proceedings against Facebook Inc., USA, the Irish subsidiary of the company and Facebook Germany GmbH, Hamburg. The authority is investigating suspicions that with its specific terms of service on the use of user data, Facebook has abused its possibly dominant position in the market for social networks. The Bundeskartellamt is conducting the proceeding in close contact with the competent data protection officers, consumer protection associations as well as the European Commission and the competition authorities of the other EU Member States. To read the full press release of the Bundeskartellamt click [here](#).

Germany: The Bundeskartellamt imposed fines in cartel in sanitary sector.

The Bundeskartellamt imposed fines totalling around 21.3 million euros on nine wholesalers and an individual involved in the sanitary, heating and air conditioning sector on account of concluding anti-competitive agreements. The companies, which were members of an association called “Mittelstandskreis Nordrhein-

Westfalen", are accused of having coordinated the calculation of their gross price lists and sales prices over several years. The companies involved are Dekker & Detering Beteiligungsgesellschaft mbH & Co. KG, Emden, Elmer GmbH & Co. KG, Warendorf, Heinrich Schmidt GmbH & Co. KG, Mönchengladbach, J.W. Zander GmbH & Co. KG, Essen, Kurt Pietsch GmbH & Co. KG, Ahaus, Mosecker GmbH & Co. KG, Münster, Otto Bechem & Co. KG, Essen, Reinshagen & Schröder GmbH & Co. KG, Remscheid, and Wiedemann GmbH & Co. KG, Sarstedt. The proceeding against AGS Verlag AG, Münster, will be closed due to the insolvency of the company. Investigations against another company are still ongoing. Some of the companies mentioned were not involved in the alleged conduct during the entire period from 2005 to 2013. To read the full press release of the Bundeskartellamt click [here](#).

Mergers

The European Commission approved acquisition of Webhelp by KKR.

The European Commission approved under the EU Merger Regulation the proposed acquisition of Webhelp SAS of France by KKR & CO. L.P. of the US. Webhelp is an IT services provider active primarily in the provision of business process outsourcing services. KKR is a global investment firm offering a broad range of alternative asset management services and providing capital markets solutions. To read the relevant press release of the European Commission click [here](#).

The European Commission cleared Echo Prime joint venture by Griffin, LVS II Lux XX and Redefine Properties.

The European Commission approved under the EU Merger Regulation the creation of Echo Prime Properties, a joint venture by Griffin, LVS II Lux XX, both of Luxembourg, and Redefine Properties of South Africa. Echo Prime will be active in the real estate sector in Poland, continuing the commercial real estate activity currently carried out in Poland by Griffin and LVS II Lux XX through their portfolio company Echo Investment S.A. Griffin, which belongs to the global investment company Oaktree, invests in real estate assets and services mainly in Poland. To read the relevant press release of the European Commission click [here](#).

The European Commission cleared acquisition of the L Companies by Catterton.

The European Commission approved under the EU Merger Regulation the acquisition of L Capital Asia Advisors of Mauritius, L Real Estate S.A. of Luxembourg, L Capital Management S.A.S. and L Real Estate Advisors S.A.S., both of France, and L Real Estate Advisors Limited and L Development & Management Limited, both of Hong Kong (together the "L Companies") by Catterton L.P. of the US. The L Companies manage private equity funds active in areas such as clothing, dining, food retail and jewellery, as well as funds that hold, operate and develop real estate. Catterton is a consumer-focused private equity firm specialised in leveraged buyouts, recapitalisations, and growth capital investments. To read the

relevant press release of the European Commission click [here](#).

The European Commission cleared acquisition of sole control over Dow Corning by Dow.

The European Commission approved under the EU Merger Regulation the acquisition of sole control of the Dow Corning Corporation (DCC) by the Dow Chemical Company (Dow), both headquartered in the United States. DCC is a joint venture, currently equally controlled by Dow and Corning Inc., also of the US. Dow is a leading chemicals producer, whereas DCC is active in silicone chemistry. The Commission concluded that the proposed acquisition would raise no competition concerns because it would not significantly change the market structure. Indeed, Dow already has joint control over DCC. To read the relevant press release of the European Commission click [here](#).

The European Commission published its Competition Policy Brief on EU merger control and innovation.

This Competition policy brief discusses the specific contribution of merger enforcement to the protection and promotion of innovation as one parameter of competition alongside price and output and other factors. To read the full Competition Policy Brief of the European Commission click [here](#).

The European Commission cleared acquisition of DOC Kaas by DMK.

The European Commission approved under the EU Merger Regulation the acquisition of DOC Kaas B.V. of the Netherlands by DMK Deutsches

Milchkontor GmbH of Germany. DMK is a milk cooperative which produces dairy, cheese and whey-based products. DOC Kaas is a milk cooperative active in the production of Dutch-type cheese and other types of hard and semi-hard cheese, as well as cream and whey-based products derived from the cheese production process. To read the relevant press release of the European Commission click [here](#).

The European Commission cleared acquisition of N&W Global Vending by Lone Star.

The European Commission approved under the EU Merger Regulation the acquisition of N&W Global Vending of Italy by Lone Star of the US. N&W Global Vending manufactures, markets and sells automatic food and beverage vending machines within the European Union as well as world-wide. Lone Star is a private equity firm that invests in real estate, equity, credit and other financial assets. To read the relevant press release of the European Commission click [here](#).

The European Commission cleared acquisition of Global Closure Systems by RPC Group.

The European Commission approved under the EU Merger Regulation the acquisition of the Global Closure Systems group of companies ("GCS"), headquartered in France, by the UK RPC Group. RPC is active in the design and engineering of plastic products for the packaging and non-packaging sectors. GCS is a manufacturer of closures and dispensing systems for consumer products. To read the relevant press release of the European Commission click [here](#).

The European Commission cleared acquisition of KraussMaffei by ChemChina.

The European Commission approved under the EU Merger Regulation the acquisition of the German machinery supplier KraussMaffei by the Chinese state-owned company ChemChina. KraussMaffei manufactures plastics and rubber processing machinery. ChemChina is a large chemicals conglomerate, which also owns the tyre company Pirelli. To read the relevant press release of the European Commission click [here](#).

The European Commission cleared acquisition of Jarden by Newell Rubbermaid.

The European Commission approved under the EU Merger Regulation the acquisition of Jarden Corporation by Newell Rubbermaid Inc., both of US. Both companies sell a wide range of branded consumer products globally, including baby products, various tools, cleaning products, home and food storage and coolers amongst others. To read the relevant press release of the European Commission click [here](#).

The European Commission cleared joint venture between the Erste Group Bank and Global Payments in the Czech Republic, Romania and Slovakia.

The European Commission approved under the EU Merger Regulation the creation of a joint venture between the Erste Group Bank AG of Austria, a provider of banking, financial services and payment card services in Central and Eastern Europe, and Global Payments of the United States. The joint venture will provide merchant

acquiring services in the Czech Republic, Romania and Slovakia. It will also combine the companies' activities in merchant acquiring for international cards in the Czech Republic. To read the relevant press release of the European Commission click [here](#).

The European Commission approved joint venture between Bekaert and OTP in wire ropes.

The European Commission approved under the EU Merger Regulation the creation of a joint venture to operate under the name of Bridon Bekaert Ropes by NV Bekaert SA of Belgium and Ontario Teachers' Pension Plan Board (OTPP) of Canada. Bekaert is active worldwide in steel wire transformation and coatings, and will mainly contribute its wire rope activities to the joint venture. OTPP is a pension fund for teachers in the Canadian province of Ontario. To read the relevant press release of the European Commission click [here](#).

The European Commission approved acquisition of Pioneer US by Warburg Pincus, General Atlantic and Unicredit.

The European Commission approved under the EU Merger Regulation the acquisition of joint control over Pioneer Investment Management USA Inc. by private equity companies Warburg Pincus LLC and General Atlantic LLC, both of the US, and banking group Unicredit S.p.A. of Italy. Pioneer US is currently a wholly-owned subsidiary of Unicredit and is active in the business of asset management, with operations in the US and Canada. To read the relevant press release of the European Commission click [here](#).

Greece: the HCC cleared the proposed acquisition by VASILOPOULOS SA of sole control over the operations in Greece of the KANAKIS SA.

By its unanimous Decision No. 624/2016, the Chamber of the Hellenic Competition Commission (HCC) approved, under Greek merger control rules, the proposed acquisition of sole control over the operations in Greece of the KANAKIS SA retail supermarket chain by the VASILOPOULOS SA retail and wholesale supermarket chain. According to the decision, the notified transaction does not raise serious doubts as to its compatibility with merger control rules in the relevant markets concerned by the concentration. To read the full press release of the HCC click [here](#). To read the full decision No. 624/2016 of the HCC click [here](#).

Greece: Acquisition of the company “Marinopoulos S.A.” by the company “I & S. Sklavenitis S.A.”

On 01.04.2016 the deal between Sklavenitis and Marinopoulos regarding the joint management of the latter’s 33 hypermarkets and its restructuring was notified to the HCC, pursuant to the provisions of article 6 para. 6 of law 3959/2011, as in force. To read the full press release of the HCC click [here](#).

Greece: Public announcement concerning the acquisition of the Hellenic Port Authority by the company styled «COSCO (HONG KONG) GROUP LIMITED».

The HCC announced on 03.03.2016 that, pursuant to article 6 para. 6 of L. 3959/2011 (as in force), on 26.02.2016 «COSCO (HONG KONG) GROUP LIMITED» announced to the HCC

that it shall acquire the complete control over the company “Hellenic Port Authority”. To read the full press release of the HCC click [here](#).

Greece: Public announcement concerning the acquisition of joint control over the company “Panagiotis G. Nikas S.A.” by the companies “Chipita S.A.” and Impala Invest B.V.”

On 23.03.2016, the HCC announced that, pursuant to article 6 para. 6 of L. 3959/2011 (as in force), on 18.03.2016 it was announced to the HCC that the companies “Chipita S.A.” and Impala Invest B.V.” would acquire joint control over the company “Panagiotis G. Nikas S.A.” by means of a special purpose vehicle (SPV). To read the full press release of the HCC click [here](#).

UK: CMA letter to European Commission concerning the proposed Hutchison/Telefonica merger

The Competition and Markets Authority (CMA) wrote to the European Commission outlining its concerns about the proposed merger between Hutchison 3G UK and Telefonica UK and proposed remedies. To read the full letter of the CMA to the European Commission click [here](#).

France: the Autorité de la concurrence decided to open a phase 2 examination of the acquisition of the Darty Company by the Fnac Group.

As part of this in-depth investigation phase, the Autorité will engage in extensive consultations with market operators. The investigation will particularly allow further analysis of the results of several economic studies submitted by the Fnac group, in relation to the competitive pressure exercised by

operators of on-line sales of electronic goods on the markets concerned by the transaction. If necessary, the Autorité will also consult market operators as regards any remedies that may need to be provided for any distortion of competition. To read the full press release of the Autorité de la concurrence click [here](#).

France: the Autorité de la concurrence cleared the acquisition of joint control of the Aqualande Group by Labeyrie together with the agricultural cooperative Les Aquaculteurs Landais, subject to commitments.

On 21 January 2016, Labeyrie and Les Aquaculteurs Landais had notified the Autorité de la concurrence of the acquisition of joint control of the Aqualande Group. Labeyrie Fine Foods is an agri-food group, mainly active in the sector for the production of so-called "occasion" food, in particular smoked salmon and foie gras. It is the second largest in the market for the sale of national-brand smoked trout. Les Aquaculteurs Landais is an agricultural cooperative that brings together fish-farmers specialising in farming trout. Groupe Aqualande is the leading operator in the French smoked trout sector. Until the recent acquisition, it was exclusively controlled by the Aquaculteurs Landais cooperative, which supplied it with trout for processing and sale in the form of smoked trout via mass-retail distribution. The Aqualande Group owns the Ovide and Landvika brands. In order to prevent any distortion of competition, the parties have now made a series of commitments. To read the full press release of the Autorité de la concurrence click [here](#).

Germany: the Bundeskartellamt cleared merger of the two central banks in the German cooperative banking sector.

The Bundeskartellamt cleared the merger of the two central banks in the German cooperative banking sector, DZ BANK AG (Frankfurt) and WGZ BANK AG (Düsseldorf). The cooperative banks are shareholders of the central bank to which they have affiliated themselves. The merger had already been examined and cleared by the Bundeskartellamt in 2009 but the banks did not implement the merger at that time. On account of the time that had passed, the project had to be notified and examined again. To read the full press release of the Bundeskartellamt click [here](#).

State Aid

CJEU issued its judgment on the appeal in the case of the Netherlands Maritime Technology Association vs European Commission.

On 14 April 2016 the Court of Justice of the European Union (CJEU) issued its ruling in Case C100/15P (Netherlands Maritime Technology Association vs European Commission) on a Spanish scheme on the early depreciation of certain leased assets. In 2012 the Commission had found that this scheme involved no state aid in the meaning of the EU rules. The Netherlands Maritime Technology Association brought an action for annulment of this decision (case T-140/13). The General Court dismissed the action. The Dutch Association appealed against the judgment. The CJEU entirely dismissed the appeal. To read the full judgment of the CJEU in Case C100/15P click [here](#).

CJEU ruled Greece must reclaim €425 Mln in state aid granted to farmers.

In its judgment in Case C-431/14P (Greece v. European Commission), the CJEU ruled that Greece's farmers must repay 425 million euros in emergency aid to Athens authorities, confirming a decision that the money was an illegal state subsidy. The aid was given to Greek farmers in 2009 as a subsidy after bad weather destroyed crops. About 800,000 farmers received the aid, but the European anti-trust regulator declared the funds an illegal state subsidy. To read the full press release of the CJEU in Case C-431/14P (No. 26/16) click [here](#).

GC: Judgment issued in Cases T-50/06 RENV II Ireland vs. Commission, T-69/06 RENV II Aughinish Alumina vs. Commission, T-56/06 RENV II France vs. Commission and joined Cases T-60/06 RENV II Italy vs. Commission - T-62/06 RENV II Eurallumina vs. Commission

In its judgment issued in Cases T-50/06 (RENV II Ireland vs. Commission), T-69/06 (RENV II Aughinish Alumina vs. Commission), T-56/06 (RENV II France vs. Commission) and joined Cases T-60/06 (RENV II Italy vs. Commission - T-62/06 RENV II Eurallumina vs. Commission), the General Court of the European Union (GC) dismissed several appeals against a Commission decision of 2005 finding that exemptions from excise duty on mineral oils used for alumina production granted by France, Ireland and Italy gave the beneficiaries an undue advantage over their competitors, in breach of EU state aid rules. In particular, the Court confirmed that the Commission is competent to assess the exemptions'

compatibility with EU state aid rules, despite the fact that they had been authorised by the EU Council of Ministers under a Council Directive on excise duty in force at the time. The Court also found that the Commission correctly applied EU State aid rules and was justified in ordering recovery of the incompatible aid. To read the full press release of the GC (No. 45/16) in Cases T-50/06, T-69/06, T-56/06 and joined Cases T-60/06 - T-62/06 click [here](#).

The GC dismissed two appeals regarding state aid to Greek mining company Larco.

On 15.03.2016 by its order in Case T-575/14 (Larco General Mining & Metallurgical Company S.A. v. European Commission), the GC dismissed as inadmissible two appeals by Larco General Mining & Metallurgical Company S.A. against two Commission decisions concerning state aid given to Greek mining company Larco General Mining and Metallurgical Company S.A. To read the full order of the GC in Case T-575/14 click [here](#).

GC: Judgment in Case T-15/14 (Simet vs. European Commission)

In 2013, the European Commission concluded that a planned monetary compensation in favour of Simet SpA, which provides bus services to and from Calabria, is incompatible with EU state aid rules. The Company brought forward an action for annulment of this Decision. The GC upheld the Decision and rejected the action. To read the full judgment of the GC in Case T-15/14 click [here](#).

GC: State Aid in rescue of firms in difficulty, merger control and patent litigation

The GC issued its judgment in Case T-79/14 (Secop vs. European Commission). In 2013 the European Commission had decided in Case C(2013)9119 that a rescue aid to ACC Compressors - a Company in financial difficulties - was Rescue aid according to Article 107(1) TFEU and decided not to raise objections. Secop, a potential buyer of ACC asset's at that time, and now in a dispute with ACC over contractual and license issues, appealed against this decision. The GC fully rejected this appeal and thus confirmed the Commission's decision. To read the full judgment of the GC in Case T-79/14 click [here](#).

GC: Ruling in Case T-103/14 (Frucone Kosice state aid case)

On 16.03.2016 in Case T-103/14 (Frucona Košice v Commission), the GC ruled on an action for annulment of a Commission decision of October 2013 finding that debt write-offs in favour of Slovak beverages producer Frucona Kosice were incompatible with EU state aid rules. The GC annulled the decision. To read the full judgment of the GC in Case T-103/14 click [here](#).

The European Commission published its practical guide to the General Block Exemption Regulation (GBER).

To read the practical guide to the GBER of the European Commission click [here](#).

The European Commission referred Greece to CJEU for failure to recover incompatible aid from LARCO and United Textiles.

The European Commission decided to refer Greece to the CJEU for failure to comply with two Commission decisions, from 2014 and 2012, ordering the recovery of incompatible state aid from LARCO S.A. and United Textiles. LARCO is a Greek state-owned mining company that has been in financial difficulties for several years. Between 2008 and 2011, it was granted a number of State guarantees and the State participated in the company's capital increase in 2009. In March 2014, the Commission found that, in the absence of a restructuring plan capable of ensuring the company's return to viability, these measures distorted competition in the Single Market without furthering any common interest goal and were in breach of EU state aid rules. The decision required Greece to recover the undue advantage of around €136 million from LARCO, which more than two years after the decision has not been implemented. United Textiles, one of Greece's largest textile producers, has been in financial difficulties for several years. Between 2007 and 2009, the Greek authorities granted a State guarantee and rescheduled overdue social insurance obligations. In February 2012, the Commission found that these measures had procured United Textiles an undue economic advantage without restoring its long term viability, in breach of EU state aid rules. Greece was ordered to recover around €37 million from the company. In July 2012, United Textiles entered into a liquidation procedure. In December 2015, Greece decided to freeze this procedure with a view to reactivating the company's activities,

without having recovered the incompatible aid. To read the relevant press release of the European Commission click [here](#).

Energy

The European Commission approved Statoil Fuel and Retail's takeover of Shell's Dansk Fuels, subject to conditions.

The European Commission approved under the EU Merger Regulation the proposed acquisition of Shell's Danish retail and wholesale fuels business, Dansk Fuels, by Alimentation Couche-Tard of Canada, which operates in Denmark under the Statoil brand via its subsidiary Statoil Fuel and Retail. The decision is conditional upon an extensive commitments package including the divestment of over 200 petrol stations and Shell's commercial fuels business. The Commission had concerns that the merger as initially notified could have led to higher prices for fuel, diesel, gasoline and light heating oil customers in Denmark. The commitments offered by the companies address these concerns. To read the full press release of the European Commission (IP-16-1061) click [here](#).

The European Commission approved agreement between Greece and TAP allowing new gas pipeline to enter Europe.

The European Commission found the Host Government Agreement between the Greek authorities and the Trans Adriatic Pipeline to be in line with EU state aid rules. The project will improve the security and diversity of EU energy supplies without unduly distorting competition in the Single Market. The builder and operator of the pipeline is

Trans Adriatic Pipeline AG (TAP), a joint venture of several energy companies. TAP will invest €5.6 billion over five years in the project, of which €2.3 billion in Greece. The Trans Adriatic Pipeline is recognised as a project of common interest (PCI) in the framework of the EU's Trans-European Energy Infrastructure Guidelines. To read the full press release of the European Commission (IP-16-541) click [here](#).

European Commission: Interim report of sector inquiry on electricity capacity mechanisms showed significant shortcomings.

The Commission state aid inquiry on capacity mechanisms showed they can increase security of electricity supply but many Member States must be more thorough assessing whether they are necessary and in their design to ensure they are targeted and cost-effective. Unnecessary and badly designed capacity mechanisms can distort competition, hinder electricity flows across borders and lead to consumers overpaying for electricity. The Commission invited Member States, stakeholders in the electricity sector and others to submit comments on its initial findings. To read the full press release of the European Commission (IP-16-1372) click [here](#). To read the full fact sheet of the European Commission (MEMO-16-1367) click [here](#). To read the full statement of Commissioner Vestager on the Commission Interim Report of the State aid Sector Inquiry on Capacity Mechanisms (STATEMENT-16-1389) click [here](#).

The European Commission cleared partnership between EDF and CGN.

The European Commission approved under the EU Merger Regulation the partnership between Électricité de France (EDF) of France and China General Nuclear Power Group (CGN) of China in relation to the development, construction and operation of three nuclear power plants in the UK at Hinkley Point, Sizewell and Bradwell. EDF and CGN plan to build and operate two nuclear plants based on the EPR technology developed by EDF and Areva in Hinkley Point and Sizewell. The third plant, Bradwell, will use CGN's Hualong technology. The partnership will be implemented through three joint ventures respectively responsible for the development, construction and operation of the three nuclear power plants. The transaction only concerns the UK market and CGN and other Chinese State-owned companies are barely active in these markets in the European Economic Area and have moderate market shares globally. To read the relevant press release of the European Commission click [here](#).

The European Commission cleared acquisition of ENI Hungaria and ENI Slovenija by MOL.

The European Commission approved under the EU Merger Regulation the acquisition of ENI Hungaria Zrt. ("ENI Hungaria") and ENI Slovenija družba za trženje z naftnimi derivati, d.o.o. ("ENI Slovenija") by MOL Hungarian Oil and Gas Plc. The Commission concluded that the proposed acquisition would raise no competition concerns given the small increments brought by ENI Hungaria and ENI Slovenija and the remaining strong competitors in the

affected markets. To read the relevant press release of the European Commission click [here](#).

Greece: RAE published the results of its public consultation for the amendment of Greek Electricity Transmission System Management Code, as regards the Interruptibility Scheme.

To read the full press release of the Regulatory Authority for Energy (RAE) click [here](#).

Greece: RAE published the results of its public consultation for the amendment of provisions of the Management Code of the National Natural Gas System.

To read the full press release of RAE click [here](#).

Greece: Announcement of RAE concerning the issuance of decisions No. 46/2016 and 47/2016 (Non-Interconnected Islands)

To read the relevant press release of RAE concerning the issuance of decisions No. 46/2016 and 47/2016 with which it assessed and approved the temporary methodology for the Assessment of Electricity Consumption, Electricity Billing and the Percentage of Electricity Load Representatives for Non-Interconnected Islands click [here](#). To read decision No. 46/2016 of RAE click [here](#) and to read decision No. 47/2016 click [here](#).

Greece: RAE published its Report on the Program “Guaranteed Services of the Hellenic Electricity Distribution Network Operator (HEDNO)” in order to inform the consumers and the entities that are engaged in the internal electricity market.

To read the full press release of RAE click [here](#).

Greece: RAE published HEDNO’s compliance report for 2015

To read the full compliance report of HEDNO click [here](#).

Greece: Regulators certified TAP A.G. as an independent transmission operator.

The three National Regulatory Authorities of Albania (ERE), Greece (RAE) and Italy (AEEGSI) successfully concluded the certification of TAP AG as an independent transmission operator for TAP, the pipeline that will bring Azeri gas to Italy, through Greece and Albania. Following the [European Commission decision \[C \(2013\) 29149 Final\] on TAP AG’s exemption of 16 May 2013](#), the Authorities with three separate acts (AEEGSI Deliberation 249/2013/R/GAS of the 6th of June 2013, RAE Decision n. 269/2013 of the 12th of June 2013, ERE Decision n. 64/13 of the 13th of June 2013) adopted the Final Joint Opinion (FJO) on TAP AG’s request for exemption from third party access, regulated tariffs and ownership unbundling for 25 years, pursuant to article 36 of Directive 2009/73/EC (“Gas Directive”), subject to a number of conditions listed in Part 4 of the FJO. In particular, according to the provisions of Section 4.5.2 of the FJO TAP AG was granted an exemption from the provisions on

ownership unbundling as set out in Article 9.1 of the Gas Directive, for a period of 25 years, subject to a set of conditions. To read the full press release of RAE click [here](#).

Greece: Public consultation of RAE on the amendment of the Power Exchange Code and its Manual concerning the calculation of the energy mix

RAE announced a public consultation for the amendment of the Power Exchange Code and the Manual concerning the calculation of the energy mix. The public consultation shall end on 27.05.2016. To read the full press release of RAE click [here](#).

Greece: Announcement of RAE concerning the weighted average import price (WAIP) of natural gas in Greece

According to the provisions of the Ministerial Decision No Δ1/Γ/400 (Government Gazette Issue B’ 33/19.1.2007), entitled «Determination of the procedure applied to collect and process the data required to calculate the weighted average import price of natural gas”, the companies importing Natural gas in the National Natural Gas System (NNGS) are required to submit to RAE, every three months, data about the quantities and prices of imported natural gas. RAE, within the framework of its competence regarding monitoring of the energy market, following the provisions of par. 1 of article 5 in Law 2773/1999, publicized for the first time on 3.8.2011 the data on the calculated weighted average import price (WAIP) of Natural Gas in the NNGS of Greece, on a monthly basis. Publicized data on WAIP prices were the result of calculations performed on the data provided by importers according to the provisions of the aforementioned

Ministerial Decision, and for the period of March 2008-March 2011. To read the full press release of RAE click [here](#).

Greece: RAE issued license to Hellenic Post to procure Electricity.

According to a press release of Hellenic Post, RAE issued its decision No. 18/2016, pursuant to which it granted a license to Hellenic Post to procure electricity of a capacity of 350 MW yearly. To read the relevant press release of Hellenic Post click [here](#).

Electronic Communications

The European Commission cleared acquisition of Engineering Ingegneria Informatica by Apax Partners and Neuberger Berman.

The European Commission approved under the EU Merger Regulation the acquisition of joint control over Engineering Ingegneria Informatica S.p.A. of Italy by investment funds Apax Partners of the UK and Neuberger Berman of the US. Engineering provides IT services almost exclusively in Italy to several sectors, including public administrations, utilities and telecoms, and financial services. It provides the full stack of IT services, with a particular focus on proprietary software development and management. To read the relevant press release of the European Commission click [here](#).

The European Commission requested feedback on commitments offered by Paramount Pictures in pay-TV investigation.

The European Commission invited comments from interested parties on

commitments offered by Paramount Pictures to address competition concerns relating to contractual clauses preventing the cross-border provision of pay-TV services. In particular, the Commission had concerns relating to clauses in certain bilateral agreements between six major film studios, including Paramount Pictures, and Sky UK under which the studios license their output of films over a certain period of time for pay-TV to Sky UK. These clauses appear to prevent Sky UK from allowing EU consumers located elsewhere to access, via satellite or online, pay-TV services available in the UK and Ireland. Some agreements also contain clauses requiring the studios to ensure that, in their licensing agreements with broadcasters other than Sky UK, these broadcasters are prevented from making their pay-TV services available in the UK and Ireland. The Commission's preliminary view, as outlined in the Statement of Objections sent in July 2015, is that these clauses eliminate cross-border competition between pay-TV broadcasters and partition the Single Market across national borders. To address the Commission's competition concerns, Paramount Pictures offered commitments that would apply throughout the European Economic Area. To read the full press release of the European Commission (IP-16-1530) click [here](#).

The European Commission opened in-depth investigation into proposed Hutchison/VimpelCom joint venture in Italy.

The European Commission opened an in-depth investigation to assess whether the proposed joint venture between the telecommunications activities of

Hutchison and VimpelCom in Italy is in line with the EU Merger Regulation. The Commission has concerns that the transaction could lead to higher prices, less choice and reduced innovation for mobile customers in Italy. The transaction would combine Vimpelcom's subsidiary WIND with Hutchison's subsidiary H3G, respectively the third and fourth largest operators in the Italian retail mobile telecommunications market. It would reduce the number of mobile network operators ("MNOs") in Italy from four to three. It would also create the largest player in terms of the number of subscribers, followed by two similar-sized mobile network operators, TIM and Vodafone. To read the full press release of the European Commission (IP-16-1123) click [here](#).

Greece: HTPC published its report on the development of broadband in Greece in 2015.

The continuous growth of the broadband market, Greece's upward trend of convergence with its EU partners in terms of broadband penetration, the ongoing development of LLU and a low growth for VDSL are the main points on the state of broadband in Greece for 2015, according to [HTPC's report](#) on the fourth quarter of 2015. To read the relevant press release of HTPC click [here](#).

Greece: HTPC announced new roaming charges within the European Union starting on 30.04.2016.

The HTPC informed consumers that starting on 30.04.2016, mobile phone companies operating in Greece are obliged to charge each customer traveling within the European Union

and to Lichtenstein, Iceland and Norway, the prices applicable for said customer in Greece. To read the full press release of the HTPC click [here](#).

France: the Autorité de la concurrence fined Altice/Numericable group for non-compliance with some of the commitments linked to the divestiture of Outremer Telecom's mobile telephony business made at the time of its acquisition of SFR.

Having observed the non-compliance by the Altice/Numericable group with several obligations related to the commitment to divest mobile phone activities of Outremer Telecom (Only) in La Réunion and in Mayotte, made at the time of its acquisition of SFR, the Autorité de la concurrence decided to impose a fine of 15 million euros. To read the full press release of the Autorité de la concurrence click [here](#).

Pharmaceuticals

Advocate General Opinion in Genentech v Hoechst / Sanofi case concluded that license agreement does not violate Article 101 TFEU and objected to certain restrictions to the scope of review of international arbitration awards.

On 17 March 2016, Advocate General Wathelet of the Court of Justice of the European Union (CJEU) published his opinion in the matter opposing Genentech Inc. to Hoechst GmbH and Sanofi-Aventis Deutschland GmbH (Case C-567/14). According to the Advocate General, an arbitral award giving effect to a license agreement that obliges the licensee to pay royalties for the entire duration of the license

agreement does not violate Article 101 TFEU in case the patents protecting the technology are revoked or non-infringed, provided that:

The commercial purpose of the license agreement is to avert (patent) litigation; The licensee can terminate the license agreement by giving reasonable notice; The licensee can challenge the validity or infringement of the patents; and The licensee retains his freedom of action after termination. In addition, the AG considered that national courts have the power to review whether arbitral awards comply with European competition law regardless of whether or not a violation of European competition law was raised before the arbitral tribunal, and that such review should not be limited to flagrant or manifest violations. To read the full opinion of the Advocate General of the CJEU in in Case C-567/14 click [here](#).

The European Commission cleared acquisition of Baxalta by Shire.

The European Commission approved under the EU Merger Regulation the acquisition of Baxalta Inc. by Shire plc. Baxalta is a global pharmaceutical company incorporated in the United States. It specialises in rare diseases and advancing innovative therapies in haematology, immunology and oncology. Shire is a Jersey-registered, Irish-headquartered global specialty biopharmaceutical company active in neuroscience, gastrointestinal and internal medicine, ophthalmics and rare diseases. To read the relevant press release of the European Commission click [here](#).

Commission approved acquisition of Allergan Generics by Teva, subject to conditions.

The European Commission approved under the EU Merger Regulation the proposed acquisition of the generics business of Allergan of Ireland, by Teva of Israel, subject to conditions. Both companies are among the top four generic pharmaceutical manufacturers worldwide. The decision is conditional upon the divestment of a number of assets, including the great majority of Allergan Generics' business in the UK and Ireland. The Commission had concerns that the merged entity would have faced insufficient competition from the remaining players for a number of generic pharmaceuticals, as well as regarding the overall generics business in the UK, Ireland and Iceland. The commitments offered by the companies address these concerns. To read the full press release (IP-16-727) click [here](#).

Transport

Rail Transport: Landmark deal will deliver better rail services to passengers.

An agreement was reached by the European Parliament and the Council of Ministers of the EU on the Fourth Railway Package. This agreement will improve the performance of rail services in the EU to the benefit of passengers, through a gradual opening of domestic rail markets. The agreement now needs to be endorsed by the Member States and the European Parliament in the coming days. Once adopted, the package will complete the single European rail area and therefore deliver on this Commission's agenda of a fairer and deeper internal market. To read the full

press release of the European Commission (IP-16-1382) click [here](#).

The European Commission invited comments on draft provisions to simplify implementation of unproblematic state support for ports and airports.

This first public consultation on draft provisions to extend the 2014 General Block Exemption Regulation (GBER) is open until 30 May 2016. The Commission will take into account views and comments by stakeholders and prepare an updated draft, which will be subject to a second public consultation, currently planned for autumn this year, before deciding on the final Regulation. To read the full press release of the European Commission (IP-16-622) click [here](#).

Greece: HCC cleared the acquisition of 14 Greek regional airports by Fraport AG.

By its unanimous Decision No 626/2016, the Hellenic Competition Commission (HCC) cleared the notified acquisition by Fraport AG of 14 Greek regional airports through Concession Agreements for the upgrade, maintenance, management and operation of Cretan, Continental Greece and Ionian Sea regional airports. According to the decision, the notified transaction does not raise serious doubts as to its compatibility with merger control rules in the relevant markets concerned by the concentration, notably the markets for the granting of airport management and operation concessions through tenders, for the management and operation of airport infrastructures (including the provision of airport infrastructure services, the provision of ground-

handling services, and the provision of associated commercial services), and the provision of airport IT software (upstream market). To read the full press release of the HCC click [here](#).

UK: CMA signaled route for greater rail competition.

In a report published on 08.03.2016 and sent to the Secretary of State for Transport, the Competition and Markets Authority (CMA) concluded a project looking at the possibilities for introducing greater competition between passenger train operators. In producing this report, the CMA liaised with a wide range of interested groups, including the Office of Rail and Road, Network Rail, Department for Transport, Transport Scotland, the Department for Business, Innovation & Skills, HM Treasury, international rail regulators, passenger and freight operators, consumer groups like Which? and Transport Focus, as well as academics and other experts specialising in the sector. To read the full press release of the CMA click [here](#).

News of the Markets

HRADF: Three investment groups submitted Expression of Interest for TRAINOSE.

The Hellenic Republic Asset Development Fund (HRADF) announced that three investment groups expressed their initial interest for the sale of 100% stake of TRAINOSE S.A. The investment groups are Ferrovie dello Stato Italiane S.p.A, Open Joint-Stock Company “Russian Railways”, and GEK TERNA

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The deadline for the binding offers has been set for 31.05.2016. To read the relevant press release of the HRADF click [here](#).

**TAP Selected Joint Venture Including
Greece and Italy**

Trans Adriatic Pipeline AG (TAP) selected a joint venture consisting of Italy's Renco S.p.A and Greece's Terna S.A. for the engineering, procurement and construction (EPC) of the project's compressor stations, according to a press release of the company. In Greece, the award covers the provision of engineering, procurement, construction and commissioning of one compressor station at Kipoi, near the Greek-Turkish border, while in Albania, it will cover the provision of engineering, procurement, construction and commissioning of one compressor station at Fier, and one metering station at Billisht. To read the relevant press release of TAP click [here](#).

**Greece sold largest port Piraeus to
Chinese company.**

Athens signed a €368.5 million deal to sell the operator of Piraeus port to the Chinese shipping group COSCO, according to a press release of the HRADF. Under the deal, COSCO will acquire 51 percent of the listed Piraeus Port Authority for €280.5 million and the remaining 16 percent for €88 million after five years, once it concludes mandatory investments. The company will invest €350 million over the next decade, and will pay an annual fee to the Greek state for running the port. To read the relevant press release of the HRADF click [here](#).

**CIG completed sale of Navtech to
Airbus.**

According to press information, Cambridge Information Group (CIG) along with its partners Externalis S.A. and VSS completed the sale of Navtech, a global provider of flight operations solutions, to Airbus. With operations in Canada and the United Kingdom, Navtech serves more than 400 aircraft operators and aviation services customers worldwide. Its product suite includes electronic flight bag (EFB) solutions, aeronautical charts, navigation data solutions, flight planning, aircraft performance, crew planning, and performance based navigation solutions and services.

**Greece seeks to complete sale of
National Gas Transmission Operator to
Socar.**

According to press information, Greek authorities are trying to overcome obstacles in completing the privatization of DESFA (National Natural Gas Transmission Operator) and to persuade the European Commission to lift its reservations in a deal to transfer the majority stake (66 pct) of DESFA to Socar, the Azeri natural gas group. The tender for the privatization of DESFA was concluded in 2013 with the signing of an agreement for the transfer of a majority stake to Socar for 400 million euros, nevertheless, the transaction has not be completed because of reservations presented by competition authorities in the European Commission.

Six companies table offers for participation in IGB gas pipeline.

According to press information, Bulgarian Energy Minister Temenuzhka Petkova reported significant corporate interest in participation in the Interconnector Greece-Bulgaria (IGB) gas pipeline and the project that is dependent on it – the liquefied natural gas terminal at Alexandroupoli in Thrace. One day before the completion of the IGB project's market test, conducted by the ICGB joint venture whose stakeholders include Greece's Public Gas Corporation (DEPA), the Bulgarian minister announced that six companies have submitted binding offers for the acquisition of capacity in the pipeline for quantities that total a greater capacity than what the IGB will allow for in its early stages.

Binding offers for Thessaloniki Port Authority set for July

According to press information, mid-July will be the new deadline for the submission of binding bids for a controlling stake in Thessaloniki Port Authority (OLTH). The OLTH CEO stated that out of the eight consortiums short-listed since 2014, at least four have reiterated their interest following an invitation to that effect by the state privatization fund. It is also possible that one or more of the other four groups will do the same in the three months remaining.

Greek TV license bids to start at 3 million euros

According to a joint ministerial decision, broadcasters competing for one of the four licenses for operating a

private television station the government has put to tender will have to submit offers of 3 million euros or above when the competition is launched in the next few months.

The European Commission decided not to raise objections on the transitory electricity flexibility remuneration mechanism (FRM) submitted by Greece.

The decision was taken after a series of postponements and delays, while the power plants did not have access to any FRM in 2015 and the first quarter of 2016. The public version of the European Commission's decision is not yet available, and it will be displayed as soon as it has been cleansed of any confidential information, according to the relevant information obtained from the European Commission's website.

Hellenic Association of Photovoltaic Energy Producers filed complaint with the European Commission concerning the interruptibility scheme.

According to a relevant press release of the Hellenic Association of Photovoltaic Energy Producers, a complaint was filed with Directorate General for Energy of the European Commission against ministerial decision No. ΑΠΕΗΛ/Γ/Φ1/Οικ.184898 regarding the electricity interruptibility scheme. To read the full press release of the Hellenic Association of Photovoltaic Energy Producers click [here](#).