

**Order of the Court of First Instance (Third Chamber) of 1 October 2007 —
US Steel Košice v Commission**

(Case T-489/04)

Action for annulment — Directive 2003/87/EC — Scheme for greenhouse gas emission allowance trading — National allocation plan for emission allowances for Slovakia in respect of the period from 2005 to 2007 — Decision indicating that the Commission has no intention to raise objections — Non-actionable measure — Inadmissibility

1. *Actions for annulment — Actionable measures — Meaning — Measures producing binding legal effects (Art. 230 EC; European Parliament and Council Directive 2003/87, Art. 9(3)) (see paras 42, 49, 51)*
2. *Actions for annulment — Natural or legal persons — Measures of direct and individual concern to them (Art. 230 EC) (see paras 57, 66, 67)*

Re:

ACTION for annulment of the Commission Decision of 20 October 2004 concerning the national allocation plan for greenhouse gas emission allowances notified by the Slovak Republic for the period from 2005 to 2007 in accordance with Directive 2003/87/EC of the European Parliament and of the Council of 13 October 2003 establishing a scheme for greenhouse gas emission allowance trading within the Community and amending Council Directive 96/61/EC (OJ 2003 L 275, p. 32).

Operative part

1. The application is dismissed as inadmissible;
2. U.S. Steel Košice s.r.o. is ordered to pay the costs.