

## Operative part

The Court:

1. Dismisses the action as inadmissible;
2. Orders the applicant, in addition to bearing its own costs, to pay the costs incurred by the Commission.

### **Order of the Court of First Instance (First Chamber) of 19 September 2006 — Rodenbröker and Others v Commission**

**(Case T-117/05)**

Action for annulment — Directive 92/43/EEC — Conservation of natural habitats and of wild fauna and flora — Decision 2004/813/EC — List of sites of Community importance for the Atlantic biogeographical region — Persons directly and individually concerned — Inadmissibility

1. *Actions for annulment — Natural or legal persons — Measures of direct and individual concern to them (Art. 230, fourth para., EC; Council Directive 92/43; Commission Decision 2004/813) (see paras 43, 46-54, 71, 74)*
2. *European Communities — Judicial review of the legality of the acts of the institutions (Arts 230, fourth para., EC, 234 EC and 241 EC) (see para. 56)*

**Re:**

ACTION for annulment of Commission Decision 2004/813/EC of 7 December 2004 adopting, pursuant to Council Directive 92/43/EEC, the list of sites of Community importance for the Atlantic biogeographical region (OJ 2004 L 387, p. 1).

**Operative part**

The Court:

1. Dismisses the action as inadmissible;
2. Orders the applicants to bear their own costs and pay those of the Commission, including those relating to the application for interim measures.

**Order of the Court of First Instance (Second Chamber)  
of 26 September 2006 — Athinaïki Techniki v Commission**

**(Case T-94/05)**

Action for annulment — State aid — Complaint — Decision to take no further action on the complaint — Inadmissible

*Applications for interim measures — Actionable measures — Measures challengeable by a complainant against State aid (Arts 81 EC, 82 EC, 230, fourth para., EC, and 232, third para., EC; Council Regulation No 659/1999, Arts 4, 20, and 25) (see paras 28-33)*