Judgment of the General Court of 24 September 2015 — Viasat Broadcasting UK v Commission

(Case T-125/12) ([1])

(State aid — Public-service broadcasting — Decision declaring aid compatible with the internal market — Aid implemented by the Danish authorities in favour of the Danish public-service broadcaster TV2/ Danmark — Public funding granted to offset the costs involved in the performance of public-service obligations — Compatibility of aid — Judgment in Altmark)

(2015/C 389/26)

Language of the case: English

Parties

Applicant: Viasat Broadcasting UK Ltd (West Drayton, United Kingdom) (represented by: S. Kalsmose-Hjelmborg and M. Honoré, lawyers)

Defendant: European Commission (represented by: L. Flynn and B. Stromsky, acting as Agents)

Interveners in support of the defendant: Kingdom of Denmark (represented initially by C. Vang and V. Pasternak Jørgensen, acting as Agents, and subsequently by V. Pasternak Jørgensen and K. Lundgaard Hansen, lawyer, and finally by C. Thorning, acting as Agent, and by K. Lundgaard Hansen and R. Holgaard, lawyer); and TV2/Danmark A/S (Odense, Denmark) (represented by: O. Koktvedgaard, lawyer)

Re:

Application for annulment in part of Commission Decision 2011/839/EU of 20 April 2011 on the measures implemented by Denmark (C 2/03) for TV2/Danmark (OJ 2011 L 340, p. 1).

Operative part of the judgment

The Court:

1. *Declares that it is unnecessary to adjudicate on the action, in so far as it seeks the annulment of Commission Decision 2011/839/ EU of 20 April 2011 on the measures implemented by Denmark (C 2/03) for TV2/Danmark, in that the Commission found that the advertising revenue from 1995 and 1996 paid to TV2/Danmark A/S by the TV2 Fund amounted to State aid;*

2. *Dismisses the action as to the remainder;*

3. *Orders Viasat Broadcasting UK Ltd to bear its own costs and to pay those incurred by the European Commission;*

4. *Orders the Kingdom of Denmark to bear its own costs;*

5. *Orders TV2/Danmark to bear its own costs.*

([1])   OJ C 138, 12.5.2012.