

not distort competition or affect trade between Member States. In the absence of any such proof, there is a presumption that the advantage granted was likely to distort trade and affect trade between Member States. That presumption is clearly contrary to the principles outlined by the Court in *Comitato 'Venezia vuole vivere'*.

Request for a preliminary ruling from the Commissione tributaria provinciale di Latina (Italy) lodged on 12 April 2013 — Francesco Acanfora v Equitalia Sud SpA and Agenzia delle Entrate

(Case C-181/13)

(2013/C 207/08)

Language of the case: Italian

Referring court

Commissione tributaria provinciale di Latina

Parties to the main proceedings

Applicant: Francesco Acanfora

Defendants: Equitalia Sud SpA — Agente di Riscossione Latina, Agenzia delle Entrate — Ufficio di Latina

Question referred

Does the 9 % commission premium ('aggio') [established by Legislative Decree No 112/1999, prior to the amendments which have been introduced] constitute State aid which is incompatible with the single market as regards fees for collection and with Community law pursuant to Article 107 TFEU?

Request for a preliminary ruling from the Tribunale Amministrativo Regionale per il Lazio (Italy) lodged on 12 April 2013 — Anonima Petroli Italiana SpA (API) v Ministero delle Infrastrutture e dei Trasporti, Ministero dello Sviluppo Economico

(Case C-184/13)

(2013/C 207/09)

Language of the case: Italian

Referring court

Tribunale Amministrativo Regionale per il Lazio

Parties to the main proceedings

Applicant: Anonima Petroli Italiana SpA (API)

Defendants: Ministero delle Infrastrutture e dei Trasporti, Ministero dello Sviluppo Economico

Questions referred

1. Is the protection of freedom of competition, free movement of undertakings, freedom of establishment and freedom to provide services (under Article 4(3) TEU, Article 101 TFEU, and Articles 49, 56 and 96 TFEU) compatible — and, if so, to what extent — with statutory provisions adopted by EU Member States which lay down minimum operating costs for the road haulage sector which involve the fixing by bodies external [to the contracting parties] of a component of the charge for the service concerned and, accordingly, of the contract price?
2. Are such limitations of those principles justifiable — and, if so, under what conditions — in the light of the need to safeguard the public interest in road traffic safety and, in terms of that functional consideration, is there a proper place for the fixing of minimum operating costs as provided for under Article 83a of Legislative Decree No 112/2008 (as subsequently amended and supplemented)?
3. Can the determination of minimum operating costs, to the above end, be left — in the absence of criteria predetermined by the legislation — to voluntary agreements between the types of trader concerned, failing which to bodies whose composition is characterised by the strong presence of persons representing private traders in that sector?

Request for a preliminary ruling from the Tribunale Amministrativo Regionale per il Lazio (Italy) lodged on 12 April 2013 — ANCC-Coop Associazione Nazionale Cooperative di Consumatori and Others v Ministero delle Infrastrutture e dei Trasporti and Others

(Case C-185/13)

(2013/C 207/10)

Language of the case: Italian

Referring court

Tribunale Amministrativo Regionale per il Lazio

Parties to the main proceedings

Applicants: ANCC-Coop Associazione Nazionale Cooperative di Consumatori, ANCD Associazione Nazionale Cooperative Dettaglianti, Sviluppo Discount SpA, Centrale Adriatica Soc coop, Coop Consorzio Nord Ovest Società Consortile arl, Coop Italia Consorzio Nazionale non Alimentari Società Cooperativa, Coop Centro Italia Società Cooperativa, Tirreno Logistica srl, Unicoop Firenze Società Cooperativa, CONAD — Consorzio Nazionale Dettaglianti — Soc. Coop., Conad Centro Nord Soc. Coop, Commercianti Indipendenti Associati Soc. Coop, Conad del Tirreno Soc. Coop, Pac2000A Soc. Coop, Conad Adriatico Soc. Coop, Conad Sicilia Soc. Coop, Sicilconad Mercurio Soc. Coop