

EFTA COURT

Action brought on 26 February 2019 by Nettbuss AS against Konkurrenten.no AS

(Case E-1/17 COSTS)

An action against Konkurrenten.no AS was brought before the EFTA Court on 26 February 2019 by Nettbuss AS, represented by Camilla Borna Fossem of Advokatfirmaet Schjødt AS, Ruseløkkveien 14, NO- 0201 Oslo, Norway.

The applicant asks that the Court make the following order:

- 1. Konkurrenten.no will pay to Nettbuss AS the amount of NOK 442 125 (or equivalent in EURO) in addition to the relevant default interest rates.**

Legal and factual background and pleas in law adduced in support:

- Konkurrenten.no AS brought an action against Decision No. 179/15/COL of May 2015, by the EFTA Surveillance Authority, before the EFTA Court on 11 January 2017. The applicant was directly affected by ESA's decision and applied for leave to intervene in the Case, E-1/17 *Konkurrenten.no AS v EFTA Surveillance Authority*. The applicant was granted leave to intervene by Order of the President on 12 July 2017.
- Article 70(1) of the Rules of Procedure of the EFTA Court states.

"If there is a dispute concerning the costs to be recovered, the Court shall, on application by the party concerned and after hearing the opposite party, make an order."

- In the Order of the Court in Case E-1/17, the EFTA Court ordered Konkurrenten.no AS to bear the costs incurred by the applicant.