

Two Court instances confirmed legitimacy of the FAS Russia's decision regarding "Infocom" CJSC

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On 23rd August 2010, the 9th Arbitration Appeal Court dismissed the claim of "Infocom" CJSC challenging the ruling of Moscow Arbitration Court to dismiss the company claim on invalidating the decision and determination of the Federal Antimonopoly Service (FAS Russia) of 18th November 2009.

On 17th May 2010, the Moscow Arbitration Court confirmed legitimacy and reasonableness of the decision and determination issued by the Federal Antimonopoly Service (FAS Russia) regarding "Infocom" CJSC.

On 18th November 2009 FAS Russia found that "Infocom" CJSC violated:

- Clause 4 Part 1 Article 10 of No.135-FZ Federal Law "On Protection of Competition". Actions of "Infocom" CJSC resulted in unreasonable complete termination of power supply to the Institute of Business Economics. "Infocom" CJSC also prevented entry of the Institute of Business Economics to the energy supply market.

FAS Russia issued a determination to "Infocom" CJSC to reestablish the cross-flow of electric energy to the Institute of Business Economics, and in the future do not prevent such cross-flow; and do not violate the law of the Russian Federation on electric power industry in terms of preventing power supply to the persons, whose power-receiving devices are technologically connected to power grid facilities of "Infocom" CJSC.

"Infocom" CJSC disagreed with the decision and determination of the antimonopoly authority and filed a lawsuit.

The Appeal Court also confirmed legitimacy of the FAS Russia's decision.