

# Press-release of 12.07.2010

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On 5th July 2010, the 19th Arbitration Appeal Court confirmed validity of the determination issued by the Lipetsk Office of the Federal Antimonopoly Service (the Lipetsk OFAS Russia) on imposing a turnover fine upon "Lipetsk Energy Supplying Company" OJSC ("LESK" OJSC) - 29,892,110 Rubles. This ruling revoked an unlawful judgment of Lipetsk Regional Arbitration Court of 16th April 2010.

"LESK" OJSC prevented entry of the Energy Supplying Company of a Special Lipetsk Economic Zone" Ltd. ("ESK OEZ Lipetsk" Ltd.) to the wholesale electric energy market and, as a consequence, was eliminating competition on retail electric energy market. This infringed the interests of "ESK OEZ Lipetsk" Ltd.

On 16th April 2010, Lipetsk Regional Arbitration Court allowed the claim of "LESK" OJSC overruled the judgment of 20th April 2009, in spite of judicial acts of Appeal, Cassation and Supervisory Court Instances that confirmed legitimacy of the determination of Lipetsk OFAS Russia on imposing a turnover fine upon "LESK" OJSC.

The company disagreed with the decision of the Lipetsk OFAS Russia and lodged an appeal to the 19th Arbitration Appeal Court in Voronezh.

Having examined the case, the Court confirmed the decision of the antimonopoly body and pronounced legitimacy of the turnover fine imposed upon "LESK" OJSC (29,892,110 Rubles).

According to Alexander Seshenov, the Head of the Lipetsk OFAS Russia, now the violator will be forced to pay the turnover fine.