

# Press-release of 29.07.2010

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On 19th July 2010, the Russian Ministry of Energy Industry (Minenergo Russia) reported about drafting a new version of the list of fuel-and-energy facilities that are under the jurisdiction and within the scope of activities of Minenergo Russia and are subject to departmental security. The list is approved by an order of Minenergo Russia in accordance with the decision and determination issued by the Federal Antimonopoly Service (FAS Russia).

On 17th November 2009, FAS Russia found that Minenergo Russia violated the antimonopoly legislation by setting requirements to economic entities which were not providing for by the law of the Russian Federation (Clause 2 Part 1 Article 15 of the Federal Law "On Protection of Competition").

The case was initiated upon Minenergo Russia issuing the Order "On approving the List of fuel-and-energy facilities that are under the jurisdiction and within the scope of activities of Minenergo Russia and are subject to departmental security". Along with facilities owned by the state, the List comprised facilities of other types of ownership, including facilities owned by physical persons, which was in breach of the Federal Law "On Departmental Security Services". The List also included canteens, workshops for repair of motor vehicles, indoor parking space, and other facilities.

FAS Russia issued a determination to Minenergo Russia to stop the antimonopoly violation.

Minenergo Russia disagreed with the FAS Russia's decision and filed a lawsuit to Moscow City Arbitration Court on invalidating the FAS Russia's decision and determination. The Court ruling was to the benefit of FAS Russia.

"At the meeting of the Case Commission or at the Court hearing, FAS Russia did not attempt to challenge the right of Minenergo Russia to form departmental security service and to establish special procedures for providing security at the fuel-and energy facilities. At the same time, unlawful expansion of the List of such facilities is unacceptable, and FAS Russia made the appropriate decision, which was confirmed by the ruling of Moscow City Arbitration Court", said the Head of the FAS Russia's Department for Control over the Authorities Vladimir Mishelovin.