

Company AS TALLINNA VESI
Type Company Release
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Title The Supreme Court partially satisfied the cassation of Tallinn University of Technology

Today, the Supreme Court made a judgment by which annulled the decisions made by the lower courts in this case and sent the case back to the same county court for a new review.

The Supreme Court accused the lower courts of erroneously taking the view that the plaintiff's claim was not justified under the damage's provisions. The Supreme Court found that after the entry into force of the Public Water Supply and Sewerage Act (ÜVVKS) (01/10/2010), AS Tallinna Vesi should have established a price that meets the criteria of § 14 (2) of the ÜVVKS within a reasonable time. During the re-examination of the case, the county court must assess what is a reasonable time to establish a price in accordance with the law. In addition, the county court must assess whether the water price applications submitted by AS Tallinna Vesi to the Competition Authority during the litigation met the criteria of § 14 (2) of the ÜVVKS, i.e. whether the violation of ASTV's obligations could have been excusable due to the activities of the Competition Authority. The Supreme Court is based on the assumption that the justified price was the price established on 01/12/2019, and the parties can prove in the county court that it was higher or lower, respectively.

AS Tallinna Vesi did not admit this claim and disputed it in full from the start, by affirming that the company has always acted legitimately and applied fair tariffs in accordance with the law in force.

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