Bringing sense to the Brexit debate
EPRG, Cambridge, 11 May 2018

Janez Kopač
Director, Energy Community Secretariat
Extending the EU internal energy market – 4th European Community

Why?
Creating single regulatory and market framework to:
- increase regulatory certainty,
- enhance security of supply,
- increase competition in the energy market

How?
By the Rule of Law
Acquis (Directives, Regulations, Network Codes)

- Electricity
- Gas
- Energy Efficiency
- Renewables
- Environment (partly)
- Climate (partly)
- Oil stocks
Energy Community Secretariat

DISPUTE SETTLEMENT PROCEDURE

A Party to the Treaty, the Regulatory Board and the Secretariat may initiate a case of non-compliance

3-stage procedure

**Opening Letter** – Secretariat requests national governments to comment on non-compliance problem within 2 months

**Reasoned Opinion** - No reply? Unsatisfactory reply? Secretariat states reasons why it believes there is a breach of Energy Community law and requests compliance within 2 months

**Reasoned Request** – Secretariat refers case to PHLG (hears both parties to dispute + takes into account (non-binding) opinion of Advisory Committee) → Ministerial Council for decision

Currently approx. 20 cases open

No Court of Justice!
EU – Energy Community cooperation

- Negotiation on transposition of existing acquis (Title II)
- Promotion of new acquis (Title III, Title IV)
- TSOs members of ENTSO-E, in ENTSO-G observers only
- Membership in ACER
- Participation to Gas, Electricity, Infrastructure Forum
Postbexit benefits

- Remaining true part of the European internal energy market,
- Regulatory security and predictability, incl. exemptions (FR-GB),
- Reciprocity clause in the Treaty
- Pan European ETS scheme and RES quotas
- Finalized energy chapter of Deep and Comprehensive Free Trade Agreement
Acquis area after Brexit?

European Union
Contracting Parties
European Economic Area
Norway
Thank you for your attention!

Janez Kopač

www.energy-community.org