

A LEGAL FRAMEWORK FOR A
TRANSNATIONAL OFFSHORE
GRID IN THE NORTH SEA

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A Legal Framework for a Transnational Offshore Grid in the North Sea

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'In any moment of decision, the best thing you can do is the right thing, the next best thing is the wrong thing, and the worst thing you can do is nothing.'

Theodore Roosevelt (1858–1919)

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LIST OF ABBREVIATIONS

AC	Alternating current
ACER	EU Agency for the Cooperation of National Energy Regulators
ACM	Autoriteit Consument en Markt (Dutch regulatory authority)
Art.	Article
BGBI.	Bundesgesetzblatt (Federal Law Gazette of Germany)
BNetzA	Bundesnetzagentur (German regulatory authority)
BRP	Balancing responsible party
BSH	Bundesamt für Seeschifffahrt und Hydrographie (German Federal Maritime and Hydrographic Agency)
BSUoS	Balancing Services Use of System
CACM	Network Code on Capacity Allocation and Congestion Management
CEER	Council of European Energy Regulators
CEF	Connecting Europe Facility
CfD	Contracts for Difference
CJEU	Court of Justice of the European Union
CO ₂	Carbon dioxide
COM	European Commission
CS	Continental shelf
CUSC	Connection Use of System Code
DC	Direct current
DEA	Danish Energy Agency (Energistyrelsen)
DECC	Department of Energy and Climate Change
DERA	Danish Energy Regulatory Authority (Energitilsynet)
DSO	Distribution System Operator
DTI	Department of Trade and Industry
EC	European Community
ECLI	European Case Law Identifier
ECR	European Court Reports
EEA	European Economic Area
EEC	European Economic Community
EEG	Gesetz für den Ausbau erneuerbarer Energien: Erneuerbare Energien-Gesetz (German Act on the Promotion of RES)
EEPR	European Energy Programme for Recovery

EEZ	Exclusive economic zone
EIA	Environmental impact assessment
ENTSO-E	European Network of Transmission System Operators for Electricity
EnWG	Gesetz über die Elektrizitäts- und Gasversorgung: Energiewirtschaftsgesetz (German Energy Industries Act)
ERGEG	European Regulators' Group for Electricity and Gas
ETYS	Electricity Ten Year Statement
EU	European Union
Euratom	European Atomic Energy Community
EWEA	European Wind Energy Association
FG	Framework Guidelines
GB	Great Britain
GW	Gigawatt (1,000 megawatts)
HVDC	High Voltage Direct Current
ICJ	International Court of Justice
IEA	International Energy Agency
kV	Kilovolt
kW	Kilowatt (1,000 watts)
MS	Member States
MSP	Maritime Spatial Planning
MW	Megawatt (1,000 kilowatts)
NDP	Network Development Policy
nm	Nautical miles
NRA	National regulatory authority
NREAP	National renewable energy action plan
NSCOGI	North Seas Countries' Offshore Grid Initiative
Ofgem	Office of the Gas and Electricity Markets (British regulatory authority)
OFTO	Offshore Transmission Owner
OJ	Official Journal of the European Union
OWF	Offshore wind farm
PCI	Project of Common Interest
PSO	Public service obligation
RE	Renewable energy
RE Act	Danish Promotion on Renewable Energy Act (Lov om fremme af vedvarende energi)
Rec.	Recital
RES	Renewable energy sources
ROC	Renewable Obligation Certificate
SDE	Stimulerend Duurzame Energie
SEA	Strategic environmental assessment

Sec.	Section
Stbl.	Staatsbald (Law gazette of the Netherlands)
Stcrt.	Staatscourant (Government gazette of the Netherlands)
TCE	The Crown Estate
TEN	Trans-European networks
TEN-E	Trans-European energy networks
TEU	Treaty on the European Union
TFEU	Treaty on the Functioning of the European Union
TNUoS	Transmission Network Use of System
TPA	Third party access
TSO	Transmission System Operator
TYNDP	Ten-Year Network Development Plan
UK	United Kingdom
UNCLOS	1982 United Nations Convention on the Law of the Sea
VSC	Voltage Source Converter
Wbr	Wet beheer rijkswaterstaatswerken (Dutch Waterworks Management Act)