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EUROPEAN ENERGY  
LAW REPORT XII

*Edited by*  
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## European Energy Law Report XII

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## PREFACE

The editors are very pleased to present the *European Energy Law Report XII*. The *European Energy Law Report* is an initiative taken by the organisers of the European Energy Law Seminar, which has taken place on a regular basis in the Netherlands since 1989. The aim of this seminar is to present an overview of the most important legal developments in the field of international, EU and national energy and climate law. Whereas the first seminars concentrated on the developments at European Community (EC) level, which were the result of the establishment of an Internal Energy Market, the focus has now gradually switched to the developments at national level following the implementation of the EU Directives on internal electricity and gas markets, promoting renewable energy sources, mitigating climate change and securing energy supply. This approach can also be found in these reports.

Similar to the previous *European Energy Law Reports*, this book includes chapters based on papers presented at the 28th European Energy Law Seminar, which was organised on 23 and 24 January 2017 and which examined a wide range of issues involving the promotion of renewable energy sources and the need to secure a regular and reliable energy supply. The book consists of five parts: ‘Developments in the EU and EU Energy Law’; ‘Promoting Renewable Energy Production: Cross-border Projects and Dispute Settlement’; ‘Energy Consumers as Renewable Energy Producers: The Concept of Prosumers’; ‘Balancing Renewable Electricity Production with Supply Security: National Experiences with Capacity Mechanisms’; and ‘Promoting the Use of Sustainable Gas and Security of Gas Supply’. Where necessary, the chapters have been updated up to June 2018.

We are grateful for the support of the speakers at the seminar and their cooperation in rewriting their papers for the purpose of this book. We also would like to thank the authors and co-authors who did not speak at the seminar but who were willing to participate in this project so that we could provide you with a ‘complete’ picture of all the topics discussed. Finally, we would like to acknowledge the help and support of the publisher in publishing this book. We are confident that these reports will be part of an important and long-lasting tradition in this field.

Martha M Roggenkamp and Catherine Banet  
Groningen/Oslo, 15 June 2018



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## LIST OF ABBREVIATIONS

ACER	Agency for the Cooperation of Energy Regulators
ANODE	<i>Association nationale des opérateurs détaillants en énergie</i> (National Association of Energy Retail Operators)
BAT	Best available techniques
BDEW	<i>Bundesverband der Energie- und Wasserwirtschaft e.V.</i>
BEB	<i>Balgarska energiyna borsa</i>
BEIS	Department for Business, Energy and Industrial Strategy
BImSchG	<i>Bundesimmissionsschutzgesetz</i>
BIT	Bilateral investment treaty
BMWi	<i>Bundesministerium für Wirtschaft und Energie</i>
BNetzA	<i>BundesNetzAgentur</i>
CA	Cooperation Agreement
CCGT	Combined cycle gas turbine
CEF	Connecting Europe Facility
CFD	Contracts for difference
CH <sub>4</sub>	Methane
CHP	Combined heat and power
CJEU	Court of Justice of the European Union
CM	Capacity market
CMU	Capacity market unit
CO <sub>2</sub>	Carbon dioxide
CRE	<i>Commission de Régulation de l'Énergie</i> (French energy regulator)
CSP	Concentrated solar power
DEA	Danish Energy Agency
DECC	Department of Energy and Climate Change
DEFRA	Department for Environment Food and Rural Affairs
DSO	Distribution system operator
DSR	Demand-side response
E-Act	Electricity Act (Dutch)
EC	European Commission
E-Control	Austrian Energy Regulator
ECT	Energy Charter Treaty
EdF	<i>Electricité de France</i>
EEA	European Economic Area
EEAG	Environmental and Energy State Aid Guidelines

EEG	<i>Erneubare Energien Gesetz</i> or Renewable Energy Sources Act
EEPR	European Energy Programme for Recovery
EEZ	Exclusive Economic Zone
ENEA	Polish State-owned Electricity Company
ENTSO-E	European Network of Transmission System Operators for Electricity
ENTSO-G	European Network of Transmission System Operators for Gas
EnWG	<i>Energiewirtschaftsgesetz</i>
EU	European Union
EU ETS	EU emission trading system
Euratom	European Atomic Energy Community
FCC	Fluid catalytic cracker
FCEV	Fuel cell electric vehicles
FET	Fair and equitable treatment
FiT	Feed-in tariff
FTA	Free trade agreement
FQD	Fuel Quality Directive
GATT	General Agreement on Tariffs and Trade
GB	Great Britain
GCG	Gas Coordination Group
GGETA	Greenhouse Gas Emissions Trading Act
GO	Guarantees of origin
GSE	<i>Gestore dei Servizi Energetici S.p.A.</i>
GW	Gigawatt
ICSID	International Centre for Settlement of Investment Disputes
IEM	Internal energy market
IFA	Interconnexion France-Angleterre
IGA	Intergovernmental Agreement
KapResV	<i>Kapazitätsreserveverordnung</i>
KDT	Polish Electricity Act
kV	Kilovolt
Kw	Kilowatt
LEC	Local energy community
LOLE	Loss of load expectation
LPG	Liquefied petroleum gas
MEA	Ministry of Economic Affairs and Climate (The Netherlands)
MPE	Minister of Petroleum and Energy (Norway)
NAFTA	North American Free Trade Agreement
MFN	Most favoured nation
MRP	Market reference price
MW	Megawatt
NBP	National balancing point
NetzResV	<i>Netzreserveverordnung</i>

NGET	National Grid Electricity Transmission plc
NGG	National Grid plc
NRA	National Regulatory Authority
NVE	Norwegian Water Resources and Energy Directorate (regulator)
NEW	North-Western Europe
O <sub>2</sub>	Oxygen
Ofgem	Office of Gas and Electricity Markets
OPAL	<i>Ostsee-Pipeline-Anbindungsleitung</i>
PCA	Postal code area
PCC	Precipitated calcium carbonate
PCI	Projects of common interest
PEM	Polymer electrolyte membrane
PGNiG	<i>Polskie Górnictwo Naftowe i Gazownictwo</i>
PP	Peak period
PPA	Power purchase agreements
PSO	Public service obligations
PPE	<i>Programmation pluriannuelle de l'énergie</i> (Multiannual Energy Programme)
PV	Photovoltaic
RAIPRE	<i>Registro administrativo de instalaciones de producción de energía eléctrica</i>
RES	Renewable energy sources
ROW	Rest of the world
RTE	<i>Réseau de Transport d'Electricité</i>
SCC	Stockholm Chamber of Commerce
SEM	Single electricity market
SONI	System Operator for Northern Ireland
TFEU	Treaty on the Functioning of the European Union
TPA	Third party access
TSO	Transmission system operators
TTF	Title transfer facility
UK	United Kingdom
UNCITRAL	United Nations Commission on International Trade Law
UNCLOS	United Nations Convention on the Law of the Sea
UNFCCC	United Nations Framework Convention on Climate Change
VKU	<i>Verband kommunaler Unternehmen e.V.</i>
VoLL	Value of lost load
WTO	World Trade Organization



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