
LEGAL ASPECTS OF EU ENERGY REGULATION

Implementing the New Directives on
Electricity and Gas Across Europe

EDITED BY
PETER D. CAMERON



OXFORD

LEGAL ASPECTS OF EU ENERGY REGULATION

IMPLEMENTING THE NEW
DIRECTIVES ON ELECTRICITY
AND GAS ACROSS EUROPE

Edited by

PROFESSOR PETER CAMERON

A project supported by
The Robert Schuman Centre



OXFORD
UNIVERSITY PRESS

OXFORD
UNIVERSITY PRESS

Great Clarendon Street, Oxford OX2 6DP

Oxford University Press is a department of the University of Oxford.
It furthers the University's objective of excellence in research, scholarship,
and education by publishing worldwide in

Oxford New York

Auckland Cape Town Dar es Salaam Hong Kong Karachi
Kuala Lumpur Madrid Melbourne Mexico City Nairobi
New Delhi Shanghai Taipei Toronto

With offices in

Argentina Austria Brazil Chile Czech Republic France Greece
Guatemala Hungary Italy Japan South Korea Poland Portugal
Singapore Switzerland Thailand Turkey Ukraine Vietnam

Oxford is a registered trade mark of Oxford University Press
in the UK and in certain other countries

Published in the United States
by Oxford University Press Inc., New York

© The Contributors 2005

The moral rights of the authors have been asserted

Crown copyright material is reproduced under Class Licence
Number CO1P0000148 with the permission of HMSO
and the Queen's Printer for Scotland

Database right Oxford University Press (maker)

First published 2005

All rights reserved. No part of this publication may be reproduced,
stored in a retrieval system, or transmitted, in any form or by any means,
without the prior permission in writing of Oxford University Press,
or as expressly permitted by law, or under terms agreed with the appropriate
reprographics rights organizations. Enquiries concerning reproduction
outside the scope of the above should be sent to the Rights Department,
Oxford University Press, at the address above

You must not circulate this book in any other binding or cover
and you must impose this same condition on any acquirer

British Library Cataloguing in Publication Data
Data available

Library of Congress Cataloging-in-Publication Data

Legal aspects of EU energy regulation : implementing the new directives
on electricity and gas across Europe / edited by Peter Cameron.
p. cm.

Includes bibliographical references and index.

ISBN 0-19-927963-2 (alk. paper)

1. Power resources—Law and legislation—European Union countries.
 2. Energy industries—Law and legislation—European Union countries.
- I. Title: Legal aspects of European Union energy regulation. II. Cameron, Peter D.

KJE6698.L44 2005

346.2404'679—dc22

2004025237

3 5 7 9 10 8 6 4 2

Typeset by RefineCatch Ltd, Bungay, Suffolk
Printed in Great Britain
on acid-free paper by
Biddles Ltd., King's Lynn

LEGAL ASPECTS OF EU ENERGY REGULATION

CONTRIBUTORS

THE NEW EUROPEAN REGIME

Completing the Internal Market in Energy: An Introduction to the New Legislation

Peter D Cameron, Robert Schuman Centre for Advanced Studies, Istituto Universitario Europeo, Florence, and Centre for Energy, Petroleum and Mineral Law and Policy, University of Dundee, Dundee:
peterdcameron@btinternet.com

The New EU Directives on Energy Liberalization from a Competition Point of View

Michael Albers, Competition Directorate, European Commission, Brussels:
michael.albers@cec.eu.int

Regulation by Cooperation: The 'Third Way' in Making Rules for the Internal Energy Market

Burkard Eberlein, The Canadian Centre for German and European Studies and Department of Political Science, York University, Toronto:
eberlein@yorku.ca

NATIONAL APPROACHES TO IMPLEMENTATION

Austria

Kornel Kossuth, Fiebinger, Polak, Leon & Partners, Vienna: k.kossuth@fplp.at

France

Thierry M Lauriol, Jeantet et Associés, Paris: tlauriol@jeantet.fr

Germany

Kai-Uwe Pritzsche, Linklaters, Oppenhoff & Rädler, Berlin:
Kai.pritzsche@linklaters.com

Stefan Klauer, Linklaters, Oppenhoff & Rädler, Berlin:
Stefan.klauer@linklaters.com

Greece

Marina Kolia, Zepos & Yannopoulos, Athens: m.kolia@zeya.com

Hungary

Péter Kaderják, Regional Centre for Energy Policy Research (REKK),
Budapest University of Economic Sciences and Public Administration,
Budapest: pkaderjak@bkae.hu

György Antall, Dezső, Réti & Antall Landwell, Budapest:
gyorgy.antall@hu.landwellglobal.com

Ireland

Patrick McGovern, Arthur Cox, Dublin: patrick.mcgovern@arthurcox.com

Italy

Rino Caiazza, Studio Legale Ughi e Nunziante, Rome: r.caiazza@unlaw.it

The Netherlands

Vincent Aarts, De Brauw Blackstone Westbroek, The Hague:
vincent.aarts@debrauw.com

Poland

Marcin Olejnik, Wierzbowski, and Associates, Warsaw:
kancelaria@wierzbowski.pl

Portugal

Manuel Protásio, Vieira de Almeida & Associados, Lisbon:
mp@vieiradealmeida.pt

Catarina Pinto Correia, Vieira de Almeida & Associados, Lisbon:
cpc@vieiradealmeida.pt

Slovakia

Román Kotiers, PricewaterhouseCoopers, Budapest:
roman.kotiers@hu.pwc.com

Spain

Emiliano Garayar, Gomez Acebo y Pombo, Abogados, Madrid:
egarayar@gomezacebo-pombo.com

UK

Justyna Bremen, Denton Wilde Sapte, London:
justyna.bremen@dentonwildesapte.com

FOREWORD

During the 1990s restructuring of the energy industry was triggered by several factors, almost simultaneously in all continents. The European Union launched the most ambitious energy restructuring process; so far, it is the most advanced region all over the world. This book promotes an understanding of what happens in the European electricity and gas markets.

The European model exhibits four main features:

1. Liberalization is based upon non-discriminatory regulated network access and unbundling of network (transmission and distribution) operation;
2. Liberalization is introduced simultaneously at generation and supply levels. This means that wholesale and retail competition are introduced at the same time. More than 80% of EU energy demand is already eligible and this figure will increase up to 100% by 2007;
3. Liberalization of national energy markets is pursued simultaneously with their integration into a single European energy market. The so-called Internal Energy Market is the largest integrated energy market all over the world; and
4. Regulation of EU electricity and gas markets has been mainly achieved through cooperation. The level of litigation is very low compared to other network industries or to the energy sector in other continents.

Since 1 July 2004 new directives define the Internal Energy Market legislative framework. Objectives, principles, procedures, and deadlines are established in a clear, consistent, and comprehensive way. However, we are still far from a fully competitive, integrated, and efficient Internal Energy Market. Professor Cameron succeeded in gathering together an excellent team of experts who provide us with an updated picture of electricity and gas markets in the European Union at the beginning of this new phase of the Internal Energy Market.

The different chapters of the book allow the reader to identify five major factors hindering the achievement of the Internal Energy Market:

1. A lack of transmission capacity, and in particular, cross-border capacity in several areas;

2. A lack of transparency in network access in some EU and non-EU countries (e.g. Switzerland);
3. A lack of appropriate coordination between TSOs in order to ensure adequate levels of efficiency and reliability;
4. A lack of deep, robust, and liquid energy markets in several areas, and
5. A lack of consistency in application of competition law (merger control, antitrust, state aid) by the competent national and EU authorities.

As chairman of the Council of European Energy Regulators (CEER), which was created in March 2000 in order to facilitate the development of the Internal Energy Market, I am aware of these obstacles. The 27 national energy regulatory authorities represented in the CEER (EU-25 plus Norway and Iceland), together with the European Commission, have been working together for some years. They are developing:

- a) A comprehensive regulatory framework to translate the legislative framework into practical and efficient rules for the benefit of EU energy consumers, and
- b) A coherent institutional and conceptual framework for the application of EU competition law to the energy sector.

Regulation is essential for the proper functioning of the Internal Energy Market and this was acknowledged by the EU Institutions (Commission, Council of Ministers, European Parliament). Efficient regulation requires not only appropriate institutional mechanisms and clear statutory powers, but also a high degree of competence in multiple disciplines. In order to improve the quality of regulation in Europe, the CEER, together with the European Commission and the European University Institute (EUI), decided to create a platform for research, training, and dialogue with industry. The Florence School of Regulation was born at the end of 2003 to provide such a platform. I would like to thank EC President Romano Prodi, EC Vice-President Loyola de Palacio, EUI President Professor Yves Meny, and Professor Helen Wallace, Director of the EUI Robert Schuman Centre for Advanced Studies for their enthusiastic support.

Professor Peter Cameron has been one of the main contributors to the success of the Florence School of Regulation. Thanks to his engagement, academic excellence, and organizational skills, the EU Energy Law & Regulation Workshop and this book became a reality. This book is also a practical example of 'Regulation by Cooperation'. I am sure that it will earn the recognition of a large interested audience, both for its contents and for its approach.

I believe that through cooperation—among regulatory institutions, between regulatory authorities, and all interested parties—we will succeed in implementing an efficient, open, and integrated European energy market. To those who

wonder whether it will be possible to build a single European energy market without a single European regulatory agency, I would like to recall the wise words of William of Ockham: *non sunt multiplicanda entia praeter necessitatem*.

Jorge Vasconcelos
Chairman, Council of European Energy Regulators
Florence, 22 September 2004

TABLES OF CASES AND DECISIONS

CASES AND DECISIONS OF THE EUROPEAN COURT OF JUSTICE

Alphabetical

Almelo, Gemeente Almelo <i>v</i> Energiebedrijf Ijsselmij NV, Case 393/92 [1994] ECR I-1477	10.71
Altmark, Trans GmbH and Regierungspräsidium Magdeburg <i>v</i> Nahverkehrsgesellschaft Altmark GmbH, Case C-280/00	2.51, 2.52, 17.21
Enirirsorse SpA, Joined Cases C-34/01 [2003]	2.51, 17.21
Firma J Nold KG <i>v</i> EC Commission, Case 4/74 [1974] ECR 491	10.81
France, Commission <i>v</i> France, Case 259-01 [2002]	7.41
PreussenElektra AG and Schleswig AG, Case C-379/98 [2001] ECR I-2099	2.51, 8.65, 17.21

Numerical

Case 4/74 Firma J Nold KG <i>v</i> EC Commission [1974] ECR 491	10.81
Case 393/92 Gemeente Almelo <i>v</i> Energiebedrijf Ijsselmij NV [1994] ECR I-1477	10.71
Case 379/98 PreussenElektra AG and Schleswig AG [2001] ECR I-2099	2.51, 8.65, 17.21
Case 280/00 Altmark Trans GmbH and Regierungspräsidium Magdeburg <i>v</i> Nahverkehrsgesellschaft Altmark GmbH [2003]	2.51, 2.52, 17.21
Joined Cases C-34/01 Enirirsorse SpA [2003]	2.51, 17.21
Case 259/01 Commission <i>v</i> France [2002]	7.41

EUROPEAN COMMISSION DECISIONS

Case M 1383—Exxon/Mobil	3.31
Case M 1673—Veba/Viag	3.31
Case M 1853—EDF/EnBW	3.31
Case M 2434—Grupo Villar Mir/EnBW/Hidroelectrica del Cantábrico	3.31, 3.35
Case M 2822—ENBW/ENI/GVS par. 44	3.31, 3.41
Case M 2947—Verbund/Energie Allianz	3.31

MEMBER STATES

Austria

Decision K NZV 01/01 of 20 January 2001	6.96
Decision K NZV 03/01 of 25 July 2001	6.98
Decision K NZV 04/01 of 21 November 2001	6.87, 6.99
Decision K NZV 05/01 of 20 June 2001	6.97
Decision K NZV 21/01 of 13 February 2002	6.15, 6.100

Decision K NZV 01/02 of 6 May 2003	6.101
Decision NZV G 01/02 of 3 March 2003	6.105
Decision NZV G 01/02a of 10 February 2001	6.104
Decision K STR 01/01 of 13 February 2002	6.102
Decision K STR 01/02 of 11 September 2002	6.103

France

Competition Council, Opinion No 2000-A-29, 30 November 2000	7.49
---	------

Germany

Decision of the Federal Court of Justice of 29 May 1979, KVR 4/78, BGHZ 74, pp. 327 <i>et seq</i>	8.93
Decision of the Federal Court of Justice of 25 February 1998, VIII ZR 276/96, RdE 1998, p. 194	8.62
Federal Court of Justice, 7th division for civil matters, decisions of 22 December 2003, VIII ZR 90/02 and VIII ZR 310/02, http://www.bundesgerichtshof.de	8.64
Decision of the FCO of 14 February 2003, B11-40 100-T-45/01	8.48
Decision of the FCO of 17 February 2003, B11-40 100-T-20/02	8.50
Decision of the FCO of 8 October 2003, B11-40 100-T-12/03	8.30
Decision of 2nd Senate of 29 May 1974 (Solange) BVerfGE 37, 171-305	8.107
Decision of 2nd Senate of 22 October 1986, BVerfGE 73	8.108, 8.110
Decision of 2nd Senate of 12 October 1993, BVerfGE 89	8.109
Decision of 2nd Senate of 7 June 2000, BVerfGE 102	8.110
Decision of the OLG Düsseldorf of 7 November 2001, RdE 2002, pp. 44 <i>et seq</i>	8.74
Decision of the OLG Düsseldorf of 22 April 2002, Kart 2/02 (V), ET 2002, pp. 575-6	8.47
Decision of the OLG Düsseldorf of 11 July 2002, WuW/E DE-R	8.101
Decision of the OLG Düsseldorf of 16 December 2002, WuW/E DE-R	8.101
Decision of the OLG Düsseldorf of 17 December 2003, VI-Kart 5/03 (V), ZNER 2004, p. 79	8.50
Decision of the OLG Düsseldorf of 11 February 2004, VI-Kart 4/03 (TEAG), RdE 2004, p. 118; 17 March, 2004, VI-Kart 18/03 (V)	8.48, 8.49, 8.91, 8.116
Decision of the OLG Stuttgart of 21 March 2002, RdE 2002, pp. 182 <i>et seq</i>	8.73
Decision of the Ministry of Economics of 5 July 2002, WuW/E DE-V 573; and 18 September 2002, WuW/E DE-V 643	8.101
Decision of the Public Procurement Chamber Detmold dated 19 December 2002, VK 21-41/02	8.114
Communication of the Press Office of the Federal Supreme Court, No. 23/2003 of 18.2.2003, on the decision of the German Federal Cartel Office against VNG and EVG	3.36

Ireland

Aer Rianta cpt <i>v</i> Commission for Aviation Regulation, H Ct 2003	10.88
Cathal <i>v</i> Sutton [1980] IR	10.89
E-Power <i>v</i> ESB Independent Energy and CER, not yet reported	10.93
Meskell <i>v</i> CIE [1973] IR	10.90

Italy

Autorità Garante della Concorrenza e del Mercato, Decision No. 6926, 25.02.1999, case Snam/Tariffe di Vettoramento	11.113
Autorità Garante della Concorrenza e del Mercato, Decision No. 11421, 21.11.2002, case Blugas/Snam	11.114

Autorità Garante della Concorrenza e del Mercato, Decision No. 12634, 27.11.2003, case Enel Trade/Clienti Idonei	11.115, 11.116
Autorità per l'Energia Elettrica e il Gas (AEEG), Decision No. 200/99	11.80
AEEG Dec Mo 42/99	11.92
AEEG Decision No. 201/99, as further amended	11.79
AEEG Decision No. 47/00, as further amended	11.90
AEEG Decision No. 236/00	11.87, 11.88, 11.89
AEEG Decision No. 241/00	11.28
AEEG Decision No. 95/01	11.78
AEEG Decision No. 150/01	11.115
AEEG Decision No. 228/01	11.44
AEEG Decision No. 229/01	11.92
AEEG Decision No. 30/03	11.45
AEEG Decision No. 31/03	11.81
AEEG Decision No. 33/03	11.80
AEEG Decision No. 164/03	11.45

Netherlands

Trade and Industry Appeals Tribunal, Judgment of 10 March 2004, AWB 02/671, also published in <i>Nederlands Tijdschrift voor Energierecht</i> , 2004–2, p. 68	12.90
Trade and Industry Appeals Tribunal, Judgment of 23 April 2004, AWB 02/1746	12.29, 12.44
Trade and Industry Appeals Tribunal, Judgment of 28 May 2004, AWB 03/76	12.03
DTe, Decision of 10 October 2002, No. 100554/93	12.44
DTe, Decision of 4 May 2004, No. 101685–39	12.43

Portugal

Competition Authority, 3 May 2001, Turbogas-RWE Power Aktiengesellschaft	13.150
--	--------

Spain

Competition Court	
Case C 77/02 Ibernova/Gamesa	14.127
Case C 66/01 Iberdrola/Berruela y Otras	14.127
Case C 60/00 Endesa/Iberdrola	14.49
Case C 54/00 Unión FENOSA/Hidroeléctrica del Cantábrico	14.49
Case C 38/99 Gas Natural/Endesa	14.51, 14.128

Service for the Defence of Competition

Case N-03074 Iberdrola/Berrueza	14.130
Case N-03039 Iberdrola/Ayuntamiento Villatoya	14.130
Case N-03033 Endesa Gas-Cristian Lay/Dicogexsa	14.51, 14.130
Case N-03001 Gas Asturias/Gas Figueres	14.51
Case N-271 Planta de Regasificación de Sagunto	14.130

National Energy Commission

C.A.T.R. 15/2003, Compañía Comercializadora <i>v</i> Bahía de Bizkaia Gas, S.L.	14.132
C.A.T.R. 27/2002 Y 28/2002, Hidrocantábrico Energía S.A.U. <i>v</i> Regasificadora del Noroeste, S.A.	14.132
C.A.T.R. 24/2002, 25/2002 and 26/2002 por Hidrocantábrico Energía, S.A.U. <i>v</i> Planta de Regasificación de Sagunto, S.A.	14.132
C.A.T.R. 22/2002, RWE Trading GMBH <i>v</i> Enagas, S.A.	14.132

C.A.T.R. 17/2002 Hidrocantábrico Energía, S.A.U. <i>v</i> Enagas, S.A.	14.132
C.A.T.R. 16/2002 Hidrocantábrico Energía, S.A.U. <i>v</i> Bahía de Bizkaia Gas, S.L.	14.132
C.A.T.R. 15/2002, Hidrocantábrico Energía, S.A.U. <i>v</i> Enagas, S.A.	14.132
C.A.T.R. 14/2002 Hidrocantábrico Energía S.A.U. <i>v</i> Regasificadora del Noroeste, S.A.	14.132
C.A.T.R. 9/2002 Sociedad Cooperativa Ltda. Benefica de Consumo de Electricidad 'San Francisco de Asis' <i>v</i> Red Electrica de España, S.A. and Endesa Distribución Electrica, S.L.U.	14.132
C.A.T.R. 6/2001 Hidrocantábrico Distribución Electrica, S.A. <i>v</i> Iberdrola Distribución Electrica, S.A.U.	14.132

United Kingdom

Decision of the Gas and Electricity Market Authority under the Competition Act 1998 that London Electricity plc has not infringed the prohibition imposed by section 18(1) of the Act with regard to a 'win back' offer, 12 September 2003	15.129
Decision of the Gas and Electricity Markets Authority, following an investigation into compliance by Npower Yorkshire Supply Limited with its obligations under standard licence condition 20 of its electricity supply licence, 19 February 2004	15.128
Decision of the Gas and Electricity Markets Authority, following an investigation into compliance by Transco plc with its obligations under section 9(1)(a) of the Gas Act 1986 in relation to its provision of connections services, 19 May 2004	15.129

TABLES OF LEGISLATION

EUROPEAN UNION

Treaties

Amsterdam Treaty	
Arts 154–6	4.09
EC Treaty	4.08
Art 4(1)	3.02
Art 81	8.43, 8.73, 14.106, 15.105
Art 82	2.74, 6.73, 8.43, 11.114, 11.117, 14.106, 15.105
Art 86	2.52, 4.12, 9.79
Art 86(2)	7.74, 7.77
Art 87	9.79
Art 87(1)	8.65, 17.21
Art 95	4.12
Art 295	17.13
European Convention on Human Rights	15.122, 17.29
Maastricht Treaty	
Art 3	4.09
Draft Constitution	1.06
Art I-13	2.81
Art III-6	2.52
Art III-157	2.81

Regulations

Council Regulation (EEC) No. 4064/89 (merger control)	2.31
Council Regulation (EC) No. 139/2004 of 20.1.2004 Merger Control Regulation , OJ L24/1 of 29.1.2004	3.08
Art 3(4)	3.08
Regulation (EC) No. 1228/2003 (E-Regulation) (Cross-Border Reg) of the European Parliament and of the Council of 26 June 2003 on conditions for access to the network for cross-border exchanges in electricity, OJ L176/1 of 15.7.2003	2.28, 2.45, 2.56, 2.60, 3.14, 4.54, 4.66, 4.73, 4.74, 4.75, 4.79, 8.05, 10.43, 12.70, 16A.43, 16B.21, 16B.61, App 3
Recital 8	4.81, 4.82
Recital 18	4.78
Recital 20	4.78
Art 3(4)	4.82
Art 4	2.42
Art 4(2)	4.82
Art 7	2.27
Art 8	4.82

Art 9	2.42, 2.45, 4.78
Art 10(1)	2.42
Art 10(2)	2.42
Art 10(5)	2.42
Art 12(2)	2.58
Art 13	2.46
Art 95	2.57
Annex	2.41, 4.82

Directives

Directive 90/547/EEC of 29 October 1990 on the transit of electricity through transmission grids	6.15
Implementing Directive 91/296/EEC, of 29 October 1996, as amended by Dir 94/49/EC, of 11 November 1994	13.12, 13.56
Directive 93/13	11.95
Directive 96/92/EC of the European Parliament and of the Council of 19 December 1996 concerning common rules for the internal market in electricity, OJ L27/20 of 30.1.1997, First E-Directive	3.06, 4.11, 4.13, 7.01, 7.08, 7.39, 7.54, 7.58, 8.02, 8.75, 9.01, 10.01, 10.03, 10.39, 10.49, 10.50, 10.69, 11.01, 11.81, 11.94, 12.02, 12.24, 13.78, 14.01, 14.68, 15.02, 17.02, 17.04, 17.39, 17.40, App 1
Art 3.2	14.66
Art 9	3.04
Art 14	3.04
Art 16	3.04
Art 19	12.33, 12.38
Art 19(3)	3.21
Art 20(3)	3.04
Art 23	2.36
Recital 13	14.66
Directive 98/30/EC of the European Parliament and of the Council of 22 June 1998 concerning common rules for the internal market in natural gas, OJ L204/1 of 21.7.1998, First G-Directive	3.06, 4.11, 4.13, 7.01, 7.12, 7.35, 7.41, 7.54, 7.58, 8.38, 8.77, 9.01, 10.01, 10.03, 10.16, 10.49, 10.58, 10.69, 11.01, 12.07, 13.11, 13.133, 14.01, 15.02, 17.02, 17.04, 17.39, 17.40, App 2
Preamble 12	14.78
Art 3.2	14.78
Art 11	3.04
Art 13	3.04
Art 14	3.04
Art 18(2)	3.21
Art 22	2.36
Art 23	2.26
Art 23(3)	3.04
Directive 2001/71/EC of the European Parliament and of the Council on the promotion of electricity produced through renewable energy sources in the internal electricity market	2.80
Directive 2001/77	8.63, 12.17
Art 7	9.66
Directive 2003/54/EC (E-Directive) of the European Parliament and of the Council of 26 June 2003 concerning common rules for the internal market in electricity and repealing Directive 96/92/EC, OJ L176/37, 15.7.2003	2.01, 2.12, 2.15, 2.16, 2.17, 2.45, 4.75, 5.01, 6.01, 6.06, 6.63, 6.90, 7.01, 7.08, 7.80, 8.01, 8.05, 8.07, 8.09, 8.13, 8.15, 9.01, 9.04, 9.77, 10.01, 10.05, 11.01, 11.45, 11.81, 12.01, 12.13,

	12.53, 12.70, 13.01, 13.15, 13.17, 13.30, 13.42, 13.137, 14.01, 14.60, 14.68, 15.02, 15.06, 15.41, 16A.01, 16A.14, 16A.76, 16B.03, 16B.39, 16C.04, 16C.32, 17.04, 17.31, 17.33, 17.38, 17.39, App 1
Recital 8	2.33
Recital 10	2.33
Recital 11	2.33
Recital 15	2.37
Recital 16	2.37
Recital 17	3.09
Recital 18	3.11
Recital 24	2.48
Recital 25	2.50
Recital 26	2.47
Art 3	6.62, 7.57, 11.94, 12.75
Art 3(2)	10.70
Art 3(3)	2.48, 16A.118
Art 3(5)	2.47
Art 3(6)	2.50
Art 3(8)	2.54
Art 3(9)	2.51
Art 4	2.47
Art 6(4)	2.43
Art 8(1)	2.33
Arts 9–12	16A.22
Art 10	2.32, 3.07, 6.39, 16A.22
Art 10(2)	2.32, 2.33
Art 10(2)(d)	2.34, 3.16
Art 11(2)	16A.21
Arts 13(1)–(2)	3.07
Arts 14–16	16A.24
Art 15	2.32, 2.33, 3.07, 6.39, 9.47, 16A.25
Art 15(d)	16A.25
Art 15(1)	9.47
Art 15(2)	2.32, 2.54, 9.47
Art 15(2)(d)	2.34
Art 17(d)	2.34
Arts 19(1)–(4)	2.32
Art 20	16A.50
Art 20(1)	2.18, 3.09, 3.10
Art 20(2)	2.19
Art 21	9.18, 12.33, 16A.13
Art 22	9.19
Art 23	2.36, 7.80, 16A.50
Art 23(1)	4.78, 4.84
Art 23(2)	3.09, 4.78
Art 23(3)	2.41
Art 23(4)	2.41, 3.09, 4.78
Art 23(5)	2.43, 3.09
Art 23(6)	2.43
Art 23(7)	2.36, 4.78
Art 23(8)	2.36, 2.74, 7.80
Art 23(12)	2.45, 4.79
Art 24	2.47
Art 25	2.13

Art 26(1)	2.54
Art 27	3.17
Art 28	2.02
Art 28(1)	3.17
Art 28(3)	2.02, 2.33, 3.17
Art 30	2.46
Art 30(2)	2.33
Annex A	2.47, 11.95
Directive 2003/55/EC (G-Directive) of the European Parliament and of the Council of	
26 June 2003 concerning common rules for the internal market in natural gas and	
repealing Directive 98/30/EC, OJ L176/57, 15.7.2003	
	2.02, 2.12, 2.15, 2.16, 2.17, 2.28, 2.45, 4.75, 4.79, 5.01, 6.01, 6.12, 6.63, 6.90, 7.01, 7.08, 7.42, 7.80, 8.01, 8.05, 8.07, 8.09, 8.12, 8.13, 8.15, 9.01, 10.05, 10.12, 10.49, 10.58, 11.01, 12.01, 12.13, 12.70, 12.91, 13.01, 13.137, 14.01, 14.60, 15.02, 15.03, 15.06, 15.41, 16A.01, 16B.03, 16B.39, 16C.32, 17.04, 17.31, 17.33, 17.38, 17.39, App 2
Recital 10	2.33
Recital 11	2.33
Recital 13	2.37
Recital 14	2.37
Recital 15	3.09
Recital 16	3.11
Recital 20	2.23
Recital 25	7.78
Recital 26	2.48
Recital 27	2.47
Art 3	2.49, 2.51, 6.62, 7.57, 12.75
Art 3(2)	10.70
Art 3(3)	2.47, 2.48, 7.69, 11.97
Art 3(5)	2.55
Art 3(6)	2.51
Art 4	2.55
Art 4(3)	2.43
Art 5	2.47
Art 7	2.22, 12.58, 12.62
Art 9	2.32, 3.07, 6.45, 12.58
Art 9(2)	2.32, 2.33
Art 9(2)(d)	2.34, 3.16
Art 13	2.32, 2.33
Art 13(2)	2.32, 2.55
Art 13(2)(d)	2.34
Art 15	3.07, 10.16, 10.49A
Art 15(d)	2.34
Art 17	10.17
Arts 17(1)–(4)	2.32
Art 18	2.20, 16A.50
Art 18(1)	3.09, 3.10
Art 18(2)	2.21
Art 18(3)	2.21
Art 19	16A.50
Art 19(1)	2.20, 2.22
Art 19(3)	3.12
Art 20	2.20, 2.26
Art 21(1)	2.21
Art 21(2)	2.21