



Brugge

GCLC

College of Europe
Collège d'Europe

Global Competition Law



Natolin

Center

18th GCLC ANNUAL CONFERENCE

THE FUTURE OF ENERGY MARKETS: WHICH ROLE FOR COMPETITION POLICY IN THE CURRENT GEOPOLITICAL CONTEXT

**20-21 April 2023
Residence Palace, Brussels**

The design and operation of energy markets have become particularly salient since the energy transition was set into motion, and even more so in recent months in light of the geopolitical developments, the emerging transatlantic rivalry to promote green investments, and the rapid increase in extreme weather events linked to global warming. In public discourse, competition policy is sometimes presented as an obstacle to the efficient management of energy markets, especially in crisis situations.

Fundamentally, however, competition policy aims to maximise the use of scarce financial resources while preserving market dynamics with a view to fostering economic growth and overall prosperity.

Against the background of an unprecedented geopolitical situation and the equally unprecedented urgency to accelerate decarbonisation, this conference has the ambition to systematically discuss competition policy's role in the management of energy markets and its interplay with energy policy and regulation. The timing could not be more appropriate in view of the recent (and imminent) adoption of several reforms that update or create new EU instruments to address the challenges of the energy sector, most notably the reform of the electricity market design.

The interplay between energy policy and competition law can be examined from many angles, including: security of supply and the solidarity principle within the EU, public

service obligations and other forms of state intervention (market-based regulatory measures vs State aid), long-term agreements and other forms of cooperation, essential facilities, unbundling and vertical integration. Ensuring that energy markets deliver the right outcomes is a major, and probably unique, challenge for our societies, in which competition policy has an important part to play.

DAY 1

09:00-09:30 Registration

09:30-09:40 Welcome Address

Federica Mogherini
Rector, College of Europe

09:40-10:00 Keynote Speech

Margrethe Vestager
Executive Vice-President, European Commission
Commissioner for Competition

10:00-10:15 Q&A Session

10:15-10:20 GCLC Best Thesis Award

10:20-10:30 Presentation of the Conference

Massimo Merola
BonelliErede, College of Europe and GCLC

Panel 1 – The new EU energy dilemma

10:30-11:45

Chair: **Adina Clai**
The Brattle Group, College of Europe and GCLC

Panellists:

Dennis Hesseling, Agency for the Cooperation of Energy Regulators (ACER)

“Securing supplies in an integrated European energy market – a regulatory perspective”

Hans van Steen, European Commission, DG Energy

“The Commission’s view on the energy trilemma in the context of the energy crisis”

Ben Smulders, European Commission, DG Competition

“Dealing from a competition policy perspective with the energy crisis and in particular the trilemma”

Ana Palacio, Former Minister of Foreign Affairs of Spain; Visiting Professor, Georgetown

“How to Overcome the Fundamental Imbalance in the European Energy Transition”

Estelle Cantillon, Université libre de Bruxelles

“Energy markets: New design ? New roles for the State and regulators? or both ?”

11:45-12:15 Coffee Break

Panel 2 – Affordability of energy prices for households and enterprises

12:15-13:30

Chair: **Béatrice Dumont**
College of Europe

Panellists:

José Elías, European Commission, DG Energy

“Commission’s proposal to modify the electricity market design with a focus on affordability”

James Matthys-Donnadieu, Elia Transmission Belgium

“Necessary electricity market reforms for an affordable, secure and decarbonized energy system”

Juan José Alba Ríos, Eurelectric and Endesa

“From the implementation of emergency interventions to the review of market design: how two years of energy price crisis have changed the European electricity market”

Felix Engelsing, Bundeskartellamt

“Cooperation in the energy crisis – Sugar Gas Shortage Case”

Marios Andrikopoulos, Elpedison

*“Energy prices, consumers and market stability. In search of a viable equilibrium.
A synthetic approach to the Greek market case study”*

13:30-14:30 Lunch

Panel 3 – Accelerating the efficient roll-out of EU energy infrastructures

14:30-15:30

Chair: **Assimakis Komminos**
White & Case and GCLC

Panellists:

Marieke Scholz, European Commission, DG Competition

“How can competition policy contribute to achieving an efficient roll-out of EU energy infrastructure”

Paolo Chiricozzi, Enel

“Energy infrastructures as enabler of the transition and security of supply: reflections on their role and on what else does EU need”

Albert Riera, Cabinet of Spanish Secretary of State for Energy, Ministry for Ecological Transition and Demographic Challenge

“How to efficiently roll out the necessary infrastructure to meet EU renewables’ objectives”

Omar Diaz, BonelliErede

“Financing of infrastructures from a competition law perspective”

15:30-16:00 Coffee break

Panel 4 – Solidarity among Member States

16:00-17:15

Chair: Inge Govaere
College of Europe and GCLC

Panellists:

Johannes Luebking, European Commission, Recovery and Resilience Task Force

“EU funding to implement structural reform in the energy markets via the Recovery and Resilient Facility and the REPowerEU, and phasing out the dependence on Russian fossil fuel”

Nicole Robins, Oxera

“The Recovery and Resilience Facility and REPowerEU from the perspective of State aid control: a chance to restore the level-playing field?”

Marc Van Hoof, European Commission, Legal Service

“Article 122 TFUE:”a magic wand”?”

Reinier Koppelaar, Director of Energy Markets at Ministry of Economic Affairs and Climate

“The international dimension: reducing dependence from Russian supplies and promoting measures to strengthen the internal energy market and to enhance European competitiveness”

DAY 2

Panel 5 – The reform of the electricity market design and competition enforcement

9:30-10:45

Chair: **Adina Clai**
The Brattle Group, College of Europe and GCLC

Panellists:

Fabien Roques, Compass Lexecon

“The reform of energy markets: a greater role of long-term contracts? How will this affect competition policy and which new issues are likely to emerge?”

Carsten Grave, Linklaters

“Should “green” merger control be allowed to shift the burden of the energy transition?”

Peter Willis, Bird & Bird

“A sharper tool to tackle market abuse – the proposed reinforcement of REMIT, and lessons learned from competition enforcement”?

Ulrich Scholz, Freshfields

“Potentials of EU competition tools and regulation in the energy crisis”

10:45-11:00 Coffee break

Panel 6 - EU State aid tools: a fitness check of their appropriateness to solve the EU energy dilemma

11:00-12:15

Chair: **José Rivas**
Bird & Bird and GCLC

Panellists:

Nicola Pesaresi, European Commission, DG Competition

“The implications of the proposed electricity market design reform on competition policy and notably State aid control”

Giorgio Motta, Skadden

“Is the revised State aid toolbox (GBER and TFS) fit for purpose in complementing the reform of energy markets to address the energy dilemma? Could the global geopolitical developments on green subsidies impact Europe’s energy transition?”

Francesco Salerno, Gianni & Origoni

“Are the Guidelines on State aid for climate, environmental protection and energy fit to combat the risk of green investments being diverted away from the EEA?”

Leigh Hancher, Professor of European Law at the University of Tilburg

“The appropriateness of the new State aid toolkit and its current application to support hydrogen investment projects”

Panel 7 – Concluding enforcers’ panel

12:15-13:30

Chair: **Anna Colucci**
European Commission, DG Competition

Panellists:

Cani Fernández-Vicién

Comisión Nacional de los Mercados y la Competencia

Martijn Snoep

Autoriteit Consument & Markt

Natalie Harsdorf-Borsch

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Benoît Coeuré

Autorité de la concurrence

FURTHER INQUIRIES

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