

State-owned Bulgarian Energy Holding (BEH) is very close on making a commitment regarding the infringement case on the gas market launched by the European Commission (EC), as the Parliament instructed the Minister of Energy Temenuzhka Petkova to take the necessary actions in order to reach an agreement with the EC.

State-owned Bulgarian Energy Holding (BEH) is very close on making a commitment regarding the infringement case on the gas market launched by the European Commission (EC), as the Parliament instructed the Minister of Energy Temenuzhka Petkova to take the necessary actions in order to reach an agreement with out financial sanctions. The development of the case against Gazprom is similar to the BEH gas case, because of similar legal classifications of the violations and overlapping market participants who are involved in the cases. Therefore, the Parliament believes that there are new circumstances that require the amendment of its previous decision without its repeal.

The previous decision of the Parliament regarding the case was made at the end of November 2017. It supported the closing of the BEH gas case without acknowledging any wrongdoing and without assuming responsibility and at the same time committing to uphold any obligations arising from a prohibitive decision, even including commitments regarding any financial sanctions that may arise. This decision was taken after the European Commission rejected the initial commitments made by the Bulgarian side and it became clear that it intends to close the case with a restrictive decision and a financial sanction. In July 2013, the EC opened proceedings to investigate whether BEH may be abusing its dominant market position in gas markets in Bulgaria. EC had concerns that BEH and its subsidiaries may be preventing competitors from gaining access to the infrastructure they need in order to successfully compete on gas supply markets in Bulgaria, namely that BEH and its subsidiaries have refused to give competitors access to the gas transmission network and the gas storage facility, as well as reserved capacity they do not need on the gas import pipeline.

In March 2015, the EC has sent a statement of objections to BEH informing it of the Commission's preliminary view that BEH may have breached EU antitrust rules by hindering competitors access to key gas infrastructures in Bulgaria. EU Commissioner in charge of competition policy Margrethe Vestager said that the EU antitrust rules are an important tool to contribute to the Energy Union and barriers need to be broken so that EU citizens and businesses can enjoy more competitive energy prices and security of supply. To compete on the Bulgarian gas supply markets, companies need access to BEH's gas infrastructure, and the EC must make sure that fair access is granted, Vestager concluded in a statement sent to BEH.