
Romania: Competition Council Discussing New Energy Law

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The Competition Council, at the request of the President's administration, has been analyzing the Draft Law on Amendments to the Law on Electricity and Gas, adopted by the Assembly and submitted for consent to the Romanian President.

The President of the Competition Council, Bogdan Chirițoiu, said that the Council will soon submit its opinion.

The President of Romania Klaus Iohannis received several objections to the Draft Law that is assessed as inappropriate, discriminatory and even inapplicable. Therefore the opinion of the Competition Council was asked for, and there is a possibility that the Law could be returned to the Assembly for reconsideration.

The President of the Competition Council assesses that option for contract signing between electricity generators, foreseen by the Law, can lead to misuse. Chirițoiu says that there must be limitations for generators activities, at least temporarily. He explains that intervention is necessary in this field in Romania, since the experience shows that electricity generators, mainly state-owned, are not careful with public money.

According to the amendments, electricity generators are entitled to conclude contracts and then sell electricity in the domestic market or export it.

The Law was submitted for promulgation to the President, but amendments cannot be implemented, since the new law does not foresee preparation of by-laws for its application. The President of Regulatory Authority for Energy ANRE, Niculae Havrileț, says that the Law that was adopted did not require secondary legislation that is within the scope of competence of ANRE and assesses that it will be very difficult to apply these elements in the new version of the law. He adds that it would be very interesting to hear how the power exchange OPCOM will clarify how it will apply the law, especially the provisions related to contract conclusion.

The representatives of the Association of Electricity Suppliers AFEER believe that the application of the law can cause great harm to the participants in the market, due to the possibility of misinterpretation and wrongful application, transmits [Serbia-energy.eu](https://serbia-energy.eu)