

Recent amendments to the Energy Law adopted by the Parliament, opened a number of concerns, and market participants are concerned about the effects of their implementation. During the conference “Competition Developments in Key Sectors of Romanian Economy,” the President of the Competition Council Bogdan Chiritoiu, drew attention to the provision related to fact that energy producers are entitled to conclude mutual agreements that can be declared as an illegal state aid by the European Commission.

The European Commission has imposed a fine on former company Termoelectrica, now Hunedoara Energy Complex, for receiving illegal aid from the company Hidroelectrica, after Hidroelectrica purchased electricity from Termoelectrica at the price higher than the market price. Hunedoara Energy Complex was forced to return the money back to the state, which owns Hidroelectrica, said Chiritoiu to Agerpres.

Another topic opened by the representatives of the Competition Council was the possibility for the energy producers to conclude electricity export contracts.

Energy producers should have the opportunity to conclude export contracts either through OPCOM power exchange or through other trading platform on the community level, said Luiza Drăghici the competition inspector. “The fact that energy producers may conclude contracts at this point, raises doubt that European provisions are being violated. Our recommendation is that ANRE identifies trading platform on the community level and to introduce trade instruments intended for export within OPCOM platform” says Drăghici. ANRE President, Nicolae Havrileț pointed out that the Agency has not adopted any regulations related to export.

ANRE has issued an interpretation of the concept of centralized market, which appears in the Law, while there is no such concept in the European regulations, but only the concept of regulated market, said Havrileț recently.