

Electricity export to EU markets is not prohibited, but ANRE's interpretation of the Law 123/2012 (Electricity and Gas Law) indicates that producers are obliged to sell all generated electricity on the OPCOM exchange.

In such circumstances, Nuclearelectrica and EC Oltenia did not dare to export energy. Only Hidroelectrica sold electricity on the centralized platform in Hungary, after which a lawsuit by ANRE ensued. However, Hidroelectrica has won the case.

This means that there is a court decision which allows producers to conclude direct contracts on electricity export to the markets of the EU member states. However, producers claim that, thereby, they would break the law which prohibits electricity export, because of which changes in the law 123 are required.

The Council for the Protection of Competition demands from ANRE and the Ministry of Energy to take all necessary steps for changing the Energy Law and/or bylaws, so that the regulations within this field would enable free competition, free access to the market for European and national electricity producers, including the possibility of direct export. The Ministry of Energy assesses that a detailed analysis is required with respect to the advantages and disadvantages which direct sale of energy on other markets may have for the domestic market, economic competitiveness, availability for end consumers, performance of energy producers in the public sector and for the state budget. The Ministry officials insist on the importance of providing protection for vulnerable consumers and the maintenance of competitiveness in the sector.

Hidroelectrica and Nuclearelectrica are the cheapest electricity producers in the country, so they should sell the generated electricity in the country, and not export it, ANRE President, Niculae Havrilet, said. He added that ANRE had not made decisions that prohibit export. "I agree that no barriers should be set for export. ANRE has issued an interpretation of the centralized market concept, which appears in the law, whereas in the European law, there is no such concept, but the concept of organized market", ANRE President said.

On the other hand, producers strongly demand their right to export electricity.

The Law does not allow electricity producers to export electricity through transactions on the basis of bilateral contracts concluded by direct negotiations. Considering that there is excess electricity in Romania, producers lose the chance to make good profit through direct sale on the regional markets and EU markets.

It remains to be seen whether the amendments to the Energy Law will enable producers to export electricity, transmits Serbia-energy.eu