
> Treaty on European Union (“EU Treaty”)
> Treaty on the functioning of the European Union (“TFEU”) → replaces the EC Treaty
New !!!

▶ Title XXI – Energy – Article 194
  - Energy explicitly becomes one of the EU policies

▶ Article 4

“2. Shared competence between the Union and the Member States applies in the following principal areas:

  (...) 
  (i) energy;”

New ??? …
Founding Treaties – the origins

- European Coal and Steel Community (1951)
- European Atomic Energy Community (1957)
- European Economic Community (1957)
Energy policy under the EC Treaty

- Internal market – Article 95 EC
- Freedom of establishment – Article 47 EC
- Freedom to provide services - Article 47 EC
- Environment – Article 175 EC
- Measures in case of severe difficulties – Article 100 EC
- Trans-European Networks - Article 154 EC

Energy Community – PHLG meeting on 17/03/2010
1. In the context of the establishment and functioning of the internal market and with regard for the need to preserve and improve the environment, Union policy on energy shall aim, in a spirit of solidarity between Member States, to:

(a) ensure the functioning of the energy market;

(b) ensure security of energy supply in the Union;

(c) promote energy efficiency and energy saving and the development of new and renewable forms of energy; and

(d) promote the interconnection of energy networks.
2. Without prejudice to the application of other provisions of the Treaties, the European Parliament and the Council, acting in accordance with the ordinary legislative procedure, shall establish the measures necessary to achieve the objectives in paragraph 1. Such measures shall be adopted after consultation of the Economic and Social Committee and the Committee of the Regions.

3. Such measures shall not affect a Member State's right to determine the conditions for exploiting its energy resources, its choice between different energy sources and the general structure of its energy supply, without prejudice to Article 192(2)(c).

3. By way of derogation from paragraph 2, the Council, acting in accordance with a special legislative procedure, shall unanimously and after consulting the European Parliament, establish the measures referred to therein when they are primarily of a fiscal nature.
Treaty of Lisbon
Taking Europe into the 21st century

http://europa.eu/lisbon_treaty/
http://ec.europa.eu/energy/index_en.htm

SOURCE