Adaptation of the Energy Community acquis

The Secretariat’s proposal

9th PHLG Meeting 26 June 2008

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What’s the problem?

- References to „the Commission“ all over the acquis
- EnC institutional set-up is unique and not congruent with EC‘s
- Legal uncertainty as to ‘who does what’
- Adaptation as part of incorporation
- Article 24 EnC foresees this explicitly
Guiding principles


Coordinating role of the Commission (Article 4) needs to be reflected

Differentiation between
- Notification/Monitoring
- Regulatory issues
- Taking decisions

Postponing deadlines

Deleting Articles already taken care of by the Treaty
Next steps

- Discussion on substance today – collecting views

- Commission may propose to Ministerial Council Decision on the basis of Articles 24 and 79 EnC

- Possible adoption of a Decision by MC in December 2008

- Remember: The goal is legal certainty!