CALL FOR PAPERS
NEW GOVERNANCE AND REGULATION IN THE ENERGY SECTOR

Scientific and Organising Committee:

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On 24 March 2017, the Belgian Federal Regulatory Authority of Energy (CREG) and the Centre Perelman de Philosophie du Droit (ULB) will host a conference on governance and regulation in the Energy Sector at the Institute for European Studies (IEE) of the Université Libre de Bruxelles.

The current developments at EU level regarding the regulatory and governance structures of the energy sector will inevitably generate new challenges. This conference aims to comprehensively address these impending issues.

Among these ongoing developments, as part of its projects for a new market design, the European Commission intends to establish new regional zones to facilitate regulation and improve technical coherence (i.e. security of supply) among Member States. Furthermore, the Agency for Cooperation of Energy Regulators (hereafter ‘ACER’) could evolve (e.g. when given more tasks). Both of these initiatives highlight the need to re-define the model of governance for energy markets, and examine the interaction between the different levels of governance (European, regional and national).

On the one hand, the development of regional zones and enhanced cooperation between transmission system operators (hereafter ‘TSOs’) might shift regulation to the regional level, which would require reconsidering the relation of NRAs and the European Network of Transmission System Operators (hereafter ‘ENTSOs’). Issues due to the fact that TSOs are private companies with a monopoly may arise, such as the independence of regulators and regulatory practices, or the legitimacy of new regulatory practices. On the other hand, the role of NRAs may also change with a new role of ACER. The compliance of ACER with standards of independence must be safeguarded in the new model. Some of the key questions surround the internal governance of ACER and the role of NRAs, but also the legal responsibilities and the very methodologies which will be employed to develop legally binding decisions in a transparent and non-discriminatory manner.

Potentially in contradiction with a tendency towards centralisation, the energy market and the electricity sector in particular, is moving towards a much more decentralised model as renewable energy, demand response, storage or prosumers are all technically at distribution level. At the same time, local authorities are more and more engaged in climate and energy policies (see the Covenant of Majors initiative). A question as to the level of technical and political governance is thus emerging.

This conference intends to address the new forms of EU energy governance, from both a practical and a theoretical standpoint. In this context, the conference is open to contributions from all disciplines that include the study of governance processes in EU-regulated economic sectors (energy, water, transport, telecom, …) and the mechanisms upon which they rely, the practices they generate or upon which they are based, and the results they produce.

The following is a non-exhaustive list of potential subjects:
- Legitimacy of European Agencies to act as a market regulator (i.e. which tasks can be given to ACER without infringing the subsidiarity principle and which safeguards must be put in place?);
- Independence of ACER vis-à-vis the European Commission (and how to guarantee it);
- Governance standards that should be applied;
- Legal mechanisms to ensure the transparency of decision-making processes;
- Control processes that could be implemented in such a new framework;
- Decision-making of ACER and the democratic framework;
- Adequate regulation and the protection of consumers;
- Decentralisation of generation and the role of local authorities;
- The Energy Union project and the existing multi-level energy governance framework (including inter-governmental agreements);
- Governance devices for cooperation at sub-Union level: new trends in regionalisation;
- Formal and de facto interactions between ACER and the national regulatory agencies;
- Cooperation and co-decision of EU national regulators;
- Energy legislation, network codes and comitology;
- Litigating energy regulation at national and EU level;
- Governing the new energy/finance interface: enforcing REMIT;
- The new role of Power Exchanges;
- …

All those interested in participating in this conference are invited to send an abstract (max. 500 words) to Liana Cozigou (Liana.Cozigou@creg.be) by 10th December 2016. All contributors will be promptly informed of the selection decision. Selected authors will be invited to submit their paper (max 8000 words) by the end of February 2016.

Selected papers will be published.

For additional information, please contact Liana Cozigou.