ENERGY LAW

MBL

Technische Universität Berlin

Program

Winter Semester 2020/21

Summer Semester 2021

Last update on: 3 November 2020

THIS PUBLICATION REFLECTS THE STATE OF PLANNING AT THE TIME OF ANNOUNCEMENT.

Changes may occur, also due to Covid-19. Restrictions and precautions to teaching might apply.

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Content

Dear Students,

Germany is home to the largest energy sector in Europe and is considered a forerunner in renewable energy deployment. Where else would you study energy law but in Germany's capital?
We warmly welcome you to our TU master program, where experts from academia and practice will share the latest insights in the field of energy law and prepare you for leading positions in the energy industry, law firms and regulatory authorities.
We wish you an inspiring and rewarding time with students from all over the world in Berlin's cosmopolitan flair.

Prof. Dr. iur. Dr. rer. pol. Dres. h.c. Franz Jürgen SÄCKER
Academic Director

Eadbhard PERNOT, LL.M.
Academic Program Manager

Dr. Susanne WENDE, LL.M.
Academic Program Manager

Sandra LUBAHN
Administrative Manager

Overview

The Energy Law Team

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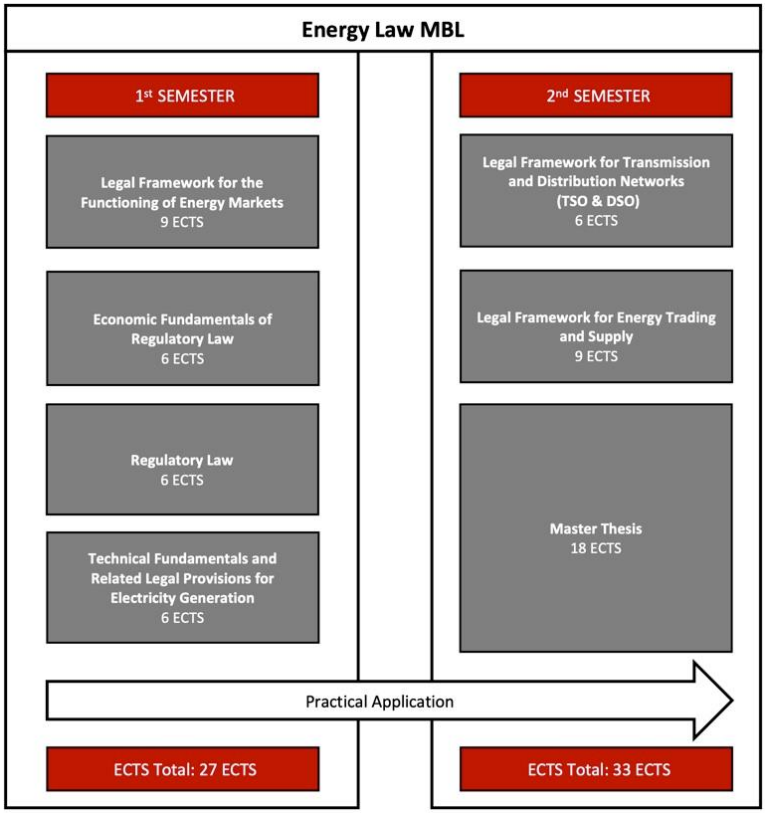


The master program is taught over a period of two semesters. The first semester introduces to the structure and methodology of European and International Energy Law, provides a general introduction to the economics and general foundations of regulatory law, explores the fundamental principles of infrastructure regulation and the legal framework for electricity generation – the first stage of the electricity value chain; the second semester deals with the legal framework of the construction and operation of electricity and gas grids in Europe; addresses energy wholesale trading and looks closer at the final stage of the value chain: electricity and gas supply. The master thesis, due in the second semester, concludes the program. All semesters include lectures and tutorials as well as company visits, online materials related to practice and extracurricular activities.

Outline

Location and Times

Unless otherwise announced, lectures, tutorials, consultancy and peer group meetings take place at House 9, EUREF-Campus, 10829 Berlin, EUREF-Campus, Room S5 / at the TUB Main Campus, Main Building H, Room 3010. The time is CET.

Semesters

- **First semester** (Winter semester - WiSe 2020/21)
  First lesson on Thursday, 5 November 2020
  Last lesson on Thursday, 18 March 2021

- **Second semester** (Summer semester – SoSe 2021)
  First lesson on Thursday, 15 April 2021
  Last lesson on Friday, 4 June 2021

Lectures

Lectures are held by professors and academic staff of TU Berlin and other universities, by professionals of the energy industry as well as experts from the European Commission, national public authorities and law firms.
Group work is frequent. Homework may be assigned. Lectures start *sin tempore*, i.e. sharp.

9.30 – 12.45
13.45 – 17.00

Company Visits/ Tutorials

Tutorials	Company Visits
12:00 – 16:00	Day Trip

Tutorials are mostly held by the academic coordinators. Of a generally more interactive nature, they repeat lecture material, supply supportive information, offer additional training, and help prepare for lectures and exams.

Company visits and excursions are sometimes scheduled on Wednesdays. Company visits give the opportunity to go and see the company on-site and see course-content more lively presented. Registration before attendance may be required.

German Classes

Language classes are offered on campus and incur a small additional fee. Advanced language classes are available, for which taking a test is mandatory.
For more information, visit the website of Sprach- und Kulturbörse here.

E-Learning Platform 'Moodle' and WirelessLAN

The **I**nformation **S**ystem for **I**nstructors and **S**tudents (ISIS)/Moodle is a software for online learning platforms for announcements, distribution of material, registration to events, etc. An introduction will be given in the first week. Please log on frequently, even in lecture free times. The TU Berlin offers WirelessLAN (WLAN) with full coverage across its campus. Students have the possibility to access the internet from any point on the campus.

Exams

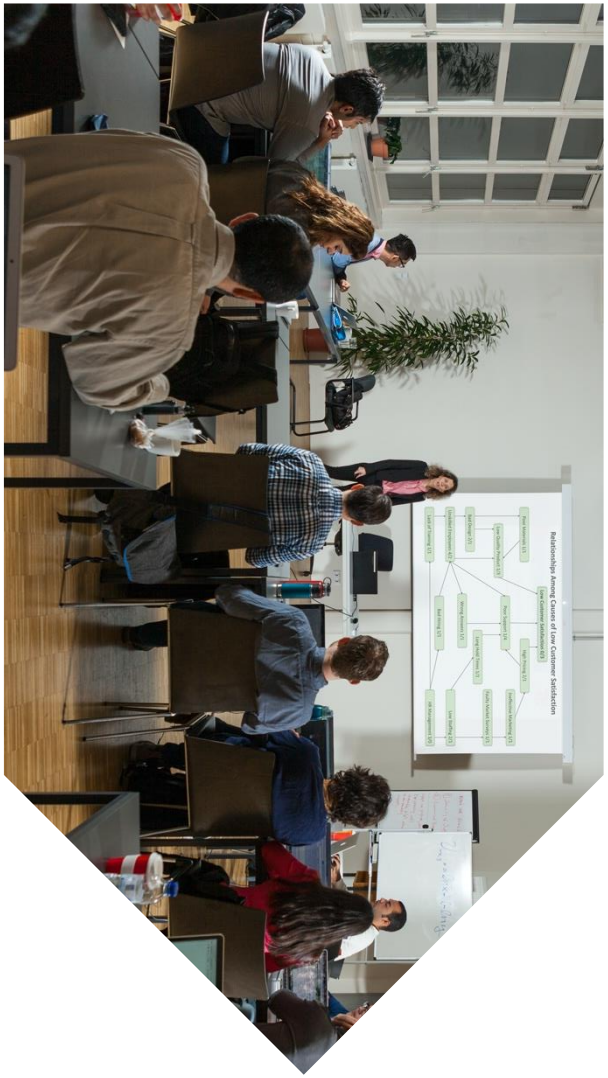
A written (e-) exam or paper concludes each module. Everything that was taught in the lectures, tutorials, and within the module may be subject to examination. Exams start on time! A failed examination may be repeated twice. For further details, please refer to the official Study and Examination Regulation. **Attendance is obligatory.**

Grading Scale

Grade	Assessment	Definition
1.0 / 1.3	Very good	Outstanding performance
1.7 / 2.0 / 2.3	Good	Performance above average requirements
2.7 / 3.0 / 3.3	Satisfactory	Complies with the average overall requirements
3.7 / 4.0	Adequate	Performance which, despite some flaws, still complies with performance requirements
5.0	Inadequate	Performance with significant flaws which does not comply with requirements

First Semester

WiSe 2020/21



Social and Academic Events

Orientation Week 2020

26 - 30 October

Main Campus Charlottenburg, EUREF Campus

Library Insights, Meet Up, Administrative Duties

Official Opening

30 October 2020 – 2:00 pm

Venue: Online

Welcome Addresses

Christmas Dinner

Date and venue to be announced

Module 01 Legal Framework for the Functioning of Energy Markets (9 ECTS)

Aims and Scope

This module introduces to the structure and methodology of European and International Energy Law. Students are provided with the necessary understanding of the European and international dimension of energy law and learn about the fundamental principles that influence the development and application of energy law in Europe. Students become acquainted with the EU's Single Market and study the important role of fundamental freedoms as a prerequisite for a well-functioning European energy market. Furthermore, they learn about the development of European energy law as a sector-specific application of regulatory and competition law. For this purpose, students explore the theoretical concepts of EU competition and state aid law and apply their knowledge to cases.

Keywords

European Law, market freedoms, competition law, 101 TFEU, 102 TFEU, prohibition of anticompetitive agreements and concerted practices, abuse of dominance, merger control, state aid, guidelines on state aid and environmental protection, international law, international investment law, Internal Dispute Resolution, UNCITRAL arbitration rules, subsidies, Energy Security of Supply, Winter Package.

Examination (9 ECTS)

Paper (pass/fail)

Schedule

Thu 05 Nov 2020 09:30 – 17:00	**Introduction to the Law of the European Energy Union** Prof. Dr. iur. Dr. rer. pol. Dres. h.c. Franz Jürgen SÄCKER, Prof. Dr. Lydia SCHOLZ
Fri 06 Nov 2020 09:30 – 17:00	**Propedeutic Introduction to the Methodology of European Law** Prof. Dr. Lydia SCHOLZ
Tue 10 Nov 2020 12:00 – 16:00	Tutorial European Law Dr. Susanne Wende
Wed 11 Nov 2020 12:00 – 16:00	Tutorial International Law Eadbhard Pernot
Thu 12 Nov 2020 09:30 – 17:00	**Fundamentals of European Law, Market Freedoms** Prof. Dr. Lydia SCHOLZ
Fri 13 Nov 2020 09:30 – 17:00	**Competition Law in the Energy Sector: Art.102 TFEU** Michael ALBERS

Sat 14 Nov 2020	**Competition Law in the Energy Sector: Art.101 TFEU, Merger Control and the boundaries between competition and regulatory law**
09:30 – 17:00	Dr. Oliver KOCH
Wed 18 Nov 2020	Tutorial Competition Law
12:00 – 16:00	Dr. Susanne WENDE
Thu 19 Nov 2020	**European State Aid Law**
9:30 – 17:00	Dr. Juliane STEFFENS
Fri 20 Nov 2020	**International Energy Investment Law**
9:30 – 17:00	Prof. Dr. Steffen HINDELANG
Tue 24 Nov 2020	Tutorial Scientific Writing
12:00 – 16:00	Eadbhard PERNOT
Wed 25 Nov 2020	Excursion to a Gas Intensive Undertaking, *GASAG, Berlin*
TBA	TBA
Thu 26 Nov 2020	**International Dispute Resolution in the Energy Sector**
9:30 – 12:30	Agnieszka ASON
13:30 – 17:00	**Dispute Settlement in EU-Switzerland and EU-UK relations**
	Prof. Dr. Dr. h.c. Carl BAUDENBACHER
Fri 27 Nov 2020	**Energy Security of Supply**
9:30 – 17:00	Anna SAMSEL VAN HAASTEREN
Sat 28 Nov 2020-	**Paper, 10 pages, pass/fail**
Wed 09 Dec 2020	Prof. Dr. iur. Dr. rer. pol. Dres. h.c. Franz Jürgen SÄCKER

Reading List

Books

[1] Paul Craig and Grainne De Burca (ed.), *EU law - Text, Cases and Materials,* Oxford University Press, 2015.
[2] Martha Roggenkamp et. al. *Energy Law in Europe - Third Edition,* Oxford University Press, 2016.
[3] Dirk Buschle et. al., *European Energy Law*, Helbing Lichtenhahn, 2011.
[4] Tina Hunter et. al., *Routledge Handbook of Energy Law*, Routledge, 2020.
[5] Richard Which and David Bailey, *Competition Law,* Oxford University Press, 2012.
[6] Kim Talus. *Introduction to EU Energy Law,* Oxford, 2016.
[7] Kim Talus. *Research Handbook on International Energy Law,* Edward Elgar, 2014.
[8] Christopher Jones (ed.). *EU Energy Law, Volume I, The Internal Energy Market: The Third Liberalisation Package*. Claeys & Casteels, 2016.

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[9] Franz Jürgen Säcker (ed.). *Berliner Kommentar zum Energierecht (Gesamtwerk in 6 Bänden).* Deutscher Fachverlag GmbH, Fachmedien Recht und Wirtschaft, 2017-2019.
[10] Franz Jürgen Säcker. *The Concept of the Relevant Product Market: Between Demand-side Substitutability and Supply-side Substitutability in Competition Law*, Lang, 2008.
[11] Franz Jürgen Säcker. *Introduction to the principles of competition law in Competition Law*, in: European Community Practice and Procedure, 2008.
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Articles

[1] Bradbrook, *Energy Law as an Academic Discipline* (1996) 14(2) JERL
[2] Redgwell, *International Law and the Energy Sector*
[3] de Jong, *EU Energy Law and Policy*
[4] Muthucumaraswamy Sornarajah, *Bilateral Investment Treaties*, in 'The international law on foreign investment' (2004) CUP.
[5] Andrei Konoplyanik and Thomas Waelde, *Energy Charter Treaty and its Role in International Energy,* (2006) 24 JERL
[6] Piero Bernardini*, Investment Protection under Bilateral Investment Treaties and Investment Contracts*, (2001) 2 Journal of World Investment
[7] Timothy Martin, *Dispute resolution in the international energy sector: an overview*, (2011) 4(4) Journal of World Energy Law and Business

Module 02 Economic Fundamentals of Regulatory Law (6 ECTS)

Aims and Scope

The module provides a general introduction to economics and the theoretical foundations of regulatory law, which is specifically tailored to the needs of energy law students. They learn about fundamental concepts such as the theory of natural monopolies and are provided with the necessary knowledge to understand how the energy sector works. Special emphasis is given to recent developments such as Germany's 'Energiewende'. This way, students learn to analyze energy law provisions in an economic context.

Keywords

Economic foundations, regulatory regimes, grid economy, public utilities, access regulation, tariff regulation, price regulation, rate of return, price cap, incentive regulation, deregulation, system operation, balancing.

Examination (6 ECTS, graded)

Written exam, 90 minutes, graded

Schedule

Wed 9 Dec 2020 12:00 – 17:00	Tutorial 1 Lars ZEIGERMANN
Thu 10 Dec 2020 9:30 – 17:00	**Introduction to Economic Principles of Regulation** Prof. Dr. Ulrich SCHWALBE
Fri 11 Dec 2020 9:30 – 17:00	**Economic Fundamentals of Regulatory Law I** Lars ZEIGERMANN
Tue 15 Dec 2020 12:00 – 17:00	Tutorial 2 Lars ZEIGERMANN
Wed 16 Dec 2020 12:00 – 17:00	Tutorial 3 Lars ZEIGERMANN
Thu 17 Dec 2020 9:30 – 17:00	**Foundations of Present European Energy Supply** Prof. Dr.-Ing. Joachim MÜLLER-KIRCHENBAUER
Fri 18 Dec 2020 09:30 – 17:00	**Economic Fundamentals of Regulatory Law II** Lars ZEIGERMANN
Thu 7 Jan 2021 9:30 – 17:00	**Economic Fundamentals of Regulatory Law and the Grid Economy I** Dr. Jan Peter SASSE

Fri 8 Jan 2021	**Economic Fundamentals of Regulatory Law and the Grid Economy II**
9:30 – 17:00	Dr. Jan Peter SASSE
Thu 14 Jan 2021	**Regulating Energy Storage**
9:30 – 17:00	Dr. Ruven FLEMING and Prof. Martha ROGGENKAMP
Fri 15 Jan 2021 TBA	Excursion to an Energy Intensive Undertaking, *AURUBIS AG, Hamburg*
Wed 20 Jan 2021	**Written exam, 90 minutes, graded**

Reading List

Books

[1] Kip Viscusi et.al. *Economics of Regulation and Antitrust*. MIT Press, 2005
[2] Klaus Mathis (ed.). *Energy Law and Economics.* Springer, 2018.
[3] Christopher Decker. *Modern Economic Regulation: An Introduction to Theory and Practise*. Cambridge University Press, 2014.
[4] Darryl Biggar and Mohammad Reza Hesamzadeh, *The Economics of Electricity Markets*. John Wiley & Sons, 2014.
[5] Frédéric Jenny and Nicolas Charbit, *2020 Competion Case Law Digest - A Synthesis of EU, US and National Leading Cases*, Concurrences, 2020.
[6] Pippo Ranci. *The Economics of Electricity Markets : Theory and Policy.* Edward Ellgar, Cheltenham, UK; Northampton, MA, 2013.
[7] Subhes Bhattacharyya. *Energy Economics: Concepts, Issues, Markets and Governance*. Springer, 2011.
[8] Damien Geradin et. al. *EU Competition Law and Economics*. Oxford University Press, 2012.

Articles

[1] Ben Depoorter, *Regulation of Natural Monopoly,* in ‘Encyclopedia of Law and Economics Vol.5’ (1999)
[2] Richard A Posner, *Natural Monopoly and Its Regulation*, (1978) 9(2) Journal of Reprints for Antitrust Law & Economics
[3] Fleming, *Regulating Power-to-Gas in the Energy Union*, (2018) OGEL.

Module 03 Regulatory Law (6 ECTS)

Aims and Scope

By comparing the law of the EU and its Member States with the law of other countries with close ties to the European energy markets such as Norway, Switzerland and Russia, this module explores the fundamental principles of infrastructure and network regulation. Students learn about the commonalities of competition law and the law of public utilities and study the structure and core concepts of energy infrastructure regulation like third-party access, regulation of grid charges, and unbundling in depth.

Keywords

Liberalisation, privatisation, regulation, regulatory law, network industries, third energy package, natural monopolies, TPA, ex-post and ex-ante control, essential facilities doctrine, regulatory authorities, unbundling regimes, ownership unbundling, ISO, ITO, comparative regulatory law, Swiss energy law, Norwegian energy law, Russian energy law, US energy law, UK energy law, Chinese energy law.

Examination (9 ECTS, graded)

Paper, 10 pages, graded

Schedule

Thu 21 Jan 2021 9:30 – 17:00	**Natural Monopolies and Third Party Access** Prof. Dr. Antonis METAXAS
Fri. 22 Jan 2021 09:30 – 17:00	**From Competition Law to Regulatory Law – and back** Dr. Carsten KÖNIG
Wed 27 Jan 2021 12:00 – 16:00	Tutorial Natural Monopolies Dr. Susanne WENDE
Thu 28 Jan 2021 09:30 – 17:00	**Unbundling Regimes** Dr. Ansgar SCHÖNBORN
Fri 29 Jan 2021 09:30 – 13:00	**The impact of Brexit on UK Energy Law and Policy** Ana STANIČ
Wed 3 Feb 2021 12:00 – 16:00	Tutorial From Competition Law to Regulatory Law Eadbhard PERNOT
Thu 4 Feb 2021 09:30 – 12:45	**Introduction to Swiss Energy Law** Prof. Dr. Andreas HEINEMANN
17:00 – 21:00	**Introduction to US Energy Law I** Dr. Danny CULLENWARD
Fri 5 Feb 2021 9:30 – 13:00	**Introduction to Russian Regulatory Law** Dr. Ruven FLEMING

17:00 – 21:00	**Introduction to US Energy Law II** Dr. Danny CULLENWARD
Sat 6 Feb 2021 9:30 – 17:00	**Introduction to Norwegian Regulatory Law** Dr. Ignacio HERRERA-ANCHUSTEGUI
Wed 10 Feb 2021 12:00 – 16:00	Tutorial Unbundling Eadbhard PERNOT
Thu 11 Feb TBA	Excursion E-World, Essen
Fri 12 Feb – **Mon 22 Jan 2021**	**Paper, 10 pages, graded** Prof. Dr. iur. Dr. rer. pol. Dres. h.c. Franz Jürgen SÄCKER

Reading List

Books

[1] Robert Baldwin et. al. *Understanding Regulation: Theory, Strategy, and Practice*. Oxford University Press, 2012.
[2] Martha Roggenkamp et. al. *Energy Law in Europe - Third Edition,* Oxford University Press, 2016.
[3] Christopher Jones (ed.). *EU Energy Law, Volume I, The Internal Energy Market: The Third Liberalisation Package*. Claeys & Casteels, 2016.
[5] Tina Hunter et. al., *Routledge Handbook of Energy Law*, Routledge, 2020.
[6] Jonathan A. Lesser and Leonardo R. Giacchino. *Fundamentals of Energy Regulation*. Public Utilities Reports, 2013.
[7] Peter Cameron and Raphael Heffron. *Legal Aspects of EU Energy Regulation*, Oxford, 2016.
[8] Maria Lee. *EU Environmental Law, Governance and Decision Making*. Oxford University Press, 2014.
[9] Jean-Arnold Vinois (ed.). *EU Energy Law, Volume VIII, The Energy Infrastructure Policy of the European Union,* Claeys & Casteels, 2014.

Articles

[1] Martha Roggenkamp, *Energy Networks and the Law*
[2] Tilman Michael Dralle, *The Unbundling and Unbundling-Related Measures in the EU Energy Sector*, (2018) Springer
[3] Hannah Kruimer, *Non-Discriminatory Energy System Operation: What Does it Mean?*, (2011) 12(3) Competition and Regulation in Network Industries.

Module 04 Technical Fundamentals and Related Legal Provisions for Electricity Generation (6 ECTS)

Aims and Scope

The module focuses on the legal framework for electricity generation – the first stage of the electricity value chain. It starts with an introduction to the technical and economic background of electricity generation, acquainting students with technologies like renewable energy, combined heat and power and carbon capture and storage. Students learn about planning and permitting procedures as well as environmental and climate law issues. Furthermore, they explore the EU and international law foundations of emissions trading and familiarize themselves with support schemes for electricity generation from renewable energy in Germany and other European countries.

Keywords

EU renewable energy law, climate change, Paris Agreement, combined-heat-and power production plants, promotion of renewables, grid-related instruments, financial instruments, emission trading systems (ETS), product liability law, authorization procedure, environmental law.

Examination (6 ECTS, graded)

Written exam, 90 minutes, graded

Schedule

Thu 25 Feb 2021 9:30 – 17:00	**Technical Foundations for Energy Generation and Supply** Prof. Dr.-Ing. Joachim MÜLLER-KIRCHENBAUER
Fri 26 Feb 2021 9:30 – 17:00	**Legal Framework for Renewable Energy Plants and CHP Power Plants** Prof. Dr. Lydia SCHOLZ
Thu 4 Mar 2021 9:30 – 17:00	**EU Renewable Energy Law** Dr. Christian HAMPEL
Fri 5 Mar 2021 9:30 – 17:00	**Renewable Energy Support Schemes** Dr. Juliane STEFFENS
Tue 9 Mar 2021 12:00 – 16:00	Tutorial EU Renewable Energy Law Dr. Susanne WENDE
Wed 10 Mar 2021 TBA	Excursion to a Photovoltaics Manufacturer, Aleo Solar, Prenzlau

Thu 11 Mar 2021 **9:30 – 17:00**	**Climate Change: Legal Framework and Negotiations** Arne RIEDEL
Fri 12 Mar 2021 **9:30 – 17:00**	**The Authorization Procedure for Energy Plants** Dr. Matthias LANG
Wed 17 Mar 2021 12:00 – 16:00	Tutorial Climate Change Eadbhard PERNOT
Thu 18 Mar 2021 **9:30 – 17:00**	**Emission Trading Systems** Dr. Dirk Böhler
Fri 19 Mar 2021	**Writtten Exam, 90 minutes, graded**

Reading List

[1] Daniel Bodansky et. al., *International Climate Change Law*, Oxford University Press, 2015.
[2] Dörte Fouquet (ed.), *EU Energy Law, Volume III - Renewable Energy in the Member States of the EU,* Claeys & Casteels, 2018.
[3] Bert Droste-Franke et. al., *Balancing Renewable Electricity*, Springer, 2012.
[4] Aidan Duffy et. al., *Renewable Energy and Energy Efficiency,* Wiley Blackwell, 2015.
[5] Penelope Crossley, *Renewable Energy Law: An International Assessment*, Cambridge University Press, 2019.
[6] Roger Fouquet (ed.), *Handbook on Energy and Climate Change*, Edward Elgar, 2015.
[7] Edwin Woerdman et. al., Essential EU Climate Law, Edward Elgar, 2015.
[8] Karen Makuch and Ricardo Pereira, *Environmental Energy Law*, Wiley-Blackwell, 2012.
[9] Schomerus Peeters, *Renewable Energy Law in the EU, Legal Perspectives on Bottom-up Approaches,* Edward Elgar, 2014.
[10] Rainer Hinrichs-Rahlwes, *Sustainable Energy Policies for Europe. Towards 100 Renewable energy*, CRC Press, 2013.

Articles

[1] Laurens de Vries, *Congestion management in the European electricity system: an evaluation of the alternatives*, (2001) 2 Journal of Network Industries
[2] Anne Held et. al., *Design features of support schemes for renewable electricity*, (2014) Ecofys
[3] Hope Johnson, *Towards an International Emissions Trading Scheme: Legal Specification of Tradeable Emissions Entitlements*, (2017) 34 Env. and Plan. L. J.
[4] Simone Borghesi and Massimiliano Montini, *The Best (and Worst) of GHG Emission Trading Systems: Comparing the EU ETS with Its Followers*, (2016) Frontiers in Energy Research.

Second Semester

SoSe 2020/21

Module 05 Legal Framework for Transmission and Distribution Networks (TSO & DSO) (6 ECTS)

Aims and Scope

The module deals with the legal framework that applies to the construction and operation of electricity and gas grids in Europe. Students explore the liberalization of energy markets since the 1990s and study its main ideas. Grid access, regulation of grid charges and grid connection regimes for offshore wind farms are explored in detail, for example in case studies. Furthermore, the module introduces students to the recent debate on network development and familiarizes them with its legal challenges. Students also learn about the importance of network security and the legal obligations of system operators (TSO and DSO) in this regard.

Keywords

Technical and operational requirements for networks, grid regulation, infrastructure regulation, network development, market integration, market coupling, offshore wind regulation.

Examination (6 ECTS, pass/fail)

Oral Exam (Moot Court)

Schedule

Thu 15 Apr 2021 9:30 – 17:00	**EU Infrastructure Regulation** Dr. Carsten KÖNIG
Fri 16 Apr 2021 9:30 – 12:45	**Network Development and Market Integration** Dr. Carsten KÖNIG
13:45 – 17:00	**Improving the acceptance of the Energy Transition** Prof. Dr. Anna SCHNEIDER
Wed 21 Apr 2021 12:00 – 16:00	Tutorial EU Infrastructure Regulation / Network Development Eadbhard PERNOT / Dr. Susanne WENDE
Thu 22 Apr 2021 9:30 – 17:00	**Operation of Electricity Networks and Infrastructure Convergence** Dr. Matthias MÜLLER-MIENACK
Fri 23 Apr 2021 9:30 – 17:00	**Product Liability Law and Energy Industries** Dr. Susanne WENDE

Wed 28 April 2021 TBA	Excursion to Redeker and Stromnetz Berlin, Berlin
Thu 29 Apr 2021 9:30 – 17:00	**Grid Regulation, Offshore Regulatory Regime I** Dr. Jörg MEINZENBACH, Dr. Dirk UWER, Dr. Daniel J. ZIMMER
Fri 30 Apr 2021 9:30 – 17:00	**Grid Regulation, Offshore Regulatory Regime II** Dr. Jörg MEINZENBACH, Dr. Dirk UWER, Dr. Daniel J. ZIMMER
Wed 4 May 2021 12:00 – 16:00	Tutorial Offshore Regulation Regime Eadbhard PERNOT / Dr. Susanne WENDE
Fri 7 May 2021	**Oral Exam (Moot Court)**

Reading List

Books

[1] Martha Roggenkamp et. al. *Energy Law in Europe - Third Edition,* Oxford University Press, 2016
[2] Tina Hunter et. al., *Routledge Handbook of Energy Law*, Routledge, 2020.
[3] Kim Talus. *Introduction to EU Energy Law,* Oxford, 2016..
[4] Petri Mäntysaari. *EU Electricity Trade Law: The Legal Tools of Electricity Producers in the Internal Electricity Market,* Springer, 2015.
[5] Martha Roggenkamp et. al. *Energy Networks and the Law: Innovative Solutions in Changing Markets*. Oxford University Press, 2012.
[6] Katelijn Van Hende. *Offshore Wind in the EU. Towards Integrated Management of our Marine Waters.* Wolters Kluwer, 2015

Articles

[1] Jean-Michel Glachant, *The Achievement of the EU Electricity Internal Market through Market Coupling*, (2010) EUI 2010/87.
[2] Maciej Sokołowski, *Renewable and citizen energy communities in the European Union: how (not) to regulate community energy in national laws and policies*, (2020) JERL
[3] Matthias Lang, *Prosumer Legislation in Germany* in *European Energy Law Report XII*, (2019) 8 Intersentia.
[4] Busra Gencer et. al., *Understanding the coevolution of electricity markets and regulation*, (2020) 143 Energy Policy.
[5] João Gorenstein Dedecca et. al., *The integrated offshore grid in Europe: Exploring challenges for regional energy governance*, (2019) 52 Energy Research & Social Science.

Module 06 Legal Framework for Energy Trading and Supply (9 ECTS)

Aims and Scope

The module addresses energy wholesale trading and introduces students to the final stage of the value chain: electricity and gas supply. In view of the growing digitalization of energy markets, students will also become familiar with the latest developments on blockchain technologies and how these affect energy trading and supply. Students learn about the functioning of energy exchanges as well as the importance of bilateral contracts. In practical exercises, students become acquainted with the different kinds of energy products and explore how to negotiate and draft electricity and gas supply contracts, inter alia. Finally, students are taught about the external energy relations of the EU and their importance for security of supply.

Keywords

Electricity and gas supply contracts (B&B and B&C contracts), drafting of contracts, energy trade, energy exchange, over-the-counter trade, spot and derivative markets, wholesale markets, WTO and Energy Charter Treaty, EU external relations, gas supply relationship EU-Russia, energy policy, energy security, security of supply.

Examination (9 ECTS, graded)

Paper (10 pages, graded)

Schedule

Thu 13 May 2021 9:30 – 17:00	**Energy Trade Law I** Agnieszka ASON
Fri 14 May 2021 9:30 – 17:00	**Energy Trade Law II** Kasper WALET
Wed 19 May 2021 12:00 – 16:00	Tutorial Energy Trade Law Eadbhard PERNOT / Dr. Susanne WENDE
Thu 20 May 2021 9:30 – 17:00	**Digitalization of Energy Markets: Outlook on Blockchain** Tilo ZIMMERMANN
Fri 21 May 2021 9:30 – 17:00	**European Energy Policy in the International Context** Peter HOHAUS
Sat 22 May 2021 9:30 – 17:00	**International Energy Law: WTO and Energy Charter Treaty** Prof. Dr. Steffen HINDELANG
Wed 26 May 2021 12:00 – 16:00	Tutorial European Energy Policy / International Energy Law Eadbhard PERNOT / Dr. Susanne WENDE

Thu 27 May 2021 9:30 – 17:00	**Energy Supply Contracts I** Dr. Martin WEITENBERG, Steffen KNEPPER
Fri 28 May 2021 9:30 – 17:00	**Energy Supply Contracts II** Dr. Martin WEITENBERG, Steffen KNEPPER
Tue 1 June 2021 12:00 – 16:00	Tutorial Energy Supply Contracts Eadbhard PERNOT / Dr. Susanne WENDE
Wed 2 Jun 2021 9:30 – 17:00	**EU Energy Policy and Russian Natural Gas Geopolitics** Christian CLEUTINX
Thu 3 Jun 2021 9:30 – 17:00	**Gas Supply to the European Union: European and Internal Law Aspects** Tibor SCHARF
Fri 4 Jun 2021 TBA	Excursion to European Energy Exchange, EEX, Leipzig
Mon 7 Jun 2021- **Thu 17 Jun 2021**	**Paper (10 pages, graded)** Prof. Dr. Dr. iur. Dr. rer. pol. Dres. h.c. Franz Jürgen SÄCKER

Reading List

Books

[1] Hugh Beale (ed.). *Contract Law: Cases, Materials and Text,* Hart Publishing, 2010.
[2] Anton Ming-Zhi Gao. *Regulating Gas Liberalisation*. Wolters Kluwer, 2010.
[3] Jean-Michel Glachant et. al. *Building Competitive Gas Markets in the EU. Regulation, Supply and Demand*. Edward Ellgar, 2013.
[4] Manfred Hafner and Simone Tagliapietra. *The Globalization of Natural Gas Markets: New Challenges and Opportunities for Europe*. Claeys & Casteels, 2013.
[5] Marc Levy. *Gas Price Arbitrations*. Globe Business Publishing, 2014.
[7] Fereidoon Sioshansi and Wolfgang Pfaffenberger (eds.). *Electricity Market Reform - an international perspective,* Elsevier Science, 2006
[8] Monica Waloszyk. *Law and Policy of the European Gas Market*. Edward Elgar, 2014.

Articles

[1] Melaku Geboye Desta, *The GATT/WTO System and International Trade in Petroleum: an Overview*, (2003) 21(4) JERL
[2] Lea Diestelmeier, Changing power: Shifting the role of electricity consumers with blockchain technology – Policy implications for EU electricity law, (2019) 128 Energy Policy.
[3] Ruven Fleming, *A legal perspective on gas solidarity*, (2019) Energy Policy[4] Michael *Coates, LNG Receiving Terminals – Some Key Legal Issues*, 2010 28(2) JERL
[5] Jenik Radon, *The ABCs of Petroleum Contracts: License-Concession Agreements, Joint Ventures, and Production-sharing Agreements*, (2005) Open Society Institute

[6] Leigh Hancher and Alexandra Marhold, *A common EU framework regulating import pipelines for gas? Exploring the Commission's proposal to amend the 2009 Gas Directive*, (2019) 37(3) JERL

Module 07 Master Thesis (18 ECTS)

Supervisors Individual.

Aims and Scope

To start the master thesis, 33 CP must have been gathered. Students demonstrate their ability to research a topic scientifically and deliver scientific results in a limited time frame. Once registered for the thesis, students have three months to conclude.

Schedule

Thursday, 24 June 2021 – Thursday, 30 September 2021

Contents Individual.

Form Fifty pages, plus introduction and annex(es). In English. Scientific standards prerequisite. More detailed formal requirements to be announced.

Other information

Exam Retakes

Retakes for each Module Paper and Exam will occur in the beginning of the following semester.

Fair Visit: E-world energy & water

Feb. 11th 2021
(Please see Moodle for more information)

Read more

Graduation Ceremony MBL Energy Law 2020-21

16 December 2021
Details to be announced

Alumni Program

With your degree, you become part of the alumni network. Alumni receive invitations to participate in the further extension of the academic program, and to events held on the campus and within the network.

As the program rolls over, you are cordially invited to participate in the curricular and extracurricular events of the following academic year(s).