



Joint Press Release

Bonn, 20 March 2019

Consultation on the control of abusive practices in electricity generation/wholesale trade

Bundeskartellamt and Bundesnetzagentur publish draft guidelines

The Bundeskartellamt and the Bundesnetzagentur are today starting a consultation process on draft guidelines for the control of abusive practices in the electricity generation and wholesale trade sector in terms of antitrust and energy wholesale law.

Andreas Mundt, Bundeskartellamt President, said: "*The Bundeskartellamt is setting out in the guidelines the principles of the control of abusive practices in electricity generation, partly also with the aim of providing better legal certainty for investments needed in power plants. The subject of market dominance in electricity generation will gain in importance again as a consequence of the imminent shutdown of the last nuclear power stations and the intended phase-out of coal.*"

Jochen Homann, Bundesnetzagentur President, added: "*The guidelines are intended to help market participants to a better understanding of the Regulation on wholesale energy market integrity and transparency (REMIT). They clarify issues of interpretation regarding the prohibition of market manipulation.*"

The guidelines set out the main intention, the rules of application and the scope of the control of abusive practices on the market for the first-time sale of electricity, and deal with issues of interpretation of the Regulation on wholesale energy market integrity and transparency with respect to wholesale energy trading. The draft has been drawn up jointly by the Bundesnetzagentur and the Bundeskartellamt.

Written comments on the draft guidelines are welcome, especially from undertakings, industry associations, government bodies and research institutes, and may be sent by email to the following addresses up to 20 May 2019: konsultation-leitfaden-missbrauchsaufsicht-strom@bundeskartellamt.bund.de and remit@bnetza.de. The comments will go to both authorities and will be published upon completion of the consultation – provided nothing is stated to the contrary. Following the consultation the guidelines will be finalised and published.

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The draft guidelines can be accessed here:

www.bundesnetzagentur.de/leitfaden-missbrauchsaufsicht-strom

(German only)

Die Bundesnetzagentur ist eine Behörde im Geschäftsbereich des Bundesministeriums für Wirtschaft und Energie. Zu den zentralen Aufgaben der Regulierungsbehörde gehört die Aufsicht über die Märkte Energie, Telekommunikation, Post und Eisenbahn.

Die Bundesnetzagentur sorgt u.a. dafür, dass möglichst viele Unternehmen die Leitungsinfrastruktur in diesen Bereichen nutzen können, damit Verbraucherinnen und Verbraucher von Wettbewerb und günstigen Preisen profitieren.

Mit Hauptsitz in Bonn und weiteren zentralen Standorten in Mainz und Saarbrücken sowie 46 Außenstellen und Standorten in ganz Deutschland beschäftigt die Behörde über 2900 Mitarbeiter.