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# EUROPEAN ENERGY LAW REPORT X

Edited by  
Martha ROGGENKAMP  
Henrik BJØRNEBYE



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European Energy Law Report X

Edited by: Martha Roggenkamp and Henrik Bjernebye

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## FOREWORD

The editors are very pleased to present the *European Energy Law Report X*. The *European Energy Law Report* is an initiative taken by the organisers of the European Energy Law Seminar which has been organised on an annual basis since 1989 at Noordwijk aan Zee in the Netherlands. The aim of this seminar is to present an overview of the most important legal developments in the field of International, EU and national energy and climate law. Whereas the first seminars concentrated on the developments at EC level, which were the results of the establishment of an Internal Energy Market, the focus has now gradually switched to the developments at the national level following the implementation of the EU Directives with regard to the internal electricity and gas markets. This approach can also be found in these reports.

Similar to the *European Energy Law Reports I, II, III, IV, V, VI, VII, VIII, IX*, this Report includes chapters based on papers presented at the European Energy Law Seminar. This Report is based on papers presented at the 25<sup>th</sup> seminar which was organised on 16 and 17 April 2012 and contains three sections representing the following topics: “EU Energy Law: Case Law and Infrastructure Developments”, “Internal Gas Market Developments – Security and Safety of Supply” and “Greening EU Energy Markets – Promoting and Trading Renewables”. If necessary, the chapters have been updated during spring 2014.

We are grateful for the support of the speakers at the seminar and their co-operation in rewriting their papers for the purpose of this book. We also would like to thank the authors and co-authors who were not a speaker at the seminar but were willing to participate in this project so that we are able to provide you with a “complete” picture of all topics discussed. Finally, we would like to acknowledge the help and support of the publisher in publishing this book. We are confident that these reports will be part of a good and long-term tradition.

Martha ROGGENKAMP and Henrik BJØRNEBYE  
Groningen, 14 April 2014



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## LIST OF ABBREVIATIONS

ATA	Air Transport Association of America
ACER	Agency for the Cooperation of Energy Regulators
APX	Amsterdam Power Exchange
AST	AS Augstsprieguma tīkls (Lithuanian TSO)
BAT	Best Available Techniques
BPR	Biocidal Product Regulation
CAP	Common Agricultural Policy
CCL	Climate Change Levy
CBP	Common Business Practices
CCS	Carbon Capture & Storage
CEF	Connecting Europe Facility
CEN	Comité Européen de Normalisation (European Committee for Standardization)
C&F	Cost and Freight
C&FFO	Cost and Freight Free Out
CFC	Control Foreign Cooperation
CFD	Contract for Difference
CHP	Combined Heat and Power
CHPQA	CHP Quality Assurance Programme
CIF	Cost Insurance Freight
CIFFO	Cost Insurance Freight Free Out
CIMAH	Industrial Major Accident Hazards Regulations
CO <sub>2</sub>	Carbon Dioxide
CoC	Chain-of-Custody
COS	Carbonyl Sulphide
CWA	Workshop Agreement CEN
D	Density
DECC	Department of Energy and Climate Change
DLH	Deutsche Lufthansa
DSO	Distribution System Operators
EASEE-gas	European Association for the Streamlining of Energy Exchange – gas
EC	European Commission
ECHA	European Chemicals Agency
ECJ	European Court of Justice
ECSC	European Coal and Steel Community

EEA	European Economic Area
EFET	European Federation of Energy Traders
EFTA	European Free Trade Association
EGRF	European Gas Regulatory Forum
EIA	Environmental Impact Assessment
EIAD	Environmental Impact Assessment Directive
EL	Emissions Limit
ELD	Environmental Liability Directive
EMR	Electricity Market Reform
EN	European Norm/Standard
Endex	Energy Derivatives Exchange
ENTSO-E	European Network of Transmission System Operators for Electricity
ENTSO-G	European Network of Transmission System Operators for Gas
ENVI	Committee (of the European Parliament) on the Environment, Public Health and Food Safety
EPS	Emissions Performance Standard
EU	European Union
EUA	Emissions Allowances
EU ETS	EU Emission Trading System
FiT	Feed-in Tariff
FOB	Free on Board
FSC	Forest Stewardship Council
FTO	Feed-in Tariffs Order
GAFTA	Grain and Feed Trade Association
GASQUAL	Danish Gas Technology Centre
GB	Great Britain
GGL	Green Gold Label
GHG	Greenhouse Gases
H-gas	High Calorific Gas
HM	Her Majesty
H <sub>2</sub> S	Hydrogen Sulphide
IATA	International Air Transport Association
IBC	Individual Biomass Contract
ICE	Intercontinental Exchange
ICAO	International Civil Aviation Organization
ICSID	International Centre for Settlement of Investment Disputes
IEA	International Energy Association
IED	Industrial Emissions Directive
ILUC	Indirect Land Use Change
ISCC	International Sustainability & Carbon Certification
ISO	Independent System Operator
ISO	International Standardization Organisation



ITO	Independent Transmission Operator
ITRE	Committee (of the European Parliament) on Industry, Research and Energy
IWPB	International Wood Pellets Buyers
LNG	Liquefied Natural Gas
LUC	Land Use Change
LULUCF	Land Use, Land Use Change and Forestry
MCPF	Ministerial Convention for the Protection of Forests in Europe
MJ/m <sup>3</sup>	Mega Joule per Cubic Meter
MMS	Minerals Management Service
MSW	Municipal Solid Waste
NCIDE	Network Code on Interoperability and Data Exchange
NGC	NetConnect Germany
NO <sub>x</sub>	Nitrogen Oxides
NRA	National Regulatory Authority
NTA	Nederlandse Technische Afspraak (Dutch Technical Agreement)
O <sub>2</sub>	Oxygen
OGUK	Oil and Gas UK
OLF	Oljeindustriens Landsforening (Norwegian Oil Industry Association, now the Norwegian Oil and Gas Association)
OPOL	Offshore Pollution Liability Association Ltd
OSD	Offshore Safety Directive
OTC	Over the Counter
PEFC	Program for the Endorsement of Forest Certification
PFiT	Premium Feed-in Tariff
PPA	Power Purchase Agreement
RA	Rainforest Alliance
REACH	(Regulation on) Registration, Evaluation, Authorisation and Restriction of Chemicals
RED	Renewable Energy Sources Directive
RFA	Renewables Fuels Agency
RfG Code	Requirements for Grid Code
RSB	Roundtable on Sustainable Biomaterials
RSPO	Roundtable on Sustainable Oil
RTFO	Renewables Transport Fuels Obligation
RTRS	Roundtable of Responsible Soy Association
S	Sulphur
SAN	Sustainable Agriculture Network
SCOTA	Standard Coal Trading Agreement
SDE	Stimulerend Duurzame Energie (Dutch subsidy regime for renewable energy sources)
SGS	Société Générale de Surveillance

SKM	Svenska Kraftmäkling
SoS	Secretary of State
STOR	Short Term Operational Reserve
TAG	Trans Austria Gasleitung GmbH
TFEU	Treaty on the Functioning of the European Union
TGC	Tradable Green Certificates
TR	Technical Report CEN
TS	Quality Specifications CEN
TSO	Transmission System Operators
TTF	Title Transfer Facility
UK	United Kingdom
UKCS	United Kingdom Continental Shelf
UN	United Nations
UNCLOS	United Nations Convention on the Law of the Sea
UNFCCC	United Framework Convention on Climate Change
VIU	Vertically Integrated Companies

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