

Document information

Publication

World Competition Law and Economics Review

Topics

State Aid
Liberalisation

Bibliographic reference

Despoina Mantzari, 'Book Review: EU Energy Law and Policy: A Critical Account, by Kim Talus (Oxford University Press, 2013)', World Competition Law and Economics Review, (© Kluwer Law International; Kluwer Law International 2015, Volume 38 Issue 1) pp. 181 - 182

Book Review: EU Energy Law and Policy: A Critical Account, by Kim Talus (Oxford University Press, 2013)

Despoina Mantzari

Kim Talus, *EU Energy Law and Policy: A Critical Account* (USA, Oxford University Press 2013), xv + 309 pp, ISBN: 978-0-19-968639-1

This book, inspired by the late Professor Thomas W Waelde's efforts to establish the field of EU energy law, provides a detailed study of the interaction between energy law and policy in the European Union since the 1950s until the present day. The overall purpose of the book is to examine EU energy law in context, by paying attention to its international dimension, its links with environmental law and policy as well as with the broader national and regional geopolitics. The book is analytical, up to date and it is an important contribution to the literature in the field.

▲ P 181
P 182 ▼

The book is organized around eight self-standing chapters; the first one explains the background, rationale and focus of the book and the last one offers ● some concluding remarks. Chapter two discusses the regulatory developments of EU energy law from the 1950s to the first energy liberalization directives. As a follow up, chapter three provides a critical overview of the evolution of the EU sector-specific regulatory framework. It explores the main elements of such framework, namely Third Party Access (TPA), unbundling, Public Service Obligations (PSOs) and security of supply. The fourth chapter examines the application of EU law to the energy markets through the lenses of the relevant energy-related case law. In particular, the chapter addresses the rules on State aid, competition (e.g., access to essential energy facilities and services, long-term energy contracts, destination clauses) and free movement of goods. The author reflects on the intensity in the application of competition law throughout the different stages of liberalization and its complementary role to sector-specific regulation. Chapters five and six are devoted to more specific areas of inquiry, such as the relationship between EU environmental policy and energy and the international dimension of EU energy law and policy respectively. In Chapter five, the author assesses, amongst others, the conflicts that arise between the different EU policy objectives (environment vs. security of supply) and how these interact with the internal market objective. Chapter six explores the external dimension of EU energy policy. It examines both bilateral and multilateral cooperation through an analysis of the Energy Charter Treaty and Energy Community Treaty. Chapter seven discusses the challenges posed to security of supply and the provision public services following the liberalization of the energy markets. In doing so, the chapter considers whether international competition and free markets can ensure investment and security of supply or whether public intervention is necessary for the attainment of such objectives. The concluding chapter summarizes the findings of the previous chapters and places EU energy law in its broader economic and political context. While the author acknowledges the importance of ensuring competition in the energy sector, it also highlights that one should not lose sight of other objectives that EU energy policy pursues, such as sustainability and security of supply.

Overall the book provides a comprehensive analysis of EU energy law and policy and it would be of interest to both academics and practitioners working in this growing field. The reader is aided by a table of cases, of legislation and an index.

▲ P 182
Dr Despoina Mantzari

Lecturer, University of Reading School of Law ●

© 2019 Kluwer Law International, a Wolters Kluwer Company. All rights reserved.

Kluwer Competition Law is made available for personal use only. All content is protected by copyright and other intellectual property laws. No part of this service or the information contained herein may be reproduced or transmitted in any form or by any means, or used for advertising or promotional purposes, general distribution, creating new collective works, or for resale, without prior written permission of the publisher.

If you would like to know more about this service, visit www.kluwercompetitionlaw.com or contact our Sales staff at sales@kluwerlaw.com or call +31 (0)172 64 1562.