

WRITTEN QUESTION E-1500/99

by Hans Kronberger (NI)

to the Commission

Subject: Directive 96/92/EC concerning common rules for the internal market in electricity

1. Does the Commission believe that the Austrian laws, regulations and administrative provisions, and especially the Electricity Industry and Organisation Act (EIWOG), are fully consistent with the provisions, objectives and intentions of Directive 96/92/EC¹ of the European Parliament and of the Council of 19 December 1996 concerning common rules for the internal market in electricity? If not, what reservations does the Commission have?
2. If so, how does the Commission arrive at the view that the provisions of section 69(9) of the EIWOG comply with current Community law and especially with the provisions and principles of Directive 96/92/EC?
3. Does the Commission believe that the legislation which excludes energy supply undertakings from the liberalized electricity market until 31 December 2003 is consistent with current Community law and especially with the provisions and principles governing the internal market in electricity? If so, why? If not, why not, and what action will the Commission be taking to rectify the situation?
4. Can the Commission confirm that the provisions of section 69(9) of the EIWOG reinforce a monopoly position, especially that of the grid operator, at least until 2003? If not, what factors argue against this view?
5. Can the Commission rule out the possibility that the legislation (section 69(9) of the EIWOG) under which authorised clients (e.g. Land electricity companies) are denied participation in the liberalised electricity market represents an abuse of a market-dominating position?

OJ L 27, 30.1.1997, p. 20