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SUPPLY OF ELECTRICITY AS A SERVICE OF GENERAL ECONOMIC INTEREST IN THE TIME OF RISING ENERGY PRICES

Abstract

The purpose of the article is to indicate the particular importance of classifying the supply of energy as a service of general economic interest in the time of the recent increase in energy prices. The analysis of the characteristics of a service of general economic interest and a universal service, in particular, its price, allows to indicate the importance of it being competitive, easily and clearly comparable, transparent, and non-discriminatory. Selected actions and measures taken both at the EU level and at the national level – in the Federal Republic of Germany – are presented. These are actions and measures which are aimed at relieving end consumers from high prices and, on the other hand, creating an incentive to save electricity.

KEYWORDS

electricity, service of general economic interest, universal service, price brake

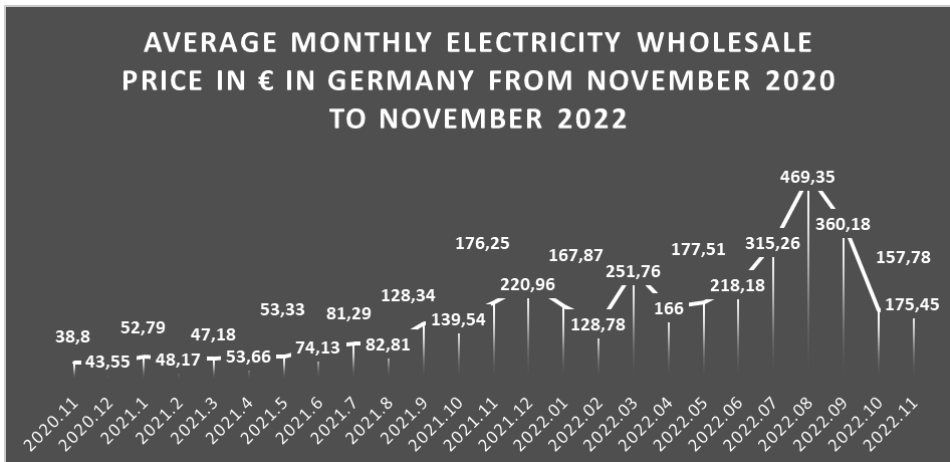
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energia elektryczna, usługa świadczona w ogólnym interesie gospodarczym, usługa powszechna, hamowanie cen

1. INTRODUCTION

The costs of purchasing electricity have recently increased rapidly, for example, as indicated in Chart No.1, the average monthly electricity wholesale price in Germany in January 2021 was 52.79 Euros, to triple to 167.87 Euros in January 2022.¹ As the Statista portal shows, in January 2023, the average wholesale electricity price in Germany stood at around 135.6 euros per megawatt-hour, a drop of nearly 19 percent in comparison to the price recorded a year earlier.² The current surge in energy and commodity prices is placing a heavy burden on citizens and businesses. The question that arises here is, ‘Does recognizing the provision of energy as a service of general economic interest or as a universal service ensure the security of electricity supply to consumers? And will this energy be delivered at affordable prices in the current situation?’

Chart.1 Average monthly electricity wholesale price in Germany from November 2020 to November 2022.



Source: <https://www.statista.com/statistics/1267541/germany-monthly-wholesale-electricity-price/>

¹ <https://www.statista.com/statistics/1267541/germany-monthly-wholesale-electricity-price/> (accessed: 24 March 2023)

² *Ibid.*

2. THE CONCEPT OF A SERVICE OF GENERAL ECONOMIC INTEREST

The concept of services of general economic interest is not easy to define. There is no definition of this concept in EU law. The task is not facilitated because of the use of imprecise terminology, both in EU law as well as literature.³ The term service of general economic interest⁴ was used *expressis verbis* in Article 14 of the Treaty on the Functioning of the European Union (hereinafter: TFEU),⁵ Article 106 sec. 2 TFEU⁶ and in Article 36 of the Charter of Fundamental Rights of the European Union.⁷ The inclusion of the concept in the Treaty on the Functioning of the European Union underlines the special importance of services of general economic interest. This particular category of services is not only rooted in the shared values of the Union but also plays a central role in promoting social and territorial cohesion.⁸

The concept of services of general economic interest should be interpreted broadly.⁹ As indicated in the literature, the term ‘services’ is not limited to services within the meaning of Article 57 TFEU but means economic services in a broader sense.¹⁰ It must be an economic activity that serves the common good in a particular way and is provided regardless of the specific cases and eco-

³ As J. Kociubiński points out, the following terms are used: *services of general economic interest, services of general interest, non-economic services of general interest, public services, universal services*; J. Kociubiński, (in:) A. Wróbel (ed.), *Traktat o funkcjonowaniu Unii Europejskiej. Komentarz*, Volume I, Warszawa 2012, p. 268; It should be noted that in German-language documents, the abbreviated form *gemeinwirtschaftliche Dienste* is often used.

⁴ The concept of services of general economic interest has been defined in numerous acts of secondary law of the European Union, including Communication from the Commission, *Services of general interest in Europe* (COM (1996) 443 final), Communication from the Commission, *Services of general interest in Europe* (COM (2000) 580 final), Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, *A quality framework for services of general interest in Europe* (COM (2011) 0900 final).

⁵ Official Journal of the European Union C 326/47, 26 October 2012.

⁶ More on the history and evolution of the current wording of the article: M. Szydło, (in:) A. Wróbel (ed.), *Traktat o funkcjonowaniu Unii Europejskiej. Komentarz*, Vol. II, Warsaw 2012, p. 372.

⁷ Official Journal of the European Union C 303/01, 14 December 2007.

⁸ Communication from the Commission on the application of the European Union State aid rules to compensation granted for the provision of services of general economic interest (Official Journal of the European Union C 8/02, 11 January 2012); the issue of access to services of general economic interest in order to promote the social and territorial cohesion of the Union is also indicated in Art. 36 of the Charter of Fundamental Rights of the European Union.

⁹ Ch. Jung, *Commentary on Art. 14 TFEU*, (in:) Ch. Calliess, M. Ruffert (eds.), *EUV/AEUV*, 6. Issue 2022, case law indicated therein.

¹⁰ S. Wernicke, *Commentary on Art. 106 TFEU*, (in:) E. Grabitz, M. Hilf, M. Nettesheim (eds.), *Das Recht der Europäischen Union EUV/AEUV*, 78 Issue 2023, marginal numbers 37–39.

conomic efficiency of each individual transaction. Article 106 sec. 2 TFEU uses the phrases: ‘Undertakings entrusted with the operation of services of general economic interest’ and ‘the performance, (...), of the particular tasks assigned to them’.¹¹ However, it should be remembered that undertaking provision of services of general economic interest is subject to the rules of primary law, among others, competition rules and internal market rules.

It is up to the Member States to determine which services are services of general economic interest,¹² taking into account the principles and criteria developed at the EU level, including the case law of the Court of Justice of the European Union.¹³ These criteria constitute the absolute limits within which the freedom to qualify different types of services must be kept.¹⁴ The EU authorities are tasked with ensuring that the measures taken by the Member States comply with EU law and do not lead to the ‘manifest error’.¹⁵ The point here is to reconcile the interests of a Member State with the interests of the Union.¹⁶ It should certainly be stated that the distribution of energy has been classified as a service of general economic interest.¹⁷

According to Article 1 of the Protocol (No. 26) on services of general interest,¹⁸ the shared values of the Union in respect of services of general economic

¹¹ More on the form of entrusting services by the state: M. Jaś-Nowopolska, *Charakter prawny umowy kompleksowej*, Warszawa 2016, p. 28 ff. and the literature cited therein.

¹² Judgment of the Court of Justice of the European Union of 23 October 1997 in case C 157/94 *Commission v the Netherlands*, European Court Report 1997, p. 5815, point 56.

¹³ In the Judgment of the Court of First Instance of 29 March 2008 (T-289/03, Reports of Cases 2008 II-00081, marginal number 172 (BUPA/Commission)), the ECJ clarified that a service of general economic interest within the meaning of European law exists only when a specific task is of a universal and mandatory nature and when it has been entrusted to an enterprise by a sovereign legal act.

¹⁴ S. Dudzik, *Usługi świadczone w ogólnym interesie gospodarczym w prawie Wspólnoty Europejskiej*, (in:) C. Mik (ed.), *Prawo gospodarcze Wspólnoty Europejskiej na progu XXI wieku*, Toruń 2002, p. 292 ff.

¹⁵ Judgment of the Court of First Instance, T-289/03, Reports of Cases 2008 II-00081, (BUPA/Commission).

¹⁶ W. Möschel, *Service public und europäischer Binnenmarkt*, ‘Juristenzeitung’ 2003, pp. 1024–1025.

¹⁷ In the judgment of the Court of Justice in the case of Municipality of Almelo and others v NV Energiebedrijf Ijsselmij it was stated that the supply of energy serves the general economic interest and therefore belongs to the services of general economic interest (Judgment of the Court of Justice of 27 April 1994 in case C 393/92, European Court Report 1994, p. I 01477); This position is presented, among others, in the following judgments: Judgement of the Commission of the European Communities v Kingdom of the Netherlands – Judgment of the Court of Justice of 23 October 1997, Case C 157/94, European Court Report 1997, p. 05699 especially point 41; in the Judgement in case C 159/94 *Commission v French Republic* – Judgment of the Court of Justice of 23 October 1997, European Court reports 1997, p. 05815, especially points: 57, 89, 106.; in the Judgment in case C 158/94 *Commission of the European Communities v Italian Republic* – Judgment of the Court of Justice of 23 October 1997, European Court reports 1997, p. 05789.

¹⁸ OJ C 115/308, 9 May 2008.

interest within the meaning of Article 14 of the Treaty on the Functioning of the European Union include, in particular: a high level of quality, safety, and affordability, as well as equal treatment and the promotion of universal access and of user rights. Particular attention should be paid to the principle of affordability indicated in the Protocol. It follows that a service of general economic interest must be offered at a price that makes it accessible to everyone. The practical implications of the affordability principle were highlighted by the CJEU Judgment. According to it, regulated unit prices can allow access to a certain service of general economic interest to groups of people who would otherwise be deprived of it because of excessively high prices.¹⁹ In this regard, it should be noted that the classification of the supply of electricity as a service of general economic interest means that it must be offered at an affordable price.

Both the safety and quality of supplies are referred to in Article 9 sec. 2 of Directive 2019/944 on common rules for the internal market in electricity and amending Directive 2012/27/EU, indicating that ‘(...) Member States may impose on undertakings operating in the electricity sector, in the general economic interest, public service obligations which may relate to security, including the security of supply, regularity, quality and price of supplies and environmental protection, including energy efficiency, energy from renewable sources and climate protection’.²⁰ These provisions also refer to the possibility that Member States have with respect to undertakings operating in the electricity sector. It should be noted that all these measures are aimed at ensuring the security and regularity of supply of high-quality energy as a service of general economic interest.

From the Opinion of the European Economic and Social Committee on the affordability of SGEIs: definition, measurement, challenges, European initiatives since 2014²¹ results that many citizens in the European Union (EU) face severe economic difficulties in accessing services of general economic interest, among others, in the fields of energy. As highlighted in the opinion, since the Member States have a wide margin of discretion in the provision of services of general economic interest within their competence, there is no uniform approach to the price affordability or economic availability of services of general economic interest. The EESC proposes, among others, ‘that the EU firstly clarifies the concept of affordability of SGEIs for all and adapts it in line with the requirements of the Treaty of Lisbon (Protocol No. 26), together with the United Nations Convention on the Rights of Persons with Disabilities’.²²

¹⁹ Judgment of the Court of First Instance, T-289/03, Reports of Cases 2008 II-00081. (BUPA/Commission); Compare: M. Krajewski, *Commentary on Art. 14 TFEU*, (in:) M. Pechstein, C. Nowak, U. Häde (eds.), *Frankfurter Kommentar EUV/GRC/AEUV*, 1st edition, 2017, marginal numbers 40–44.

²⁰ Official Journal of the European Union L 158/125, 14 June 2019.

²¹ Official Journal of the European Union C 2014/04, 11 June 2014.

²² Point 1.4. of the Opinion.

The prices at which electricity is to be supplied are also referred to in Article 27 of Directive 2019/944, indicating that the supply of electricity is a universal service: ‘Member States shall ensure that all household customers, and, where Member States deem it to be appropriate, small enterprises, enjoy universal service, namely the right to be supplied with electricity of a specified quality within their territory at competitive, easily and clearly comparable, transparent and non-discriminatory prices’. Also, these features of energy prices were indicated in Recital 22 of the Directive.

As regulated by provision 27 sentence 2 of the Directive: ‘To ensure the provision of universal service, Member States may appoint a supplier of last resort’. And it is this solution that many German electricity consumers have had to use recently.

3. INCREASE IN ELECTRICITY PRICES AND SELECTED EU MEASURES

As indicated, among others, in recital 1 of the Council Regulation (EU) 2022/1854 of 6 October 2022 on an emergency intervention to address high energy prices (hereinafter: Regulation 2022/1854),²³ high electricity prices are a consequence of the high price of gas, which is used as an input to generate electricity. However, this study will omit the analysis of legal acts relating only to gas regulation and will focus on legislation designed to prevent the growth of electricity prices and the threat to the integrity of the internal energy market and security of supply, including Regulation 2022/1854. The measures provided for in this Regulation 2022/1854 are limited in most cases until 30 June 2023 or 31 December 2023.²⁴ The Regulation sets an EU-wide limit on market revenues from electricity generation in power plants with lower marginal costs, such as renewable energy, nuclear energy, or lignite. Pursuant to Article 10 of the Regulation, all surplus revenues resulting from the application of the cap on market revenues are used to finance measures in support of final electricity customers that mitigate the impact of high electricity prices on those customers, in a targeted manner. § 4 of this Article points to exemplary measures. These include: granting financial compensation to final electricity customers for reducing their electricity consumption, including through demand reduction auctions or tender schemes; direct transfers to final electricity customers, including through proportional reductions in the network tariffs; compensation to suppliers who have to deliver electricity to customers below costs following a state or public intervention in price setting pursu-

²³ Official Journal of the European Union L1 261/1, 7 October 2022.

²⁴ Art. 22 II Regulation

ant to Article 13 of the Directive; lowering the electricity purchase costs of final electricity customers, including for a limited volume of the electricity consumed; promoting investments by final electricity customers into decarbonization technologies, renewables, and energy efficiency investments.

On 1 February 2023, Council Regulation (EU) 2022/2578 of 22 December 2022 entered into force establishing a market correction mechanism to protect Union citizens and the economy against excessively high prices.²⁵ The regulation introduces an emergency price brake at the EU level by setting a price limit for front-month TTF derivatives. Title Transfer Facility is a virtual trading point for natural gas in the Netherlands through which the most frequently used reference value of gas price in the EU is shaped. The correction mechanism is to be activated when two conditions are met: on the one hand, the front-month TTF derivative settlement price exceeds EUR 180/MWh for three working days, and on the other hand, TTF prices must exceed the LNG reference price by 35 euros in this period.²⁶ As indicated in the recitals of the Regulation, higher natural gas prices endanger the economy of the Union through sustained high inflation caused by higher electricity prices, undermining consumer purchasing power, as well as through raising the cost of manufacturing, particularly in energy-intensive industries, and seriously threaten the security of supply.²⁷

The measures taken at the EU level were designed to prevent energy price increases and protect the citizens against excessively high prices. Although the above-mentioned acts of EU law refer to high energy prices and not to the supply of energy as a service of general economic interest, it should be noted that these legal acts are intended to ensure the provision of energy at an affordable price.²⁸

4. INCREASE IN ELECTRICITY PRICES AND SELECTED ACTIONS OF THE STATE

When analyzing the market situation at the end of 2021 and at the beginning of 2022, attention should be paid to the situation of customers whose energy suppliers had to declare bankruptcy (became insolvent) due to the record prices on the stock exchange or whose supply contracts were terminated due to the market situation. It was a large group of individual and industrial customers. In such cases, these customers were automatically transferred to primary suppliers – often on

²⁵ Official Journal of the European Union L 335/45, 29 December 2022.

²⁶ Art. 4 I Regulation.

²⁷ Recital 1 sentence 4 of the Directive.

²⁸ <https://www.consilium.europa.eu/en/policies/energy-prices-and-security-of-supply/> (accessed: 21 June 2023).

much worse terms.²⁹ Depending on the number of new customers who were to be supplied with energy on a short-term basis and on the amount of energy already ordered, basic suppliers had to purchase additional volumes on the wholesale market at new, higher prices. ‘Replacement energy’, purchased over a short period of time and over a year, was more expensive than the energy that the supplier could plan and purchase over a longer period of time.³⁰ Many primary suppliers passed on the resulting additional costs to their involuntary new customers in the form of new prices, leading to different working prices for new and existing customers in replacement and primary supplies³¹ or increased prices for end customers.

The differentiation of prices for new and existing customers in replacement and basic deliveries has raised many questions. The case law indicated that tariff divisions were not generally unacceptable.³² However, the differences in the tariff had to be objectively justified and motivated.³³ The burden of proof and presentation of an objective reason rested with the primary supplier.³⁴

The question that appeared at this point was whether the introduction of different prices for new and existing customers – price differentiation met the conditions of ‘competitive, easily and clearly comparable, transparent and non-discriminatory price’, indicated in Article 27 of Directive 2019/944. The literature indicates that EU law requires non-discriminatory pricing, understood as a prohibition of arbitrary price fixing but not a general price control as to whether the prices charged are fair, equitable, or reasonable.³⁵ Neither the required level of protection against energy poverty nor the switching requirements can be inferred from the obligation of the Member States to control prices, although it should be noted that some countries do impose such controls. The requirement of non-discriminatory pricing allows for differentiation according to groups of customers, provided that they are treated equally or there is an objective reason for unequal treatment.³⁶

²⁹ 260 basic suppliers introduced tariffs for new customers only. They are 106 percent higher than the previous price level. With a larger number of suppliers, price increases apply to all customers. Basic electricity suppliers have already increased their prices in 640 cases, according to the portal: Check 24. In 2022, it was done by 387 suppliers. <https://www.energate-messenger.de/news/218905/tarife-der-grundversorgung-schiessen-in-die-hoehle>, (accessed: 21 March 2023).

³⁰ P. Rott, *Deutschland und die Energieversorgung*, ‘VuR’, 2022, p.162; K. Lange: *Gespaltene Preise in der Grundversorgung für Strom und Gas – energiewirtschafts-, unions- und kartellrechtliche Überlegungen*, ‘EnWZ’ 2022, p. 165.

³¹ K. Lange, *Gespaltene Preise in der Grundversorgung für Strom und Gas – energiewirtschafts-, unions- und kartellrechtliche Überlegungen*, ‘EnWZ’ 2022, p.165.

³² OLG Düsseldorf, Order of 1 April 2022 – 5 W 2/22/Kart, BeckRS 2022, 7551.

³³ More on the reasons: OLG Karlsruhe 10 August 2022 – 6 U 93/22.

³⁴ S. Schnurre, *Commentary on §36 EnWG*, (in:) L. Assmann, M. Peiffer (eds.), *EnWG*, 5th edition, 2022, marginal numbers 23b-23i.

³⁵ K. Lange, *Gespaltene Preise in der Grundversorgung für Strom und Gas – energiewirtschafts-, unions- und kartellrechtliche Überlegungen*, ‘EnWZ’ 2022, p. 165.

³⁶ It should be noted here that the principle of equal treatment is also referred to in Article 1 of the Protocol (No. 26) on services of general interest.

Standardized in §36 I Energy Industry Act (hereinafter: EnWG),³⁷ the obligation to provide basic supply to household consumers (§3 No. 22 EnWG) applies to the basic supplier specified in §36 II EnWG, i.e., an energy company supplying the majority of household consumers in the area of the general supply network. Paragraph 38 EnWG also regulates the primary supplier's obligation to provide an interim replacement supply. Particularly in cases of very short-term contract termination or insolvency, the provisions of §38 EnWG, with its reference to §36 EnWG, gain importance.³⁸

Doubts about the use of different prices prompted amendments to §36 EnWG. The aim of the amendment to the Act³⁹ was to achieve legal clarity and, in principle, to prevent a situation in which customers are confronted again in a short time with an interruption of energy supply and the introduction of different prices by the energy supplier. The provisions of the Act currently indicate, 'Energy supply companies may not distinguish between the General Terms and Conditions and General Prices depending on the date of conclusion of the universal service contract'. §38 EnWG was also amended. As indicated in the explanatory memorandum, the changes were aimed at creating a clear and strengthened competition framework that would guarantee the functioning of markets and the promotion and protection of competition in the markets.

The implementation of EU regulations, in particular, Regulation (EU) 2022/1854, can be found in the Act on the Introduction of an Electricity Price Brake (hereinafter: StromPBG),⁴⁰ which is aimed at curbing the rising electricity prices.⁴¹ The purpose of this regulation is, on the one hand, to relieve end consumers (including the use of extraordinary profits referred to in Regulation 2022/1854 as discounts), and, on the other hand, to create an incentive to save electricity.

Pursuant to §3 StromPBG, the electricity price brake will initially apply from 31 December 2022 until 1 January 2024, whereas in the case of the reduction of energy prices for January and February 2023, it will be retroactive (§49 StromPBG). Pursuant to §4 StromPBG, energy companies that supply electricity

³⁷ German: *Energiewirtschaftsgesetz*, Act of 7 July 2005 (BGBl. I p. 1970, 3621), last amended by Article 3 of the Act of 14 March 2023 (BGBl. 2023 I No. 71).

³⁸ Ch. de Wyl, §15. *Grundversorgungspflichten gegenüber Letztverbrauchern*, (in:) J.-P. Schneider, Ch. Theobald, *Recht der Energiewirtschaft*, 5th edition 2021, marginal number 125.

³⁹ Act Amending Energy Industry Law in Connection with the Immediate Climate Protection Program and on Adjustments to the Law on End-Customer Supply (EnWRKANpG) (German: *Gesetz zur Änderung des Energiewirtschaftsrechts im Zusammenhang mit dem Klimaschutz Sofortprogramm und zu Anpassungen im Recht der Endkundenbelieferung*), Act of 19 July 2022 BGBl. I p. 1214 (No. 28)

⁴⁰ German: *Gesetz zur Einführung einer Strompreisbremse (Strompreisbremsegesetz)*, Act of 20 December 2022 (BGBl. I S. 2512).

⁴¹ T. Rath, F. Ekardt, *Energiekrise: Rechtsentwicklungen auf EU- und Bundesebene*, 'NVwZ' 2023, p. 293.

to the end user are obliged to grant the end user a reduction in electricity costs in the amount of a monthly allowance. For small enterprises and private consumers, the price of electricity is limited to 40 ct/kWh gross – i.e., including all taxes, compensation fees, and network charges – for 80% of historical consumption. For companies with an annual consumption of more than 30,000 kWh, the price of electricity is limited to 13 ct/kWh for 70% of historical consumption.⁴² As a rule, historical consumption refers to the previous year. For each kilowatt-hour consumed above the basic amount, the regular market price is payable. The literature indicates that the adoption of the ‘basic amount of the previous year of consumption’ leads to a situation in which households or businesses that were already frugal before the crisis are disadvantaged compared to the less frugal ones.⁴³

As part of the Act on the Introduction of an Electricity Price Brake and on amending other provisions of the Energy Law,⁴⁴ §24b EnWG was also included, according to which the network costs of transmission system operators for 2023 are covered proportionally from the federal subsidy in the amount of EUR 12.84 billion. At this point, it should be noted that the measures taken by the state raise many questions, also in the financial aspect, in relation to the short, medium, and long-term security of supply. When analyzing actions aimed at curbing the increase in electricity prices one should also remember about the related costs.

It should be noted that timely measures have also been taken to ensure energy security. As an example, the following should be mentioned – Ordinance on Securing the Energy Supply through Rapid Impact Measures,⁴⁵ which during the 6-month period of validity (from 1 September 2022 to 15 April 2023) is designed to create savings that can already start to reduce energy demand during the heating season 2022/2023. A special focus is placed on measures for the public sector, through which it can serve as a role model and provide orientation for other sectors with regard to what savings measures are feasible and practicable. An example of regulating this Regulation, which is intended to reduce the use of energy, is §8, which indicates: The use of outdoor illumination on buildings and monuments is prohibited, with the exception of safety/security and emergency lighting. Exceptions are made for temporary lighting during cultural events and public festivals and, in general, all cases in which lighting is needed to maintain road safety or to avert other dangers and cannot be replaced quickly by other measures.

⁴² §5 II No. 2, § 6 No. 2 StromPBG.

⁴³ T. Rath, F. Ekardt, *Energiekrise: Rechtsentwicklungen auf EU- und Bundesebene*, ‘NVwZ’ 2023, pp. 293, 296.

⁴⁴ *German: Gesetz zur Einführung einer Strompreisbremse und zur Änderung weiterer energierechtlicher Bestimmungen* (StromPBG), Federal Law Gazette 2022 Part I, No. 54, issued on 23 December 2022, p. 2512.

⁴⁵ *German: Kurzfristenergieversorgungssicherungsmaßnahmenverordnung*, Ordinance from 26 August 2022 (BGBl. I p. 1446), as last amended by Article 1 of the Ordinance of 13 February 2023 (BGBl. 2023 I No. 37).

The temporal act that includes measures that require a longer, medium-term timeframe in order to be implemented is the Ordinance on Securing the Energy Supply through Medium-Term Impact Measures.⁴⁶ The measures are aimed at making energy savings in the coming and the following heating season but also have an effect beyond this. This ordinance is valid for two years.

5. CONCLUSION

Recent events (increase in the energy prices) have shown how important it is to ensure the affordability of services of general economic interest, including, in particular, ensuring the security of electricity supply. The increase in energy prices has highlighted the importance of recognizing the provision of energy as a service of general economic interest and thus ensuring its affordability. The high level of affordability in respect of services of general economic interest is nevertheless one of the shared values embraced by all EU Member States, which must be fully taken into account by the EU and the Member States, within their respective competences when implementing all their relevant policies. And this value has been taken into account by the EU and Member States in recent times.

The analysis of the actions taken in the EU and national arena shows how many legal changes had to be made in a short time to provide household customers the services of general economic interest – to supply the electricity at competitive, easily and clearly comparable, transparent, and non-discriminatory prices.

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⁴⁶ *German: Mittelfristenergieversorgungsicherungsmaßnahmenverordnung*, Ordinance from 23 September 2022 (BGBl. I p. 2512).

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