

ANRE: Order allowing conclusion of retail contracts with current energy suppliers until March 31 not anti-competitive

The order of the National Energy Regulatory Authority (ANRE) allowing household consumers to conclude contracts on the competitive market until March 31 only with the current suppliers does not distort competition, but ANRE will examine this aspect together with the Competition Council, ANRE vice-president Nagy-Bege Zoltan told AGERPRES on Tuesday.

The energy regulator has a draft order in the making that allows household consumers to opt until March 31 for setting up a contract on the free market with their supplier, with the tariff in the competitive offer applying as of January 1.

The invoices for the first three months will be settled, but this will only happen if the consumer remains with the current supplier, which could affect the competition in the market, some experts consider.

"We put up the draft order for public debate exactly to clarify these things. Anyone who has proposals and observations can send them in until January 14. In a different thread, there is an ANRE Advisory Council with a representative of the Competition Council also sitting on it. All orders also go through the Advisory Council, and therefore they also reach the Competition Council, which has the possibility to raise these issues and any opinion is welcome. So, we will analyze these aspects together with the Competition Council and our law experts," Nagy-Bege said.

He specified that from his point of view, ANRE's proposal does not violate the principle of competition and does not benefit the current suppliers of domestic customers, allowing the other suppliers to offer the same discount, so as to determine the consumers to sign contracts with them.

On the other hand, Razvan Nicolescu, energy expert and former president of the EU's Agency for the Cooperation of Energy Regulators - ACER, argues that the new ANRE order under which consumers can conclude contracts on the competitive market until March 31 only with their current supplier can seriously affect the competition on the market in the long-term.

"The draft order attempts, to a certain extent, to remedy the mistake related to the fact that people didn't know and didn't have time to conclude a contract on the free market. But the problem is that it introduces elements that could seriously affect competition in the long run and which can be termed as market segmentation or cartel initiation. Essentially, the best offers shown as competitive by ANRE's price comparator, like for instance Hidroelectrica's, are penalized and consumers are determined to choose exactly the current supplier," Nicolescu explained.