Anti trust law applicable for TPA (also cantonal monopolies)

Proposal Government
Rev. EleG
Agreement CH-EU
StromVG

Open decision
Parliament
Referendum?

Cross border trade legislation
in force (limited time)
(until 2008-12-31)

In force

2004
2005
2006
2007

2004
2005
2006
2007
Cross border trade regulation CH

- Implementation by revision of electricity act (subject to facultative referendum)
- Legislation to implement regulator
- Obligations for transmission system operator
- TPA to transmission grid
- Contains main issues of Regulation (EC) No 1228/2003
  - Cost based ITC-mechanism
  - Market based allocation of transmission capacity
  - Merchant lines
Power Supply Act CH (StromVG)

• Contains all aspects from revised electricity act (cross border trade)
• Regulated TPA
• Market opening
• Cost based grid tariffs
• Measures for security of supply
Steps according government (3rd dec 2004)

1. step
- Partial market opening
  - Non households eligible
  - Households with default service provider

2. step
- Full market opening
  - Non households eligible
  - Households have choice between market and default serv. provider

facultative referendum

2007

2012
Steps according commission of national council

- **2007**
  - Consumers < 100 MWh have choice between market and default serv. provider

- **2012**
  - Consumers > 100 MWh eligible
  - Full market opening
Agreement EU - CH

• EU Commission asked Switzerland for cross border trade arrangement between CH and EU

• Federal Council CH decided on 3rd Dec 2004 to prepare agreement based on free trade agreement

• Possible subjects within agreement:
  • Cross border trade
  • Market access
  • Acceptance of Guarantees of Origin
  • Security standards
Foundation Swissgrid: Obligations

Decision of competition commission on 7. Mars 2005

• Foundation of Swissgrid is accepted (simplification to supply end consumers)

• Obligations:

  • Granted third party access
  • Grid tariffs have to be published
  • Establish cost accounting
  • Not allowed: produce, sell or trade electricity
  • Members of the governing board and executive board must not be with other utilities