EU State Aid Law for Energy and Environment

Intensive Workshop

26-27 October 2017 | Brussels

EXPERTS

**Maria Kleis-Walravens (Chair)**
Project Lead, EU Group Climate and Energy, ClientEarth, Brussels

**Matthias Buck**
Head of EU Energy Policy, Agora Energiewende, Berlin

**Dirk Buschle**
Deputy Director/Legal Counsel, Energy Community Secretariat, Vienna; Professor and Chairholder of the ALCOA Chair for European Energy Policy, College of Europe

**Dörte Fouquet**
Partner, Becker Büttner Held, Brussels

**Ken Huestebeck**
Public Policy Advisor, Squire Patton Boggs, Brussels

**Neil Marr**
State Aid Specialist, Environment Agency, UK

**Péter Staviczky**
Attaché for State Aid, Hungarian Permanent Representation to the EU, Brussels

**Ruben Vermeeren**
Policy Officer, Unit State aid I, Markets and cases I: Energy and Environment Expert from DG Competition, European Commission, Brussels

**DAY 1**

- The EU’s energy policy: Current legal framework and future policy directions
- Concept and principles of State aid
- The Guidelines on State aid for environmental protection and energy
- The General Block Exemption Regulation (GBER)
- Workshop: Examples of State aid measures in the energy sector

**DAY 2**

- State aid and the circle of life – A practical insight into procedural and technical issues
- State aid for resource adequacy
- State aid for energy efficiency & best practice and examples
- State aid for renewable resources & best practice and examples
Overview

The EU environmental and energy aid guidelines have been fundamentally revised and extended.

In the programming period 2014-2020 the focus is more than ever on investments in sustainable energy in order to achieve the EU2020 targets: The shift towards a low-carbon economy in all sectors as well as a strong emphasis on renewable energy (RE) and energy efficiency (EE), resulting in almost a doubling of investment amounts in sustainable energy.

Compliance with EU State aid rules is of crucial importance and still remains challenging for State aid practitioners due to their complexity in the field of energy and environment: The revised Guidelines on State aid for environmental protection and energy (EEAG) have strengthened the authorities’ approach to assess whether State aid exists or is compatible with the EU internal market. Since the scope of the guidelines has been extended to the energy field, it now includes measures related to energy infrastructure projects, generation adequacy measures and energy intensive users. Furthermore, the General Block Exemption Regulation (GBER), by which a huge number of measures are covered, has considerably been altered.

Methodology & Structure

The training will provide you a comprehensive overview of the current State aid control system in the energy sector. Various presentations, practical exercises and group work will enable you to apply the guideline and the GBER in the field of energy and environment correctly in practice. Furthermore, you will become familiar with the specific rules and conditions for investment and operating aid in the fields of Energy Efficiency and Renewable Energies.

This training will be conducted by renowned experts EU and Member States’ institutions, as well as leading law firms and consultancies.

Participants will receive extensive materials:

- All presentations shown during the training (inclusive online access to all presentations after the training)
- Selection of corresponding journals published by Lexxion
- Confirmations of participation

The Lexxion Training Method combines the three stages of learning to ensure that the participants obtain the best possible understanding of EU rules:

1. Identification of the main points or principles;
2. Appreciation of the complexities and limitation of the principles, and
3. Application of the principles.

The participants will be actively involved in the course. The sessions will combine presentations, case studies and discussion on practical problems. You will have ample opportunities to present your own problematic issues and discuss them with the speakers and participants from other Member States.

Who should participate?

- Managing Authorities and Intermediate Bodies involved in programmes for energy and environment
- Ministries for Energy and Environment
- Energy Agencies
- National, Regional and Local Development Agencies
- Development banks, public and private banks
- Consultants and lawyers in the Energy and Environment sector
- Beneficiaries of ESI Funds and/or EU direct programmes

Why should you participate?

- Receive a clear understanding of the State aid compliance requirements
- Improve your knowledge on State aid regulations for energy efficiency and renewable energy
- Learn how to properly apply GBER and the Guidelines on State aid for Environmental Protection and Energy
- Benefit from another Member State’s experience and learn good practices
- Have a platform to exchange ideas and challenges within your organisation and receive practical advice on current cases
- Analyse your problems and discuss your questions with the acknowledged experts from the European Commission as well as public and private practice.
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<th>Time</th>
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<td>09:00</td>
<td>Registration &amp; Welcome Coffee</td>
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<td>09:30</td>
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**Dirk Buschle**, Deputy Director/Legal Counsel, Energy Community Secretariat, Vienna; Professor and Chairholder of the ALCOA Chair for European Energy Policy, College of Europe |
| 11:00 | Coffee Break & Networking                                               |         |                                                                             |
| 11:15 | Concept and Principles of State Aid                                     | Maria Kleis-Walravens | The notion of aid, State resources, Determining advantage, When is a measure selective, *De minimis* aid.  
**Maria Kleis-Walravens**, Project Lead, EU Group Climate and Energy, ClientEarth, Brussels |
| 12:30 | Lunch Break                                                             |         |                                                                             |
| 13:30 | The Environmental and Energy State Aid Guidelines and the General Block Exemption Regulation |         | Scope and Structure of the EEAG, Common Assessment Principles, State aid for energy infrastructure, Reductions from environmental taxes, and from funding support for renewables, Energy funding and the General Block Exemption Regulation (GBER).  
**Maria Kleis-Walravens**  
Expert from Unit Energy and Environment, DG Competition, European Commission, Brussels (invited) |
| 15:15 | Coffee Break & Networking                                               |         |                                                                             |
| 15:45 | Workshop: Examples of State Aid Measures in the Energy Sector           | Ken Huestebeck |  
**Ken Huestebeck**, Public Policy Advisor, Squire Patton Boggs, Brussels  
**Maria Kleis-Walravens**  
Expert from Unit Energy and Environment, DG Competition, European Commission, Brussels (invited) |
| 17:15 | End of Day 1                                                            |         |                                                                             |
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Programme Day 2

09:00

**State Aid and the Circle of Life – A Practical Insight into Procedural and Technical Issues**

- Notification process in practice
- Different groups involved in the assessment and notification process
  - Funding body
  - National Regulator
  - National Representation Brussels
  - The Commission

*Neil Marr, State Aid Specialist, Environment State Aid team, Environment Agency, UK*

10:00

Coffee Break

10:30

**State Aid for Resource Adequacy**

- The Commission’s State aid sector inquiry
- Aid for investments in generation adequacy and security
- Capacity mechanisms and demand-side measures

*Ruben Vermeeren, Policy Officer, Unit State aid I, Markets and cases I: Energy and Environment Expert from DG Competition, European Commission, Brussels*

*Maria Kleis-Walravens*

12:00

Lunch Break

13:00

**State Aid for Energy Efficiency**

- Conditions for investment aid and operating aid for energy efficiency in the EEAG and GBER
- Calculation of eligible costs and aid intensities

*Péter Staviczky, Attaché for State Aid, Hungarian Permanent Representation, Brussels*

13:30

**Best Practice and Examples of Effective Energy Efficiency Financing**

*Dörte Fouquet, Partner, Becker Büttner Held, Brussels*

14:45

Coffee Break

15:15

**State Aid for Renewable Resources**

- Setting-up schemes for renewable energy
- Investment aid and operating aid for renewable energy
- Conditions for granting operating aid for RES in EEAG and GBER
- Competitive bidding as a means of granting aid to RES
- Practical examples

*Dörte Fouquet*

15:45

**Best Practice and Examples with Financing Renewables**

- Experience with bidding procedures

*Péter Staviczky*

*Matthias Buck, Head of EU Energy Policy, Agora Energiewende, Berlin*

17:00

End of Workshop & Certificates of Participation

Chair & Speakers

Maria Kleis-Walravens (Chair)
Project Lead, EU Group Climate and Energy, ClientEarth, Brussels

Before joining ClientEarth she worked as the EU Liaison for the Regulatory Assistance Project (RAP). She also gained expertise giving State aid lectures to public authorities for many years. Earlier work experience includes a position as a legal advisor on European competition law at the German law firm Beiten Burkhardt in Brussels, consultancy work for the International Labour Organisation, and an internship with the United Nations. Maria holds a DEA in public international law from the Institute de Hautes Etudes Internationales in Geneva (CH), and a LL.Min EULaw, Dutch law, and comparative Law from the University of Maastricht.

Matthias Buck
Head of EU Energy Policy, Agora Energiewende, Berlin

CV will be published here soon

Dirk Buschle
Deputy Director/Legal Counsel, Energy Community Secretariat, Vienna; Professor and Chairholder of the ALCOA Chair for European Energy Policy, College of Europe

Dirk Buschle has been Legal Counsel of the Energy Community Secretariat since 2007 and its Deputy Director since 2011. Prior to his current position, he was Head of Cabinet of the President of the Court of Justice of the European Free Trade Association (EFTA) in Luxembourg. Dirk Buschle graduated from Constance University, Germany, and earned his Ph.D. at St. Gallen University in Switzerland. He is Deputy Director of that University’s Institute for European and International Business Law. He has widely published in different areas of European Law, speaks regularly at conferences and has lectured at Universities of Reykjavik, Constance and St. Gallen as visiting professor. He co-chairs the annual St. Gallen International Energy Forum as well as the Vienna Energy Law Forum.

Dörte Fouquet
Partner, Becker Büttner Held, Brussels

Dr. Dörte Fouquet is specialized in EU law and international legal relations, with focus on competition, infrastructure, energy and environment. ...

She is legal advisor to companies, finance institutions, associations, governmental agencies in Germany and other EU Member States, EU institutions and on international level. She studied Law at the Universities of Marburg and Hamburg. 1982 Research assistant at the University of Hamburg; 1988 Ministry for the Environment and Energy in Hamburg; 1991 Liaison office of Hamburg and Schleswig-Holstein to the European Commission in Brussels. In 1993 she became Partner at the law firm Kuhbier in Brussels and since 2011 Dr. Dörte Fouquet is Partner at BBH Brussels.

Ken Huestebeck
Public Policy Advisor, Squire Patton Boggs, Brussels

CV will be published here soon

Neil Marr
State Aid Specialist, Environment State Aid team, Environment Agency, UK

Neil has been involved in interpreting and enforcing regulations since 1987. He joined the agricultural State aids team of the Department for Environment Food and Rural Affairs in 2005. This team also became responsible for Fisheries State aid in 2008. In this role he has facilitated the notification of a large number of schemes. Neil was seconded to the European Commission Energy State aid team between August 2013 and March 2016 when he returned to the UK joining the Environment’s Agency State Aid team working on flood defences and environmental schemes. Neil now has experience of working for a major funder of schemes, a national regulator and the Commission in a State aid role.

Péter Staviczky
Attaché for State Aid, Hungarian Permanent Representation to the EU, Brussels

Studied law at the Pázmány Péter Catholic University Faculty of Law (1996-2001) and Comparative Law at the International Faculty of the University Robert Schuman Strasbourg (1999-2002). He did a banking-lawyer postgraduate training (2000-2002) and took part in the common European specialist course of the Ministry of Foreign Affairs and the French École National d’Administration in spring 2002. He has been working at the State Aid Monitoring Office in Budapest since 2001. In 2007, he was appointed as head of the unit. He is a regular speaker at the seminars on State aid. Since January 2011 he is the attaché responsible for State aid at the Permanent Representation of Hungary to the EU in Brussels.
Upcoming events

4-Days Summer Course State Aid from A to Z
11 – 14 September 2017 | Ghent (near Brussels), Belgium

Day 1: Concept & Assessment of State Aid
Day 2: State Aid Exemptions: De Minimis, GBER & SGEI
Day 3: State Aid Procedures & Main Horizontal Guidelines
Day 4: Infrastructure Funding in Compliance with State Aid

EStALI Autumn Conference on European State Aid Law 2017
23-24 November 2017 | Madrid

Workshop: 23 November | Conference 24 November

In cooperation with: Centre for Competition Law - Universidad CEU San Pablo, Madrid

Registration

Venue
Management Center Europe - Conference Center
Rue de l’Aqueduc 118 | 1050 Brussels, Belgium

Participation fee
☐ YES, I would like to participate for the reduced fee for public authorities
  EUR 1.090,00 (excl. VAT).

☐ YES, I would like to participate for the regular fee of
  EUR 1.590,00 (excl. VAT).

☐ YES, I am European State Aid Law Quarterly - EStAL-subscriber
  (10% discount).

The Belgian VAT of 21% will be added.

The participation fees include the workshop material, drinks and snacks during the breaks and lunch.

Newsletter subscription
☐ Please send me information about State aid issues for free. I may unsubscribe from this service any time.

Cancellations
Cancellations should be made in writing per post or fax. Please note that the full fee will be charged for cancellations received after 12 October 2017 (included illness or impediment which prevents him or her from fulfilling his duties). Nomination of a substitute remains possible. A cancellation arising by reason of too small a number of participants is effected no later than two weeks prior to the seminar. In this case the participation fee will be refunded. A requirement for reimbursement of travel and accommodation expenses as well as loss of working hours is not possible, unless such costs result from wantonly negligent or deliberate behaviour on the part of the organiser. For more detailed information, scope and conduct of contract as well as cancellation policy, please check the Terms & Conditions on our website.

Please register with:

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