

Call with S7A Schilling, Zutt & Anschutz Rechtsanwaltsgesellschaft mbH
Date: 15.03.2021

Participants

S7A:



EC:



ENER considers that the issue described in S7A's letter 17 February on the retroactive changes of the regulated gas price and the imbalance charge was apparent between August 2019 – March 2020 and is hence not an ongoing issue anymore.

S7A confirmed that the issue ended on which basis an infringement is difficult to base upon. However, it shows exemplary that there is an overall strategy to support and ensure that the current monopolistic market structure is sheltered and any competition is avoided. Therefore it would be important that the EC shows to RG that they are monitoring the situation.

EC asked whether Overgaz has taken any legal action/claimed damages in relation to the repayment obligation based on the retroactive application for calculating the imbalance charge?

S7A, to their best knowledge, negated this. Overgaz does not trust the Bulgarian courts. They consider them to be involved in the execution of the strategy to shelter the state owned incumbent.

Conclusion and next steps

S7A will collect and provide information on any concrete ongoing barrier/infringement.