Abstract

The thesis deals with the question about necessary conditions to achieve the objective of a high level of consumer protection in the context of the ongoing internal electricity market taking into account the grid-bound electricity supply, which is characterized by the natural monopoly of regulated networks as well as by competition for the homogeneous product electricity. It evaluates the relationship between effective competition and energy sector-specific consumer protection taking into account the energy-specific regulatory law and examines in detail the regulations of the Directive 2009/72/EC concerning consumer protection under the perspective of enabling the responsible and informed consumer to operate as a self-determined market participant and so shape the market actively towards its completion. After art. 114 TFEU as the existing central norm concerning the alignment of the internal energy market is distinguished from other possible competence rules like the new energy sector-specific competence title of art. 194 TFEU the requirements developed by the ECJ case law concerning art. 114 TFEU from the point of view of the energy sector-specific consumer protection are presented. The thesis clarifies both to what extent in Directive 2009/72/EC codified consumer rights are suitable to achieve the objective of a high level of consumer protection and what repair is required due to still existing deficiencies. The overall conclusion emphasizes that, although progress has been made already, further steps are necessary to achieve the objective of a high level of consumer protection in the ongoing internal electricity market.