Dissertation reader opinion

The author: Friedrich Ziegler

The tutor: prof. JUDr. Luboš Tichý,

**Consumer protection law in the ongoing European internal energy market by the example of the Electricity Directive 2009/72/EC**

The extent of the submitted dissertation is 186 pages actual pages. All the compulsory requisites are enclosed.

First of all the choice of the subject should be appreciated. There are many reasons for such an attitude. The consumer protection by law is a legal prodigy, which confronts the public law and private law regulating methods. The author’s interests are furthermore pointed into internal energy market sphere. Even though I do not share the author’s belief that the main purpose of this institute is: “... to shape the market actively towards its completion.” (see p. 198). But moreover there are persuasively reasons why to analyze this market with the perspective and the respect to consumer protection.

The structure of the dissertation is logical, appropriate and well arranged. The author’s explanations and considerations are going consequently with respect to the topics.

The aim of the author’s effort is to find an answer to the question (beside others): what conditions are necessary to achieve the objective of a high level of consumer protection in the context of the ongoing electricity market (taking into account there is grid-based electricity supply, with its natural monopoly of regulated networks, competition for the homogenous product, and in what relationship belongs competition and consumer rights to each other? It should be considered as a high authors ambition. Even if it is limited just to specific regulation – Directive 2009/72/EC.
It could be pronounce – the aim of the authors work has been filled up. Author analyzes not only the mentioned Directive, he took into his consideration a wide context (social and economical) of the consumer protection in the specified field of market as well. He refers in his explanations to the predecessor of the mentioned Directive, to TFEU (as a central-market regulation) and the case law of the European Court of Justices. The methodology of the author is appropriate and the sources used by him in explanations and analysis are relevant (see p.187-197). He gives comprehensive commentary on his topics in the part 5 (ignore its misleading heading Part 4.).

In respect to the part 4.3. submitted dissertation, the author should give his explanation on specifics of the court protection of the consumer rights at the oral discussion.

Conclusion:

I recommend the submitted dissertation of F.Ziegler.

Prague, 3rd August 2014

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