Energy Law and Regulation: Licensing, Network Access and Downstream Market Reform

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Paris - Right Bank business hotel



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Introduction:

Energy law and regulation decide who may build a power plant, run a pipeline, import fuel or open a filling station, and on what terms rivals reach networks and terminals. When sector statutes, licences, grid codes and access rules are unclear or poorly sequenced, reforms stall, investors hesitate and disputes reach the courts. This Core Concept course equips legal, regulatory affairs, policy and commercial staff in power, gas and downstream fuels to read, apply and redesign the energy regulatory framework. Each participant drafts a Regulatory Framework Note for a case market reform.

Course Objectives:

- Map the hierarchy of energy law sources, from sector statute and implementing regulations to licences, codes and regulatory decisions, and identify gaps in a given framework
- Assess the mandate, independence safeguards and accountability duties of an energy sector regulator against its role in a liberalising market
- Advise on licence and permit requirements for generation, transmission, distribution, gas transport, storage and downstream fuel import, wholesale and retail activities
- Evaluate unbundling options and third-party access regimes for power grids, gas pipelines, fuel terminals and storage depots
- Analyse grid connection rules, grid code obligations, consumer service standards and investor protection terms for their legal and commercial effect
- Draft a Regulatory Framework Note that sequences legal, institutional and market measures for an energy sector reform and anticipates consultation and appeal risks

Target Audience:

- Legal functions advising energy companies and utilities on sector statutes, licence terms, access disputes and regulatory proceedings
- Regulatory affairs functions managing licence applications, regulator correspondence and code modification proposals
- Policy and legislation functions in energy ministries drafting sector laws, implementing regulations and reform roadmaps
- Licensing, market monitoring and enforcement functions within energy regulators
- Commercial and business development functions whose market entry depends on network access, fuel terminal capacity and licence scope
- Downstream fuels functions handling import, distribution and retail station authorisations and product quality rules

Course Outline:

Day 1: Energy Sector Legal Architecture and the Energy Regulator

- Energy Law Sources Hierarchy: Sector Statute, Implementing Regulations, Licences, Codes and Decisions
- Energy Value Chain Legal Mapping: Power, Natural Gas and Downstream Petroleum Products
- Energy Regulator Mandate Clauses: Objectives, Statutory Duties and Division of Powers with the Ministry
- Regulatory Independence Safeguards and Accountability Mechanisms: Reporting, Audit and Judicial Oversight
- Energy Framework Gap Assessment Checklist Applied to a Sample Sector Law

Day 2: Licensing Regimes, Market Structures and Unbundling Models

- Energy Licence Categories: Generation, Transmission, Distribution, Supply, Gas Transport and Storage
- Downstream Fuel Authorisations: Import, Bulk Storage, Wholesale Distribution and Retail Station Permits
- Licence Conditions Drafting: Scope, Duration, Transfer, Modification, Suspension and Revocation
- Energy Market Structure Options: Vertically Integrated Utility, Single Buyer, Wholesale Competition and Retail Choice
- Unbundling Spectrum: Accounting, Legal, Functional and Ownership Separation of Network Operators

Day 3: Third-Party Access, Grid Codes and Downstream Liberalisation

- Regulated Versus Negotiated Third-Party Access to Grids, Gas Pipelines and LNG Terminals
- Fuel Terminal and Depot Access Rules: Capacity Allocation, Congestion Management and Refusal Grounds
- Grid Code Structure: Connection Conditions, Operating Codes, Planning Codes and Code Modification Panels
- Renewables Connection Rules: Queue Management, Fault Ride-Through and Reactive Power Requirements
- Downstream Fuel Market Liberalisation Sequencing: Price Deregulation Steps, Import Parity Reference and Product Quality Rules

Day 4: Consumers, Investors and Regulatory Decision Risk

- Energy Consumer Protection Instruments: Supply Contracts, Disconnection Rules and Vulnerable Customer Safeguards
- Minimum Service Standards, Complaint Handling Schemes and Energy Ombudsman Models
- Energy Price Regulation and Subsidy Reform at Overview: Price Caps, Targeted Support and Phase-Out Paths
- Investment Protection at Overview: Stabilisation Clauses, Change-in-Law Provisions and Investment Treaty Arbitration
- Regulatory Decision Procedure: Rule-Making Notice, Stakeholder Consultation, Reasoned Decisions and Appeal Routes

Day 5: Case Study: Regulatory Framework Note for an Energy Market Reform

- Case Market Brief Review: Incumbent Utility Structure, Fuel Supply Chain and Reform Objectives
- Legal Gap and Institutional Options Analysis for the Case Energy Market
- Reform Sequencing Plan: Licensing Changes, Unbundling Steps and Network Access Rules
- Stakeholder Impact and Litigation Risk Matrix for Incumbents, New Entrants, Investors and Consumers
- Regulatory Framework Note Presentation and Ministry and Regulator Panel Challenge

Skills You Will Gain:

- Energy Statute Interpretation
- Energy Licence Drafting
- Unbundling Model Evaluation
- Network Access Regime Design
- Grid Code Analysis
- Downstream Fuel Market Reform Planning
- Investor Protection Clause Review
- Regulatory Litigation Risk Assessment

Why Attend This Course:

- Return with a Regulatory Framework Note built on a realistic energy market reform case and ready to adapt to your own sector
- Read an energy statute or licence and pinpoint the clauses that decide market entry, network access and investor exposure
- See how ministries, regulators, incumbents and new entrants each argue a reform, by working the case from several positions
- Compare licensing and access practice with peers from power utilities, gas companies, fuel marketers and public energy bodies

Conclusion:

An energy reform holds only when statute, regulator, licences, codes and access rules fit together. The one week move from the legal architecture of the sector and the powers of the energy regulator, through licensing, market structures and unbundling, to third-party access, grid codes and downstream fuel liberalisation, then to consumer rules, price and subsidy reform, investor protection and regulatory procedure. The final day produces a Regulatory Framework Note ready for review by a ministry and regulator panel.