

13 February 2012

Electricity and gas transmission network operators comply with independence and autonomy requirements

The Regulatory Commission of Energy (CRE) has decided to certify the three French transmission system operators (TSO): RTE for electricity; GRTgaz and TIGF for natural gas. The granting of this certification ensures that each of the three TSOs comply with requirements of independence and autonomy vis-à-vis their parent company. These requirements that have resulted from the transposition of so-called "Third Energy Package" directives are controlled by the regulator. The CRE is the first European regulator to apply this new certification procedure.

Effective separation between transport network management activities and production or supply activities is primarily intended to avoid discrimination between system users and thus any potential conflict of interest between the network operator and its parent company that also produces or supplies gas or electricity. In particular, this is to ensure the TSO's full independence with regard to investment decisions. The certification process enabled verification of TSO compliance with organisation and independence rules with regard to integrated groups.

Through several years of extensive work by the CRE and TSOs committed to changing their internal organisation in the near future, the board considered that RTE, GRTgaz, and TIGF were satisfactorily autonomous and independent.

RTE's corporate name was modified to remove any reference to the EDF Group. Similarly, TIGF's social identity must be distinguished from those of other companies of the Total Group. The Articles of Association of the TSOs have been adapted and, for example, now provide that TSO boards of directors or supervisory boards have the power to determine the amount of dividends distributed to shareholders.

The certification ensures that TSO management bodies have exclusive jurisdiction, without shareholder intervention being possible, for the operation, maintenance, and development of transport networks. In addition, that the TSOs have sufficient human, financial, material, and technological resources to perform their duties.

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Finally, each TSO also has a compliance officer in charge of ensuring compliance of their practices with TSO independence requirements.

The CRE welcomes the active role each TSO has played in the certification process. This is a major step in the opening of markets to competition. Certification of all European TSOs is therefore a necessary prerequisite for the integration of European electricity and gas markets.

The CRE will naturally have to regularly ensure effective compliance with all requirements imposed on TSOs by the certification.

Founded on 24 March 2000, the French Energy Regulatory Commission (CRE) is an independent administrative body. CRE works to guarantee smooth and efficient operation of the electricity and natural gas markets for the benefit of the end-user. It also works to guarantee the absence of discriminatory practices, cross-subsidies or restrictions on competition.

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