

CONTENT

ABOUT AUTHORS	7
ABBREVIATIONS AND ACRONYMS	9
INTRODUCTION	14
1 INTRODUCTION TO ENERGY INDUSTRY	16
1.1 Basics to the study of electricity industry	16
1.1.1 Electricity system architecture	17
1.1.2 Main physical terms related to the electrical system	21
1.2 Foundation for studying gas industry	26
1.2.1 Gas network architecture	26
1.2.2 Main physical terms related to the gas network	30
1.3 Fundamentals to the study of heat energy industry	31
1.3.1 Architecture of heat energy infrastructure	32
1.3.2 Main physical concepts related to heat energy industry	33
Control questions	34
2 IMPORTANCE OF ENERGY INDUSTRY FOR THE ECONOMY	35
2.1 Role of regulation in energy industry	38
2.1.1 Energy market	39
2.1.2 Forms of regulation	40
2.1.3 European Union energy deregulation process	43
Control questions	47
3 ENERGY AS A COMMON POLICY AREA OF THE EUROPEAN UNION	48
3.1 Energy in the Founding treaties	48
3.2 Status of the energy sector under the Treaty of Lisbon	50
Control questions	55
4 SOURCES OF LAW IN THE ENERGY SECTOR	56
4.1 Legally binding acts of the European Union	56
4.2 International treaties	59
4.3 Generally binding legislation of the SR	59

4.4 Final decisions of the Constitutional Court of the Slovak Republic on discrepancies between legislation	62
Control questions	63
5 THE RELATIONSHIP OF ENERGY LAW TO SELECTED LEGAL BRANCHES AND AREAS OF LAW IN THE LEGAL SYSTEM OF THE SLOVAK REPUBLIC	64
5.1 Relationship to branches of public	64
5.1.1 Fundamental rights (Constitution of the Slovak Republic, Charter of Fundamental Rights of the European Union)	64
5.1.2 Planning and construction law	67
5.1.3 Register of public sector partners	71
5.1.4 Right to the protection of competition	72
5.1.5 Public procurement	75
5.1.6 State aid	76
5.1.7 Protection of the European Union's financial interests	77
5.1.8 Control of foreign investment, regulation of critical infrastructure	77
5.1.9 Environmental sustainability	79
5.1.10 Criminal Code	82
5.2 Relationship to other branches of private law	83
5.2.1 Law of obligations – contracts	83
5.2.2 Law of obligations – damages	86
5.2.3 Company law	88
5.2.4 Rights <i>in rem</i>	89
5.3 International law	91
Control questions	92
6 SPECIFICS OF BUSINESS IN THE ENERGY INDUSTRY	93
6.1 Freedom of conducting a business in the energy sector	94
Control questions	96
7 SUBJECTS OF LAW IN THE ENERGY SECTOR	97
7.1 Executors of state administration in the energy sector	98
7.1.1 Ministry of Economy of the Slovak Republic	100
7.1.2 Regulatory Office for Network Industries	103
7.1.3 Slovak Trade Inspection	103
7.1.4 Municipality	104

7.1.5 Nuclear Regulatory Authority of the Slovak Republic	107
7.1.6 Slovak Office of Standards, Metrology and Testing	108
7.2 Addressees of state administration in the energy sector	108
Control questions	110
8 REGULATORY OFFICE FOR NETWORK INDUSTRIES, STATUS AND FUNCTION	111
8.1 Independence, transparency, and impartiality of the Regulatory Office for Network Industries	114
8.2 Structure, organisation and seat of the Regulatory Office for Network Industries	116
8.3 Regulatory policy	121
8.4 Competence of the Regulatory Office for Network Industries	123
8.4.1 The institute of supplier of last resort	127
8.4.2 Competence and authority of the Regulatory Office for Network Industries under other legislation	130
8.4.3 Relationship to the Administrative procedure rules	131
8.4.4 Control Activities of the Regulatory Office for Network Industries	132
Control questions	133
9 CUSTOMER PROTECTION IN THE ENERGY SECTOR	134
9.1 Consumer protection authorities	134
9.1.1 Customer protection ensured by the Regulatory Office for Network Industries	134
9.1.2 Customer protection ensured by the Slovak Trade Inspection	135
9.2 Rights and obligations of the electricity and gas customer	135
9.3 Protection tools initiated by customers	141
9.3.1 Initiatives and complaints	141
9.3.2 Alternative dispute resolution	142
9.4 Unfair practices	146
9.5 Ombudsman at the Regulatory Office for Network Industries and ombudsmen in regulated entities	146
9.6 Supplier of last resort	147
Control questions	148
10 PROJECTS OF COMMON INTEREST OF THE EUROPEAN UNION	149
10.1 Projects of common interest in the energy sector	151

10.2 Rights and obligations of promoters of projects of common interest	158
10.2.1 Priority status of projects of common interest	162
10.3 Financial support for projects of common interest	166
10.3.1 No-profit principle	168
Control questions	170
11 THE ROLE OF DATA AND THE ROLE OF PRIVACY IN THE ENERGY SECTOR	171
11.1 The role of data in the energy sector	171
11.2 Privacy and data protection legislation	173
11.3 Personal data	175
11.4 Processing of personal data in the energy sector	176
11.5 Lawfulness of the processing of personal data	178
11.5.1 Compliance with regulatory obligations	178
11.5.2 Performance of a contract	180
11.5.3 Consent of the data subject	181
11.5.4 Legitimate interest	184
11.6 Rights of data subjects	186
11.7 Obligations of controllers and processors	190
11.7.1 Information obligation.....	190
11.7.2 Data protection by design and by default	192
11.7.3 Security of personal data	194
Control questions	196
12 PARTICULARITIES OF DIGITALISATION IN THE PERFORMANCE OF STATE ADMINISTRATION IN THE ENERGY SECTOR	197
12.1 Visions and objectives in the field of digitalisation	199
12.1.1 Evaluation of the digitalisation development through the DESI index	199
12.1.2 eGovernment Benchmark 2021	200
12.1.3 Recovery and Resilience Plan of the Slovak Republic	200
12.2 Legislation changes in the energy sector from 1 October 2022, based on the previously mentioned milestones and strategies in the field of digitalisation	201
12.2.1 Public consultations	201
Control questions	204
BIBLIOGRAPHY	205