

Michael Rodi | Johannes Saurer [Eds.]

Comparative Perspectives on the Law of Energy Transition in Europe



Nomos

Beiträge zum
ausländischen öffentlichen Recht und Völkerrecht

Edited by
the Max Planck Society
for the Advancement of Science
represented by Prof. Dr. Armin von Bogdandy
and Prof. Dr. Anne Peters

Volume 346

Michael Rodi | Johannes Saurer [Eds.]

Comparative Perspectives on the Law of Energy Transition in Europe



Nomos

The Deutsche Nationalbibliothek lists this publication in the Deutsche Nationalbibliografie; detailed bibliographic data are available on the Internet at <http://dnb.d-nb.de>

1st Edition 2025

© The Authors

Published by

Nomos Verlagsgesellschaft mbH & Co. KG
Waldseestraße 3–5 | 76530 Baden-Baden
www.nomos.de

Production of the printed version:

Nomos Verlagsgesellschaft mbH & Co. KG
Waldseestraße 3–5 | 76530 Baden-Baden

ISBN (Print): 978-3-7560-3326-3

ISBN (ePDF): 978-3-7489-6260-1

DOI: <https://doi.org/10.5771/9783748962601>



Online Version
Nomos eLibrary



This work is licensed under a Creative Commons Attribution 4.0 International License.

Table of Contents

Contributors	9
--------------	---

Johannes Saurer and Michael Rodi

Introduction	13
--------------	----

Part A – EU Law Framework

Michael Rodi

European Climate and Energy Transformation Law	29
--	----

Johannes Saurer

EU Law Framework for Expansion of Renewable Energies	51
--	----

Kim Talus and Sirja-Leena Penttinen

Tomorrow's EU Framework for Sustainable Fuels: The Emerging Regulatory Framework for Hydrogen and Related Fuels	71
---	----

Michael A. Mehling

Advancing the Energy Transition through Industrial Policy: Lessons from a Transatlantic Comparison	91
--	----

Part B – The Law of Energy transition in European Countries: General Perspectives

Till Markus

General Perspectives on the Law of Energy Transition in Germany	129
---	-----

Marie Lamoureux

General Perspectives on the Law of Energy Transition in France	167
--	-----

Table of Contents

Fabrizio Fracchia

General Perspectives on the Law of Energy Transition in Italy 183

Chitzi C. Ogbumgbada and Kate McKenzie

General Perspectives on the Law of Energy Transition in the United Kingdom 205

Bent Ole Gram Mortensen

General Perspectives on the Law of Energy Transition in Denmark 223

Melina Malafray

General Perspectives on the Law of Energy Transition in Sweden 241

Bartłomiej Nowak and Aleksandra Knap

General Perspectives on the Law of Energy Transition in Poland 279

Part C – The Law of Energy Transition in European Countries: Special Focus on the Law of Renewable Energies

Michael Fehling

The Law of Renewable Energies in Germany 301

Louis de Fontenelle

The Law of Renewable Energies in France 333

Chiara Mari

The Law of Renewable Energies in Italy 361

Agnieszka Ason

The Law of Renewable Energies in the United Kingdom: Focus on
Contracts for Difference 379

Helle Tegner Anker and Bent Ole Gram Mortensen

The Law of Renewable Energies in Denmark 397

Johann-Christian Pielow and Kate McKenzie

Comparing the Law of Energy Transition in Europe – Concluding Essay	423
---	-----

Contributors

Anker, Helle Tegner: Professor of Law at the University of Copenhagen. *Contact: hta@ifro.ku.dk*

Ason, Agnieszka: Senior Visiting Research Fellow, Oxford Institute for Energy Studies; Expert and Strategic Advisor, Ason Energy. *Contact: a.ason@asonenergy.com*

De Fontenelle, Louis: Associate Professor in Public Law, TREE, CNRS, Université de Pau et des Pays de l'Adour and Director of the European Research Platform for Energy and Climate Law. *Contact: louis.de-fontenelle@univ-pau.fr*

Fehling, Michael: Professor of Public and Comparative Law and Academic Director of the Center for Interdisciplinary Research on Energy, Climate and Sustainability at the Bucerius Law School, Hamburg. *Contact: michael.fehling@law-school.de*

Fracchia, Fabrizio: Full Professor in Administrative Law at the Bocconi University and Director of Observatory on Public Procurement and Sustainability-Green-Bocconi University. *Contact: fabrizio.fracchia@unibocconi.it*

Gram Mortensen, Bent Ole: Professor in Public Law including Environmental and Energy Law at the University of Southern Denmark, Odense. *Contact: bom@sam.sdu.dk*

Knap, Aleksandra: Lecturer at the Department of Civil Law and Junior Specialist for sustainability cooperation at the Kozminski University. *Contact: aknap@kozminski.edu.pl*

Lamoureux, Marie: Professor at the Faculty of Law and Political Sciences of Université d'Aix-Marseille. *Contact: marie.lamoureux@univ-amu.fr*

Malafry, Melina: Associate Professor and Senior lecturer in Environmental Law at the Uppsala University. *Contact: melina.malafry@jur.uu.se*

Mari, Chiara: Assistant Professor in Administrative Law at the Sapienza University of Rome, Department of Political Science. *Contact:* chiara.mari@uniroma1.it

Markus, Till: Deputy Head of the Department of Environmental and Planning Law at the Helmholtz-Centre for Environmental Research, Leipzig, and Senior Lecturer at the University of Bremen. *Contact:* till.markus@ufz.de

McKenzie, Kate: Director and Chief Executive Officer of the Climate Change Legal Initiative (C2LI) and Managing Editor of the Carbon & Climate Law Review (CCLR). *Contact:* kate.mckenzie@c2li.org

Mehling, Michael: Deputy Director of the Center for Energy and Environmental Policy Research, Massachusetts Institute of Technology, Cambridge; Professor at the University of Strathclyde School of Law, Glasgow. *Contact:* mmehling@mit.edu

Nowak, Bartłomiej: Vice-Rector for Cooperation with the Environment, Kozminski University Dean, Law Department, Kozminski University. *Contact:* bnowak@kozminski.edu.pl

Ogbumbada, Chitzi: Lecturer in Law at the University of Exeter and Member of the Exeter Centre for Environmental Law. *Contact:* c.ogbumbada@exeter.ac.uk

Penttinen, Sirja-Leena: Associate Professor in Law and Sustainability Transitions, University of Lapland. *Contact:* sirja-leena.penttinen@ulapland.fi

Pielow, Johann-Christian: Professor of Public and Comparative Economic Law and Managing Director of the Institute for Mining and Energy Law at the Ruhr-University Bochum. *Contact:* christian.pielow@ruhr-uni-bochum.de

Rodi, Michael: Director of the Institute for Climate Protection, Energy, and Mobility (IKEM) in Berlin and Brussels, Professor emeritus at the University of Greifswald. *Contact:* michael.rodi@ikem.de

Saurer, Johannes: Professor of Public Law, Environmental Law, Law of Infrastructure and Comparative Law at the University of Tuebingen. *Contact:* johannes.saurer@uni-tuebingen.de

Talus, Kim: Professor of European Economic and Energy Law at the University of Eastern Finland Law School and the Director of the Center for Climate Change, Energy and Environmental Law. *Contact:* ktalus@uef.fi

