



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR ENERGY

The Director-General

Brussels, 14 January 2025
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Ms. Duška Godina
Director of the Energy Agency of
Slovenia

Dr. Franc Žlahtič
Chairman of the Council of the Energy
Agency of Slovenia

By e-mail only to duska.godina@agen-rs.si

Subject: Intentions of the Government and the Legislature of the Republic of Slovenia to interfere with the independence of the Slovenian Energy Regulator, the Energy Agency, in the area of setting the Network tariffs for the use of the electricity network

Dear Ms Godina,
Dear Dr. Žlahtič,

Commissioner Dan Jørgensen and I are grateful for your letters of 27 December 2024 and 9 January 2025 and your e-mail of 10 January 2025 reporting imminent risks for the independence of the regulatory authority for energy of Slovenia. Commissioner Dan Jørgensen asked me to reply also on his behalf.

Independent regulatory authorities are fundamental for the governance of the internal energy market. Article 57 of Directive (EU) 2019/944 on common rules for the internal market for electricity and Article 76 of Directive (EU) 2024/1788 on common rules for the internal markets for renewable gas, natural gas and hydrogen therefore lay down strict rules in order to ensure the independence of regulatory authorities from governments or other public or private entities when carrying out their regulatory tasks.

I sent a letter to the Slovenian Director-General for Energy in the Ministry of the Environment, Climate and Energy voicing my concerns and reminding him of the applicable EU legislation on the independence of regulatory authorities. In case the Slovenian government would take actions impairing the independence of the Slovenian regulatory authority, my services will assess if it is necessary to launch an infringement procedure to make sure that Slovenia complies with its obligations under EU law. However, an infringement procedure would not grant direct, personal redress. For that national courts are the first line of protection for your legal rights under EU law.

I would be grateful if you could keep my services informed about any further developments. Contacts in the Directorate General for Energy are Lukasz Kolinski (Director Green Transition and Energy System Integration, e-mail: Lukasz.KOLINSKI@ec.europa.eu) and Christof Lessenich (Head of Unit Internal Energy Market, e-mail: Christof.LESSENICH@ec.europa.eu).

Yours sincerely,

Ditte Juul Jørgensen