# Energy Law

## Topics and readings

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### Modifications to the Readings

Text in black on the 2013 column remains the same for the course of 2014.

In red texts that have been removed.

In blue texts that are new.

<table>
<thead>
<tr>
<th>Topic</th>
<th>Spring 2013</th>
<th>Spring 2014</th>
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<tbody>
<tr>
<td></td>
<td>2. Special issue of Russian analytical digest, # 100, 26 July 2011, 14pp</td>
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<td></td>
<td>a. Stefan Hedlund, “Russia as a Neighbour Energy Bully”</td>
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<td>c. Pirani, “Liberalisation Heralds Change in the Gas Market”</td>
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<td>3 Ownership of energy resources</td>
<td>1. Case law and selected statutory provisions dealing with ownership of oil and gas resources:</td>
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<td></td>
<td>1b. Russia, constitution and law on the subsoil, 1p</td>
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<td>1c. Norway, 2pp</td>
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<td>2. Geothermal:</td>
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<td>2b. Selected provisions dealing with the ownership of geothermal resources, British Columbia and Ireland, 2pp.</td>
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<td>3. Pore space ownership for carbon sequestration purposes-selected statutory provisions and commentary:</td>
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<td>3a. Alberta, Canada, 1p.</td>
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<td></td>
<td>- Herbert Smith Freehills, Mexico Oil and Gas Reforms and Proposed Constitutional Amendment (3pp) Available online.</td>
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</table>
| 4 Oil and gas licensing regimes | 1. A common analytical framework (Bankes) (3pp)  
   3b Norway: State Participation  
   3c Treaty between the Kingdom of Norway and the Russian Federation concerning Maritime Delimitation and Cooperation in the Barents Sea and the Arctic Ocean, 2010  
   4a Standard form exploration licence  
   4b NEB, Application for Declaration of Significant Discovery, guidance notes  
4. Hydro resources:  
   4b Special Legal Framework for hydropower development, extract from Norway, Facts 2008, Energy and Water Resources in Norway, 6pp. | A common analytical framework (Bankes) (3pp) NEW  
<table>
<thead>
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<th>5 Protection of energy investment</th>
<th>6 Regulation of the energy industry</th>
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<tr>
<td>4. Sweden\Argentina bilateral investment treaty (edited).</td>
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<td>5. Norway\Russia bilateral investment treaty.</td>
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<td>7. <em>OEPC v Ecuador Arbitral Award</em>, LCIA, under the terms of the US\Ecuador BIT.</td>
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<td>8. <em>Yukos Universal Limited (Isle of Man) v. Russian Federation</em>.</td>
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<tr>
<td>9. OECD, Fair and Equitable Treatment Standard in International Investment Law (edited), (11pp).</td>
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### Liberalization and Competition

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<td>5.</td>
<td>EU Guidelines on State Aid for Environmental Protection, 2008</td>
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<td>6.</td>
<td>EU Council Regulations 1/2002 on the implementation of the competition rules, Articles 7 &amp; 9 (see primary materials compendium).</td>
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<td>11.</td>
<td>Case C-239/07, Lithuania, Julius Sabatauska (4pp) (connection to distribution system)</td>
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<td>12.</td>
<td>Case C-274/08, Commission v Sweden (6pp) (duty to fix and approve tariffs or methodologies for tariffs before tariffs enter into force)</td>
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<td>13.</td>
<td>Case C-265/08, Federutility v AGER (9pp), (use of reference prices)</td>
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<td>14.</td>
<td>Case C-475/08, Commission v Belgium (6pp) (designation of operator and exemptions)</td>
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<td>National Report, Finland, 2012</td>
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<td>“State aids” extract (pp. 350 – 358) from “Renewables” in Angus Johnston and Guy Block, EU Energy Law, 2012, Oxford University Press.</td>
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<td>EFTA Surveillance Authority, Decision on State Aid for CCS in the Mongstad Case, summary of decision (prepared by the Global CCS Institute), 2pp.</td>
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</table>
| 15. Case C-17/03, *Vereniging voor Energie v NEA* (13pp)  
(reservation of capacity) |
| 16. Case C-439/06, *Citiworks v Flughafen Leipzig* (9pp) |
| 17. Case C-242/10, *Enel v AEEG* (14pp) (public service obligations) |

### 8 Renewable energy and energy efficiency


2. Catherine Banet, “The Use of Market-Based Instruments in the Transition from a Carbon-Based Economy”, pp. 207 – 230,

3. EU Directive 2009/28/EC, 23 April 2009, on the promotion of the use of energy from renewable sources (edited, full text available at

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| Number of Pages | Approximately 600 | Approximately 750 |