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■ synthesis article

Shaping the ‘Energy Union’: between national positions and governance innovation in EU energy and climate policy

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The ‘Energy Union’ can be seen as the most significant policy idea that seeks to reform European energy governance, policy and regional cooperation. However, so far the concept is mostly an empty box in which every stakeholder tries to put whatever is on the top of their priority list. This article reviews three major theoretical approaches to the analysis of European integration and EU policy that can be used to study the ongoing process of Energy Union formation. It then tries to structure the discussion by showing the evolution of the Energy Union concept, focusing on proposals by D. Tusk, J-C. Juncker and the European Commission, followed by a comparative analysis of four country cases representing different energy mixes and energy policy directions: Germany, France, Poland and Norway. All of these proposals are described and assessed according to their emphasis on the three dimensions of energy policy: security, affordability and sustainability. We sketch two possible scenarios for the future of EU energy policy, as suggested by the intergovernmentalist and supranationalist approaches and emphasize the potential impact of the governance mechanism of the Energy Union, which could reach far beyond what is expected and provide welcome coherence in Europe’s energy and climate policy.

Policy relevance

The article structures the policy debate on the Energy Union, discussing the different elements and instruments proposed by key EU actors and provides a useful overview of national interests of some important players, set in the context of their wider systemic conditions and policy goals. The framework for comparing the different proposals and national positions is built around the ‘energy policy triangle’. The article concludes with a discussion of possible future scenarios, as well as an in-depth discussion of the potential role of the governance mechanism.

keywords: affordability; energy policy; energy security; European integration; governance; sustainability

1. Introduction

The ‘Energy Union’ can be seen as the most significant policy idea that seeks to reform European energy governance, policy and regional cooperation, streamlining these with long-term climate protection goals. It gives hope for solving the major paradox of EU energy policy – the tension between national sovereignty over the energy sector and a community perspective based on solidarity, cooperation and

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scale. It is also a potential platform for integrating sustainability measures into energy policy and assuring that decarbonization of European economies is conducted in a coherent, efficient and timely manner. By integrating ‘internal’ (that is market and environmental) aspects of Europe’s energy policy with the ‘external’ (import dependence) ones, it can be seen as the culmination of the process of forming this policy field in the EU (Solorio Sandoval & Morata, 2012). However, so far it seems that the concept is mostly a floating signifier, or an empty box in which every stakeholder tries to put whatever is most important to them at the moment (Fischer & Geden, 2015). The three objectives of EU energy policy (henceforth the ‘energy policy triangle’) – security of supply, sustainability and competitiveness – remain unaltered, but the emphasis given to each of those goals is still open.

Energy has been central to the European project since its beginnings (Berglund, 2009; Kanellakis, Martinopoulos, & Zachariadis, 2013), however, it has not developed into a fully-fledged and coherent common energy policy (Haaland Matlár, 1997). On the other hand, harmonization attempts were visible in renewable energy support mechanisms in the mid-1990s (Jacobs, 2012, p. 29), for example, while Benson and Russel (2015) note that by 2010 the EU had produced a cumulative total of over 350 energy policy legal instruments.

Energy policy is still very much dominated by national policies and under the control of member states (MS), although a ‘hesitant supranational turn’ in that area has been visible in the last decade (Wettestad, Eikeland, & Nilsson, 2012). Since the Lisbon Treaty, energy policy is no longer a matter exclusive to national administrations, as EU institutions now play an increasing (albeit still limited) role (Maltby, 2013). Supranationalism ‘gained a new foothold in energy policies’ with the Third Energy Package (Eikeland, 2011, p. 258) and further policy harmonization and coordination is required in order to secure a well-functioning integrated energy market. The Energy Union promises a qualitatively new setup and according to Solorio Sandoval and Morata’s conceptualization of the emergence of European energy policy through environmental issues – its fourth and final phase (2012, pp. 9–10). While climate policy has helped energy policymaking on the EU level become more concrete, the integration of climate and energy security agendas is a challenge.

This article begins with an overview of the three major theoretical approaches to studying the emergence and outcomes of EU energy and climate policy: liberal intergovernmentalism (LI), supranationalism, as well as a much diverse set of governance-oriented approaches that analyse EU decision-making from within focusing on its dynamics and agenda-shaping complexity. We review the proposal of two major policy entrepreneurs – Donald Tusk and Jean-Claude Juncker – and the way they set and shaped the agenda around the most recent incarnation of the Energy Union idea. We try to position those proposals on the energy policy triangle, evaluating the explicit and implicit weight given to the energy security, sustainability and affordability goals.

We then compare the Energy Union visions of Germany, Poland and France. Each stands for a wider orientation in energy policy on renewables’ expansion, nuclear, coal and gas, with different degree of import (in)dependence and thus different energy and economic policy goals. In addition, we study the interests of one of the EÚs most important partners in energy: Norway. Tusk’s original idea of ‘breaking up the Russian gas monopoly’ has consequences for Norway, an important gas producer and member of the European Economic Area (EEA). We then sketch how the Energy Union is depicted in national debates and what the key justifications for this new idea are. Based on the countries official proposals and statements we also try to position all four on the energy policy triangle and assess priorities regarding the specific policy instruments they argue for.

Finally, we discuss the possible paths that the Energy Union can take derived from the theoretical approaches discussed earlier. While conclusive statements about an ongoing policy process are impossible, we try to link national standpoints and interests with possible outcomes, and emphasize the importance of the Energy Union's governance mechanism, underlining that the form and direction it takes will determine the balance between national, coordinated and EU-driven energy policy as well as the coherence of energy and climate policy goals.

2. Theoretical approaches to studying EU energy and climate policy

The year 2009, which saw both the Third Energy package negotiated in 2007 and the Treaty of Lisbon come into force, can be considered a watershed moment for EU energy policy. A new governance framework emerged, aiming to 'reduce existent contradictory signals between the EU and the policies' and trade-offs of MS linked to the energy policy triangle and the matching policy areas: internal market, external relations and environmental/climate protection (Solorio Sandoval & Morata, 2012, p. 3).

However, the weight of influence of either MS governments or European institutions, most importantly the European Commission (henceforth 'the Commission'), has been contested. Energy policy is a newcomer to the vast field of study focusing on EU policymaking. For the purpose of our study we provide a broad overview of three theoretical approaches that exist in the wider literature on European integration, all of which have already been applied to the study of energy and climate policy.

The main division line can be drawn between LI, which prioritizes MS as core actors and the most important centres of power in Europe, and other approaches, which underline the autonomy and interactive dynamics of European institutions that cannot be grasped from an intergovernmental perspective. For scholars in the LI strand, 'the preferences of national governments regarding European integration have mainly reflected concrete economic interests rather than other general concerns' (Moravcsik & Schimmelfennig, 2009, p. 70). LI assumes that states will delegate authority and centralize it in the EU if it helps to reduce transaction costs. Bargaining theory is part of this rationalist approach, and importantly posits that the bargaining power in negotiations at EU summits (LI logically emphasizes the role of European Council meetings) results from the 'asymmetrical distribution of information and the benefits of a specific agreement (compared with those alternative or 'outside options')... Provided that all actors benefit from cooperation, those with the highest bargaining power can impose their preferred distribution of the costs and gains of cooperation on the others.' (Leuffen, Rittberger, & Schimmelfennig, 2013, p. 45). Although the state-centrism of LI has been contested (also in energy policy: Haaland Matlár, 1997, p. 5), this theoretical approach not only reflects the most common 'lay' view of EU politics, but also provides a realist backdrop against which institutional and governance-oriented approaches can be tested. After all, 'member state governments still have a central position and policy issues where power is transferred to the EU level tend to be those where member states see such transfers as in their interest' (Wettestad et al., 2012, p. 82).

Supranationalist approaches such as neo-institutionalism (NI), although quite diverse, have functionalist roots and share the emphasis on path dependency and institutional legacy (e.g. Fligstein & Stone Sweet, 2002). The distribution of power between MS and EU institutions varies between issue areas; in some the Commission has built up significant policymaking power. From this we understand that 'each field will create differing institutional feedback mechanisms that over time will shape the

steering method and competence distribution of EU policies' (Boasson & Wettestad, 2013, p. 14). It is, however, easy to see that the EU already possesses a significant number of instruments for attaining its energy policy triangle goals (Solorio Sandoval & Morata, 2012, p. 4)

A third approach, or rather a family thereof, which we will call the governance-oriented approach, is also on the institutional side, but rooted in public policy analysis, governance studies and organizational theory. Emphasizing the way EU policy processes transcend governance scales or 'levels' (Hooghe & Marks, 2001), it underlines the role for individual and interest group entrepreneurship. The Commission is said to have 'considerable autonomy to push for EU-level solutions' (Wettestad et al., 2012, p. 82) especially through targeting industries, sub-national authorities and domestic interest groups directly, across levels of governance, to gain domestic support for its plans. The focus on governance networks, policy entrepreneurship and so on makes this approach a popular tool for conceptualizing EU politics, even if it does not match the previous two in theoretical clarity. Within this 'family' there are studies strictly focused on of EU energy and climate policy, looking at EU decision-making from within but seeking to theorize the mechanisms of policymaking and take account of agenda-shaping complexity that can be observed in Europe (e.g. Boasson & Wettestad, 2013). With their important contribution Tosun, Biesenbender, and Schulze (2015) gather insights into the role of different EU institutions (with the Commission and the Council at the forefront) in agenda setting, shaping and exclusion. The Commission is seen as the primary 'policy entrepreneur' (or group of interacting entrepreneurs), building its power on existing legal instruments and the continued production of expertise, which is used for agenda setting and shaping, continually producing the 'output of politically acceptable and technically sound legislative proposals as its operational bread and butter' (Dreger, 2014, p. 21). While scholars in this broad literature acknowledge the role of MS, it is important to observe that the 'EU's political structure favours the representation of experts and interest groups over territorial representation' (Dreger, 2014, p. 3).

Agenda setting is not only confined to the friction between national governments and supranational institutions. Energy issues are heavily affected by developments at the international level such as climate summits or armed conflicts within and between states. 'EU energy policy – at least the energy-security part – can be conceived as being 'driven by events'. As a result, one expects that energy issues are places on the European policy makers' agenda when there is a specific 'triggering event' or 'focusing event' (Tosun et al., 2015, p. 6; compare Bürgin, 2015). The Energy Union in particular seems to merge the regulatory legacies of existing legislation and political institutions with the impact of the external events and factors (especially the Ukraine crisis). Its final shape and content will provide an interesting test for all the theoretical approaches introduced above. However, it is still an ongoing process – we therefore use the three theoretical approaches and their core assumptions to sketch scenarios for the development of EU's energy policy under the Energy Union label and to show the potential importance of the designed governance mechanism that is to be part of the final Energy Union proposal.

Before we do this we first provide a descriptive account of the emergence and content of key Energy Union proposals as well as national positions of four important players. We use the energy policy triangle as a framework for comparison. Our own approach emphasizes the centrality of core MS, but underlines that their preferences are formed in interaction with both other MS and European institutions – that is why we try to strike a balance between an intergovernmentalist view and the emphasis on the significance of the proposed governance mechanism.

3. Energy union: from ideas to proposals

The notion of an Energy Union re-entered the debate in March 2014 as shorthand for a set of policy proposals put forth by the then Polish Prime Minister Donald Tusk. Tusk presented the six pillars of his idea only a week after the European Council's summit on the new 2030 Framework on Climate and Energy (2030 Framework). These were: (i) EU MS joint negotiations of energy (especially gas) supply contracts with external suppliers; (ii) strengthening of solidarity mechanisms in the case of a gas supply interruption; (iii) expanding strategic and cross-border energy infrastructure, including pipelines, storage and LNG terminals; (iv) making full use of available indigenous European fossil fuel reserves; (v) diversifying oil and gas supplies; and (vi) promoting the energy security of the east and south east EU. Tusk emphasized that Europe should 'confront Russia's monopolistic position with a *single European body* charged with buying gas' in a wider effort of 'breaking up the Russian gas monopoly and *restoring* free market competition' (emphasis added) (Tusk, 2014a).

Tusk made it clear that security of supply in the gas sector was the core of the project, with affordability understood mostly in terms of bringing down the inflated contractual gas prices for some Central Eastern European (CEE) countries. Environmental sustainability and climate change mitigation were marginalized – present only in justifications of the rehabilitation of coal in the form of clean coal technologies. 'Europe today begins to grasp that climate issues or environmental protection [...] cannot be ruining economic efficiency' – Tusk explained (2014b). It is not incidental that Tusk proposed this alternative framework for a common European energy policy in parallel to the ongoing negotiations over the 2030 Framework, choosing very different aspects to stress. That move can be seen as an important attempt to re-shape the EU's energy/climate agenda.

The Ukraine crisis and fear of Russian retaliation for Europe's economic sanctions through energy politics provided a chance to re-shape a policy agenda that until early 2014 downplayed energy security concerns (Szulecki & Westphal, 2014, p. 46). Tusk's idea gained much media attention and political currency (e.g. Economist, 2014; Donahue, 2014). On May 28 a Commission Communication displayed resonance with many of his points (European Commission, 2014), including stronger solidarity mechanisms, diversification and increasing internal production. The Energy Union, however, began to function as a popular buzzword. Several countries issued their non-papers, each reflecting national priorities and (self)interest.

The incoming Commission president Jean-Claude Juncker put 'a new European Energy Union' on the top of his agenda. While departing from the same premises as Tusk, emphasizing the need to pool resources, combine infrastructures, unite bargaining power, diversify energy sources and reduce energy dependency of several vulnerable states, it also added strengthening the share of renewable energy sources. This was framed not only as climate policy, but also an industrial policy imperative 'to have affordable energy at our disposal in the medium term [and] to become the world number one in renewable energies' (Juncker, 2014).

Those priorities translated into mission letters for new Commission members – the vice-president of the Energy Union Maroš Šefčovič and the Commissioner for Energy and Climate Miguel Arias Cañete – charged with bringing about 'a resilient Energy Union, with a forward looking climate change policy'. This included a 30% energy efficiency objective, visibly expanding from Tusk's initial 'gas union' and aligning the Energy Union with the 2030 Framework. Šefčovič soon proposed his five dimensions that were to frame the debate: (i) security, solidarity and trust; (ii) the internal energy market;

(iii) modulation of demand; (iv) decarbonization of the energy mix; and (v) research, development and innovation. His devotion to the core idea from Tusk's proposal – a common gas purchasing platform – was meeting active resistance from sectorial organizations, and raised eyebrows among Commissioners, who suggested that it was a 'non-issue' (Belin, 2014). A focus on demand rather than supply was also taking the policy project into a new realm.

On 25 February 2015, the Commission presented its 'Energy Union Package' (EUP) and a 'Framework Strategy'. Moving far beyond Tusk's insistence on economies of scale and joint bargaining position, the Commission envisaged an Energy Union built on interdependence between MS. The Framework Strategy also proposed the notion of a freedom of movement for energy, thereby adding to the existing four freedoms of movement. Last but not least, it suggested the need to 'move away from an economy driven by fossil fuels . . . where energy is based on a centralized, supply side approach' (European Commission, 2015a, p. 2) and to increase citizens' participation in energy governance and ownership in energy transition.

Though similar to Tusk's proposal in some respects, the EUP displays different priorities. Diversification of supply means firstly looking for alternative energy sources, and only then alternative suppliers or supply routes. This is in line with insistence on the role of renewables both in the power and in the heating/cooling sector, where they are supposed to bring about increased independence from imports quickly and efficiently. In this conceptualization, the 2030 Framework is no longer a cul-de-sac, as in Tusk's account, but an 'integral part of the Energy Union' (European Commission, 2015b, p. 4)

The Commission's proposal was a push towards unifying European energy policy and overcoming its fragmentation (Szulecki & Westphal, 2014; Fischer & Geden, 2015). The fifteen action points, coupled with a rough 'roadmap' (European Commission, 2015c), are to initiate the process of Energy Union formation. Though more concrete than the initial ideas, the project is still open for debate until 2016. This became clear on 19 March 2015, when the Council met to discuss the EUP. A key figure there was Tusk, this time as the President of the European Council. As commentators noted, he appeared to have 'reclaimed the Energy Union agenda' (Van Renssen, 2015b). The Council's conclusions focused almost entirely on security of (gas, much less electricity) supply, and the option of 'recourse to indigenous resources *as well as* sustainable low carbon technologies' (emphasis added). Energy efficiency did not appear in the conclusions at all, while MS sovereignty over energy policy was reaffirmed twice.

This clash between the Commission's roadmap and the Council's conclusions illustrate well the observed 'competitive cooperation' (Bocquillon & Dobbels, 2014) between the two institutions. The Council, with Tusk at its head, attempted agenda shaping through a 'high politics route' (Tosun et al., 2015, p. 7), reminding the observers of the process that the tension between a pan-European approach and national energy politics will remain, and that heads of governments play a central role in shaping the Energy Union.

4. National perspectives: four cases

Without taking into consideration the voice of the major MS, EU policymaking simply might not be feasible at all (Tosun et al., 2015, p. 7). A growing number of studies show that the MS governments have been influential for the Commission's agenda-shaping activities because the Commission anticipates MS opposition to its plans (Bürgin, 2015, p. 699). To understand where the Energy Union project

is going it is thus crucial to look at the positions of some key players, both MS and important non-EU partners. Below we compare four country cases, selected to represent major dimensions and orientations in energy policy. Germany is arguably the most important player in European energy policy, but its interests and insistence on renewable energy expansion require regional coordination and negotiations with neighbours. It also greatly depends on energy imports. France, another major political actor, whose vision of energy and climate policy differs from that of Berlin, mostly due to very large domestic nuclear capacity. Poland, often representing the wider group of CEE countries, struggling with their post-communist economic legacy and a coal-based power sector, is also voicing strongest concerns about import dependence and Russia's influence on European energy policy. Norway is a non-member but a close partner of the EU and potentially a source of gas, oil and flexible renewable energy, concerned with 'security of demand', and trying to influence the energy policy process before it is confronted with final outcomes that can go against its interests.

4.1. Germany

No other MS is as influenced by its domestic energy transformation process as Germany with its *Energiewende*. This specific energy strategy with a focus on nuclear exit, renewable energies and climate policy commitment, pre-structures the positions and policies which the government presents and advocates at EU level. Although Germany has not been an outspoken supporter of the energy union, officials generally take a positive stance on this process, focusing mainly on policies that support Germany's domestic transformation.

Since the 2011 Fukushima nuclear accident, Germany conducts an energy transformation that is based on a broad societal consensus, although energy mix and electricity production patterns had already changed in the years before (AG Energiebilanzen, 2015). Due to its geographical location, Germany is exceptionally well integrated in the EU's internal market for natural gas and electricity. The bulk of Germany's oil and gas imports stem from Russia, with Norway and the Netherlands as further important suppliers. Although it remains the largest importer of oil and natural gas in the EU, it has lately become a net exporter of electricity, following the massive increase of renewables in just five years, from 16% in 2009 to 27% in 2014 (BDEW, 2015).

The main challenges for and public debates in German energy policy at the moment seem to be threefold: First, the German government wants to achieve a 40% GHG mitigation target by 2020 compared with 1990. Since the country is not on track so far, either a strengthening of instruments at EU level or new national instruments are needed. Second, a debate about the introduction of capacity mechanisms was sparked in 2013, an idea the government has so far resisted. Third, the resistance to capacity markets is based on the assumption of open European markets that could provide some backup capacity and at the same time could consume Germany's temporary electricity surplus.

German governments have not been outspoken advocates of 'energy community' proposals in the past. While the Lisbon Treaty was seen as a necessary legal basis for further integration of energy markets and the inclusion of environmental concerns into energy policy, additional harmonization was not perceived to be necessary. In a long tradition of German energy policy, state intervention in energy markets in order to guarantee energy security is reduced to a minimum. The de-politicization and commercialization of energy relations was an important part of German energy policy especially vis à vis Russia for decades (Westphal & Fischer, 2015).

When the energy union debate became linked to EU energy and climate policy with the nomination of Juncker's Commission and his mission statements, Berlin was not openly supportive, but remained a rather silent observer of the process. From the beginning, it was clear that Germany was not going to support joint gas purchases and non-renewable domestic sources such as coal, unconventional gas or even nuclear energy (BMW, 2014). Germany's preference was that the energy union should translate the essentials of the *Energiewende* concept to EU politics, or at least provide a framework that would not stand against the national transformation process (Fischer, 2014).

The public debate and the media reports on the Commission's energy union proposal have been limited. Stakeholders published 'wish lists' for the future of the project according to their individual preferences. Actors with security policy backgrounds advocated a more nuanced policy towards Russia. In the energy policy community, however, the expectations of the energy union have been generally low, since the domestic policy proposals for a reform of the German electricity market and new regulation on climate policy seemed more relevant. Even the proposal for a market stability reserve in the EU Emissions Trading Scheme received slightly more attention among stakeholders.

As the process develops, the German government should be expected to emphasize environmentally relevant parts of the energy union and a balanced approach to the five dimensions proposed by the Commission. It is likely to become a rather silent counterpart to the energy security-oriented MS. Specifically, Germany wants to achieve three aims (German Federal Government, 2015):

- (i) Create a functioning internal market for electricity and gas that creates the necessary investment incentives and works at the same time as a backup for and as a consumer of German electricity supply. A strong regional cooperation dimension would be in line with a process recently started by the German government to cooperate with neighbouring states on electricity market design. The internal market also serves as the key answer to most energy security concerns brought up in the debate.
- (ii) Make the 2030 Framework the core of the Energy Union by putting special emphasis on climate protection, renewable energy support and energy efficiency measures. Though it opted for more ambitious national targets, Germany now tries to make the most out of the binding 27% EU-wide target. To make it work, the Commission should develop a governance framework that forces MS to act on renewable energy policies while at the same time leaving support mechanisms widely under national control.
- (iii) Prevent Commission action that supports nuclear or fossil fuel activities or uses state aid rules to influence national decisions on the energy transformation. Although this turns out to be a defensive proposal, it safeguards Germany's *Energiewende* from EU intervention in the name of the Energy union.

4.2. France

France's attitude to the concept of a European Energy Union is fundamentally determined by its domestic energy objectives, as well as political and economic challenges. France's final energy consumption is dominated by oil (45%), nuclear power (22%, and 75% of primary electricity), and natural gas (20%),

with renewable energy including hydro and waste representing 9% (Commissaire Générale du développement durable, 2012). Many French positions on European energy policy can be traced back to four core economic, diplomatic and energy policy priorities:

- (i) Paris hosts the UNFCCC's COP21 summit in November 2015 – the self-imposed deadline for countries to finalize an agreement on the international post-2020 climate regime, making climate and energy policy a priority;
- (ii) Unresolved debate about the role of nuclear power and the state-owned generator, Electricité de France (EDF);
- (iii) A strong desire to re-establish a robust industrial base to its economy;
- (iv) Minimize complicated and politically damaging clashes in the context of the economic crisis.

These four key concerns can be seen playing out in France's recently adopted 'Law for Energy Transition and Green Growth', developed in 2013/2014, partly in response to François Hollande's election promise to reduce the share of nuclear power substantially, and partly in response to the COP21. It is relatively ambitious in its headline objectives:

- Reduce the share of nuclear power from 75% to 50% of the power mix by 2025;
- Reduce emissions by 40% by 2030 and 75% by 2050 relative to 1990 levels;
- Increase the share of renewables to 23% of final energy consumption by 2020 and 32% by 2030;
- Reduce total final energy consumption by 20% below 2012 levels by 2030 and by 50% by 2050;
- Deploy 7 million electric vehicles charging stations by 2030.

Policy insiders acknowledge that many of the short term goals are unlikely to be met in full. Nevertheless, these goals reflect the priorities of French economic and domestic policy. For instance, over and above climate mitigation goals, the strong focus on energy efficiency and electric vehicles reflect a desire to link sustainability to industrial policy.

However, the bottlenecks of French energy policy are also evident in the legislation. For instance, the proposition for a reduction in the share of nuclear power and an increase in the share of renewable energy depends very much on projections of energy demand growth. Recent trends suggest that demand growth of the envisaged magnitude is highly unlikely, raising the need for a concrete strategy to close French nuclear plants and replace them with renewable power, while no legal framework for that exists. This is emblematic of a broader challenge for French energy policy vis à vis Europe: the political difficulty of the nuclear question frames what is possible to discuss, limiting the ability of the country to determine a coherent vision of domestic energy goals. This in turn limits France's ability to assert strong positions in Europe.

It is in this context that one should interpret other French positions on the Energy Union. Although in principle, France argues in favour of strong a governance mechanism, in practice, its priority is to ensure that it involves as little interference in domestic affairs as possible. This position makes sense if one considers that France's primary concern is to avoid complicated clashes with domestic stakeholders. For similar reasons, the electricity interconnectivity targets are also problematic: with 2800 MW currently installed between France and Spain, France is now on track to meet only a fifth of the 10% goal.¹ Higher interconnectivity raises concerns for domestic stakeholders. Furthermore, the

challenges posed for French power producers from declining wholesale power prices as a result of renewables penetration in its neighbourhood have led to establishing a new capacity mechanism for French incumbents. Finally, France is also one of just two EU countries not on track to achieve the 2020 renewable energy targets.

France's relatively weak manufacturing competitiveness (outside of a few key national champions) also helps to explain its discomfort with the exemption of German industry from paying for the full cost of renewables. It means that France is likely to be favourable to further 'harmonization' of state aid rules for renewables and energy efficiency.

Finally, it is questionable to what extent France sees energy security and the conflict with Russia as a high domestic energy priority. Although France has long supported the notion of a common purchasing approach, in recent times it has benefitted from the increased natural gas liquidity in Western Europe (Sartor et al., 2014).

In sum, in terms of the EU energy policy triangle, France's preferences are dominantly focused on competitiveness and, when it is convenient, on the nexus between competitiveness and sustainability. Thus, while it is supportive of environmental objectives and will be careful not to fall too far behind leaders like Germany, France is unlikely to be the EU's leading light on the sustainability goal. Its domestic politics also make it very nervous about strong Energy Union governance.

4.3. Poland

Gas supply has dominated the Polish energy security debates for years. This might be surprising, given that in 2009 gas accounted only for 13% of total primary energy supply – a third of which was extracted domestically. Over 80% of imported gas comes from Russia, which, as a consequence of current political and historic legacies, is perceived as the major threat to Polish energy security by many analysts and politicians.

Polish energy is dominated by coal, mostly from indigenous sources. In 2013 its share was 54% in the energy sector and 88% in the power sector. To diversify the power mix in 2005 the government re-initiated the discussion about the construction of a nuclear power plant. Meanwhile, new lignite and coal capacity is developed and closures of unprofitable mines meet stark sectorial resistance.

It is thanks to coal that Poland is one of the least energy-dependent EU MS. In 2013, it imported 25.8% of energy resources (the EU average is 53%). Despite increasing coal imports from Russia, in 2013 coal exports to Germany allowed Poland to remain a net exporter. However, the health impacts, environmental regulation and high costs of coal extraction in the country combined with decreasing coal prices at the global markets could lead to change in the coming years. The renewable sector is lagging behind, and while in the power mix the share of energy from renewable sources increased from 2% in 2004 to 10.8% in 2013, this was mostly due to biomass co-firing in coal plants.

Facing the possibility of growing import dependency in coal and gas, to secure alternative gas supply a liquid natural gas terminal was proposed, and is set to be operational in late 2015, covering up to a third of Polish gas demand. 'Clean coal technologies' are a concession towards environmental sustainability and climate change mitigation, while renewables are perceived as a costly addition, not the foundation for future energy mixes (Ancygier, 2013; Skjærseth, 2014). That is why Poland

consequently also stresses the notion of ‘technology neutrality’ (meaning an open window for coal, nuclear or shale gas).

In the national debate, the Energy Union was from the start presented as a ‘Polish idea’. The crucial element was joint gas purchasing – in fact, the term Energy Union was sometimes used interchangeably with that mechanism, aimed at levelling the politically driven differences in CEE gas prices. Many experts were quick to point out that it not only contradicts the common market logic, but will be impossible to push through with some Western partners that have good relations with Russia (despite the invasion of Ukraine), like Germany, Italy or Austria.

The market paradigm is not dominant in Poland, where energy is seen as a domain of politics (and security) rather than policy (see Puka & Szulecki, 2014, pp. 131–2). The transparency of gas contracts as well as exploring the idea of joint purchase of strategic reserves of gas were presented as second-best options that the government should promote. MEPs affiliated with the opposition were very quick to criticize the Commission’s Framework Strategy as a ‘façade’, and a ‘disappointingly’ inadequate proposal to counter Europe’s energy security challenges (PiS, 2015).

The entire process, however, was unanimously applauded for putting security of supply at the top of the agenda. Affordability (economic security) and competitiveness concerns are also underlined, and provide an important justification for joint purchasing and diversification of gas sources, but economic analyses of the impact on the different sectors are not available. The role of sustainability is diminished, and even if the government’s rhetoric denies it, the Energy Union is often seen as alternative, not complementary to the EU’s climate and energy policies (Beckman, 2015).

As a consequence, the Commission’s major reshaping of the Energy Union agenda, which saw the replacement of ‘rehabilitating hydrocarbons’ with an emphasis on decarbonization, and joint gas purchases with demand side responses, was perceived as Poland’s diplomatic failure. EU decarbonization policies are very often portrayed in Polish political debates as a policy problem – an issue that has to be addressed – on par with import dependence (Ancygier & Szulecki, 2014). It has been noted that climate change, although growing in importance, is not a salient political issue in Poland, and the country’s political parties are almost unanimous in criticizing the EU’s ambitious climate policy (Marcinkiewicz and Tosun 2015), while the German *Energiewende* is presented as a massive policy failure in both economic and security terms, with negative side-effects for neighbouring states (Ancygier & Szulecki, 2014).

This said, Poland is likely to continue pushing for security of supply as the driver of the Energy Union. Transparency and inclusion of the Commission in interstate as well as private business negotiations and the use of existing anti-monopoly legislation will be key instruments. Solidarity translated into concrete mechanisms for crisis management as well as diversification of supply will be another point. In this, assuring that European financing is available for gas infrastructure projects can play a role. Poland is likely to oppose concrete de-carbonization measures, defending clean coal technologies and technological neutrality, which would allow the country to continue its nuclear and coal (lignite) programmes.

4.4. Norway

EU energy policy is of great importance to Norway even though it is not a member of the EU. Many EU decisions, including the renewable energy and EU ETS directives, apply to it as a party to the EEA agreement (Gullberg, 2015). Moreover, the EU is Norway’s largest export market. This relationship works

both ways, as is clear from the Energy Union Framework Strategy where the Commission explicitly states that ‘the EU will further develop its partnership with Norway, the EU’s second largest supplier of crude oil and natural gas [and] continue to integrate Norway fully into its internal energy policies’ (European Commission, 2015a, p. 7).

The petroleum sector represents 26% of the Norwegian Gross Domestic Product (GDP) (Statistics Norway 2013). It is the fifth largest exporter of natural gas and seventh largest exporter of oil worldwide, with UK and Germany as most important export markets (Norwegian Ministry of Petroleum and Energy 2011). Norway is also rich in renewable energy (almost 100% of electricity), and yearly produces 120–135TWh from hydropower. The hydropower sector represents only 1.8% of the GDP and 0.4% of the national export, but Norwegian energy-intensive industries rely on an abundance of affordable hydropower, and themselves represent 7% of the GDP (Statistics Norway 2013). Norway still has much technical potential to develop hydro and wind power, but has lacked incentives to develop new renewable energy sources (Gullberg, Ohlhorst, & Schreurs, 2014; Hanson, Kasa, & Wicken, 2011). Finally, Norway has half of Europe’s storage capacity, with 20 GW in already existing hydropower pumped storage facilities (Gullberg, 2013).

In spite of the importance of the EU for the Norwegian economy, the Energy Union debate was anything but prominent in the media. Coverage was dominated by opposition towards a joint purchasing body and the increasing competence transferred to the European regulators forum, the Agency for the Cooperation of Energy Regulators (ACER). Some articles discussed ACER as a constitutional challenge, as Norway could transfer competence to an international organization (the EU) of which it is not a member.

As an EEA member, Norway’s formal channels of influence are limited, but many Norwegian companies and organizations participate in consultations through their European umbrella organizations, such as Eurelectric and Business Europe. Norway may address the Commission, the Parliament and the Council through formal letters, has national experts in the Commission and may participate on its expert and advisory committees. Finally, the bilateral ‘energy dialogue’ between Norway and DG ENER is considered very important by the authorities in Oslo (Gullberg, 2015). In February and March 2015, the Norwegian government organized a hearing process on the Energy Union, with 15 participants, before the official position was adopted. Organizations representing the petroleum sector focused on the joint purchasing body, which they consider as inconsistent with the Internal Energy Market (IEM). They refer to the former Norwegian gas negotiating committee (GFU), which coordinated gas sales from the Norwegian continental shelf until this practice was investigated by the Commission. The coordination of gas sales was considered to explicitly contradict the fundamental rules of the Internal Market, and the GFU was abolished in 2001 (Claes, 2002, p. 316). In consequence, a joint purchasing body is not well received by the Norwegian petroleum sector.

The official Norwegian position, submitted to President Tusk by the PM Erna Solberg, supported a fully integrated internal energy market aimed at efficient price signals (Norwegian Prime Minister, 2015). It also suggested that gas may contribute to large emission reductions in the short term and provide the balancing power needed as the share of intermittent renewable energy increases. For a petroleum exporter with Europe’s highest share of renewables, energy security is a question of security of demand rather than supply (cf. Jonsson et al., 2015). The letter thus calls for clear signals about the future role of gas in the European energy system and expresses skepticism to joint purchasing for gas ‘as it is likely to reduce competition and run contrary to the desired liberalization of the energy

market'. Affordability is not mentioned in the letter, but earlier research shows that it is a major issue for Norwegian energy-intensive industries (Gullberg, 2013; Gullberg et al., 2014). Sustainability is an important objective however, unlike the EU, Norway has not reduced its emissions since 1990, even though its petroleum is promoted as the "most environmentally friendly in the world", and gas as an environmentally friendly alternative to coal.

Norway already meets the 15% interconnectivity target – even before the completion of two new interconnectors to the UK and Germany, which will increase interconnection capacity by 50%. Solberg supported energy efficiency through a flexible approach to the choice of policy instruments, and called for inclusion of carbon capture and storage in the Energy Union strategy. Although the Energy Union communication was watering down the original proposal of a joint purchasing body, this is still at the top of Norway's agenda in the ongoing negotiations Table 1.

5. Possible scenarios for an Energy Union and the role of the governance mechanism

The gap between the Commission's Framework Strategy and the Council's later conclusions shows firstly how open the future shape and scope of the Energy Union are, and secondly how attached the MS are to their energy sovereignty. The four case studies make it clear that different European states have interests that are difficult to combine, and at times even outright contradictory. Drawing on the two major theoretical approaches introduced in Section 2 (LI and supranationalism), we can sketch two possible scenarios for the way the Energy Union idea will evolve and translate into more concrete policy in the EU. The third approach will help us to discuss the importance of the governance mechanism proposed and designed by the Commission, which is not a 'scenario' in itself but rather a means of harmonizing European energy policy to a degree not seen previously – and one difficult to grasp with the other theoretical approaches. In sketching the scenarios we draw on the observations of a long-term European energy market analyst, Jean-Michel Glachant, who dubbed his own prognoses symbolically: Tusk–Oettinger (emphasizing security of supply) Eurelectric–Eurogas (focused on the internal market) and Vinois–Delors (stressing innovation, consumers and sustainability) (Van Renssen, 2015a). We borrow the labels proposed by Glachant, but expand the theoretical anchoring and possible implications of his prognoses. We argue that the first two scenarios can be linked to, respectively, an LI and a supranationalist logic, while the third is an ambitious and normatively driven vision that is close to the recent Commission proposals, but realization of which will require a strong and effective governance mechanism.

5.1. The possible paths for an Energy Union

5.1.1. The intergovernmental scenario: Tusk–Oettinger

According to the assumptions of LI, state preferences should be fundamental for the negotiations outcome and these are shaped by domestic economic interests. Ongoing Europeanization of energy policy could be resisted by governments (Benson & Russel, 2015: 200). It would therefore mean an institutional status quo, in which the Energy Union would mean the re-shaping of the agenda and policy priorities of the EU. Increased focus on Europe's security of supply, combined with an attempt to continue 'business as usual' in terms of governance, but with a refocusing on external

Table 1. Proposals, country positions and scenarios compared.

Aspects (priority)	Proposals			State preferences				1: Tusk– Oettinger (LI)	2: Eurelectric– Eurogas (supranationalist)
	Tusk 2014	Commission 2015	Council 2015	Germany	France	Poland	Norway		
Security of supply	High	Medium	High	Medium	Low	High	Low ²	High	Medium
Affordability	High	Medium	Medium	Medium	High	Medium	Medium	Medium	High
Sustainability	Low	Medium	Medium	High	Medium	Low	Medium	Medium	Medium
Centralization in the EU	Centralized security aspects	Harmonization through regional cooperation	Status quo	Emphasis on electricity generation	Status quo	Emphasis on security	Status quo	Status quo	Emphasis on market regulation
Key instruments	Joint gas purchasing	Governance mechanism	Market	Market	Industrial policy	Solidarity and interconnectivity in gas	EU ETS	External policy	Internal energy Market

security (necessary), and less emphasis on sustainability (probable). While this path can seem most likely (and resembles the Council's conclusions), it still faces many obstacles, as the case studies have shown. Energy security perceptions vary considerably between MS, as do degrees of external dependence and willingness to expand policy and governance instruments aimed at EU's near neighbourhood – both friendly, like Norway, and growingly hostile, like Russia. Much depends on the bargaining power of core MS. Bargaining theory suggests that a state that is satisfied with the status quo and does not want a deal has more bargaining power. In the case of the Energy Union, Germany is economically the most powerful player, and at the same time not interested in the energy security agenda, which should give it a lot of leverage. At the same time, Poland represents the CEE states that are most eager for a new deal assuring European energy security cooperation. That said, the integration of energy security and climate policy agendas in the Commission's proposal reverses the stakes – Poland has for years been a hardline veto player on climate policy, while Germany is very interested in pushing through the Europeanization of an energy transformation and decarbonization. As it then turns out, far from being the most probable scenario, this one may prove to be the most off-target. It seems that although the goals of Western (e.g. Germany) and CEE (e.g. Poland) MS are different, the result – strengthening the Commission's competences in general energy policy issues – can be the same (compare Maltby, 2013; Tosun et al., 2015).

5.1.2. The supranationalist scenario: Eurelectric–Eurogas

This scenario means continuing with the institutional and political logic of European integration known from the past: to strengthen integration in further dimensions of the market. Europeanization of energy governance to date has mainly been driven by competences in related areas, most importantly environmental policy integration (Solorio Sandoval & Morata, 2012, p. 13). Following that path would require more regional and European coordination at different levels and in more institutionalized form. One of the early steps would probably be the expansion of ACER from an agency (which has already evolved from a mere forum) into something closer to a pan-European regulator. This would not only mean enlarging ACER's budget to finance more staff, but also moving powers from national regulators to EU level – a step that many MS and their regulators are not willing to take. The question remains whether further integration can be reached without additional infrastructure expansion as additional interconnectivity (although mentioned by Tusk and emphasized by the EC) is both controversial, costly, and difficult to achieve politically (Puka & Szulecki, 2014).

5.2. The significance of the proposed governance mechanism

What these two scenarios, and the theoretical approaches to which they are linked, seem to miss is the centrality of the governance mechanism that can bring about a different mode of integration, combining bottom-up impulses from MS, bilateral coordination and regional cooperation with a pan-European frame increasingly molded by the Commission. The governance mechanism was to be a key element of the 2030 Framework. There the Commission was charged with developing a 'reliable and transparent governance system without any unnecessary administrative burden'. The main tools that the Commission envisages for this and that are set to be part of the Energy Union process are national plans. What was at first glance supposed to be a substitute and excuse for the missing national renewable energy targets in the EU 2030 Framework and might seem to be a mere bureaucratic and

descriptive reporting device, can in fact turn into an important driver of bottom-up coordination and energy policy convergence, overseen by the Commission, and a necessary shift in administrative culture in the EU (Adelle, Russel, & Pallemarts, 2012). This, however, only becomes visible if we look at the governance mechanism through the lens of the third theoretical approach that we introduced in section 2, and termed (through lack of a better description) the governance-oriented approach.

If successful, the governance mechanism could to a large extent 'square the circle' of paradoxical and fragmented European energy policy, as it allows for streamlining and coordination, while keeping MS sovereignty to define policies fitting national interests intact. The mechanism could increase the Commission's power in agenda setting and agenda shaping (compare Tosun et al., 2015), thus shifting the balance between governance and traditionally understood government in this policy area. It could also help to move energy policy beyond the dominance of sectoral instruments (Adelle et al., 2012). The Commission exercises considerable agenda-setting power in shaping what the national plans and reporting requirements should be. The plans certainly have to depart from national needs and conditions, but already in the definition of national goals and appropriate policies to address them, MS would have to take into account the jointly agreed goals on renewable energy deployment, increasing energy efficiency and interconnectivity.

Bilateral and regional coordination can be assured through consultations supervised by the Commission, and the plans could be used by the Commission or other European or regional authorities to identify and set cooperation and coordination agendas. In principle, national plans could increase transparency of MS medium strategies, while also allowing for MS to begin to explore and become more concrete about their longer-term climate policy strategies. This could be the missing dialogue crucial for providing the enabling conditions for MS to gradually ratchet up their ambition, and give the much-needed impetus for overcoming fragmentation and increasing welfare beyond individual national energy systems.

However, while national plans sound good in principle, a crucial challenge is making them work in practice. While the Commission has tried to sketch out a proposal for the governance mechanism by discussing details first in the 28 capitals, the crucial design issues can be put in three categories:

- (1) The scope of the Commission's oversight. Originally, the governance mechanism was largely meant to substitute national targets in the 2030 Framework, but this has been complicated by the Energy Union framing of EU energy policy. To get this under control, the Commission may need to limit the set of indicators and the parts of national plans on which it wants to have strong pledges and oversight. A key lesson from the European Semester is that open coordination form of governance works best if it can get MS buy-in and commitment to a small set of objectives in which they see their interests broadly reflected. It also makes for a better chance of high level political attention at key moments in the governance process.
- (2) The strength of the EU influence on the level of ambition contained in national plans and in enforcing the achievement of outcomes. MS will not give the Commission the power to reject national plans. But will the Commission be able to find other means to ensure that plans are collectively in line with the EU's targets and objectives and to enforce MS achievement of the targets and objectives they set themselves? It is likely that to do this the Commission will need more than just national plans. Rather, it will need a suite of other governance instruments including the EU

ETS, the Effort Sharing Decision, the new Security of Supply Regulation, revised Energy Efficiency and Renewables Directives outlining binding measures (but not targets). It will also need to not underestimate the role of agenda-setting governance tools, such as requirements to develop non-binding 2050 climate strategies.

- (3) The question of priorities could be one of fierce debate among MS while working on design questions of the new governance. As described in the case studies above, the different national priorities will be difficult to combine. While Poland expects a strong governance on security of gas supply, Germany wants a guarantee that all governments work together on achieving the EU renewables goal. Once again, important lessons should be drawn from the European Semester.
- (4) The need to balance an evolution of governance arrangements with continuity of important existing instruments. There is a danger that national plans are just high-level documents with a few targets and objectives but little in the way of detailed policies, measures and projections. But there are a number of more detailed planning and reporting obligations, contained in various pieces of existing EU legislation, that are essential for providing investor confidence, transparency for stakeholders, for ensuring national compliance with European law, and for allowing the EU to review the impact of its policies.

6. Conclusions

The Energy Union debates have uncovered several policy cleavages. The major one is Europeanization versus maintaining MS sovereignty in the energy sector. Another is pitching security and affordability against sustainability in the notion of ‘rehabilitating’ fossil fuels versus enhancing renewable deployment. Another difference between a more conservative mindset that sticks to current governance schemes and business models versus a transformative outlook that emphasizes systemic transformation and innovation. Finally, there is a difference in temporal horizons in policy planning – between longer term processes proposed by the Commission and many experts (2030, 2050), requiring a review of today’s decisions in the light of their possible mid- and long-term impacts (or lock-ins), and a more here-and-now approach, motivated by current energy prices and politics.

For the Energy Union to succeed, there will need to be integrated planning of energy and climate objectives. It has been noted earlier that despite its prominence on the debate agenda, climate policy is not well integrated in EU policymaking (Dupont & Oberthuer, 2012), and the fact that the Energy Union Framework does not mention the Roadmap 2050 should be noted. The growing fragmentation and renationalization in EU energy and climate policy puts that into question –as the four case studies presented in this article attest. The different dimensions will need to be increasingly brought into coherence if the different challenges can be met. The role of national plans in the context of an EU energy and climate governance system is a potentially valuable innovation in this regard. As it would in principle allow for a more coherent overview of how MS intend to fit the different elements together into a coherent whole and reveal both opportunities for coordination and inconsistencies and bottlenecks (where there is a role for the EU).

The governance approach is often interpreted as weakness on the side of the Commission. This is certainly an oversimplification that does not grasp the nuanced way European governance (here

directly opposed to the classic government) works. The design of the governance mechanism will become the litmus test on the future of the Energy Union. Only if MS agree to give power of scrutiny to the Commission and if a limited number of indicators with clear priorities can be defined, a meaningful impact of the instrument can be expected. The approach is arguably a necessary condition for driving a more organic and politically sustainable approach to the low-carbon transformation, by getting MS to develop concrete visions of what they intend to do and to take ownership. Once they do that they can be asked to face their own contradictions and this can then be a basis for driving cooperation forward.

Disclosure statement

No potential conflict of interest was reported by the authors.

Notes

1. The European Council in October 2014 called for 'speedy implementation of all the measures to meet the target of achieving interconnection of at least 10% of their installed electricity production capacity for all MS', see: 'Communication from the Commission to the European parliament and the Council: Achieving the 10% electricity interconnection target Making Europe's electricity grid fit for 2020', available at: <http://eur-lex.europa.eu/legal-content/EN/ALL/?uri=COM:2015:82:FIN>
2. Norway's key interest in security of demand, which we separate from supply security concerns.

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