

EN
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Answer given by Mr Jørgensen
on behalf of the European Commission
(8.5.2025)

Article 5 of the Electricity Directive¹ provides that suppliers are free to determine the price at which they supply electricity to customers. It also provides that Member States may derogate from this provision and implement public interventions on price setting under specific conditions². Such interventions must be notified to the Commission.

Member States were required by the Directive to submit reports by 1 January 2025 to the Commission on the implementation of Article 5, the necessity and proportionality of public interventions, and an assessment of the progress towards achieving effective competition and the transition to market-based prices. By now, the Commission has received 14 reports from the Member States³.

The Commission is required by 31 December 2025 to review and submit a report to the European Parliament and to the Council on the implementation of Article 5 together with or followed by a legislative proposal, if appropriate. This report will be based on the reports submitted by each Member State and on a study on the post-crisis retail market which the Commission is currently steering. It is not possible for the time being to prejudge any of the conclusions of the study or the report.

¹ Directive (EU) 2019/944 of the European Parliament and of the Council of 5 June 2019 on common rules for the internal market for electricity and amending Directive 2012/27/EU, OJ L 158, 14.6.2019, p. 125–199.

² Defined in Article 5 of the Electricity Directive (EU) 2019/944.

³ Austria, Belgium, Germany, Estonia, Spain, Finland, France, Hungary, Ireland, Malta, Netherlands, Poland, Portugal, Slovenia.