

Deal Report

Hengeler advises RWE on CO₂ proceedings of German Federal Cartel Office

On September 26, 2007, the German Federal Cartel Office ceased abuse proceedings launched in 2005 against RWE AG after it had declared binding RWE's stated pledge to auction off electricity. The proceedings centred around the accusation that RWE had abused its alleged dominant market position relative to industrial clients by factoring complimentary CO₂ certificates into the electricity price. In putting an end to proceedings, the German Federal Cartel Office will refrain from taking issue with RWE's pricing relative to CO₂ components both retrospectively and up to the end of 2012.

Hengeler Mueller has been advising RWE AG in these antitrust proceedings. The Hengeler Mueller team has been led by partner Christoph Stadler (Competition, Düsseldorf) and includes partners Thorsten Mäger (Competition, Düsseldorf), Thomas Schmidt-Kötters (Regulatory, Düsseldorf) and Georg Seyfarth (Corporate, Düsseldorf) as well as associates Friedrich Wenzel Bulst, Christian Vorster and Susanne Muck (all Düsseldorf).

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27 September 2007