

Energy Poverty and the promotion of energy access

A Webinar organised by the Bergen Center for Competition
Law & Economics

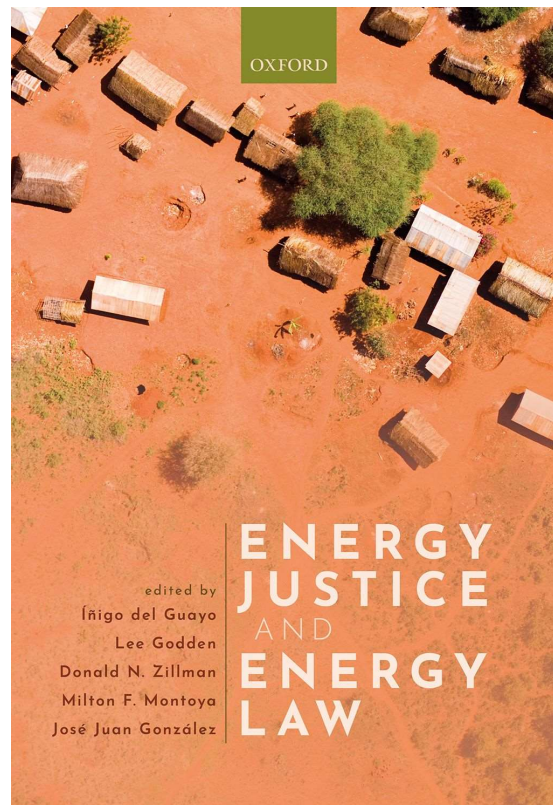
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THE CONTEXT

- International Bar Association (IBA)
- Section on Energy, Environment, Natural Resources and Infrastructure Law (SEERIL)
- Academic Advisory Group
- Ten books (one every two years: 2002-2020)

ENERGY JUSTICE AND ENERGY LAW



ENERGY JUSTICE

- Environmental Justice and Energy Justice
- An ethic or moral turn
- Types of Energy Justice:
 - Distributive justice
 - Procedural justice
 - Restorative
 - Recognition (or social) justice

ISSUES OF ENERGY JUSTICE

- Conceptual and International Law Context
- Procedural justice, community participation and restorative justice
- Consumers at the frontline of a new energy justice
- Access to energy, poverty, and distributive justice
- Energy at the centre of social justice

ENERGY POVERTY WITHIN AN INTERNATIONAL CONTEXT

- UN Sustainable Development Goals
 - SDG Number 1: No poverty
 - SDG number 7: Affordable and Clean Energy. It refers to the need of ensuring 'access to affordable, reliable, sustainable and modern energy for all'.

Three meanings of energy poverty

- Lack of affordability to pay monthly energy bills for electricity and/or gas at dwellings (fuel poverty and its reverse concept: affordability)
- The use of polluting fuels
- The lack of energy efficiency (i.e. excessive use of energy to meet energy needs)

Energy Poverty and Access to energy

- Is there a fourth meaning of poverty, in the sense of lack of access to the energy resource?
- Poverty and access go hand by hand
- IEA: energy poverty is the 'lack of access to modern energy services. These services are defined as household access to electricity and clean cooking facilities (e.g. fuels and stoves that do not cause air pollution in houses)?
- However, they are different things

FUEL POVERTY

- Fuel poor household: one that cannot afford to keep adequately warm at reasonable cost, because it needs to spend more than 10 per cent of its income on all fuel use and to heat its home to an adequate standard of warmth (UK)
- Alternative indicators
- Poverty and energy poverty
- Energy poverty (fuel poverty) and vulnerability

The energy trilemma

- Security of supply
- Economic efficiency
- Environmental sustainability

Poverty and the energy trilemma

- Connecting the fight against poverty with one or several of the three pillars of the trilemma (energy security? economic efficiency? environmental sustainability?)
- It is not an intellectual 'divertimento':
 - Who is to guarantee accessibility and/or affordability?
 - Who is expected to put an end to energy poverty: governments and regulators or markets and companies?
 - The question has legal consequences (legal instruments to achieve, say, energy security differ from those capable of promoting energy sustainability)

The fight against energy poverty and energy justice

- Access to clean energy for all is rooted in distributive justice (equitable distribution of the costs and benefits of energy resources)
- Every citizen has the right to a proportion of the energy resources: fuel poverty represents a direct attack to distributive justice
- Two approaches: direct public intervention or helping poor people to escape from poverty by themselves and, hence, from fuel poverty

Fighting poverty with legal instruments

- Energy Access and Affordability as a Human Right
- Poverty and security of supply
 - Guaranteeing supply
 - Public Service Obligations
 - Who is to bear the cost? (companies, consumers or budgets?)
 - EU: PSOs for the protection of vulnerable consumers, universal services
- Economic efficiency
 - Markets and competition, economic growth (IEA)

SUMMARY REMARKS

- Energy poverty as a big problem
- Three meanings of energy poverty
- Energy poverty linked to the energy trilemma
- A variety of instruments to fight energy