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The policisation of EU Energy Policy
Instances of instrumental re-framing by the European Commission

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List of abbreviations

ACER, Agency for the Cooperation of Energy Regulators

ACF, Advocacy coalition framework

ADEME, Agence de l'environnement et de la Maîtrise de l'Énergie

BEMIP, Baltic Energy Market Interconnection Plan

CEER, Council of European Energy Regulators

COD, Concerted Action for Offshore Wind Development

CoR, Committee of the Regions

COREPER, Committee of Permanent Representatives

CRE, Commission de Régulation de l'Énergie

DC, Direct current

DG CLIMA, Directorate-General for Climate Action

DG TREN, Directorate-General Energy and Transport

EaP, Eastern Partnership

ECSC, European Coal and Steel Community

ECT, Energy Charter Treaty

EEC, European Economic Community

EED, Energy Efficiency Directive

EERP, European Economic

EESC, European Economic and Social Committee

EIB, European Investment Bank

EIP, Energy Infrastructure Package

EnC, Energy Community for South-East Europe

ENP, European Neighbourhood Policy

ENTSO, European Network of Transmission System Operators

ENTSO-E, ENTSO for Electricity

ENTSO-G, ENTSO for Gas

ENVI, European Parliament's Committee on Environmental Affairs

EPE, Energy Policy in Europe

ERGEG, European Regulators Group for Electricity and Gas

EU, European Union

Euratom, European Community for Atomic Energy

EWEA, European Wind Energy Association

FoSG, Friends of the Supergrid

FP7, Seventh Framework Programme

GDP, Gross domestic product

GWEC, Global Wind Energy Council

IEA, International Energy Agency

IEE, Intelligent Energy Europe

IGC, Intergovernmental Conference

INOGATE, Inter-state Oil and Gas Transportation to Europe

ITRE, European Parliament's Committee on Energy and Transport

MEP, Member of the European Parliament

Mtoe, Million tonnes of oil equivalent

NEEAP, National energy efficiency Action Plan

NSCOGI, North Sea countries' Offshore Grid Initiative

OPEC, Organisation of the Petroleum Exporting Countries

PEF, Pentalateral Energy Forum

PIP, Priority Interconnection Plan

RES, Renewable energy sources

SER, Strategic Energy Review

SET, Strategic Energy Technology

TEC, Treaty establishing the European Communities

TEN, Trans-European networks

TEN-E, Trans-European networks of energy infrastructure

TEU, Treaty establishing the European Union

TFEU, Treaty on the Functioning of the European Union

TSO, Transmission system operator

TYNDP, Ten-year Network Development Plan

UfM, Union for the Mediterranean

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When entering the School's PhD Programme in 2009, I thought I had a clear idea of what the process of writing a dissertation would be. I thought it would have been easy to find a balance between dedication and method, curiosity and effectiveness. I was wrong. During these three years I have experienced frustrations that led me the farthest away from the final goal and felt emotions that led me the closest to what I think 'creativity' may be: the ability of putting my thoughts into words, to apply what I have learnt to the world surrounding me, challenge what I thought was established knowledge and suddenly lay the groundwork for original ideas and discussion. I wish I had done so much more and so much better: this study could now be much more refined, challenging, and interesting than it is going to be. Nonetheless, I am immensely glad to have gotten this far, and I could not have made it alone. There are plenty of people I need to thank.

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Abstract

Over the last fifteen years, the energy policy of the European Union (EU) has changed significantly. It has become more cooperative and integrated across the borders of EU Member States and less preoccupied with the state-centred discourse of energy-supply security. The European Commission, in particular, has *policised* EU energy policy by re-framing it as a complex patchwork of many energy-related policy interventions. This shift took place in the aftermath of several critical events that affected Europe's energy supply and jeopardised its energy security. *Energy policisation* occurred, in other words, when it was reasonable for EU Member States to securitise rather than integrate their energy policies. The core research question of this thesis addresses this apparent paradox: to what extent has EU energy policy become more integrated, and why has this change occurred when it was least expected?

This study argues that the shift towards energy policisation has been *discursive*. The European Commission has been able to harness unprecedented windows of opportunity created by recent crises to re-frame energy policy according to its overarching understanding of EU integration and public policy-making. The Commission has promoted—for over forty years—a vision of energy policy that spans energy security, market competitiveness, environmental sustainability, and energy efficiency. Based on a bibliometric test, this thesis identifies the type of discursive 'vehicles' used by the Commission to diffuse its policy ideas and create consensus about its policy agenda.

This thesis also argues that the Commission has been able to use diverse discursive tactics to challenge the prevailing energy policy narrative of the Member States and drive the policy-making process towards more integration. The two case studies analyse two instances of instrumental energy policisation. The case of the wind-power offshore grid projects developed in the North Sea during the last decade shows how the Commission managed to socialise other energy policy stakeholders into its own policy agenda and urge national governments to adopt a more integrated perspective on the issue at stake. The case of the Energy Efficiency Directive negotiations, ended successfully in late 2012, shows that the Commission has also been able to challenge the governments' state-centred discourse more 'frontally'. The Commission re-told the story of EU-wide energy cooperation as being so necessary as to force Member States to back away from their resolve, approve the Directive, and accept the binding constraints it contains.

Ultimately, this thesis tells a story of *continuity* and *change* in EU energy policy. There has been continuity in the decades-long Commission's advocacy for a more complex and integrated EU energy policy and in its guiding belief that public policy in Europe is, under all circumstances, best made at the EU rather than at the national level. There has been change in the sudden and unpredictable effect that crisis and shocks have had on the preferences of policy actors. By telling a story of variation in EU energy policy and successful discursive re-framing by the Commission, this thesis contributes to the on-going debate on the impact of non-material factors such as ideas, meaning, goals, and visions on the outcomes of policy-making. By combining bibliometric, process-tracing, and discourse analysis techniques, this thesis has sought to provide a more reliable and replicable operationalisation of ideational elements and has expanded the prospective agenda for more cross-policy research in EU studies and public policy analysis.

She didn't want to know how a thing was done, but why.
That can be embarrassing. You ask why to a lot of things
and you wind up very unhappy indeed, if you keep at it.

R.B., 1953.

Creating a more integrated EU energy policy: the role of policy vision, ideas, and discourse

> "We are proposing a common strategy for energy. We are in a new energy century"
>
> (José Manuel Durão Barroso, quoted in Browne, 2006)

Twice in the space of less than five years, Europeans faced the prospect of a foreign-induced energy shortage in the dead of bitterly cold winters. At the beginning of 2006, the flow of Russian natural gas which transited through Ukraine to reach the European Union (EU) was partially suspended for about four days following a bilateral quarrel between the two governments on gas pricing and transit tariffs. In January 2009, a new episode of this 'dispute' caused a total shutdown of Russian natural gas supply to Europe for two weeks, affecting the economy of sixteen EU Member States and leaving the industry and households of at least two of them with no gas supply whatsoever.

The 2006 and 2009 crises presented European states and their citizens with the frightening prospect of disrupted supply, making them dramatically aware of the policy challenges threatening the security of their energy futures. The 'disputes' also raised the question of whether EU Member States would choose to harness these difficulties—that then Commissioner for External Relations, Benita Ferrero-Waldner (2006:2), defined "a wake up call about our energy supplies"—and develop EU-wide and integrated instruments to address these challenges or whether, on the contrary, national governments would continue to jealously pursue their domestic interests only.

Energy policy has always been, indeed, an important domain of national sovereignty and governmental authority. Energy-importing countries such as EU Member States have generally elaborated energy policy as a synonym for their security of energy supply—i.e., provid-

ing their populace with adequate quantities of energy supplies at an affordable cost. The very concept of energy policy, therefore, has long been inherently connected to a country's existential security—an approach which usually grants national governments with full decisional powers, an extremely inward-looking perspective on energy policy's complexity, and an unwelcoming disposition to cross-border collaboration or 'burden sharing'. National governments, finally, have tended to attach particular importance to the foreign policy dimension of energy policy. Energy policy has been usually interpreted as a bilateral consumer–supplier relationship, with scarce consideration for either coalition-building strategies within the EU or more responsible energy use at the domestic level.

Despite the Member States' traditional and state-centred understanding, however, energy policy in Europe has changed significantly during the last fifteen years and so has the way in which the very concept of energy policy—its contents, its goals, and its instruments—is now defined and understood within the EU. EU energy policy has become more integrated, complex, and collaborative. The developments of the last fifteen years may suggest that the once-unlikely prospect of a common EU energy policy is now closer than ever and welcomed by a powerful coalition of EU policy-making actors at all levels of governance—i.e., European, national, and local. This basic observation and the explanation of this seemingly unexpected change are the rationale underpinning this thesis.

This sudden change of route in EU energy policy and the achievement of unprecedented degrees of cross-border collaboration and institutional integration are tightly related to the occurrence of certain critical events and exogenous 'shocks', which during the last fifteen years have affected the ordinary way of making energy policy in Europe. Growing instability in global energy prices and supplies have caused turbulence in national energy strategies and markets since the late 1990s. As mentioned above, in 2006 and 2009 the flow of natural gas supplies to many EU countries was jeopardised by two bilateral quarrels between Russia

and Ukraine. The events that followed the March 2011 tsunami on the coasts of Japan and affected the nuclear power plants in the area of Fukushima have discredited the potential development of nuclear energy in Europe. Finally, the so-called 'Arab spring' events, which in 2011 and 2012 have swept many energy-producing countries in North Africa and the Middle East, have added to the instability of energy supply to several EU importers.

This was not the first time, however, that the energy security and energy policy decisions of EU Member States were compromised by exogenous shocks or unpredictable crisis. Moreover, it would have been reasonably expectable for Member States to radicalise their security-oriented positions on energy policy in the face of disruption, further insulate their domestic energy market, and discard any cooperative prospective as an unnecessary or counterproductive cost or political venture. There must be some conditions and circumstances that may explain why, at this point in time, when such a shift was *least* expected, EU Member States and EU institutions have agreed to move towards a more complex understanding of energy policy-making, more integration and pooling of sovereignty, and a more politically hazardous and yet *progressive* choice about the competences and the future of the EU.

One of the main drivers of this change in EU energy policy was the effort of the European Commission to achieve an effective EU-wide energy strategy. The Commission has long considered this goal to be a key prerequisite to face the many challenges on the road to the completion and organisation of the EU's internal energy market, the definition of a viable and environmentally sustainable long-term energy roadmap, and the stabilisation of the EU's external energy relations and its quest for a more secure supply of energy resources. Consistent with its traditional advocacy for more integration at the European level and the growth of EU-based policy competences, the European Commission has supported this integrationist discourse on energy policy for decades by means of myriad policy communications and legislative proposals. Facing the critical events of the 2000s, the Commission's policy vision

has stimulated systematic action to address Europe's energy policy in *all* its dimensions—market, environment, efficient consumption, and supply—and re-frame it as a matter which is, under any circumstances and because of its comprehensive nature, best dealt with at the EU level. This study labels the Commission's complex, comprehensive, and paradigmatic approach as *energy policisation*.

These are the main questions and puzzles with which this thesis deals. What are the features and components of a *policised* way of making energy policy in Europe, and what the policy vision and goals that underpin and support it? Why has this change occurred at this point in time? What was the role of recent crises and what circumstances or decisions have made this shift towards the *policisation* of energy ultimately inevitable?

Three concepts to understand EU energy policy: policisation, continuity, and change

The empirical objective of this thesis is to analyse the elements that compose this new policy frame, i.e., this new way of understanding and making energy policy in Europe, as well as to trace back the single steps, turning points, and policy decisions that have made the shift possible. This integrationist frame has brought about change in several dimensions of EU energy policy. During the last fifteen years, the Commission has consistently advocated for this new approach as a feasible and desirable alternative to the fragmented and incoherent energy policies of EU Member States.

While most Member States have generally tried to preserve their national prerogative on energy security and energy policy choices, EU institutions—and the Commission in the first place—have promoted a more comprehensive vantage point on the common issues that affect the EU, i.e., a community of energy consumers suffering from import dependence and obsolescent infrastructure. Similarly, while most Member States have favoured bilateral and direct external energy relations with single suppliers, the Commission has advocated for a

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more responsible behaviour *inside* the EU's borders, empowering energy efficiency strategies as well as endogenous production from renewable energy sources. While Member States have tried to defend their national energy companies from EU-wide competition, EU institutions have promoted fair competition, open market, and customer protection in a border-less and efficient internal energy market. In general terms, the Commission's frame has questioned the long-established identification of energy policy with energy security and security of supply. The Commission's has been an attempt to de-securitise and then *policise* EU energy policy within a complex and all-embracing framework.

This vision of energy policy is not entirely new and, in fact, marks a strong *continuity* in the discursive history of the European Commission on matters of energy policy. The European Commission has been promoting a more complex approach to energy policy and its diverse dimensions for the last forty-five years. In 1968, a Commission's communication (1968:7) reminded Member States that "the aims of energy policy cannot be attained in isolation". A few years later, the Commission (1972:10) warned that the "next few years are expected to be difficult ones" and suggested an agenda that—besides the obvious preoccupation with supply security—also revolved around environmental protection, rational use of energy, and scientific innovation. In 1980, finally, the Commission emphasised the key role of national governments in devising an effective energy policy for the EU but, at the same time, reminded them that "these measures need to be coordinated and, where necessary, supplemented and reinforced by Community measures" (1980:3). This discourse highlights, above all, two main facts. First, that the European Commission has remained significantly consistent and coherent, for decades, about its own energy policy agenda, vision, and goals. Second, that the European Commission has tried to overcome the limitation of the EU's energy policy institutional structure, resources, and competences by means of discourse—i.e.,

by narrating its own policy vision in order to promote and diffuse its policy preferences and build consensus about a new way of understanding energy policy.

The theoretical purpose of this thesis is, indeed, to provide evidence of the relevance of policy ideas (and the discourse through which these are conveyed and disseminated in the policy arena) in determining policy outcomes and altering the policy-making process. This is all the more true in the case of EU energy policy, where the main goal was to 'dismantle' the copious and long-established narrative about energy being a matter of a country's survival and existential security and suggest, convincingly and pragmatically, that a different vision, an alternative agenda, and a brand-new set of policy options and futures were available. Actors driven by policy ideas other than security, contrast, and primacy had the opportunity of being socialised into and participating in an alternative policy platform—policisation—that put forward different ideas about the goals of and the rationale for a common and integrated EU energy policy.

By telling a new, different story about energy policy, discourse allows certain underrepresented interests to be heard, certain marginalised actors to form coalitions and gain leverage, and certain overlooked dimensions of policy to reach the top of the agenda. This process is definitely not automatic. Stories, frames, meanings, means of communication, and instrumental narratives coexist and compete all the time. Nevertheless, under certain conditions, a new narration can prevail, drive consensus, and alter the outcomes of the process and have a very concrete impact on policy. The story about energy security being a fundamental feature of national sovereignty and energy policy being about bilateral relations with suppliers, the amount of imported fuels, or the dramatisation of the potential effects of crisis has been replaced. There is now a new narrative prevailing and there must be certain historical reasons and circumstances that explain this change. Identifying them is one of the objectives of this thesis.

The European Commission, albeit so consistent and embedded in its advocacy for more pervasive integration and EU-wide policy-making, has also tried to compete with other frames and understandings of energy policy when the 'rules of the game' were different and non-inclusive. Part of the empirical analysis conducted in this thesis is dedicated to the discursive efforts the Commission made also under a paradigm of energy securitisation, mostly trying to question the identification of security of supply with national security and to voice the need for a more common EU position on energy security and boost the EU's powers to decide autonomously on matters of supply and import dependence. There is a relation between peaks in the debate on energy security, especially in the face of sudden crisis, and an increase in the Commission's public exposure on energy supply and the potential *threats* to the security of the EU. Since these efforts, however, did not translate into either stronger EU competences or a more unitary EU 'voice' in energy relations, it follows that the Commission faces the risk of marginalisation every time it engages other actors with any narrative different from its own integrationist 'ideology' and vision. The Commission managed to successfully re-frame EU energy policy only when it remained *loyal* to its vision.

There is, however, an analytical problem with the 'timing' of this shift in discourse. The shift towards policisation has occurred during a time battered with crises in energy policy. By the end of the 1990s, energy prices—and in particular the per-barrel cost of oil—had began fluctuating abnormally, interrupting decades of steadily declining prices on the global (and cartelised) market. As energy prices increased and traditional sources of energy like oil and natural gas appeared to deplete inexorably, the instability of the energy markets had, by the beginning of the 2000s, emphasised the governments' preoccupation with energy security.

Against this turbulent backdrop, European energy security suffered also from two more unexpected shocks, further hampering the Member States' ability to respond to crisis. In January 2006, Ukraine interrupted for three days the supply of natural gas to the EU follow-

ing a 'dispute' with the Russian energy company Gazprom about its tariff and pricing policies. This brief episode affected most EU countries with "little more than minor inconvenience" (Pirani *et al.*, 2009:8). Just three years later, however, in January 2009, another bilateral clash between Russia and Ukraine resulted in a more serious energy crisis which heavily affected European importers of Russian energy. For thirteen days, supplies were cut off entirely with severe repercussions on the industrial production and economic activity of at least sixteen EU Member States and the wellbeing of their citizens. The two 'gas disputes' combined to expose the inadequacy of Europe's energy policy and its vulnerability to sudden and unexpected shocks.

Undeniably, the 2006-2009 crises are a central turning point after which EU energy policy has changed significantly, but they also tell just one part of the story. It is not the first time, after all, that the stability of EU Member States' energy markets are unexpectedly altered by exogenous or uncontrollable events. In 1973-1974, another global oil market crisis of impressive magnitude affected many industrialised economies throughout the world, and Europe was no exception. The industrial production and ordinary economic activity and service provision of many European countries was severely damaged by the decision of the Organisation of Petroleum Exporting Countries (OPEC) to suspend exports to Western suppliers. After decades of relative abundance, stable prices, and prospectively rich fossil fuel reserves, Western economies and European governments were faced with sudden energy disruption. The response was a mix of state-controlled measures of supply diversification and domestic *austerity* in terms of energy consumption. As a result of these shocks, however, no solidarity mechanism was implemented at the European level and no action was

undertaken by Member States to increase the coordination powers of EU institutions in order to prevent similar crises from reoccurring with no actual possibility to respond or react.[1]

Why is it, then, that the 1970s oil shocks were unable to elicit the same structural change as the 2000s events? How is it that the radicalisation of energy security as a matter of national survival resisted as the leading energy policy paradigm until the 2000s? Moreover, if the Commission has been consistently promoting an alternative, policised approach to energy policy for the last forty-five years, what has made the 2006-2009 crises different from previous shocks? Why has change occurred at this point in time, and not earlier?

This thesis advances a strong hypothesis, i.e., that the policisation shift shows how crisis and shocks are *necessary* but not *sufficient* to induce policy change, and that the ultimate driver needs to be sought in the behaviour of agents. Accordingly, there must have been specific circumstances or specific tactics, instruments, and choices must have been put into effect that have successfully brought about a new discourse on energy policy, a new frame with its own objectives and vision about both energy policy and the process of European integration as a whole. This thesis tries to tell a story of sudden and unexpected change in EU energy policy and analyse how this alteration of existing balances has—almost paradoxically—opened a window of opportunity for a consistent discourse of continuity and stability, i.e., the Commission's perspective on a more complex, sustainable, and integrated EU-wide energy agenda. Its case studies, finally, are devoted to analyse and identify specific policy tactics and 'techniques' that may have favourably helped the European Commission to achieve its objectives, sometimes even to the detriment of the Member States' preferences.

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[1] It is interesting to note that, while European countries failed to develop any institutional, legislative, or political advancement of energy policy cooperation following the "OPEC shocks" (Helm, 2005:16), the facts of 1973-1974 were a fundamental driver for the establishment of the International Energy Agency (IEA) in 1974. The IEA was originally created with the aim of providing Western economies with safeguard mechanisms against further disruption crises such as the 1970s shocks (Ciambra, 2011d). Even though they were unable to suggest an integrated European response, eight out of the (then) nine EU Member States, with the only exception of France, were among the founding members of the IEA.

The structure of the thesis

This thesis has three main objectives. Theoretically, it is concerned with the role of policy ideas. A vivid debate is still going on in the social sciences about what explanatory value should be attached to such non-tangible and non-material variables as ideas, beliefs, norms, values, objectives, idiosyncrasies, perceptions, and mistakes. This thesis accepts that any academic endeavour that excluded *a priori* the impact that ideas and thoughts have on the material and visible action of policy actors would inevitably handicap its scientific reliability. EU politics and policy-making, moreover, are a privileged test field to analyse the role of ideas, ideologies, and paradigms. On the one hand, the institutional structure designed by the Treaties defines the limits and attribution of policy competences quite rigidly: many EU institutions—and the European Commission in particular, since it enjoys a significant degree of expertise, know-how, and technical resources—can only *talk their way* towards more influence and decisional power. Policy ideas, agendas, visions of the future, and the discourse through which these are conveyed to the public can be the only weapon available to certain institutions to upset the existing status quo in policy-making. On the other hand, the EU is a polity whose citizens carry several overlapping identities. The very idea of *Europeanness*, the long-term goal of an ever growing integration, and the prospect of a 'genuinely European' community of citizens can work as *ideologies*—as it is the case with personal socialisation and identification of Brussels' Eurocrats within the Commission and other EU institutions—driving the behaviour of policy actors, justifying their choices, and drawing a truly EU-wide and supranational worldview.

Empirically, this thesis is interested in the recent developments of EU energy policy and in collecting reliable evidence of a shift towards a more integrated, cooperative, and 'European' paradigm of energy policy-making. This kind of analysis relies not only on the reconstruction of historical processes and events, but also on *ad hoc* case studies that may high-

light the observed variation from a more security-oriented and state-centred understanding of EU energy policy to a complex and multidimensional *policised* approach to the matter. Particular attention is paid to the behaviours, strategies, and policy decisions which may have caused or driven this change. The main objective is to single out and formalise specific tactics and choices, processes and competitions which may identify a common-denominator definition of the Commission's integrationist and 'European' way of making public policy at the EU level. There are, it is assumed here, many lessons to be learned from the case of EU energy policy. The relevance of discursive tactics, framing competitions, and policy entrepreneurs is not limited to this policy subfield. If policy analysis could synthesise basic and reproducible 'laws' and regularities of EU public policy-making, the reliability of analytical models and the predictability of policy scenarios could both easily be improved.

Methodologically, the thesis' focus on discourse, narration, ideas, and meaning raises an issue about the reliability of analysis and measurement conducted almost exclusively on non-material and non-visible variables. The main expected outcome of the thesis, in this regard, is to devise a set of indicators which are able to operationalise sensitive variables such as actors' ideas or *policy visions*, relying in particular on 'discursive vehicles' that are able to carry an unequivocal and quantitatively measurable meaning irrespective of the context in which they are used, the actor that produces them, or the recipients to which they are addressed.

These objectives interweave like threads throughout the whole structure of this study, set the pace of the analysis, and re-unite ideally in the thesis' conclusions. Chapter 1 provides the analytical framework and the fundamental concepts that constitute the backbone of this thesis. It locates this study in the ever developing ideational–materialist continuum. It defines the core and original concept of *energy policisation* in Europe. It also relies extensively on ideational literature in order to define as clearly as possible the substantial relation that links ideas, discourse, meaning, and concrete policy action together. In particular, the litera-

ture on intentional policy framing as a tool for instrumental problem-definition and agenda-setting (Cobb *et al*., 1976; Rein and Schön, 1991) provides an effective toolkit to study how a policy preference or goal can be 'talked through' the top of a policy agenda, as well as why determining "what politics is about" (Schattschneider, 1957:937) gives a natural advantage to those policy actors who manage to drive political competition towards their interests or needs. The chapter shows, moreover, how the Commission has politically and intentionally used its Treaty-based powers to initiate legislation in Europe to set new policy agendas and the pace of debate, discourse, and narration about European integration. Chapter 1 also presents the thesis' research questions and research design, the latter building on the operationalisation methods and techniques of an emerging scholarship on re-framing strategies in EU policy-making (Daviter, 2007; 2011; Princen and Rhinard, 2006).

Chapter 2 re-interprets the history of EU energy policy through the lenses of an ideational approach. The purpose of this chapter is to contribute to a quite underdeveloped debate in EU energy policy studies, i.e., providing a comprehensive account of EU energy policy *without* connecting it entirely either to the oscillating trends of the European integration process or to uncontrollable and exogenous shocks and events. Academic works on the history of EU energy policy are relatively scarce and tend to focus on the institutionalisation of energy policy in the EU Treaties or the evolution of EU energy legislation. Chapter 2, conversely, shows that even when institutional and formal developments in Europe were seemingly neglecting energy policy, EU institutions were nonetheless able to bring about major changes in the way energy policy was made in Europe and also to push energy policy integration forward. The chapter, finally, analyses the occurrence of crisis as a catalyst for policy change and reconstructs the Commission's consistent approach to energy policy's complexity.

Against this backdrop, Chapter 3 addresses in detail the observed change in EU energy policy and the shift from a more securitised and state-centred discourse to one of complex

multidimensionality based on the technical expertise and *low-politics* capability of the European Commission to intervene in a number of contiguous policy sectors—i.e., energy policisation. The chapter's empirical research features a bibliometric test which analyses the ability of specific *discursive vehicles* to carry specific sets of policy ideas and meaning. The test studies the authorship, the intensity, and the effectiveness of energy policy speech acts in order to single out the turning points after which energy policy discourse stopped being concerned with national security and energy supply and began 'talking' energy policisation in all its diversity. The bibliometric test is then corroborated by an in-depth discourse analysis of EU energy policy narrative since the late 1990s. This analysis, moreover, suggests an alternative four-tier indicator to operationalise variation in energy policy narratives, thus contributing to the on-going debate about the measurability of discourse in such a volatile and equivocal environment as the EU policy-making arena.

Chapters 4 and 5, finally, go into further detail to examine the particular circumstances under which the European Commission has been able to re-frame EU energy policy and make it more consistent with its long-term vision of a more integrated Europe. Each chapter analyses a case study on the policisation of EU energy policy. Chapter 4 deals with the development of an offshore wind-power grid in the North Sea to be fully integrated in the European electricity network deployed on the continent. The chapter analyses the intensive and consistent narrative of the European Commission about the need to promote electricity generation from renewable energy sources and to renovate and ameliorate the energy infrastructure across Europe. This effort has gained the consensus of a large section of national energy regulators, has promoted the creation of new institutional venues for national interest representation to meet, discuss, and develop a common position on shared energy issues, and has eventually won the resistance of several EU Member States prompting them to cooperate more systematically.

Chapter 5, on the other hand, studies the case of the negotiation and approval of Directive 2012/27/EU on Energy Efficiency, ultimately entered into force on December 5, 2012. The first directive proposal was tabled by the European Commission in June 2011 as the tipping point of a process which had started with the Energy 2020 initiative in 2010 (European Commission, 2010a) and continued with the Energy Efficiency Plan in 2011 (European Commission, 2011a). The two documents translated the '20-20-20 goals' (European Council, 2007) of a more sustainable, efficient, and less polluting energy consumption in Europe into operational measures and a blueprint for EU legislation on the matter. The Directive proposal had the ambitious objective to impose, for the first time, binding objectives on Member States, turning into the first politically-sensitive piece of EU legislation designed under the brand-new Title XXI on Energy of the 2009 Treaty of Lisbon. The Directive, therefore, is a significant novelty in the history of EU energy policy. The proposal ignited a highly controversial negotiation process that led to an unprecedented discursive struggle between the Council and the European Commission—an ideal test ground for the power of policy ideas and narratives to alter the outcomes of policy-making processes. Both chapters combine to assess how a discursive actor like the European Commission, under different sets of circumstances, can be forced to adapt its tactics and short-term objectives in order to perform a successful re-framing and drive the policy-making process towards its own preferences.

The thesis concludes with a thorough assessment of its findings and results, maintaining the three-layer structure of its theoretical, empirical, and methodological contribution to the current ideational and policy-analysis agendas. The conclusions also suggest new paths for further research and emphasise the role that policy analysis plays by identifying common-denominator instruments that may apply to EU studies as a whole.

Part I
Analytical framework and research design

Chapter 1

Policy ideas and changes in EU energy policy

> "Their *esse* is *percipi*, nor is it possible they should have any existence
> out of the minds or thinking things which perceive them"
> (Berkeley, 2008[1710]:§3)

This thesis deals with two seemingly unrelated topics: the role of ideas in the explanation of social phenomena and the energy policy of the European Union (EU). It suggests a connection between them by advancing an ideational framework to interpret policy change in EU energy policy during the last fifteen years. Recent critical events—such as the Russia-Ukraine 'gas disputes' of 2006 and 2009, the repercussions on nuclear energy research and technology after the Fukushima crisis of 2011, and the growing political and social instability in many EU gas and oil suppliers in North Africa and the Middle East—have generally prompted political and public responses preoccupied with concepts like energy security, energy dependence, and supply disruption. The response from politics and the media, in other words, built on a deliberate *discourse of crisis*. This thesis argues that the understanding of the political reality and the 'vision' of prospective future scenarios—i.e., the *policy ideas*—underpinning this narrative have changed, and that EU energy policy has changed accordingly.

The purpose of this thesis is to prove the existence of a *shift* in the policy ideas upon which EU energy policy has been built since the late 1990s and the emergence of a new *policy frame* in the discourse of political and economic actors involved in the energy policy-making process. Moreover, it argues that this shift was deliberately initiated by the European Commission in the attempt to make EU energy policy more consistent with its own understanding of EU public policy-making as a whole—i.e., a more integrationist, EU-driven, and supranational paradigm of European integration. To prove these arguments, the thesis adopts

an ideational analytical framework, building on the basic premise that *ideas matter* in the calculations made by rational actors and affects the succession of events at least as much as more concrete and visible elements—like power, wealth, and individuals—do.

Following the empirical conventions of *argumentative discourse analysis* (Hajer, 1993; 2005), this approach to social facts and interactions is operationalised through *a*) a bibliometric test which keeps track of the change in the use of specific *discursive vehicles* and the shift from a securitisation response to a more *policised* frame (i.e., a frame which comprehensively considers energy policy as the complex patchwork of diverse policy actions in many related fields), which introduced ideas such as market competitiveness, environmental sustainability, and energy efficiency; *b*) two case studies of EU energy policy-making processes, namely, the development of an offshore electricity grid in the North Sea to be connected with the main EU transmission network and the negotiation and approval, in 2012, of the Energy Efficiency Directive (EED). The two cases illustrate two different framing tactics adopted by the European Commission to overcome the resistance of other policy actors—most notably, EU Member States—and finally establish a policy frame consistent with a broader integrationist design of EU public policy.

This chapter introduces the thesis' central analytical concepts: *paradigms*, *frames*, and *policy discourse*. The chapter also presents the thesis' research questions—i.e., to what extent has EU energy policy been re-framed in a more *policised* way, and under what circumstances these discursive tactics can be successful—and describes the thesis' research design and methods as well as the techniques adopted to perform the empirical research.

1.1. From paradigms to frames: how ideas shape policy action

Energy policy is a fundamental component of modern economies and societies, "the source of wealth and competition, the basis of political controversy and technological innovation"

(Pascual and Elkind, 2010:1). Crisis in the supply of energy is likely to put major strain on the productive activities and the delivery of basic services of any country. Such negative effects are all the more magnified in the case of a complex, multi-national polity like the EU. It is understandable, therefore, that when several critical events hit Europe during the 2000s and early 2010s the most common public reaction to crisis was to advocate for swift and concrete responses: more *security* against energy disruption, more reliable suppliers, and generally the upgrade of energy policy to a more sensitive status—up to a level at which the integrity and perhaps the *survival* of European states and economies was at stake.

This kind of reaction appeared reasonable also in analytical terms. Mainstream approaches to social structures and interactions, indeed, conceptualise policy actors as rational agents who are moved by interests and preferences. These interests are generally seen as *rational* and *material*: no actor, that is to say, would ever want anything that may turn out to be harmful or threatening to itself and all actors would generally yearn for something they can physically possess or that, at least, adds to their endowment of goods and resources. In political science, this understanding of social reality has roots that go back to behaviouralist studies in the early 1950s (Dahl, 1961) and builds on the solid tradition of realist and neo-realist schools in international relations theory (Morgenthau, 1985[1948]; Waltz, 1979). Since the late 1980s, materialist scholars began to accept that a misleading conception of scientific rigour may in fact have hindered the usefulness and explanatory power of their models (Keohane, 1988). Authors in the institutionalist strand (Keohane, 1984; March and Olsen, 1984), coming from different backgrounds and diverse epistemological schools, started to argue that factors such as knowledge and information (Goldstein and Keohane, 1993), path-dependent 'memories' of past practices (Hall, 1993; Thelen and Steinmo, 1992), and reflective parameters such as norms, beliefs, and perceptions of reality (Blyth, 2002;

Checkel, 1998; Finnemore and Sikkink, 1998; Katzenstein, 1996; Wendt, 1999) may have a constraining effect on policy decisions and outcomes.

This "ideational turn" (Blyth, 1997:230) undermined the certainties of materialist approaches and posed the analytical challenge of understanding to what extent non-material elements such as ideas and perceptions have an impact on the decisions that actors make. This change marked a turning point and prompted a debate which is still open and spans all the social sciences (Béland and Cox, 2010a; Chwieroth, 2010; Schmidt, 2010). Along this materialist–ideational continuum, this thesis is located close to the ideational end. Its central argument is that policy ideas, beliefs, and understandings have played a fundamental role in changing EU energy policy during the last fifteen years. This change in policy ideas, in particular, has driven the European Commission towards a different set of policy objectives and pushed the Commission to re-frame energy policy accordingly, in spite of persisting pressures towards the *securitisation* of energy policy and the political resistance of other actors, notably EU Member States.

Paradigms, frames, and discourse: from the raw idea to the policy outcome

An ideational approach to public policy-making revolves around one core argument, i.e., that non-material factors are as able to alter policy outcomes and policy decisions as wealth, power, and other material resources are. The way policy actors think, respond, react, plan, and conceive of the world around them, therefore, needs to be paid adequate analytical attention. However obvious or common-sense this argument may seem, however, the process that leads non-material concepts such as ideas or beliefs to affect the concrete realm of human actions and decisions is still open to debate. Even under the assumption that ideas matter in the explanation of observed social phenomena, how do these ideas *work*? How can non-

material factors actually have an impact on the concrete decisions that actors make and the actions they put into effect?

In this thesis, every policy actor is conceptualised as an individual or a unit in the social system in which is embedded. The physical and material characteristics of this system (for example, the geographical limits of a country) coexist with various non-material normative and institutional features—e.g., the constitutional order of the country, its form of government, the national language or religion. All these elements combined constitute the *social reality* in which actors are embedded and that they can subjectively perceive. Actors, moreover, interact with each other: at these times, their individual perceptions of the reality around them can influence each other and, therefore, change. This overall *idea* of the world at large is defined here as a *paradigm*.[2]

This overarching understanding permeates the actor. In the case of policy-making, in particular, it limits the possible decisions which actors are able to conceive and, at different times, it suggests different roadmaps according to which actors act and pursue their interests. In other words, policy actors that share the same paradigm (e.g., the citizens of a certain country or the agencies of a government) share certain ideas, moral beliefs, and other normative constraints that serve as *vocabulary* through which actors construct their interests and

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[2] The debated concept of *paradigm* was given popularity by Thomas Kuhn's (1970) revered work, *The structure of scientific revolutions*. The purpose of Kuhn's study was to understand scientific evolution as the succession of *shifts* which altered the rules and understandings of scientific procedure and methods, as well as the fundamental concepts and tools available to all members of a certain scientific community. The concept, however, has been re-defined in many disciplines of the social sciences as to include the basic knowledge, consciousness, and tools that—once combined via iterations, trials and errors, and mutual interactions with other actors—may bring about decisions and actions. Paradigms have been used to discuss and explain major shifts in the disciplinary orientations and foundations of political science (e.g., Legro and Moravcsik, 1999; Feaver *et al.*, 2000 on the fortunes of positivism). Paradigms have been a favoured instrument in globalisation (Cerny, 1996; Scholte, 1999; Mittelman, 2002) and world politics studies (Modelski, 1996; Modelski and Poznanski, 1996). In the tradition of Allen Imershein's (1977) work, paradigms have also been a key analytical feature of organisational studies (Morgan, 1990). Also the EU has, of course, stimulated a number of studies adopting paradigmatic explanations of conventional EU policy-making schemes. Dieter Helm (2005; 2007) has explicitly identified and 'dissected' a series of paradigm shifts in EU's energy policy-making over the last decades—an analysis which is largely consistent with this thesis' argument. A recent contribution on paradigms and EU public policy (Carson *et al.*, 2009) also provides, together with a thorough analytical critique of the concept, an ideational interpretation of EU energy policy developments (Andersen, 2009).

their preferences, i.e., what they want or need, and how to achieve it. By tying these ideas together and expressing them through language, policy actors are able to *frame* a certain policy in accordance with the goals they want to attain. In this sense, framing is "a way of selecting, organizing, interpreting, and making sense of a complex reality so as to provide guideposts for knowing, analysing, *persuading*, and *acting*" (Rein and Schön, 1991:263, emphasis added).[3] The emphasis on persuasion and action is not accidental. Persuasion is a token of the system's constant competition among different frames and their ways of presenting a certain policy issue: successful framing occurs when an actor is able to build so strong a consensus about its policy narrative that even other actors, despite their diverging interests, accept to abide by its policy agenda. The emphasis on acting confirms that framing discourse, language, meaning, and discursive vehicles that allow for communication among actors is the only way in which (non-material) ideas can be translated into (concrete) policy outcomes.

Policy-framing formulations rest on the assumption that "problems do not exist 'out there', are not objective entities in their own right, but are analytic constructs" (Dery, 2000:40).[4] A problem is perceived by the community only if it is discursively defined as

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[3] Earlier drafts of this chapter accepted, with Rein and Schön (1991), that paradigm and frame may in fact be overlapping concepts to be used interchangeably in academic research. More specifically, Rein and Schön's view of framing is, at times, ambiguous. While the assumption that a "frame is a perspective from which an amorphous, ill-defined problematic can be made sense of and acted upon" (1991:263) is generally accepted by the policy-framing literature, the extended comparison with Kuhnian paradigms and the idea that framing "leads to different views of the world and creates multiple social realities" diverges from the ontology generally agreed on by policy framing scholars (1991:264).

[4] John Kingdon's is a significant dissenting opinion from this orthodox 'constructionist' interpretation of problem-definition processes and their role in determining or altering the policy agenda. Kingdon's classic work on agenda-setting acknowledges that "[f]airly often, problems come to the attention of governmental decision makers… because some more or less systematic indictor simply shows that *there is a problem out there*" (Kingdon, 2003[1984]:90, emphasis added). The two different uses of 'problem-definition' seem, in fact, to hide a contrast between problem-creation on the one hand and problem-description or perception on the other hand. Some authors (Dery, 2000; Weiss, 1989) tend to focus on somewhat a 'substantial' nature of problem-definition: they seem to attach to the actors' instrumental issue framing and choice of discourse, tone, and scope the ability to *create* an issue which, otherwise, would have been neither dealt with nor perceived by the public. Kingdon's approach, conversely, seems to emphasise the 'qualitative' of problem-definition: "[t]here are great political stakes in problem definition. Some are helped and others are hurt, depending on how problems get defined". It is not *whether* but rather *how* issues are introduced in the agenda via problem-definition that tilts the political balance and makes the process lean towards one set of interests rather than another.

such by an interested actor. Therefore, "the political construction and selection of the problems on the agenda constitute a key phase of the policy-making process" (Béland, 2005:7). Any actor who is able to make its frame—i.e., its understanding of the issue—prevail over others will enjoy a competitive advantage in the policy-making process. When an actor is able to decide what is a problem and what is not, it will be easier for it to translate its own interpretation of the problem into a set of actions required to address and solve it.[5] Since all "communities must decide which issues will be the concern of decision makers" (Cobb *et al.*, 1976:126), power struggles, therefore, are more likely to occur at the beginning of the policy-making process, during the agenda-setting and problem-definition phases (Cobb and Elder, 1971; Dery, 2000; Green-Pedersen and Wilkerson, 2006; Weiss, 1989).

A classic interpretation of these processes comes from John Kingdon's seminal work (2003[1984]) on agenda-setting and its impact on the design and outcomes of public policy. Kingdon's work is essential to shed light on the connection between ideas and 'concrete' policy action as it systematically analyses the relationship between the conceptualisation of problems and issues in a given political community, the definition of competitive policy alternatives to advance viable solutions, and the political promotion of frames as 'roadmaps' and blueprints through which the actual policy decision and intervention is carried out.[6] The three phases are described, respectively, as the 'problem', 'policy'/'solutions', and 'political' streams.

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[5] This approach to problem-definition owes much to Schattschneider's path-breaking work on agenda-setting in the American context from the late 1950s on: "[h]e who determines what politics is about runs the country because the definition of the alternatives is the choice of conflicts, and the choice of conflicts allocates power" (Schattschneider, 1957:937).

[6] These characteristics in Kingdon's theoretical model may suggest (Béland, 2005) a degree of proximity with later historical institutionalist works, such as Hall's (1993) three-tiered paradigmatic model of policy change, and in general with a 'paradigmatic' understand of policy frames and ideas that attaches—if compared to the analytical stance of this thesis—perhaps too constraining and limiting a value to frames as the most comprehensive description of the political reality in which policy actors perceive themselves to operate. Kingdon's work, in other words, seems to elicit the same ontological concerns mentioned with reference to Rein and Schön's (1991) definitions in fn. 3 above (see p. 21).

In the problem stream, policy actor perform an initial sift of those problems that, among "numerous… potentially relevant issues" (Béland, 2005:7), are most pressingly considered to enter the governmental agenda. There are different instruments available for this type of selection. First, macro- and micro-indicators describing the social and economic reality are essential, since variation along the structural dimensions of a political community provide policy makers with a strong, visible, and 'measurable' argument in favour of either action or inaction. The apparent success or failure of past policies in a given sector, second, can also be a guiding factor in the definition of prospective agendas. Most notably, failure in the implementation of action or unexpected negative feedback can alter the set of priorities as deeply as to make pressing issues fade to insignificance and lose their spot in the formal agenda. One of the most useful concepts developed by Kingdon (2003[1984]:94) in his problem stream is the third one, i.e., the role of "focusing points", crises, unexpected events, and in general all exogenous unpredictable factors that may alter the status quo and jeopardise the 'rationally' expected order of a policy agenda. "Sometimes crises come along that simply bowl over everything standing in the way of prominence on the agenda", thus upsetting the strategies of the actors involved in the policy-making process as well as the ability of policy analysis to systematically or reliably predict the outcomes of such processes (Kingdon, 2003[1984]:96). Kingdon's conceptualisation of critical events has had a significant impact on later social studies, in particular on historical institutionalist students and their particular treatment of crisis and disorder in the study of policy change.[7]

The policy stream is fundamental for the progress and success of the agenda-setting and policy-making processes. In the policy stream, once the problem is defined and its priority is

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[7] In this regard, and in hindsight, also Kingdon's analysis of sudden alterations of the policy equilibrium may perhaps suffer from the same *ex post* 'tracing' bias that Mark Blyth (1997:230, emphasis in original) ascribed to historical institutionalists, according to which "such exogenous factors work their magic by entering the drama, causing trouble, and leaving" like "any classic *deus ex machina*".

acknowledged by the community of actors involved in the process, solutions are designed and a constant competition among alternatives is established. The likeliness, viability, timeliness, and effectiveness of a policy solution may be the winning argument in favour of one policy option rather than another, thereby facilitating "the high placement of a subject on a governmental agenda" and "dramatically increas[ing] the chances for placement on a decision agenda" (Kingdon, 2003[1984]:144). Kingdon's analysis follows the simple principle according to which, within a spectrum of several variables and proposed guidelines, those with a reasonably higher chance of being effective and an ability to provide tailored solutions to the most pressing problems will meet fewer difficulties in legitimately entering the agenda.

There are two central dimensions to this argument. The first one is about the technical and knowledge-ridden quality of the policy alternatives that are devised in the policy stream. At this stage of the process, policy options are created by communities of specialists that share the same instruments, the same basic knowledge, the same commitment, and behavioural standards—e.g., research methods and rigour. The policy options advanced within these communities, therefore, enjoy a varying degree of credibility, reliability, and technical consistency which provide them naturally with relative leverage and currency in the political arena.[8] The second dimension is the significance of ideas and non-material factors like knowledge and information and the role they play in the agenda-setting and decision-making process. In Kingdon's classic wording, ideas "float around" in these communities, are informally exchanged among relevant actors, are enriched and developed by contestation, argument, and innovation. Ideas float like molecules in Kingdon's (2003[1984]:116) "policy

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[8] Kingdon's definition of policy communities and, in particular, his work on the informal interactions that occur within them laid the groundwork for further research on the ability of closed, expertise-ridden groups to influence policy through technical knowledge and information. Long-established concepts such as Peter Haas's (1992) recall Kingdon's terminology and conceptualisation, in an ideal thread that ties these studies together back to Thomas Kuhn's (1970) seminal works on scientific communities and paradigmatic 'revolutions'.

primeval soup" like particles around a kernel, either clinging tightly or loosening their bond according to pressures, tensions, and attractions in the environment that surrounds them. Action and consensus are galvanised around one policy alternative rather than another according to simple criteria. The more technically feasible an idea, the more likely its consideration as a priority option when interested actors will be looking for a solution. Similarly, the more compatible an option with the *Zeitgeist* and the overarching vision and understanding of a problem within the community in which it is designed, the higher its chances of success.[9]

Kingdon's policy stream is consistent with many of the arguments advanced in this thesis. The central impact of ideas in the agenda-setting and policy-making processes is at the core of its hypotheses". In particular, the role played by the discourse through which are conveyed, social interactions, the actors' continuous confrontation recalls how "ideas are floated, bills introduced, speeches made; proposals are drafted, then amended in response to reaction and floated again" (Kingdon, 2003[1984]:117). Also the technical 'feasibility' criterion for policy alternatives may evoke the decade-long consistency in the European Commission's policy narration on energy policy which—it is argued in this thesis—in the long run credited the Commission with a reputation of reliable technical expertise on the subject as well as of strong advocacy for the European integration project and vision in general.

The political stream is perhaps the most inextricably connected to the governmental, domestic, and national setting in which Kingdon had developed his thought. While in the policy stream discursive processes of persuasion and socialisation can make a policy option prevail over the others, the political stream presents new obstacles, challenges, requirements, and criteria that affect the formation of a stable policy agenda and, most importantly, its transformation into policy outcomes. However reliable in technical terms or practically ef-

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[9] It is not surprising, hence, that Béland (2005:8, emphasis in original) insist on a strong resemblance between Kingdon's policy stream and later institutionalist work on policy paradigms and their "inherently normative and *programmatic*" value.

fective, policy options will inevitably face issues of timeliness and opportunity as they meet the volatile 'mood' of the public and political arenas, as well as the constant political bargain that characterises highly-sedimented institutional structures—consider, for instance, in a nation-state, the balance of powers, inter-institutional procedures, organised interests like political parties, interest groups, civil society organisations, industries, and social movements. However brilliant, rational, and successful a policy option may be, if it is politically untimely or contrary to vested interests that have a significant stake in the process, it will meet a potentially irresistible opposition.

The domestic characterisation of the political stream is an issue for EU public policy analysis not only because it emphasises dimensions—such as the "national mood" or a political party-ridden understanding of organised political interests—that are generally absent from EU policy-making, but also for its inherent blend of what are commonly identified as the 'high' and 'low' dimensions of EU politics.[10] Kingdon (2003[1984]:146) is stern in considering the separation of the spheres "fundamentally wrong". Public policy analysts, in other words, should not yield to the temptation of excluding the political dimension from the policy-making process, considering how political bargaining, strategy, positioning, calculations, and swinging 'moods' can affect the successfulness of agenda-setting attempts. At the same time, Kingdon (2003[1984]:146) considered wrong to insulate the agenda-setting process as a "specialized program development" or the "province of specialists". Political opportunity and timeliness, as well as institutional sway on consensus-building and procedures were crucial in Kingdon's view of the agenda-setting process and made clear that

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[10] See, for further reference, Stanley Hoffmann's (1966) classic study on European integration described two paths of EU policy-making: *high politics*, which affected systematically the process of European integration and the conventional notion of national sovereignty, and managerial or *low politics*, which dealt mostly with the technical dimension of regulation, legislation, and systemic standardisation. Similarly, Hayward (2008:1) contrasted the Member States' "heroic policy-making" discourse in the EU with the Commission's more technocratic "humdrum" style. Cf. also below, pp. 52 and 75.

"[i]mpact on the agenda… is different from control over the alternatives or the outcomes" (Kingdon, 2003[1984]:164).

Several concepts designed by Kingdon to describe his 'streams' have since become cornerstones of public policy analysis. It is worth analysing two of them in detail because of the tight link with some of this thesis' assumptions and hypotheses: policy windows and policy entrepreneurs. Policy windows are opportunities—either predictable or unexpected—for supporters of a certain agenda to put forward their position, their solutions, or put emphasis on their particular problems. Their role is fundamental because, according to the stream in which they occur, they can catalyse 'coupling' between different streams. Policy actors who have been advocating a certain issue or promoting a given solution may finally harness a policy window to win resistances in the political stream. Similarly, a given policy community may have the resources to produce an effective policy platform or strategy that may, however, still *lack a relevant problem* to be solved in order to gain visibility and access the agenda as a necessary measure: policy actors "wait in and around government with their solutions at hand, waiting for problems to float by to which they can attach their solutions" (Kingdon, 2003[1984]:165). The policy window argument leans, therefore, in favour of skilful policy entrepreneurs who are able to seize available opportunities to their own advantages. Their authoritativeness stems from the expertise or unique abilities they can provide; from their embedment in extended networks of political consensus and policy procedures; and from their persistence in supporting their own cause in a consistent way.

Kingdon's policy windows and policy entrepreneurs recall, ultimately, two key arguments in the analytical structure of this thesis, i.e., the role of critical events and the strategic, consistent continuity that has characterised the European Commission's narrative and political discourse on energy policy in Europe since the beginning of the integration process. In the explanation of the emergence of a more integrated and more complex energy policy dis-

course in the EU, crises and shocks—such as the growing energy prices since the end of the 1990s or the 'gas disputes' between Russia and Ukraine in 2006 and 2009—served as powerful windows of opportunity: shocks alone are not sufficient to explain change, but at the same time without this policy window the European Commission, which for decades had been developing its own energy policy narrative around the core issues of market competitiveness, environmental sustainability, and EU-wide integration, could not have had the opportunity to 'attach its solution' to the problems that had suddenly reached the top of the policy agenda. Policy windows and a persistent, authoritative policy entrepreneurship seem to have combined to offer the Commission, after more than four decades, the opportunity to guide the energy policy-making process towards a different set of goals and instruments. This interaction between change and continuity is one of the core arguments of this thesis, as is further discussed below (see Chapter 2, p. 103).

On the other hand, the political stream shows perhaps the strongest tension between Kingdon's conceptual toolkit and this thesis' analytical framework. It is argued here that because of some of the characteristics of the EU's policy-making system—and, in particular, the Commission's power of legislative initiative and the lack of a political arena comparable to the nation-state's in terms of public scrutiny, accountability, and interest representation—the agenda-setting phase is more *substantial* to the formation of policy outcomes. The discursive ability to identify and frame problems appropriately can combine with the ability to produce technically reliable and effective policy alternatives to upset existing agendas and successfully bring about a different set of solutions—sometimes even in spite of consolidated political forces or swinging moods and consensus balances. The problem at stake is identifying and analysing the discursive processes through which these strategies are put into effect.

Accordingly, this thesis agrees that frames somewhat 'mirror' a constraining or limiting understanding or perception of the social reality in which policy actors are embedded. In the

language they use and the ideas they communicate, policy frames 'impose' a precise set of tools, goals, and values and beliefs tightly connected to an actor's identity and preferences. Rather than on identifying and defining these overarching paradigms and their content, however, the analytical framework adopted here aims to study the relationship between frames as roadmaps and the actual policy actions and outcomes that stem from them. This relationship, in other words, is understood as the same that occurs between general and particular, macro and micro, or strategic and tactical. While the work of Kingdon—and all other students influenced by his seminal contributions—remains essential to understand the larger dynamics that lead from the identification of a problem to the design of its solution, what needs to be sought is also the policy 'clockwork' through which this translation from idea to action and from opportunity to reality is practically carried out.

In this regard, Cobb, Ross, and Ross (Cobb *et al*., 1976) suggest a model of agenda-setting phases which, thanks to its conceptual flexibility, helps to operationalise framing dynamics in most contextual situations. The model studies the *initiation*, *specification*, *expansion*, and *entrance* phases.[11]

When *initiating* the policy, actors "articulate a grievance" publicly, raising an issue even at the public/mass level and, to a certain extent, making the issue *exist* and become noticeable to other groups of actors (Cobb *et al*., 1976:128). At this early stage, the discursive and narrative effort consists of *voicing* the issue and establishing a connection between this policy problem and the interests embodied in an actor's role or presence in the process. Consider, for instance, the initiation of a certain energy policy facing a sudden event or a deteriorating equilibrium. In the wake of the Fukushima accident in 2011, there were competing

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[11] Also Cobb, Ross, and Ross' model was designed, of course, to analyse national contexts and institutional structures and to make cross-country comparative analysis more accessible to agenda-setting analysts focusing on domestic politics. Princen (2009) has recently argued on the structural ambiguities of the EU's policy-making system and their implications for linear explanations of agenda-setting processes at the EU level. The more technical or 'procedural' contents of the model and its toolkit, however, may allow for a safe empirical application to the analysis of EU processes.

frames that tried to reach the public agenda. Some presented the issue as one of health and environmental impact, advocating for stricter measures that could prevent new accidents. Others presented the issue as a link in the complex chain of energy production and security and pleaded to address the problem in order to find alternative sources and technologies that may prevent disruption in energy supply and the collapse of the economic system.

Issue *specification* formulates a consistent and practical policy solution to the issue which was previously initiated. This phase translate the problem into a workable policy issue and advances a tactical approach to solve it. It is at this stage, therefore, that the discursive actor interested in framing the issue in a certain way has to take into consideration the context in which the policy formation is taking place—the legal constraints and institutional opportunities that will shape and alter its policy discourse. It is at this stage, for instance, that a policy narrative addressing the lack of energy security or scarcity of conventional fuels will have to take into consideration whether the national context has, say, legally discarded the option of producing energy from nuclear sources or whether green parties or civic associations have been traditionally strong in electoral or representational terms.

The third phase, *expansion*, triggers basic dynamics of coalition-building and group pressure. The main understanding is that, in a complex community such a nation-state, no policy discourse has a chance to be mainstreamed and lead the policy-making process towards certain goals and preferences unless it is able to construct significant consensus about a policy solution to a common issue. Creating a like-minded coalition advocating for a specific solution to a common issue "may help create the feeling of urgency and importance necessary to attain a quick and favorable response from decision makers" and eventually transform the

discursive agent who first re-framed the policy in this fashion as the leader of the policy-making process (Cobb *et al.*, 1976:135).[12]

Policy *entrance*, finally, sanctions the transformation of a specific frame or advocacy agenda into a formal and institutionalised public agenda—i.e., the level at which decisions are eventually taken, legislation is initiated, and the process of policy-making terminates. Policy entrance is not necessarily the end or goal of policy framing. Entering the formal policy agenda does not entail, of course, that the policy outcomes are going to meet the interests of the actors which originally promoted the prevailing policy narrative on the issue. It is in this phase, in fact, that conflictual competition between different frames can occur, especially when new frames and new narratives on a given policy issue arise in a policy domain where a diverging discourse is already prevalent. One may think, for instance, of an environmental advocacy coalition that manages to initiate a larger energy-sustainability frame into the public policy agenda of a country with a severe dependence on imported fossil fuels. However successful their framing may be vis-à-vis different understandings of the sustainability issue, once the topic reaches the public agenda it will have to struggle for implementation with well-established and long-standing interests and institutions deeply rooted in a

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[12] The phase of policy issue expansion has a structural connection with the emergence of policy communities in Kingdon's policy (solution) stream (2003[1984]:117ff), but also with Paul Sabatier's classic work on advocacy coalition frameworks (ACFs). ACFs are generally formed by "a variety of public and private organizations who are actively concerned with a policy problem or issue", cluster around a common policy route to tackle the issue, and, indeed, advocate for their strategy to reach the public policy agenda after competing with the diverging strategies of adversarial coalitions within what is defined as a "policy subsystem or domain" (Sabatier, 1998:99). Sabatier's work has had a significant impact in public policy analysis and—in the words of the author himself—"has generated considerable interest among European policy scholars", especially because "policy subsystems will involve actors from several levels of government within a country and, increasingly, from international organizations and other countries" (Sabatier, 1998:98), thereby laying the groundwork for public policy analysis at the EU/supranational, regional and interregional, and local/sub-national levels. Sabatier's ACFs, however, are less flexible and comprehensive a concept, if compared to that of policy framing. This is all the more true insofar as the ACF theory relies on (underdetermined) exogenous factors such as "major socio-economic changes... changes in public opinion... changes in the systemic governing coalition" as the main explanation of and "critical prerequisite to major policy change" (Sabatier, 1998:103). The duality between fixed-strategic paradigms and changeable-tactical frames allows for a theory of policy change which is able to combine structural and institutional constraints with the more volatile and yet instrumental political will of the agents, limiting the impact of exogenous and unpredictable events on policy change and emphasising the role played by changes in the configurations of discourse, political goals, and actors' interactions at the agency level. This understanding of policy change is crucial to argue that ideas—organised into policy goals and interests, norms and values—are a variable *causing* change rather than *following* it.

fossil-fuel energy scheme and an import-dependent energy economy. It is at this stage that interests collide and actors develop tactics to overcome other actors' resistance and competing narratives.

The conceptualisation of this inevitable 'competition' between diverging or contrasting policy ideas and visions has been discussed by Robert Cox and Daniel Béland (2012) in a recent contribution on ideational approaches to social research. Even more importantly, Cox and Béland have addressed the thorny issue of operationalising the effect of ideas and non-material elements on the policy-making process, advancing a new operational concept—i.e., the *valence* of ideas.

Valence is both static and dynamic. Statically, valence determines an idea's *attractiveness* to policy actors looking for concepts or discursive frames to which they can link their own policy preferences and identities: an idea with a high valence, accordingly, is likely to be attractive for coalitions to cluster around it. Dynamically, an idea's valence can change. These shifts in the attractiveness of certain concepts or narratives depend on many factors. Ideas can follow product-cycle-like oscillations and their valence can suffer from obsolescence or the emergence of alternative options or 'fresher' frames. Ideas that are too specific, moreover, can attract only smaller groups of interested stakeholders and become less competitive vis-à-vis more comprehensive and engaging frames. To increase their valence, ideas also need to be timely. Cox and Béland rely extensively on windows of opportunity in the policy-making process to identify the "point in time when the opportunity is ripe for enacting a certain type of policy solution" (Cox and Béland, 2012:3). Finally, the ability of any policy entrepreneur who 'adopts' a policy idea to mobilise support for a new agenda—e.g., through rhetorical skills or adequate political strategy—can ultimately increase the valence of its ideas in the public debate or policy confrontation.

Cox and Béland's concept is a significant contribution to both the analytical and the methodological phases of the fledgling ideational stream in social studies and public policy analysis. Their focus on the *variation* of an idea's valence, moreover, emphasises correctly the relevance of policy change and the need for adequate instruments and concepts to measure and interpret it. In the case of energy policy, for instance, a measurement of valence could help explain the shift to policisation by emphasising the timeliness of the Commission's entrepreneurship and its successful attempt to advance a new energy policy agenda and platform; or, on the contrary, valence could explain the waning of energy securitisation by means of its growing obsolescence in the political debate and its decreasing attractiveness to powerful coalitions of actors. However, even though Cox and Béland's formulation has ultimately been influential in the definition of this thesis' methods and techniques, it is likewise true that the concept's excessive versatility and flexibility—i.e., the possibility to explain change in valence from a number of argumentative vantage points—also weakens its explanatory value. Moreover, concepts like attractiveness and valence, i.e., the degree of 'success' or 'enthusiasm' that a policy idea is able to stimulate, seem to be dangerously subjective: what is a piece of discourse or meaning which communicates approval, consensus, or support? Where does the line between attraction and indifference to a certain idea lie? Methodologically, therefore, valence is at risk of providing no real added value to the quest for an objective, replicable, and standardised method to measure the impact of ideas on the policy-making process.

Conversely, the discursive frame competition scheme adopted in this thesis—in the tradition of Cobb and other problem-definition students—has a twofold aim. First, it reduces the possibility of change to the discursive and rhetorical moments: actors come endowed with a paradigmatic policy vision which reverberates in the meaning they communicate and the decisions they make and changes in the way a policy is made ultimately depend on their

ability to *impose* their vision, to re-frame the policy according to their preferences. Interaction and, most notably, *competition* among frames can only happen through discursive means, basically language carrying understandable meaning. It is the analysis of such language and meaning that can ultimately reveal the dynamics through which a frame can engage a competing one to define a problem, to present a solution, or suggest a viable policy action. In the tradition of argumentative discourse analysis (Hajer, 2005), it is discourse analysis that bridges the ideational endowment of policy actors with the actual outcomes of the policy-making process. Discourse analysis may explain how ideas are conveyed through discourse and how an instrumental use of discourse is thereby able to affect strategic positioning, coalition-building, and decision-making—i.e., how certain policy actors are able to overcome institutional or political constraints by using (and diffusing) ideational elements in strategic ways.

Second, this assumption has methodological consequences to the extent that it limits the subjectivity of empirical analysis. Competition among different views of the world, visions on a certain policy agenda, or different sets of values and core ideas happens overtly and visibly. Discursive vehicles like speeches, policy documents, interviews, endorsements or pieces of legislation allow the analyst to identify the actors' objectives and preferences. Discourse analysis can tell *which side* prevails at what time, and it is essential to trace, dissect, and interpret the processes that lead to the outcomes of policy-making.

The case studies of this thesis show two different instances of such *frame competition* in EU energy policy. They deal with two quite diverse policy actions—a project for an offshore grid in the North Sea and the negotiations of the Energy Efficiency Directive—to prove that the European Commission has ultimately managed to re-frame them towards a more integrated, cooperative, and 'European' discourse adopting two sensibly different tactical approaches. The two cases of energy policisation, therefore, show as well the importance of

strategic action by policy agents. As they coincide with structural crisis, the two different approaches to frame competition prove the it was the ability of the Commission to harness new windows of opportunity and present its own discourse *against* the existing narrative—and not sudden turning points or unexpected shocks—that induces change and, finally, alter policy outcomes.

Problem-definition in the EU: framing beyond the national polity

If agenda-setting phases are by and large standardised and formalised in 'conventional' democratic and competitive national polities, how can these agenda-setting phases be applied to the analysis of EU policy-making? Even though it is accepted that "the EU has now solidified its position as a critical locus of decision-making in Europe, producing collective policies with binding effect and with considerable consequences for its member states" (Princen and Rhinard, 2006:1119), there are certain particularities of the EU's political system that may affect the process of agenda-setting and problem-definition.

Cobb, Ross, and Ross (Cobb *et al.*, 1976:127ff) identified three models of agenda-setting in the context of national policy-making, differing among each other along variations in the four phases listed above. *Outside initiative* describes a policy-framing attempt by an actor which is outside the established institutional schemes and has to initiate its own frame as an outsider. This context entails, of course, that larger resources are needed to initiate the policy and that the phase of policy expansion is devoted to attract interests and "attention groups" that gravitate around the core of the policy-making process and have direct access to decision makers (Cobb *et al.*, 1976:129). *Mobilisation* schemes occur, conversely, when the government and its inner groups, agencies, or coalitions decide to either prompt a new policy or revive existing instruments which had been shadowed by other policy narratives or agendas. This model entails a top-down routine which simplifies policy initiation and speci-

fication, thanks to the significant amount of information available to insiders. The *inside-access model*, finally, is perhaps the one that most resembles the characteristics of policy-making at the EU level.

In the inside-access model, "policy originates… within a group which has easy and frequent access to political decision makers" and it is extremely clear that "they do not want the issue on the public agenda" (Cobb *et al*., 1976:135). The inside-access model describes an ideal-typical model of bureaucratic policy framing in which a body of government (consider, for example, a technocratic institution like the European Commission or one of the specialised technical agencies revolving around it) develops a policy frame mostly thanks to unique information and expertise at their disposal. Because of the technical nature of their frame and the expertise required to implement it, bureaucratic policy entrepreneurs "are also often afraid that the public will misunderstand a technical problem if it becomes a matter for public debate" (Cobb *et al*., 1976:135). The inside-access model resembles significantly the particularity of EU policy-making, i.e., a policy subdomain in which public scrutiny, policy makers' accountability, and access from the outside are scarce. Indeed, within the EU decisions are often the consequence of policy frames and narratives that are developed *entirely inside* the system and whose competition and conflict happen within the limits of a highly-institutionalised and regulated balance of power.

Princen and Rhinard (2006) have applied these agenda-setting models to the EU's policy-making context. As a result, they describe two potential roadmaps for policy framing in the EU: a *high politics*/*governmental* and a *low-politics*/*technocratic* route. The high-politics route is favoured by national officials and governmental representatives in EU policy arenas, in particular by means of the European Council's competences and structures. The European Council's Presidency conclusions or negotiations within the Committee of Permanent Representatives (COREPER) serve as vehicles thanks to which a "shared political problem, of-

ten highlighted by a symbolic event" can be introduced in the context of the EU (Princen and Rhinard, 2006:1121). The high-politics route is instrumentally used by Member States to let common problems trickle down into the EU's policy-making machinery, especially when a decision at the EU level is needed because of institutional constraints or its beneficial political returns. On the contrary, the low-politics route is available to technical bodies that rely on extensive and unique information about the problem at stake, allowing them to *narrate* a potential solution which cannot be provided by competing political actors.

From either side of this continuum, actors have both incentives and deterrents to engage competitors in a discursive struggle about a common policy problem. High-politics narratives may, for instance, enjoy the momentum given by the high political value attached to the discourse of actors of this kind, i.e., generally high-ranking representatives that can rely on national identity to win additional consensus. High-politics narratives, however, may suffer from technical requirements and details that may tilt the attention of the general public. On the contrary, policy expansion can be easier in the low-politics route because of the 'facts' that these technical actors are able to construct with the unique information they have access to but, nevertheless, the lack of genuinely political resources can hinder the process of policy entrance in the public agenda and somewhat *veto* their discursive proposals. Moreover, technical issues which require a certain degree of expertise may attain a high-politics status once they manage to enter the public agenda but, paradoxically, these issue can also be unable to survive the change in exposure and scope and thereby fail to convert their knowledge-driven discursive frame into concrete policy action. In the case of EU energy policy, for example, following the 2006-2009 'gas disputes' it was relatively easy for Member States to disseminate a discourse of *national* emergency and energy security because of the *European* failure to stabilise a reliable mechanism of supply. This could happen because of the reputation of the actors presenting the issue to the public and their ability to convey energy as an urgent

matter of high politics. Conversely, the European Commission and all the agencies and consultants working with it may be deterred from promoting their highly-technical frame, because it builds on a strategy—the coexistence of market, environment, and efficiency measures—that may potentially face difficulties in public reception.

Taking policy-framing scholarship into due consideration, this thesis adopts a slightly revised version of both models described above (Cobb *et al.*, 1976; Princen and Rhinard, 2006) and suggests three dimensions of analysis:

(a) *policy initiation*, the phase in which a common policy problem is identified and elaborated by each actor according to the concepts, the perspectives, as well as the terms and wording they can think of, i.e., the paradigm, the vision, and the ideas they have about the policy system in which they operate and the instruments they can dispose of to attain certain preferences and goals;

(b) *frame elaboration*, the phase in which actors design and use their own discursive vehicles, presenting their view of the problem and their prospective solutions, locating the policy frame within a larger paradigm and giving it a direction towards an imagined scenario (consider again, to mention an example already used above, a narrative of energy security which aims to achieve a nuclear-free energy endowment in the longer term), and prompting the formation of both technical and political alliances and coalitions in support of this or that policy frame; and

(c) *frame competition*, in which frames are publicly presented by policy actors in the policy arena and narratives can 'compete' with each other according to the institutional rules of the game. The prevailing frame will eventually *enter* the public policy agenda of the EU as the prospective blueprint for concrete policy and legislative action.

Each of these phases entails certain methodological procedures of operationalisation, which make them a valuable and flexible analytical tool for the study of diverse re-framing instances in a complex institutional setting as the EU's.

1.2. Energy policisation: defining the Commission's policy-framing scheme

The previous section has described the inherent link that ties paradigms, frames, and discourse together. Actors are embedded in a paradigm which provides them with a political horizon and diverse policy tools. Discourse allows actors to combine these *visions* of the world and of future policy patterns into a comprehensible frame, an orderly interpretation of the policy system in which they are embedded and a tactical blueprint to attain specific goals and preferences. How do these concepts apply to EU institutions and actors, once the scope of analysis is narrowed to EU public policy-making? What paradigm is shaping EU public policy, and what frames has it engendered? This thesis focuses, in particular, on the European Commission. Following several critical events that have hit Europe during the last fifteen years, the Commission has tried to advance a credible platform to address energy policy and energy security issues—i.e., an alternative to the security-driven and inward-looking approach adopted by most EU Member States.

The Commission's activity is all the more relevant if one considers that: *a*) until 2009 and the entry into force of the Treaty on the Functioning of the European Union (TFEU) there was no mention whatsoever of EU competences on energy policy in the wording of the Treaties; *b*) the Commission enjoys an exclusive power of policy initiative in the EU decision-making procedure, i.e., the Commission holds a "formidable… control of the policy agenda" (Peterson and Bomberg, 1999:39). This section introduces and critiques the concept of energy *policisation* and why it serves as an adequate analytical tool to understand and explain the Commission's attempt to drive the energy policy-making process in the face

of sudden critical events during the last fifteen years. The section goes on to describe, moreover, the relation between the Commission's policy framing tactic and the overarching paradigm of public policy integration at the European level, presenting the Commission as an *essentially integrationist* institution in the political spectrum of the EU.

Why energy 'policisation': a concept to operationalise an 'EU way' of making public policy

The critical events that have affected EU energy policy during the last fifteen years have exposed the vulnerabilities of a conventional way of making energy policy in Europe and questioned its instruments as well as its rationale. The preoccupation with energy security and stable energy external relations and the reliance on heavy imports of depleting fossil fuels has emerged in the public and political debates at all levels, national, European, and global. Such debates have emphasised the need to re-think and re-assess the location of energy policy in the political space of a multi-tiered system like the EU's and what venues are most adequate to gather sufficient consensus and policy effectiveness to act promptly.

This unsettled balance also raises a number of considerations about whether the conventional way of addressing energy policy is yet viable and reliable to take up on both old and new challenges—i.e., cartelised supply, rising energy prices, climate change threats, growing industrial and household demand, and obsolescent infrastructure—or, rather, a new way of understanding energy and energy policy is ultimately necessary.

There are, accordingly, two main dimensions that can contribute to the definition of energy policy problems and the design of their solution. First, are the nation-state and its sovereign exclusive authority to define national energy policies still able to cope with the challenges that energy-consuming countries have to face in the current conjuncture? In the case of the EU, for instance, the Europe-wide vantage point enjoyed by EU institutions offers them comprehensive perspective and coordination capacity, especially by overcoming in-

formational asymmetries and thanks to the opportunity to plan and assess the impact of policy intervention on a continental scale that out-tops the domestic perspective.

Second, are the conventional instruments of energy policy—and its alleged 'synonymity' with energy security—still the most appropriate and effective toolkit with which to approach these challenges and rapidly-changing goals?[13] This thesis argues, on the contrary, that a refined comprehensive perspective on the complexity and multidimensionality of energy policy, i.e., small-scale and piecemeal interventions on even the smallest cogs of the energy policy mechanism, can help achieving larger-scale objectives and structural goals like securer energy supply and a more reliable and sustainable energy endowment. The idea that secure energy, decreasing import dependence, and long-term environmental sustainability can be achieved almost as 'positive externalities' of complex tailored actions in several interconnected and technical policy fields—such as those put into effect by the EU in its internal market, competition, consumer protection, infrastructure, and environmental policies—brings about a different agenda to re-formulate the very rationale for energy policy making at the EU level.

There are, therefore, four main features that guide the interpretation of what energy policy in Europe *can be* today and help define the different approaches to EU energy policy making chosen by the actors that participate in the process (Figure 1.1): an understanding of energy policy *either* as a national competence *or* a fledgling instance of EU integration; and an understanding of energy policy as *either* a policy field inherently connected to the energy security of a given community *or* a patchwork of piecemeal policy measures, typically with a high technical value, that affect various dimensions of public policy making.

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[13] For further considerations on this type of monodimensional approach to EU energy policy, cf. also Haghighi (2007), Mañé-Estrada (2006), and Westphal (2006). For a policy-oriented critique of this position, conversely, cf. the more comprehensive analysis of Helm (2002, 2007) and the Intereconomics symposium among Berthélemy and Lévêque (2011), Egenhofer and Behrens (2011), Jansen (2011), and Tol (2011).

Figure 1.1. Matrix of contested dimensions of EU energy policy making.

Type of approach	Security concerns	Multidimensional approach
Governance level	National competence	European integration
	Security-driven framework	**Policised framework**

(source: own elaboration)

There are, of course, several combinations available and each provides the analyst with a specific interpretation of EU energy policy, its evolution through time and, most notably, a blueprint for potential developments in the future. The 'integrated-security' argument—tying the upper-left and lower-right quadrants together—that the EU has enough institutional leverage and political currency to try and adopt a common EU energy policy to address primarily security-of-supply concerns and play a stronger cohesive role in Europe's geopolitics and external energy relations has long been successful in the literature and policy analysis. Some authors go as far as to claim that market-based policy revolving around the established competences of EU institutions (and the Commission's in particular) have "led to policies which are unsound and do not improve the European energy security" and that adopting a more geopolitical approach would be preferable *especially if* one considers that EU institutions already possess "the elements that would allow it to do so" (Mañé-Estrada, 2006:3784-5). Other authors, however, have emphasised how energy-security efforts at an integrated EU level would require being "transformed into a politico-military security concern" (Kirchner and Berk, 2010:877) to be effective at least in the proximate geopolitical surroundings of the EU—an 'upgrade' of energy policy which, institutionally and politically, is uncompromisingly out of question at this stage. As mentioned in the bibliometric test on EU energy policy discourse in Chapter 3, this 'integrated-security' approach characterised the narrative of EU institutions, like the European Commission, in particular in the face of sudden energy crises.

The Commission tended to rely on this kind of discourse in an instrumental way, i.e., when in the aftermath of unsettling critical events there were more discursive opportunities for a security-concerned narration—led mostly by EU Member States—and the Commission, albeit an outsider or underdog, tried nonetheless to compete playing by the same discursive rules conventionally attributed to national governments and domestic institutions. The observation that, however, "[s]ecurity of energy supply at the external level remained largely within the competence of the Member States" (Haghighi, 2008:478) seemingly confirms that the 'integrated-security' approach hinders the effectiveness of EU-level policy entrepreneurship, as it exposes the structural lack of competence and political leverage in those sensitive areas closest to core energy-security interests.

On the other hand, a 'national-complex' argument, according to which also EU Member States would have both the technical expertise and the political opportunity to advance a more complex and comprehensive energy policy agenda *within* their national communities, could certainly contribute to the study and analysis of EU energy policy-making and, more notably, its ideational dimension. This concern is taken into consideration, for instance, also in the empirical case studies of this thesis. In the case of a fledgling project for an integrated offshore wind-power grid in the North Sea, the entrepreneurship of several Member States and their willingness to start a regional project of technical cooperation on a very definite blueprint and timeline shows that Member States can have sufficient resources to prompt a complex, multidimensional platform to pursue energy policy goals. This thesis' interest in this case revolves, however, around the transformation of this national input into a European frame, thanks to the way the Commission intentionally re-told the story of the project to other policy actors in order to socialise them into its EU-wide implications, i.e., the ability of certain institutions to present the *europeanisation* of certain policy agendas as an essential condition for their realisation.

Ultimately, this thesis opted to conceptualise energy policy-making frameworks as an opposition between a 'national-security' and an 'integrated-complex' approaches. This generalisation is methodologically useful to simplify the spectrum of strategic positioning available to the key policy actors involved in the process. This choice is made bearing in mind, of course, that the 'fault lines' between the two approaches are extremely blurrier than their definitions would tell. There is, in other words, a general understanding that Member States can occasionally be in favour or even strongly advocate for the promotion of more all-embracing policy approaches to energy issues and objectives: the role of the Danish government in the negotiation of the Energy Efficiency Directive (Chapter 5's case study) is an example of this kind of domestic leadership. Similarly, there is evidence of EU institutions committing to energy-security priorities in spite of actual progress in the construction of a comprehensive common EU energy policy.[14] The two categories, however, serve their epistemological task of providing a probabilistically reliable and analytically reasonable and expectable representation of around which 'pole' policy actors are *likely* to cluster, according to the overarching idea and vision of energy policy that they hold.

There is also another reason why policisation is the concept of choice to analyse variation in EU energy policy in this thesis, namely its conceptual flexibility and adaptability. The key dimensions of policisation may allow the analyst to look for common-denominator features of an 'EU way' of making public policy which transcends the boundaries of energy policy to become a sort of general blueprint of how public policy-making in the EU is 'supposed to' be done by those actors involved in the process. The expansion of technical competences, the interconnection between market integration and consumer protection, and a normative interpretation of long-term sustainable action at the EU level which are enclosed in the con-

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[14] Consider, for instance, the policy documents produced at the beginning of the 2000s, in the face of increasing import-dependence and rising energy costs, or the policy strategies addressed to the geopolitical neighbourhood of the EU. These instances are discussed more thoroughly in the discursive analysis of Chapter 3.

cept of policisation, therefore, may not be a consequence of the characteristics of energy policy but, rather, define unitarily and comprehensively what certain policy actors plan to transform EU public policy-making into. Accordingly, there are three key dimensions of policisation that may need to be emphasised: complexity, integration, and policy vision.

COMPLEXITY

The *policisation* frame revolves essentially around the acknowledgement of systemic complexity in EU policy-making and—consequently—around the attempt to tame it by means of a comprehensive policy approach. Complexity in the EU is inherent in the system and derives directly from the its structure and organisation. The literature on EU decision making had, after all, been dominated for decades by intergovernmental readings of European integration (Garrett, 1992; Moravcsik, 1993), which attached substantial power to national governments in the EU's decision-making system. According to this logic, supranational institutions like the Commission were mere implementing agents with limited room for manoeuvre beyond monitoring and benchmarking. This "state-centric model" of European integration was hardly contested in EU studies until the mid-1990s, when the breakthrough of Marks, Hooghe, and Blank's (1996:345-346) "multi-level governance" catalysed the analytical focus on the EU's ability to integrate different levels of political choice and government, different classes of actors referring to different degrees or types of authority and sovereignty, and different kinds of interest representations into *liquid* policy networks rather than static policy hierarchies. In the EU, ultimately, "decision-making competencies are shared by actors at different levels rather than monopolized by state executives" (Marks *et al*., 1996:346). This structural characteristic of the EU's decision-making model escalates the system's complexity and rewards in particular those policy entrepreneurs who are able to

mobilise selectively functional networks of actors at several institutional levels—i.e., to create cross-level, cross-border, and cross-policy consensus about their prospective agenda.

The European Commission, thanks in particular to its institutional 'advantage' in policy initiative and technical know-how, "has established routines to draw upon the expertise of public as well as private actors in order to ensure that its proposals are approved of" (Kohler-Koch, 1999:16) by policy recipients (in terms of legitimacy) and other actors (in terms of leadership). 'Satellite' institutions like the European Economic and Social Committee (EESC) or the Committee of Regions (CoR) are good examples of the Commission's inclusive strategy. Introducing actors into the decision-making structure in a controlled way allows the Commission to *co-opt* other actors with its overarching goal of increased cross-border and cross-level cooperation—let alone to empower a genuinely 'European' bloc of institutions vis-à-vis the decisional competition of Member States' governments. In energy policy, similarly, the instrumental and functional creation of EU-wide arrangements such as the European Network of Transmission System Operators (ENTSO) and the Agency for the Cooperation of Energy Regulators (ACER) proves that the Commission performs policy entrepreneurship not only by means of ordinary legislation proposals or policy initiative, but also by reducing the complexity of the EU's policy-making arena clustering several preferences and levels around a general 'EU interest'.[15]

Finally, complexity in the EU also increases because of the high probability of policy 'contamination' between closely-related policy fields. This phenomenon is all the more likely in controversial policy competence attributions between different policy actors. This

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[15] Cross-level cooperation also allows the Commission to overcome an inherent contradiction between the expansion of its policy-making competences and one of the fundamental principles of European integration—i.e., *subsidiarity*. The idea that policy decisions should be made always at the level closest to EU citizen is in fact enshrined in the Treaties (cf. Article 1 TEU above). Although this provision was originally intended to preserve the Member States' authority and 'last resort' decisional power, the multi-level approach has allowed the Commission to *bypass* national governments in the decision-making process, engaging directly sub-national actors, civil society organisations, and local interest representation.

kind of complexity derives directly from the Treaties' legal vacuums and grey zones.[16] Exclusive EU competences and shared competences between the EU and Member States are punctually listed in the Treaties. It follows logically that national governments can exert the remaining competences at the national level. The residual nature of this attribution has often allowed the Commission to expand instrumentally the scope of its policy action.

This kind of progressive policy competence expansion recalls the early theoretical expectations of functionalist and neo-functionalist scholars that, since the beginning of the European integration process, had foreseen "a general transfer of policy-making powers to the supranational institutions" (Majone, 1996:63; E. Haas, 1961; Hoffmann, 1966) via *spillover* effects. Moreover, instrumental expansion of policy agendas can lead to further complexity, requiring additional resources and knowledge and, therefore, granting the Commission further 'positional advantages' vis-à-vis other institutions, if it succeeds in framing these interwoven and 'compound' policies into an effective and comprehensive discourse. Policy complexity is central to this thesis' research question. In EU energy policy, narrow punctual responses to sudden crises that privileged one policy priority—e.g., security of supply in the face of gas disruption in 2006 and 2009—proved to be insufficient to secure long-term policy stability.

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[16] Over the years, the loose interpretation of Article 352 TFEU (ex Article 308 of the Treaty of the European Communities, TEC) combined with a certain proactive attitude of the European Court of Justice to allow the Commission to expand instrumentally its competences vis-à-vis the control of Member States on specific policy sectors. Article 352 TFEU recites (emphasis is added): "If action by the Union *should prove necessary*, within the framework of the policies defined in the Treaties, *to attain one of the objectives set out in the Treaties*, and the Treaties have not provided the necessary powers, *the Council, acting unanimously on a proposal from the Commission* and after obtaining the consent of the European Parliament, shall adopt the appropriate measures". Even though the wording of the provision leaves the ultimate decision to the Council, Article 352 undermines the governments' full autonomy also by requiring the consent of the European Parliament. Generally, however, and even more importantly, Article 352 forces the Council to accept the Commission's power of legislative initiative on policy issues that—according to a strict reading of the Treaties—would exceed the Commission's competences. Thanks to Article 352 the Commission has had an opportunity to introduce into the EU's public agenda policy issues on which the complete autonomy of national governments, legislatures, and laws would have otherwise been taken for granted.

Conversely, the policisation frame of the European Commission has put forward an all-embracing platform that addresses energy security by dealing with the implications of internal energy market construction, environmental policy, energy infrastructure policy, and efficient energy consumption. The thesis' two case studies, the North Sea offshore grid and the Energy Efficiency Directive, are a fitting example of how strategic goals such as energy competitiveness, sustainability, and security (European Commission, 2006a) can be reached with complex policy interactions—e.g., infrastructure policy in the case of the North Sea grid and energy efficiency and energy savings policies in the case of the Directive's negotiations.

<center>INTEGRATION</center>

Policisation focuses on integration not only in terms of policy compounds and the development of comprehensive instruments to address a number of interrelated issues, but also in terms of enhanced cross-border cooperation aiming to finalise the construction of a European polity. This urge is consistent with an overarching understanding that—by pooling their resources, their knowledge, and their know-how—EU institutions, Member States, and sub-national and regional actors would respond far more effectively to common problems and issues arising all across the continent. In an economic framework like the EU's, moreover, in which each national community is deeply interdependent with the others—with whom they share the same market, political, and cultural structures—increased integration is all the more necessary. According to this understanding, public policy-making in a fragmented and yet interdependent polity as the EU can be coordinated better and performed more efficiently if fully integrated at the EU level.

In its institutional discourse, the European Commission has often emphasised this *integrationist* dimension of its idea of EU public policy-making—especially in the face of the

critical events which have menaced the progress and the achievements of the integration process. This institutional and normative *mission* is consistent, after all, with the ideas put forward by Jean Monnet, one of the fathers of European integration, when affirming that "Europe would be built through crises" and that the future of integration "would be the sum of their solutions" (Monnet, 1978: 417). Similarly, EU officials and Commission's representatives at the highest level have put forward a consistent narrative of "more integration" being "the only way ahead" (Van Rompuy, 2012a:2). In 2012, in the face of the dire financial crisis which has hit Europe in the last few years, the president of the European Council, Herman Van Rompuy (2012b:4), reminded that "'more Europe' is needed, with even greater transfer of sovereignty in the Eurozone… It is time for political courage". In November 2011, the president of the European Commission, José Manuel Barroso, similarly addressed the president of the United States, Barack Obama, at a bilateral meeting and "reassured" him that "the way forward in Europe is through more integration" and that, in the face of new and menacing challenges, "Europe is ready to do that" (Barroso, 2011d:2). President Barroso stated overtly, when meeting with German chancellor Merkel on the topic of Europe's economic crisis, that "it is important to have this *long term vision* about more Europe".[17] On the same issue, in August 2012, Commissioner for Justice, Fundamental Rights and Citizenship, Viviane Reding, declared to have "the firm conviction that we need more Europe, not less, to emerge from the crisis".[18] In several other occasions, President Van Rompuy has reiterated the 'more Europe' discursive vehicle in a number of contexts and addressing diverse audiences. In July 2011, introducing the Polish presidency of the Council of the EU, Van Rompuy (2011a:2) invited them to "work on more Europe… together". Commenting on the de-

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[17] Cf. Commission's MEMO, Press doorstep of President Barroso with Chancellor Merkel ahead of the working dinner on 4 June 2012 in Berlin. Ref. MEMO/12/408. Berlin, 4 June 2012.
[18] Cf. Commission's Press Release, Future of Europe debate: Commission gives citizens a say in online consultation. Ref. IP/12/904. Brussels, 17 August 2012.

parture of former European Central Bank director, Jean-Paul Trichet, Van Rompuy (2011b:2) declared that "those who say they want less Europe should be answered with more Europe. It's a slogan, but sometimes slogans are true!". In September 2012, when addressing the Heads of EU delegations worldwide, Van Rompuy (2012c:5, emphasis added) pointed out clearly that:

> to ensure the *security* of our citizens, their economic *wellbeing* and the survival of the *democratic values* that we have worked so hard to develop and consolidate, we Europeans have *no choice but to work closer together*, at home and abroad. Here also we need 'more Europe'.

Finally, as early as 2006 and ideally joining forces with the European Parliament on the path towards more European policy-making, President Barroso (2006:5) stressed that "the Commission has made it perfectly clear where it stands—we want more Europe where it matters". This discursive commitment to re-narrate public policy in a genuinely European way and to shift the locus of regulatory action towards the supranational level inevitably makes the European Commission the central actor in the processes of policy re-framing that have often characterised the expansion of EU public policy-making throughout the history of integration. EU energy policy, especially after the several critical events that have hit Europe during the 2000s, has transformed into a key arena for competitive re-framing on 'more Europe' in the many fields affected: energy security, market, competition, infrastructure, efficiency, and environment.

THE POLICISED 'VISION' OF THE EUROPEAN COMMISSION

Besides the wording of the Treaties and its formal institutional 'mission', a relation exists between the overarching goal of energy policisation and the European Commission's understanding of the process of European integration as a whole. There is, in other words, an institutional and substantial explanation of why the European Commission is, more than other

institutions, invested with a normative aspiration to more EU-wide integration of public policy.

Indeed, the central hypothesis of this thesis is that there would be no incentive to re-narrate energy policy according to a politicised frame if the Commission and its staff did not hold a particular vision of European integration as such. Energy policisation, in particular, is consistent with two central assumptions about the Commission's behaviour: the focus on regulatory power and a vested interest in further European integration. To endow the Commission with a strong political and ideational *vision* and perspective on what EU energy policy should be is essential to escape the constraints of a fully regulatory or administrative understanding of the Commission's 'low-politics' agency—as it is generally assumed in most technocratic (Majone, 1996) or liberal-intergovernmental readings of European integration (Moravcsik, 1993). This argument is about the European Commission being more than a mere agent implementing the political directives and impulse of an institutional principal (such as EU Member States). The basic assumption of energy policisation is that the European Commission participates the public policy-making process at the EU level with an extremely clear understanding of what *needs to be done* to support and improve European integration. The Commission, accordingly, does not act along a principal–agent dichotomy but brings about a sub-set of specific policy preferences and interests that *compete with* the Member States' rather than stem from them.

The European Commission has put the policisation strategy into effect mostly thanks to technical policy regulation rather that high-visibility politics. Even though the "so-called 're-treat of the state' is a myth", it is true that the establishment of the EU and the pooling of authority at the EU level have been so pervasive that today "very few policy sectors are un-affected by EU laws and decisions, and in some sectors EU law tends to dominate the legis-lative architecture" (Mazey and Richardson, 1995:337). As a consequence, several policy

actors have had to shift their action and their preferences to a new policy arena (the EU's) in which the decision-making structure revolves around the ability of a "small, central bureaucracy" (the European Commission) to collect unique technical knowledge and information, initiate policies, frame them in a way which is consistent with the historical trend of European integration. As a result, the Commission keeps on developing an "ever closer relationship with a complex mélange of policy actors" (Mazey and Richardson, 1995:338) to successfully convert these frames into action. Moreover, the institutional limitations on the Commission's mandate defined in the Treaties and the *comparatively small size* of its human and financial resources have made the Commission "turn to regulation as a cost-effective means of securing Europe-wide change" (Mazey and Richardson, 1995:343). For a technocratic institution like the Commission—institutionally and in most cases legally excluded from *sovereign* and exclusively domestic competences such as foreign policy, taxation, or security policy—regulation is an opportunity to secure authority in the EU's political system despite administrative and financial constraints: "the real costs of regulatory programmes are borne not by the agencies but by the individuals, firms or governments who have to comply with the regulations" (Majone, 1996:64).

Consequently, the technical route of *low politics*—that Stanley Hoffmann had analytically defined as early as 1966—has been the Commission's key tactical tool since the beginning of the integration process and, at the same time, an essential window of opportunity for its policy activity. By focusing on regulatory policies, which set frameworks, standards, and benchmarks for policy actions to be actually carried out at different administrative and political levels, the Commission has compensated the lack of resources to initiate and sustain what Majone (1996:63) defines as "budget-expenditure" policies. Ultimately, European integration has induced a fundamental "shift in the locus of policymaking power to the EU"

(Mazey and Richardson, 1995:338) while shifting neither the locus of sovereign authority nor the locus of financial attribution.

As a consequence of this successful strategy of "selective expansion of European competences", the Commission has developed a vested interest or "utility function" in increasing the centrality of the EU level of policy-making vis-à-vis conventional intergovernmental procedures (Majone, 1996:63-64). Models of public policy analysis assume that bureaucratic 'agencies' like the Commission tend to maximise their budget, in order to gain leverage vis-à-vis other institutions and expand their room for manoeuvre. The Commission, however, focuses prevalently on regulatory action with low budget impact. Rather than with the accumulation of the resources necessary to operate, therefore, the Commission is more preoccupied with *perpetuating* its own mandate at the core of the integration process. In the end, what the European Commission "attempts to maximize is its influence, as measured by the scope of its competence" (Majone, 1996:65).

The Commission, consequently, is assumed to approach EU policy-making with the objective of expanding "gradually the scope of Union competence without alienating national governments or powerful sectoral interests" (Cram, 1994:199). Several authors in the EU studies literature have emphasised "how deeply embedded are the preferences for centralised capacities and for affording priority to policy invention above innovation in governance" in the Commission's vision of the European integration process (Stevens and Stevens, 2001:247). The European Commission's vision, accordingly, falls outside the traditional domestic left–right dichotomy, but rather looks at "the future of European integration" as the "dominant issue in the European Union" (Hooghe, 2001:78). Many studies in this strand have analysed the *impact* of this policy vision (Cram, 1994, 1997; Hooghe, 2001, 2005, 2012a, 2012b; Trondal, 2007).

Internally, the definition of the Commission as a 'European bureaucracy' poses an issue of overlapping identities between the staff's national background and their position as Europe's *civil servants* within the Commission. Several studies have analysed the Commission staff and officers' beliefs and commitment to European integration and their location on the supranational–intergovernmental continuum (Hooghe, 2001, 2005). The evidence available is sufficiently strong to argue that membership in the Commission's rank and file drives the administrative and policy behaviour of Commission staff towards more integrationist and 'Europhile' positions.

First, the Commission can be considered and studied as *one* consistent bloc because of the ideology shaping and directing its initiative and action. Second, the Commission's staff and officials are personally committed to the mission of the institution, and will be ready to act in accordance with it and with the aim to diffuse it into other organisations and processes. In this regard, Liesbet Hooghe's classic work (2001, 2012a, 2012b) on the ideological self-perceptions of Commission personnel is illuminating: in 2008, over 80 percent of interviewees from medium- and high-rank positions believed in the European Commission as the "initiator and guardian" of European integration. Significantly, however, only about 10 percent of interviewees saw "government" among the functions of the Commission (Hooghe, 2012b:13): the policisation paradigm hypothesised in this thesis, therefore, should not be confused with supranationalism *tout court*. It rather overlaps with an 'ideology' of "pragmatic problem solving" (Hooghe, 2012a:5). According to a policised vision of the integration process, any public policy issue with EU-wide implications *would be* dealt with better at the EU level.

Finally, the case of energy policy developments over the last fifteen years raises the issue of what is the impact of the Commission's policisation strategy on other institutions which act in the same policy arena and carry divergent or contrasting sets of preferences, discursive

frames, and policy interests. Resting on the assumption that the Commission is driven by an overarching interest in the growth of European integration and that its staff and officials are able to act accordingly and consistently, what tools has the Commission used to *lead* EU energy policy towards a policised end? How was the policisation frame designed, and what discursive vehicles were adopted to shift energy policy-making from a more conventional and state-centred security frame towards one of complex and integrated policy response? Under what conditions can this re-framing action be successful, and this policy 'vision' able to affect the interests and stance of other actors and, ultimately, the outcomes of policy actions? This puzzle is the core rationale for the research that underpins this thesis.

1.3. Research questions and hypotheses: a more integrated EU energy policy?

The analytical framework designed in the sections above provides the necessary tools to interpret the developments of EU public policy-making—and, in particular, of EU energy policy—as the competition among diverging discursive frames embedded in an overarching *policy paradigm*, i.e., a gamma of ideas, goals, and 'visions' that shape and drive the political opportunities available to the different actors of the EU policy arena. The EU, moreover, thanks to its quasi-constitutional order and institutional design, has built its process of integration on strong legal, cultural, and political grounds. The commitment to the development of EU integration and the pervasiveness of EU law and policies are such an essential component of the process that the EU can perhaps be considered as a policy paradigm of its own.

This thesis argues that the EU is a policy arena in which different narratives and discourses about specific policy issues compete constantly for the definition of the EU's policy agenda and 'way forward'. This argument, however, begs the fundamental question of which frames are competing at a given moment in time, and how this competition takes place, and finally how the 'winning' frame is able to transform its agenda or its vision into a

concrete and visible policy outcome. This thesis, in particular, is concerned about how such a discursive change or *frame shift* has occurred in EU energy policy in the aftermath of several critical events and has altered the ordinary process of EU-driven integration in the field.

The main observation in support of this argument is that since the mid-2000s, when a number of critical events hit Europe's energy market and consumption stability, energy policy in Europe has become more cooperative at the EU level and integrated than it used to be. This change has occurred, moreover, in the aftermath of severe disruption crises which affected the economic and industrial capacity of several EU Member States and the wellbeing of EU citizens. This entails that EU energy policy has turned to more integration and EU-wide cooperation at a moment in time in which it was all the more likely (and theoretically expected) that national governments focused exclusively on their domestic energy security and further insulated themselves from potential risks.

In 2000, acknowledging that the "tripling in the price of crude oil on the international market has served as a grim reminder of the crucial role of energy in Europe's economy", the European Commission (2000a:11-12) prompted a new agenda on EU energy security, pointing out that the EU enjoyed "too few resources and instruments at its disposal to meet" the challenges of global energy markets and had to aim at "orienting the demand for energy" towards a more sustainable consumption. Just after the first 'gas dispute' between Russia and Ukraine broke out in late 2006, the Commission (2007a:5, emphasis added) set out an ambitious plan to transform:

> Europe into a highly energy efficient and low CO_2 energy economy, catalysing a *new industrial revolution*, accelerating the change to low carbon growth and, over a period of years, dramatically increasing the amount of local, low emission energy that we produce and use.

In 2009, following the second 'gas dispute' on the transit of Russian natural gas destined for European importers across Ukraine (Pirani *et al.*, 2009), the EU issued the third energy legislative package, re-casting existing EU energy legislation on fossil fuels and electricity markets and distribution infrastructure. In 2009, the Treaty of Lisbon introduced Title XXI on Energy, including the field among Treaty-based EU competences for the first time since the beginning of the integration process. Finally, the process of negotiation of a directive on energy efficiency—one of the case studies of this thesis—was finalised with Council approval in first reading on October 4, 2012, the signature of the final text on October 25, and the entry into force of Directive 2012/27/EU on December 5, 2012. Meanwhile, EU energy policy has witnessed growing institutional proliferation with the establishment of the Council of European Energy Regulators (CEER) in 2000, the European Regulators Group for Electricity and Gas (ERGEG) in 2003, ENTSO in 2009, and ACER in 2010. The new institutions, besides being created with an explicit EU-wide mission and policy scope, show the attempt by the Commission to engage local actors, authorities, and representatives in EU energy policy while bypassing the national governments.

This incremental process shows the progressive emergence of the new policisation frame advocated by the Commission and its consolidation as a competitor of the previously dominant discursive frame of EU energy policy, i.e., a frame of energy securitisation inclined towards increased national policy autonomy and mostly preoccupied with the implications of crisis on gross energy supply and external relations with energy suppliers. The aim of this thesis is to identify the core phases of this frame shift—i.e., the critical events that may have catalysed opportunities for frame competition and the discursive vehicles which the Commission has adopted to challenge the existing order and equilibria in EU energy policy-making. By means of its two empirical case studies, finally, the thesis also dissects two specific instances of this kind of frame shift and policy change, analysing the effect of discur-

sive competition and policy re-framing in the cases of the North Sea offshore grid and the Energy Efficiency Directive.

The research questions: explaining change in EU energy policy-making

The argument put forward in this thesis can be technically divided into two main research questions. While a first research question asks *whether* this shift towards a more 'policised' EU energy policy has happened and *how*, i.e., what elements and events prove that this shift has occurred, a second research question asks more precisely *under what circumstances* this shift has occurred and thanks to whose initiative. These two research questions are structurally, hierarchically interwoven. The second research question is a substantial part of the first one. The empirical tests conducted in the case studies, however, address them as a comprehensive research puzzle about the integration of EU energy policy during an interval of about twenty-five years—with a focus on the Commission's energy policy strategies from 2005 on.

The main research question of the thesis, therefore, addresses an instance of policy change—the shift from a more securitised to a more policised and EU-oriented energy policy framing—which was theoretically and empirically unanticipated:

RQ. *why, in a context of growing security concerns from national governments, has energy policy in Europe headed for a more integrated and EU-wide design?*

This core puzzle is further dissected into two more workable research questions. The first one contends that a deliberate and instrumental shift towards a different way of understanding and making energy policy in Europe has actually taken place, while the second one asks how such a shift could be set into motion. Understanding under what conditions discursive action can alter policy outcomes suggests that certain policy actors can be interested in reproducing this discursive strategy under different circumstances, hence posing also the question of *why* certain policy actors may have an interest in instrumental policy-framing:

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rq1. *To what extent has EU energy policy been discursively re-framed towards a more integrationist and cooperative policy platform? And to what extent has this* policisation *paradigm prevailed over the pre-existing interests and objectives of energy securitisation?*

rq2. *Under what conditions is strategic policy re-framing an effective instrument to affect and alter policy outcomes?*

Finally, if combined, these research questions address a much broader research issue that somewhat underpins and justifies the whole research endeavour of this study. This thesis treats EU energy policy and the variation in its outcomes as a valuable and revealing case of the impact that non-material elements—convictions, beliefs, thoughts, understandings, and perceptions—can have on the material 'reality', both in the way they subjectively condition and re-mould the impression that every actor has of the world at large and in the way they can be objectively used to pursue specific interests and compete with other actors.

Research hypotheses: policy strategy and the instrumental use of discourse

The rationale for this research endeavour stems from the understanding that conventional analytical approaches—i.e., materialist and rationalist—to policy change are at the risk of providing an inadequate or insufficient explanation of observed phenomena insofar as they tend to overlook and deliberately exclude non-material and ideational variables from their analytical frameworks. While this 'epistemological' standpoint enhances these approaches' performances according to 'scientific' criteria—as regards, in particular, methodological requirements such as measurement reliability, experimental reproducibility, and validity of theory-testing practices—it excludes significant ideational and non-tangible variables such as subjective perceptions and beliefs, established norms and values, and mutual social interactions from analysis, thereby undermining the explanatory value of their working hypotheses and empirical evaluations. Consistent with this analytical premise, consequently, this thesis rests on a somewhat all-embracing hypothesis, according to which *ideas and non-material factors can induce policy change and alter the outputs and outcomes of policy-*

making processes. Using this assumption as an analytical compass leads to two main implications, empirical and methodological.

The empirical implication, on the one hand, is that—since ideas, beliefs, values, thoughts, and preferences do not just happen, but are rather *held* by purposeful actors—there must be a way to control, alter, and guide ideational factors more or less in the same way it is possible to control, handle, and use material and visible resources. Discourse analysis adopts language, communication, and narration, "the talk and conversations—the speech acts—and written communication" (Benford and Snow, 2000:623), the "ensamble of ideas, concepts, and categories through which meaning is given to social and physical phenomena" (Hajer, 2005:300) as operational means through which the existence, essence, and impact of ideational elements can be conceptualised, assessed, and interpreted with a reliable degree of objectivity. These assumptions lead to the formalisation of a first comprehensive working hypothesis of this thesis, one which is symmetrical to the main research question RQ:

> **HYP.** *EU energy policy has, since the late 2000s and in spite of pressing securitising urges by the governments of the Member States, headed for a more integrated and cooperative EU-wide design because of the ability of certain policy actors to create a new energy policy 'vision' and establish it as the leading paradigm informing and guiding the policy-making process in the field.*

In the context of the analytical approaches emphasising the role of discursive action, policy framing has recently gained popularity (Green-Pedersen and Wilkerson, 2006; Rushton and Williams, 2012) as a theory of policy change through instrumental agenda-setting and the ability of certain actors to intervene in problem-definition dynamics within a policy community, in order to steer policy-making outcomes towards a given set of preferences and interests. In a nutshell, policy framing studies argue that the way a problem or a policy issue is publicly displayed, told (and often re-told), and narrated has a direct and significant effect on the outcomes of the policy-making process: those who perform better in harnessing win-

dows of opportunity to set the policy agenda or in presenting an issue coherently with their own preferences will be more likely to succeed in achieving their policy goals. This is all the more true in the case of the EU, an institutional context which, "[b]ecause of its vertical and horizontal fragmentation,… is said to offer an unusually large number of access points for agenda-setters" (Daviter, 2007:655). The instrumental policy framing approach and the particular complexity of the EU's policy-making process combine to break the main hypothesis HYP into two more workable hypotheses that respond directly to the thesis' research questions *rq1* and *rq2*:

> **hyp1**. *Since the late 2000s, the European Commission has managed to use recurring supply crises as windows of opportunity to advance a new strategic 'vision' and policy platform based on a discourse of EU-wide and integrated energy* politicisation *(i.e., energy policy as a complex patchwork of technical interventions in various policy fields) as diametrically opposed to inward-looking, bilateral, and state-centred energy* securitisation.

This thesis also contributes to the elaboration of a more reliable and formalised operative agenda for the study and process-tracing of policy framing strategies, by putting forward an answer to the key questions of what specific tools are likely to succeed in the process of discursive re-framing, and under what specific circumstances:

> **hyp2**. *In a context of policy 'vacuum', that is, when acting as a first-mover, the European Commission is more likely to successfully re-frame a policy towards an integrated policised option if it adopts a cooperative/consensual tactics of frame socialisation. Conversely, when a competing set of interests or preferences is well established, it is more likely for the European Commission to succeed if it challenges this opposing policy 'vision' directly via non-cooperative/conflictual frame competition.*

The next section, on the other hand, analyses in detail the methodological implications of the strongly ideational assumption which frames the thesis' rationale. The argument according to which ideas and other non-material and non-measurable elements cannot be excluded from a reliably scientific analysis of social reality and behaviour takes a non-negligible stance on the purposes of and the instruments available to social research as a whole, and

requires an extensive argumentation about the possibility to objectively investigate and infer valid evidence from ideational factors and variables.

1.4. Research design and methods

The structure of this thesis develops along two interwoven planes. The first and broader research question addresses the recent changes in EU energy policy and asks *why* the degree of integration and cross-border cooperation in Europe has grown so intensely during the 2000s in spite of securitising urges by EU Member States. The first working hypothesis suggesting an answer to this question is that the European Commission has seen strategic windows of opportunities to expand its competences—and, hence, the degree of EU-wide integration—in this field and has led a process of *energy policisation*. This analytical plane funnels down to the second and narrower research question, which investigates the *conditions under which* the Commission's attempt to policise energy policy in the EU through ad hoc discursive vehicles and instrumental policy framing can be (more or less) successful.

Figure 1.2. Research design of the thesis.

Part I
Analytical framework

- **RQ:** to what extent has EU energy policy become more integrated?
- **HP:** the Commission has harnessed strategic windows of opportunity to expand its competences in the field (i.e., policisation frame)
- **Test:** measurement of discursive vehicles (IV) to test the degree of policisation (DV).

Part II

- **RQ:** under what conditions can instrumental policisation be effective?
- **HP:** cooperative (socialisation) and non-cooperative (competition) policy framing can have different impact on policy outcomes
- **Test:** one case-study on frame socialisation (NSCOGI) and one case-study on frame competition (EED)

Part III

Conclusions and findings

(source: own elaboration)

Figure 1.2 visualises the research design of the thesis, emphasising the connection—as well as the analytical hierarchy—between the two planes and showing each research question as complemented by working hypotheses, dependent (DV) and independent (IV) variables, and case studies. Part II and Part III of the thesis develop along these two planes. Part II revolves around a historical analysis of the evolution of EU energy policy during the last five decades, emphasising the dramatic increase in the integration of competences at the EU level since the establishment of the internal market. Discourse analysis, in particular, offers a visible measurement of the paradigmatic drive given to energy policy by the European Commission towards more cooperative, integrated, and genuinely 'European' goals—mostly thanks to a discursive endeavour that has re-framed energy policy entirely from a national concern linked to a narrative of survival and security to an EU-wide scheme based on low 'technocratic' politics and cross-border policy cooperation.

Part III analyses different dimensions of instrumental re-framing of EU energy policy, selecting two case studies to show the characteristics and the implications of the various approaches of the Commission's strategy: a more coalition-based framework in energy infrastructure policy in the North Sea and a more proactive and competitive approach in the case of the energy efficiency directive's negotiations in 2011-2012.

Methodological issues when operationalising ideational elements: an introduction

Any study whose aspiration is to assess the impact of non-tangible, volatile factors such as ideas, beliefs, values, understandings, and goals would be hampered by a methodological conundrum—the "how to" and the "how much" problems in ideational research (Chwieroth, 2007; Parsons, 2002): how can social scientists reliably and scientifically give account of what the actors of any social and interactive environment think, believe in, and long for, and

to what extent do these ideational elements affect the material, practical, and visible decisions these actors make, the things they possess or the goods they manage? Moreover, even admitting that ideational and non-tangible elements can be synthesised into measurable operational variables, to what extent can they alter the outcomes of the actors' behaviour? Even more importantly, how 'scientific' would social sciences be if they instrumentally—for their own analytical comfort and productivity's sake—agreed to rule the implications and nuances of ideational factors out of their research agendas?

The sections above have discussed the development of ideational research in the social sciences and the theoretical confrontation with materialist and positivist scholars—a debate so radicalised that it may sometimes "call to mind religious metaphors" (Mahoney and Goertz, 2006:227). Authors in the ideational strand of the social sciences have advocated for the acknowledgement of non-material factors such as ideas, beliefs, thoughts, opinions, values, feelings, and understandings as the *underpinning causes* of decisions, facts, and actions, i.e., of all behaviours and practices that any actor in any social system would, more or less willingly, perform. In short, these authors suggest (at various degrees) that anything material, visible, or observable in this world is so because it is first perceived as such, and that the foundations of this perception—social context, existing beliefs, values and ideas, as well as lack or asymmetries of information—are inevitably ideational, conceptual, and non-material. Consequently, these authors share the academic understanding that a kind of social and political research which is only attentive to variables, phenomena, and objects that can be seen, handled or, in general, measured and classified (and hence experimentally reproduced) is *admittedly* limited—insofar as it purposely excludes a gamma of known and acknowledged variables from the scope of its enquiry.

This debate is not solely theoretical, but also has significant implications in terms of praxis and empirical research. The main argument of ideational researchers is that a purely

material epistemological basis would reduce the social sciences to a disciplinary exercise, in which a causal correlation between the set of material conditions M and the visible outcome *x needs to* be positively inferred, i.e., needs to be concretely measured and observed. In order to do so, materialist researchers deliberately neglect the set of non-material conditions N claiming the impossibility of measuring it in a reproducible way. On the contrary, ideational scholars argue that the more factors—both material and non-material—are included in the analysis, the *truer* the explanation of observed outcomes will be. It is a responsibility of the social scientist, therefore, *not to exclude* ideational variables from their scope conditions, if the ultimate goal of social research is to actually explain phenomena occurring in the real world—rather than respecting the rules of the insiders' game within the academic community of social scientists. To avoid potentially infinite variable proliferation, of course, ideational researchers have to accept a methodological compromise, conceding—once the epistemological primacy of ideas and perceptions on their material effects is established—to synthesise them into general and more manageable general concepts. The concept of 'interest' or 'preference' is a fitting example in this regard (Blyth, 2002; Wendt, 1999).

The methodological counterargument of materialist scholars is that non-appreciable and non-material variables jeopardise the scientificity of the research endeavour, making it irreparably vulnerable in terms of measurement, reproducibility, and objectivity.[19] Non-material elements, as the definition itself suggests, cannot be touched, held, seen, measured or weighed. They cannot be compared to previous observations in order to locate them within a range of standardised measurements, they cannot be quantified to understand *how much* of the observed outcome the ideational factors are able to explain (Chwieroth, 2007; Parsons, 2002). More importantly, if the ideational factor A cannot be measured at the time t

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[19] Cf. Jacobsen (1995:285) for a set of thought-provoking counterarguments to the ideational critique of analytical simplification hidden in the rigour of materialist research.

to assess its impact on the outcome *x*, it certainly cannot be reproduced under a different set of circumstances (e.g., to explain outcome *y* at time t_1), i.e., its effects cannot be *generalised*. Finally, materialist researchers reject the ideational argument that material conditions are, in fact, created by the non-material understanding of it—i.e., that even measurements and quantities have been previously *thought*, defined, and conceived by means of an ideational and non-tangible conventions and understandings, and therefore no measurement can be 'absolutely' quantitative or material. This debate correctly acknowledges that "there is no objective reality, that the world is always seen from a particular position" (Munck, 2005:3), but materialist scholars deny that postulating a completely subjective understanding of reality can be the solution of the conundrum. The responsibility of the social sciences, from this point of view, lies with establishing standards, units, and concepts through which variables and observations can be encapsulated, measured, and analysed. Consequently, even though most positivist-materialist researchers today would easily admit that "ideas have decisive effects on political outcomes" (Chwieroth, 2007:5), they also argue that with the scientific knowledge and methods available, material observable measurement is the closest that the social sciences can get to a *true* explanation of reality. Accordingly, at least within the boundaries of a scientific discipline and through the concepts, tools, and paradigm of a given scientific community, operationalised concepts and measurements can objectify a portion of reality and allow for positive knowledge—one, though, of an inevitably partial kind.

The research questions of this thesis, however, make a strong statement about where this study would locate itself in the continuum of this self-indulgent theoretical debate. The overarching research question of the thesis asks whether ideational elements can ultimately alter policy outcomes, and energy policy in the EU is a powerful case to tackle this puzzle. This thesis argues that non-material elements such as policy ideas and beliefs—appropriately channelled by strategic actors via discourse and policy narratives—can modify the course of

energy policy-making and allow for different policy outcomes. This argument, however, posits structural methodological challenges in terms of both the research design adopted to verify such working hypothesis and the research techniques applied to achieve reliably scientific evidence to support any findings.

Tracing energy policisation in the EU: a bibliometric test

The research questions of this thesis—i.e., why EU energy policy has become more integrated and to what extent instrumental policisation re-framing by the Commission has contributed to this outcome—posit at least two methodological challenges: first, the adoption of a single case-study design for the verification of the hypotheses; second, the elaboration of an appreciable operational variable to measure non-material elements such as discursive vehicles.

The main object of analysis and research of this thesis is the policisation of EU energy policy. With this definition, this study identifies a process which has been developed over the last ten years by the European Commission to instrumentally re-frame and re-narrate energy policy in Europe and expand EU-wide policy integration in this field vis-à-vis security-driven national intervention by Member States.[20] Accordingly, the structure of the thesis develops as a single case-study design in which a more integrated EU energy policy is the *explanandum*, or dependent variable, and the discursive process of policised re-framing by the Commission is the *explanans*, or independent variable. The European Commission, however, as discussed above, has a structural interest in expanding its own competences and confront other actors such as, for instance, the Member States in the attempt to re-define the EU's institutional balance. The main implication is that *policising* a policy field by means of instrumental discursive re-framing is not peculiar to energy policy and, in fact, the European

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[20] The kind of intentionality implied in the Commission's discursive strategy is not unlike Benford and Snow's (2000:624) idea of strategic framing processes as "deliberative, utilitarian, and goal directed" in their work on framing theory and social movements.

Commission is likely to have a vested interest in performing this process for as many policy fields as possible, to progressively expand EU integration's 'grand design'. In other words, the Commission is likely to develop an integrationist routine which applies indistinctly to public policy at the EU level. Consequently, EU energy policy is *one among many* potential case studies to investigate the effects of policisation by the Commission. This thesis, however, adopts energy policy as one exemplary instance of this discursive strategy and opts for a single case-study design.

Single-case designs, however, are often described as being structurally *weaker* than any other possible option: "the most difficult problem in any research occurs when the analyst has only one single unit with which to assess a causal theory, that is where $n = 1$" (King *et al*., 1994:209). When only a single case or occurrence is used to support a theory or verify a thesis, it would be impossible for the analyst to *generalise* the findings of her research onto a controlled universe of possible cases in which the conditions, the variables, and the scope of the analysis are different. It would be impossible, in other terms, to deny the possibility that an alteration of the conditions that characterise the specific single case may result in findings disproving the original theory or hypothesis. In order to be a profitable scientific exercise, single case-study designs should be able to eliminate the possibility that some variables may have been excluded from the analysis and may be as determinant as those taken into consideration; that the correlation between cause and effect analysed in the case study is deterministic and necessary (i.e., that it is not just 'very probable' but absolutely certain); and that there were no measurement errors that may disrupt the verification (Munck, 2005).

In spite of this structural vulnerability, however, single case-study designs "can be valuable" (Bennett, 2005:7) to the extent that they subject a theory or hypothesis to the test of a 'crucial' case study. Single case-study designs are ideal instruments to verify hypotheses and theories—whose foundations rest on an established experimental corpus and are considered

to be exact with a reliable degree of certainty—against single cases in which they are most or least likely to be verified. A most-likely case in which the theory is disconfirmed, or a least-likely case in which the hypothesised correlation occurs "can greatly change our degree of belief in the theory in question" and, more generally, theory testing by means of *one* crucial case study can be "useful in narrowing or broadening the domain in which theories apply" (Bennett, 2005:7). In the case of EU energy policy analysed in this thesis, for instance, the theory according to which actors can manipulate discourse and re-frame certain policy fields in spite of the institutional constraints of the policy-making environment can be adequately verified by a single, most-likely case study like energy policy: EU energy policy is extensively built on discursive tools rather than, for example, binding legislation or tight Treaty-based competence allocation. Similarly, the hypothesis according to which the European Commission performs instrumental policy re-framing because of its vested interest in increasing the degree of policy integration can be adequately verified by a single, most-likely case study like energy policy: before the Treaty revision of 2009 energy policy was by and large a purely national policy competence and was not prominent in the process of internal market completion.

The research questions of this thesis raise, moreover, an issue of research techniques—i.e., that of the non-measurability of ideas and other non-material factors and the difficulty of converting these elements into operational variables to be used in the research endeavour. This study builds on the understanding that measurable variables and 'quantities' can "provide a means to assess the causal weight of ideas net of other factors" (Chwieroth, 2007:6). However strong the role of ideas may be in the epistemological foundation of this thesis's argument, for the research to be useful, scientific, and *generalisable* it is essential to synthesise the object of investigation—i.e., policy ideas—into standardised units that respect the rules of the analytical 'game'. Many authors in social and political studies have attempted to

convert the volatility of policy ideas and beliefs as well as of international norms and values (Farrell, 2002; Finnemore and Sikkink, 1998) into manageable data. These studies rely extensively on discourse as the most immediate representation—through meaning and language—of the ideas and understandings that actors hold of the world at large: the way in which discourse channels certain ideas rather than others, the specific devices it uses, the specific audience to which it is addressed, all provide reasonable evidence of the concrete existence of the ideas that underpin the behaviour and the decisions of actors (Jørgensen and Phillips, 2002).

On the one hand, students of content analysis have come the closest to a statistically relevant quantitative indicator for language and discourse as the measurable representation of ideas. The number of intervening variables, however—e.g., the original language in which content was expressed, the social context in which the words were said, and the social meaning attached to it by the recipients—is so high that it jeopardises the possibilities that quantifying ideas in this way may have any scientific implications other than mere description. On the other hand, other authors have focused their research on the *way* certain ideas were codified through specific discursive tools and on *why* certain tools were preferred to others (Gee, 1999:10-13; Howarth *et al*., 2000; Schmidt, 2010). This approach is common in policy studies as well, where attention is focused more on the type of discourse—e.g., a speech, a written text, or a newspaper article rather than a piece of legislation, a classified document, or a memorandum of understanding—as well as on its specific content. Instances of this research strategy have not been uncommon either when studying the European Commission as a discursive actor with an ability to re-frame policies in order to channel alternative policy agendas (Daviter, 2007; Diez, 1999; Schmidt, 2002; Schmidt and Radaelli, 2004; Sicurelli, 2008), or when analysing EU energy policy developments in particular (Kurze, 2008; Natorski and Herranz-Surrallés, 2008).

This thesis follows the latter approach and tries to 'reify' ideas by looking at the way they are instrumentally conveyed to policy recipients. To do so, Part II of the thesis develops a bibliometric test which measures variation in the intensity and time distribution of specific discursive tools dealing with EU energy policy. These are defined here as *discursive vehicles* in order to emphasise how energy policy actors use these tools instrumentally and with strategic direction and goals. These vehicles are analysed distinguishing their different *degree* of institutional weight: accordingly, legislative acts such as directives and regulations, as well as the core of strategic documents such as Commission's communications and working documents, are attached a more effective value because of the legally or strategically binding nature of the ideas and visions they carry; conversely, more 'public' and general documents and discursive acts—i.e., speeches, press releases, meeting conclusions, recommendations, and opinions—can be similarly visible or loud, but will have a weaker impact because of their less cogent content.

The bibliometric test is conducted to identify variation at different points in time during an interval of about twenty years (from 1990 to 2012, more precisely) in the production of certain discursive vehicles by certain institutions. The test is, more precisely, interested in a specific kind of variation, i.e., a shift from a security-concerned and Member States-driven discourse on energy policy to a more policy-oriented and EU-wide narrative of energy policisation. The data is selected in order to compare the strategic and legislative production of EU institutions which was prompted by energy security objectives to that which was initiated as part of a long-term complex strategy of energy policisation and European energy integration by the European Commission.

The institutional design of the EU and the rules of procedure of its legislative and political machinery, moreover, allow the analyst to link with a valuable degree of confidence a certain type of document or speech act to a specific institution or policy actor—e.g., Com-

mission's press releases vis-à-vis European Council presidencies' conclusions. Particular attention is paid, of course, to EU institutions and energy policy actors as both *conveyors* and *recipients* of the changing discourse: not only is it important to identify which discursive vehicles were produced by, for instance, the Member States and which ones by the Commission, but it is similarly crucial to identify which vehicles, for instance, produced by the Commission were addressed to the Member States, and what impact these had on their stance, interests, and goals. A more content-oriented analysis of these vehicles will then reconstruct the strategic pattern of instrumental re-framing of which discourse—and, more precisely, a certain type of discourse under a certain set of circumstances—was the visible and measurable instrument. This mixed use of quantitative data and content-based process tracing appears to be a reliable technique to translate the actors' ideas, visions, and understandings "from tangible residues into quantitative data" (Chwieroth, 2007:8) available to interpretation and comparison.

The data is retrieved from official sources such as the Eur-Lex database for EU legislation and related strategic acts and documents, and the Rapid.EU database for EU institutions' press releases, speeches, and all the other documents generally made available to the public. Relevant discursive vehicles are selected through ad hoc keyword search queries able to differentiate between security-concerned and policy-oriented discourses. Additionally, the data is double-checked in order to prevent spurious entries (e.g., occasional mentions of energy security and/or policy in completely extraneous contexts, such as trade policy or development policy) and auxiliary texts (such as corrigenda or annexes) from being misleadingly included in the measurement.

Instances of energy policisation: within-case analysis and case selection

The verification of the policisation hypothesis of Part II should be seen as a larger analytical level which 'contains', in itself and on a lower plane, the research question and hypotheses of Part III. In methodological terms, Part III carries out a within-case analysis of policisation by providing additional evidence of two case studies, showing two different instances of the Commission's instrumental re-framing strategy. Within-case analysis is usually *complementary* to broader cross-case or comparative arguments, but it is also often used by qualitative researchers to examine "multiple features of what was originally considered only a single case" and "assess whether associations… are in fact causal" (Mahoney, 2000:409). In small-N on $N = 1$ designs, therefore, within-case analysis can help support causal correlations hypothesised on a relatively small and non-generalisable number of cases. Part III adopts a specific kind of within-case analysis, i.e., *process tracing*, "a technique in which the analyst attempts to locate the causal mechanisms linking a hypothesized explanatory variable to an outcome" (Mahoney, 2000:409).

In the case of Part III, there are two dependent outcome variables taken into consideration as two different observations of the broader case of energy policisation: first, the integration of renewable sources of energy and electricity market in the North Sea area; second, the successful conclusion of negotiations on an EU energy efficiency directive. Process tracing is conducted by reconstructing and exposing specific points in time in which vehicles of energy policisation—e.g., institutional creation, publication of documents, or speech acts—have altered, either successfully or not, the existing policy-making process and moved it towards the desired strategic outcome of a more integrated EU energy policy. Part II responds to the overarching *yes–no* research question: is policisation re-framing able to make EU energy policy more integrated? At a lower level, once this first question is addressed, Part III

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posits a *why* question, and its within-case process tracing analyses different causal mechanisms that, in two selected instances, lead to energy policy integration outcomes.

As if adopting a single case-study design was not enough to make the research design of this study vulnerable to methodological concern and criticism, the within-case process tracing of Part III opens another technical pandora's box. Considering that any research endeavour is meant to provide explanation of otherwise inexplicable observed phenomena and that the variation of a stable equilibrium is the most common alteration that needs to be accounted for, there exists one "basic and obvious rule" for any research design to be a reliable and scientifically valid analytical exercise: case study "*selection should allow for the possibility of at least some variation on the dependent variable*" (King *et al*., 1994:129, emphasis in original), that is, on the observed outcome that needs to be explained. The cases selected in Part III, however, show two different ways to achieve the same outcome and, as a matter of fact, they have been selected *so that* the dependent variable stays constant—putting the within-case analysis at risk of severe "investigator-induced selection bias" (King *et al*., 1994:132). It is the adoption of the process-tracing technique, however, that allows this study to bypass this issue. Process tracing in the within-case analysis, indeed, is aimed at verifying the existence of causal mechanisms—which have been already hypothesised in the 'main' single case—when specific episodes or events take place. Consequently, process tracing does not aim to prove the occurrence of the dependent variable, but rather to verify which events or actions are causally related to it. Within-case process tracing *demands* case selection on the dependent variable, which can be assumed to be 'verified' at the upper level of the single case under investigation.

Case selection in Part III is made according to a criterion of most-similar case comparison. The process-tracing test reconstructs the process leading to two cases of EU energy policy integration which share most of their fundamental conditions and characteristics, but dif-

fer for one independent variable. Process tracing is structured along three key sets of independent variables and covers EU energy policy documents and acts from 2000 on. These sets of variables have been elaborated building on existing attempts in the literature (Cobb *et al.*, 1976; Princen and Rhinard, 2006) to describe a 'low politics/technocratic' discursive route of policy re-framing: policy initiation, frame elaboration, and frame competition. The case of the North Sea electricity infrastructure and the case of the negotiations of an energy efficiency directive share the same policy initiation dynamics, with the Commission presenting the goals as part of a complex policy platform, later crystallised in the Energy 2020 objectives (European Commission, 2010a), and the same frame elaboration track—with the Commission presenting its own sets of values and objectives as a policy option running parallel to the goals pursued by the Member States. The two cases, however, differ for the last set of variables, i.e., frame competition. While the Commission tried to *socialise* other actors into its own vision and mindset in the case of the North Sea grid and hence gain institutional leverage vis-à-vis the Member States, it confronted the national governments more overtly in the case of the energy efficiency directive. In line with the main hypothesis of this thesis, the process-tracing test of Part III verifies whether different approaches to frame competition—i.e., different ways for an interested actor to challenge the existing policy discourse and advance strategically a new narrative—can result in different policy outcomes. Besides the main data sources mentioned above, Part III will also rely on primary sources such as interviews with policy officers from EU institutions and representatives of other policy actors involved in the EU energy policy-making process.

1.5. Conclusions

This thesis' research design adopts a bi-partite funnel-like structure that stems directly from its main argumentation: at a higher and more comprehensive level of analysis, a larger epis-

temological statement about the role that ideas, language, and the instrumental use of discourse and meaning play in our understanding and analysis of social interactions and behaviours; at a lower level of analysis, a narrower argument about the role that a specific subset of integrationist policy ideas and 'visions'—held and advocated, in particular, by the European Commission—has played in the determination of recent EU energy policy outcomes.

The main research puzzle of this thesis—i.e., why an increasing integration of energy policy instruments and goals at the EU level (energy *policisation*) can be observed in spite of exogenous events (e.g., the Russia-Ukraine 'gas disputes') and endogenous tensions (e.g., infrastructural obsolescence and higher supply and end-user energy prices) which would rather encourage Member States to pursue securitising policy measures—is thus re-stated and analysed through the lenses of ideational theory and the interpretive toolkit of discourse analysis. The two-tier structure of the thesis, consequently, addresses two specific research questions:

(a) what has the impact of instrumental discursive *policisation* on EU energy policy by the European Commission been? And what evidence is available of such a successful re-framing shift towards a new paradigmatic 'vision' of EU energy policy?

(b) under what conditions is this re-framing successful? How does this process take place? What strategies are most likely to succeed in an instrumental attempt to re-frame public policies within the institutional machinery of the EU?

and suggests two working hypotheses to answer them:

(a) that the European Commission is indeed able to propose an alternative, policised vision of EU energy policy, which challenges directly the established paradigm of energy securitisation supported by national governments, and that an analysis of spe-

cific discursive vehicles can provide measurable evidence of this shift in the way energy policy in the EU has been narrated since the late 2000s;

(b) that different contexts and equilibria in energy policy-making can make either cooperative (socialising) or non-cooperative (competing) re-framing tactics successful in overcoming discursive resistance by other policy actors pursuing diverging subsets of interests and policy preferences.

The methodological design of the thesis takes a double risk. On the one hand, in spite of authoritative advice to do the contrary (King *et al*., 1994), the thesis is conceived as a single-case design in which EU energy policy is the one case study selected to assess the impact of specific policy ideas on policy outcomes. *Within* the case of EU energy policy, then, two narrower and more specific case studies—i.e., the establishment of a North Sea offshore transmission grid and the negotiations of the Energy Efficiency Directive—are used to further validate the thesis' hypotheses. On the other hand, and more generally, this thesis addresses the fundamental issue of the measurability and operationalisation of ideational variables and concepts: Part II adopts a bibliometric technique based on the identification and quantification of given 'discursive vehicles' that convey and disseminate a given spectrum of policy ideas; Part III adopts a process-tracing techniques which relies extensively upon primary sources (such as interviews, speeches, and newswire transcripts) to analyse either the actors' socialisation into a specific policy narration or the competition between conflicting policy frames.

Part II
History and evolution of EU energy policy ideas

Chapter 2

The evolution of EU energy policy ideas: a history of narratives and frames

Since the early 2000s, the way energy policy is made in the EU has changed. EU energy policy, moreover, has been hit by several critical events which have jeopardised the stability of Europe's energy supply and cast doubts about the sustainability of its energy consumption patterns. In the face of such critical turning points, policy-making strategies privileging EU-wide integration and comprehensive, cross-policy solutions have been preferred to the theoretically expected and practically reasonable alternatives—e.g., remitting energy policy entirely in the hands of national governments and stressing the importance of security-concerned *hard* policy action on energy security and supplies.

The price surge of the late 1990s and the 'gas disputes' at the eastern border of the EU in 2006 and 2009 should have reinforced the widely accepted narrative that energy policy (and, in particular, energy supply) pertains to the realm of national security and thereby needs to remain the domain of egoistic, self-interested states involved in a zero-sum game of power struggles and foreign policy. In the face of recent crises, in other words, EU energy policy should have told a story of persisting state-centred preferences and domestic interests rather than collaborative integration and EU-wide solidarity.

This thesis argues, however, that the observed outcome—a more integrated, cooperative, and 'European' EU energy policy—is seemingly irrational or unreasonable *only if* it is analysed through the lenses of a conventional reading of EU energy policy which allocates the most significant powers and tools to the Member States and grants no competence on the issue to EU institutions. Conversely, this thesis suggests that strategic political actors like the European Commission have managed to re-frame energy policy towards a more genuine

EU-wide and multi-dimensional frame and that they have done so even in spite of limiting institutional or political constraints thanks to consistent and tactically-wise discursive action. As explained in detail in the previous chapter, this frame is defined here as one of *energy policisation*.

This chapter reconstructs the history of EU energy policy throughout the process of European integration, paying particular attention to changes in the narrations and frames that have accompanied or shaped political decisions and strategic change. This analysis identifies macro-periods or narrative eras in which specific frames of EU energy policy prevailed, imposing certain discourses of energy policy for a certain amount of time, favouring certain policy preferences and interests, and prompting certain kinds of change rather than others.

2.1. A discursive history of EU energy policy

EU energy policy is a complex and fragmented field of public policy. Historically, EU energy policy has been fragmented *horizontally* across several interrelated policy fields and *vertically* across various levels of governance, different polities and identities, and diverse sources of political authority. Consequently, policy analysis has focused, alternatively, on some of its components while lacking a comprehensive perspective on its complexity. Until late 2009, moreover, when the new Treaty on the Functioning of the European Union (TFEU) entered into force and introduced Title XXI on Energy as an EU competence, energy was not mentioned in the Treaties.[21] As a consequence, a large body of the academic literature on Europe's energy policy has tended to consider it more as a domestic competence of EU Member States than as a policy field with a potential for further integration.

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[21] The Treaties establishing the European Coal and Steel Community (ECSC) and the European Community for Atomic Energy (Euratom) are notable exceptions. The former, however, expired formally in 2002, while the latter covers only the limited scope of nuclear energy production and regulation.

Some authors have addressed the energy policies of single EU countries, in particular those of relatively 'powerful' members such as France (Lucas, 1977a; Taylor *et al*., 1998), the United Kingdom (Helm, 2003; McGowan, 1996b), and Germany (Müller, 2007). Other authors have considered EU energy policy as a composite of the various national policies coexisting within the EU (Lucas, 1977b; Lucas and Papaconstantinou, 1985; McGowan, 1996a). Another group of authors has examined the energy policies of Member States as part of larger collectives of consumer economies that share the same interests and concerns about supply, sustainability, and security—in particular, the Organisation for Economic Cooperation and Development and one of its bodies, the International Energy Agency (Hoogeveen and Perlot, 2005; Van der Graaf and Lesage, 2009) or the G8–G20 international fora (Van der Graaf and Westphal, 2011)—thereby connecting the fortunes of EU energy policy-making with the emergence of global integration trends and the potential for global leadership and governance schemes in this sector.

The multidimensional nature of EU energy policy and its 'horizontal' fragmentation, moreover, translate into a number of policy interventions in several interrelated policy fields. This characteristic of EU energy policy-making has stimulated further research into the 'subfields' that compose the conventional understanding of energy policy—i.e., one which is concerned with energy supply, production, distribution, and consumption. These studies have mostly dealt with natural gas (Cayrade, 2004; Tönjes and de Jong, 2007) and oil infrastructure (Kavalov *et al*., 2011), environmental policy (Jordan and Liefferink, 2004), the construction of the internal electricity market (Balaguer, 2011; Glachant and Lévêque, 2009; Zimmermann and Talus, 2008), and the development of renewable energy sources (Boyle, 2007; Brennan, 2011).

This literature builds on a *thin* understanding of both energy policy and the ways thanks to which policy makers and political leaders can provide their polities with the energy supply

they need. This conceptualisation, which refers EU energy policy entirely to national governments and a function of energy trade, has contributed to the growing analytical success of EU energy policy *securitisation*. The growing importance of security of supply, national interests and security (Egenhofer *et al*., 2006), pipeline geopolitics (Bahgat, 2002, 2006; Mañé-Estrada, 2006), external relations with the EU's main suppliers (Aalto, 2009; Finon and Locatelli, 2006; Götz, 2007; Kaveshnikov, 2010; Van der Meulen, 2009; Westphal, 2009; Youngs, 2007), and crisis response (Orban, 2011; Pirani *et al*., 2009) has paired with the refinement of securitisation as the analytical framework of choice of many authors in this stream (Kirchner and Berk, 2010; Natorski and Herranz Surrallés, 2008; Stec and Baraj, 2009).

This chapter argues that this trend is consistent with the dominating understanding of EU energy policy as a matter of state-centred and government-led energy securitisation. As soon as different actors have successfully managed to re-frame the policy according to different sets of goals and preferences, EU energy policy's narrative, the way its story was told, and the reasons for telling this story differently have changed accordingly. This section identifies the main historical phases of EU energy policy development, and the core issues around which energy policy discourse revolved at different moments on the timeline of European integration.

The basic storyline: early ambitions, stalemate, and growing complexity

There is an overall scarcity of works that deal with EU energy policy in an all-embracing and *holistic* fashion, i.e., presenting energy policy as an inherently complex policy which consists of many components—from the environment to the market, from external relations to trade—none of which could be excluded when analysing the whole. While most academic research and policy analysis have focused extensively on national energy policies neglecting

a broader continental dimension, a few pioneering works realised the potential of EU-level cooperation on energy policy despite the scarce degree of institutionalisation and integration (Matláry, 1997; von Geusau, 1975, and more recently Buchan, 2009; Sodupe and Benito, 2001 in the same tradition).

However comprehensive, these narratives of EU energy policy build on a recurring scheme and timeline: the paradoxical role played by energy policy at the beginning and throughout the process of European integration; the lack of legal bases at the Treaties' level and the activism of EU institutions; and an acknowledgement of the threats (and new opportunities) with which a prospective common EU energy policy is faced in the aftermath of disruption crises and systemic instability. The following subsections provide an overview of how the EU energy policy timeline has been conventionally interpreted and described in the literature. They try to complement these categories with facts about the evolution of the policy throughout the history of European integration and, whenever possible, debunk some of the most commonplace understandings about EU energy policy.

Trojan horse, 1950–1957

Conventional histories of energy policy development in the EU start with the enthusiasm of the post-World War II arrangements between France and Germany about the legal consolidation of a privileged market for coal and steel. More importantly, the "Schuman declaration" that originally devised this arrangement entailed the establishment of a supranational authority to supervise the implementation of the agreement and manage the resources to be put in common.[22] The declaration revolved around a core principle:

> The pooling of coal and steel production should immediately provide for the setting up
> of common foundations for economic development as a first step in the federation of

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[22] The declaration of the then France's Minister for Foreign Affairs, Robert Schuman, is available on-line on the EU web portal (http://europa.eu/abc/symbols/9-may/decl_en.htm) and on the webpage of the *Fondation Robert Schuman* think tank (http://www.robert-schuman.eu/declaration_9mai.php). At present, the recurrence of the proposal's date, May 9, is celebrated yearly as the 'Europe Day' in all EU Member States.

Europe, and will change the destinies of those regions which have long been devoted to the manufacture of munitions of war, of which they have been the most constant victims.

The ambitions contained in the Schuman declaration grew into the larger arrangement of the European Coal and Steel Community (ECSC) which, in 1952, included the Benelux countries and Italy alongside France and Germany. On a note similar to the Schuman declaration's, the signatory parties of the ECSC Treaty, signed in Paris on 18 April 1951, stated in the preamble that they were:

anxious to help, by expanding their basic production, to raise the standard of living and further the works of peace, [and] resolved to substitute for age-old rivalries the merging of their essential interests; to create by establishing an economic community, the basis for a broader and deeper community among peoples long divided by bloody conflicts.

To this purpose, this energy-oriented fledgling community set up a supranational operative institution (the High Authority), a dispute settlement body, and an embryonic parliament in the form of the seventy-eight-seat Common Assembly. The narration of European integration first began, as a matter of fact, with energy policy and cooperation.

ENERGY POLICY AT TIMES OF 'SCLEROTIC' INTEGRATION, 1957–1986

Until the signature of the Treaty of Rome on the European Economic Community (EEC) in 1957, the pooling of energy resources and the construction of a common energy market remained central to the fledgling project of European integration. EU industries had to be reconverted after the war-time hiatus and, more generally, the steel and coal extraction industry and coal-generated energy were still pivotal to economic growth and job creation. In 1957, moreover, together with the Treaty of Rome, the six signatory Member States also agreed on the European Community for Atomic Energy (Euratom) Treaty. At this crossroads of European history, "two of the three original treaties" that initiated European integration as

we now know it—i.e., the ECSC and the Euratom treaties—dealt with energy policy (Matláry, 1997:14).

According to mainstream readings of EU energy policy history, it was all the more significant, then, that despite its initial thrust energy policy managed to become "traditionally… rather insignificant" in public policy-making at the EU level and in the overall functioning of the EU (Matláry, 1997:14). Explanations are generally found in the EU's legal and institutional structure and in the exclusion of energy policy from the competences of the EU as listed in the Treaty establishing the European Communities (TEC).[23] For more than three decades, from 1957 to 1992, energy policy was indeed not mentioned in the Treaties, i.e., the primary source of the EU's legislation and constitutional order.

During this phase, moreover, the process faced a number of political obstacles which hindered the development of new competences at the European level and the expansive dynamics that had characterised European integration in its earlier stages. This period—generally known as 'euro-sclerosis' (Giersch, 1985)—tilted the focus of political decision making back on the national governments. The outcomes of the 'empty chair crisis' induced by the then French President Charles de Gaulle in 1965 and the revision of the majority rules in the Council's procedures set the tone of the political debate and stalled the process on a less integrationist momentum.

In terms of legislative production and institutional innovation, energy policy was no exception. The 'euro-sclerotic' phase had coincided, after all, with a macro-economic context in which the traditional energy mix—mostly coal, oil, and natural gas—was largely suffi-

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[23] It took the amendments of the 1992 Maastricht Treaty to have energy mentioned, together with culture and tourism, in the last line of the general activities of the EU (Article 3.1.u TEC) in pursuit of its broader objectives of economic growth and welfare. Energy was originally mentioned in Article 3.1.t, but the revision by the Amsterdam Treaty in 1997 introduced employment to the list, shifting energy to 3.1.u. All references to the TEC or Treaty of Rome, when not otherwise specified, refer to the consolidated text after the Amsterdam and Nizza (2004) revisions. The consolidated version of the Treaty is available on-line at the official institutional source: http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2006:321E:0001:0331:EN:pdf.

cient to meet the needs of economic growth and consumption intensity of the European economies.

Some authors (George, 1991; Matláry, 1997) also underscored the long-wave effect of the political and economic resources invested in Europe on the development of nuclear power as the 'clean' energy source of choice of the European Community, and generally of the institutional confrontation between ECSC's and Euratom's diverging sets of interests. The fact that "few political actors in the EC sensed that oil was on the rise as the dominant source of energy in Europe" combined with the emergence of proactive national energy policies in several Member States to become a "further hindrance to the development of common energy policy". As the "case for individual national energy policies" was increasingly "entrenched", the ECSC lost visibility and authority, leading to the 'merger' Treaty of Paris of 1967 and the agglutination of the Treaties and institutions of ECSC, EEC, and Euratom under the single umbrella of the EEC and the Treaty of Rome (Matláry, 1997:17).

Against this backdrop, when the "OPEC shocks of the 1970s" hit the global oil market (Helm, 2005:16), the effects on the stability of national economies triggered an inward-looking response that favoured bilateral agreements with suppliers rather than the prospect of a joint reaction (McGowan, 2011:496, emphasis in original):

> the response of the European Community and its member states depicts not only a failure to respond collectively but also for a number of member states (principally France and the UK) to adopt *sauve qui peut* policies vis-a-vis suppliers without much concern for other consumer states.

During this phase, however, the European Commission (1974; 1977; 1982) invested significant resources in strategic planning and monitoring of common objectives for Member States. In 1980, the Commission and the Council jointly set up guideline goals for the Community's energy policy up to 1990. Even though some authors emphasised the strat-

egy's "eclecticism" (Matláry, 1997:18) which characterised energy poilicy's 'competence-less' policy-making at the European level, the agenda promoted by the Commission was quite *contemporary* in content and vision. The recommendations included the reduction of the ratio between the growth of gross inland energy consumption and growth in gross domestic product, stressing the importance of a more efficient consumption pattern, the increase in the use of renewable sources, and the reduction of reliance on oil, coal, and nuclear sources.

At this stage, conventional histories of EU energy policy agree that the Commission's fledgling narrative on the policy's multidimensional and comprehensive complexity was not only overshadowed by the Member States' preoccupation with domestic goals and interests but—at the dawn of the establishment of the European Union—it also lacked the adequate institutional structure and leverage to become discursively competitive vis-à-vis the other institutions' frames. However, as mentioned in detail below (Section 2.2), it *cannot be* generalised that energy policy, like several other fields of EU policy-making, experienced a phase of 'eurosclerotic' contraction throughout the 1970s and 1980s. On the contrary, during this time several important acts were passed at the EU level. A 1968 directive[24] (amended in 1972)[25] had already addressed the issue of a concerted system of oil stocks to face potential disruptions and crisis five years before the the OPEC cut its supplies to Western importers in retaliation for the United States-led effort to support Israel during the 1973 'Yom Kippur' Arab-Israeli conflict. Directive 73/238/EC advanced a set of measures to mitigate the effects of difficulties in the supply of crude oil and petroleum production and was published in July 1973, about two months before the shocks. In 1977, finally, a decision of the Council set targets for a reduction of primary energy consumption in the case of 'difficulties' in oil

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[24] Directive 68/416/EEC of 20 December 1968 imposing an obligation on Member States of the EEC to maintain minimum stocks of crude oil and/or petroleum products.
[25] Directive 72/425/EEC of 19 December 1972 amending Directive 68/416/EEC.

supply.[26] These energy-supply concerns, elicited by the crisis-ridden political environment of those years, combined with a quite proactive stance of the European Commission in terms of political and strategic impulse.

Even if the "member states' unwillingness to back up the energy objectives with significant resources or a delegation of responsibilities to the European level" (McGowan, 2011:503) made the attempt "to set up an EEC Common Energy policy… not realistic" (Bailey, 1976:318), the Commission managed to advance an alternative agenda that aimed at more comprehensive and long-term measures pointing at coordinated response and the need for collective action. It was the emergence of the frame of the internal market construction and its crucial role in the progress of integration that marked another "turning point" giving energy policy new momentum (Matláry, 1997:19).

A TURNING POINT: THE INTERNAL MARKET, 1986–2009

Some authors agree that the lack of Europe-wide regulation of the oil sector since its emergence as a key component of energy policy and energy security may have played a crucial role in creating a "pattern of national interest-group activity" that hampered significantly any prospects of common energy policy-making at the EU level during the 1970s and 1980s (George, 1996:123). The stubbornness with which Britain, in particular, opposed any convergence at the European level during the years of its 'oil boom' remained "the major obstacle to any progress on a common Community energy policy" (George, 1996:129). Comprehensibly, support for a 'spill-over' effect in energy policy came mostly from the need for "a 'level playing field' of competition for all producers in whatever member state they were situated" (George, 1996:133). Deregulatory pressures and the ambition to establish an internal energy market became the drivers of a new energy-policy era on the European stage.

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[26] Council Decision 77/706/EEC of 7 November 1977 on the setting of a Community target for a reduction in the consumption of primary sources of energy in the event of difficulties in the supply of crude oil and petroleum products.

Orthodox accounts of EU energy policy underscore, accordingly, the Single European Act (1986) and the establishment of the European Union by means of the Maastricht Treaty in 1992 as turning points in the integration of energy policy. The construction of the internal common market created new—albeit extremely narrow—windows of opportunity to address energy policy at the EU level.[27] During the first decade after the inception of the common market, EU institutions managed to set up an EU energy *acquis*, in the form of a complex patchwork of interwoven policy actions in various energy-related fields and agendas.

Even though energy was excluded from the programmatic documents of the '1992' process, the establishment of a barrier-free and liberalised internal energy market was seen as a crucial step in the construction of the EU common market. Therefore, measures were taken in all the major policy fields and economic sectors in which the EU was competent and somehow referred to the creation of an EU's energy market. At least "three different types of policy instruments" were mustered to achieve this goal (Andersen, 2001:110): the production of energy directives removing barriers to internal energy trade according to general Treaty-based principles, the expansion of internal-market directives to the energy sector, and the application of competition laws to the area.

Functionally, EU institutions sought the establishment of an efficient EU energy market in order not to impede the completion of the internal common market. Considering the centrality of energy policy to Europe's growth, it became clear to EU officials that "the 'cost of non-Europe' in the energy sector" was "affecting our economic performance" (European Commission, 1988:6).

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[27] The 1992 reform also introduced Title XV (originally Title XII) and Article 154 (originally Article 129) on the Trans-European Networks (TEN), a new legal framework for the creation and implementation of infrastructural development projects of European interest. The TEN-E networks of energy infrastructure will be analysed in detail *infra*, along with the description of the thesis' case studies.

During the construction of the EEC internal market, EU institutions put through an impressive effort to establish a consistent internal energy market by means of a scattered blend of positive and negative integration—i.e., both by *creating* new legislation and rules that added up to national energy law and by *dismantling* obstacles to the harmonisation, integration, and coordination of the energy regulatory framework across the EEC. This phase was pivotal in the development of the EU-wide dimension of energy policy. During this time EU institutions intervened in a constellation of sectors to weave a more comprehensive approach to the diverse dimensions of energy policy in a complex market economy. For the first time, moreover, and despite the reticence of the Treaties, key issues such as energy supply, import and distribution of resources, and integrated networks of transmission entered the scope of EU energy policy. The starting point of the European Commission's strategy about the internal energy market was the simple observation that most of the energy sector—in particular the gas and electricity industries—flourished in violation of key principles of European integration and basic norms enshrined in the Treaties since the inception of the EEC. In these areas, "the degree of monopolization on the national level was extremely high", preventing the whole sector and EU industries and citizens to benefit from "greater efficiency and lower prices" (Andersen, 2001:111). The Commission's agenda included the abolition of exclusive rights about electricity generation and gas or electricity infrastructures and network, the 'unbundling' of vertically integrated energy companies, and the availability third-party access to EU consumers—both household and industrial.

The Commission's roadmap for the liberalisation of both sectors proceeded amidst the strenuous opposition of many Member States and volatile convergences with the Council's presidencies (Andersen, 2001:120ff). The main leap forward towards the actual establishment of an internal energy market came in the mid- and late-1990s, when a compromise was struck between reluctant Member States to advance a legislative package for the liberalisa-

tion of the electricity sector. The electricity directive had a trailing effect on the negotiations for a similar provision in the gas sector. The package was later developed and upgraded, to include also the creation of *ad hoc* authorities and agencies (Table 2.1).

Table 2.1. EU 'packages' in electricity and gas market regulation

FIRST LEGISLATIVE PACKAGE (LATE 1990S)	SECOND LEGISLATIVE PACKAGE (2003)	THIRD LEGISLATIVE PACKAGE (2009)
Market regulation	Market regulation	Market regulation
Directive 96/92/EC (elec.)	Directive 2003/54/EC (elec.)	Directive 2009/72/EC (elec.)
Directive 98/30/EC (gas)	Directive 2003/55/EC (gas)	Directive 2009/73/EC (gas)
Cross-border access	Cross-border access	Cross-border access
—	Reg. 1228/2003 (elec.)	Reg. 714/2009 (elec.)
—	Reg. 1775/2005 (gas)	Reg. 715/2009 (gas)
Regulatory bodies	Regulatory bodies	Regulatory bodies
—	European Regulators Group for Electricity and Gas (ERGEG), via Comm. Decision 2003/796/EC	Agency for the Cooperation of Energy Regulators, via Reg. 713/2009

(source: own elaboration)

The package of provisions is, market-wise, particularly comprehensive: it touches on the regulation of competition on the transmission and distribution systems, on the liberalisation of domestic energy markets, and on the harmonisation of oft-diverging national legislations on cross-border infrastructures. As a matter of fact, to date, the third legislative package on energy represents the kernel of the EU's energy policy *acquis*. This notwithstanding, students of this process point out that "the liberalisation of the gas and electricity sectors has proved to be an affair which even today is not yet complete" (McGowan, 2008:94), however crucial its progress may have been for the revamp of the Europe-wide debate on a common EU energy policy.

The first years of the internal market, moreover, offered the institutional and political leverage to increase the complexity of EU energy-policy making to include several different components—namely, energy efficiency, environmental protection, electricity and hydrocarbons markets and transmission, and renewable energy. In environmental policy, the new leg-

islation built on a pre-existing core that EU institutions had developed since the 1980s. The promotion of renewable energy, conversely, is an interesting case of legislative and policy innovation. Even though the European Commission (1968; 1972; 1980) had long sponsored EU-led investment in research and development of renewable sources of energy, no legislation was introduced until 2001. This occurred mostly because renewable energy sources entail higher production costs if compared to more traditional sources, "a lack of consumer information, and administrative barriers in plant siting, other planning matters, and grid management" (Howes, 2010:120).

For a long time, moreover, renewable energy sources had been perceived by other market players as a threat to competition within the internal energy market. In 1995, the European Commission (1995:18) had already acknowledged that—because of the inherent difficulties in market access and financial returns—"certain forms of energy like renewables may need to be supported initially through specific programmes or subsidies in order for them to find a place on the market", thus raising several concerns about the compatibility of an EU renewable energy legal scheme with the general principle of preserving competition in the internal market (Jacobs, 2012). Directive 2001/77/EC on 'the promotion of the production of electricity produced from renewable energy sources' became more widely known as 'the RES Directive' and established an EU *acquis* on renewable energy,[28] further developed with legislation on biofuels.[29] The RES Directive was repealed recently by Directive 2009/28/EU. The increased legislative and discursive attention on renewables, environmental policy, and sustainability and efficiency concerns revealed a new turning point, marked by the global emergence of an institutionalised debate on climate change and its social, economic, and political effects.

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[28] Directive 2001/77/EC of the European Parliament and the Council of 27 September 2001 on the promotion of electricity produced from renewable energy sources in the internal electricity market.
[29] Directive 2003/30/EC on the promotion of the use of bio-fuels or other renewable fuels for transport.

Together with tailored interventions and legislation on the construction and consolidation of the internal energy market, the establishment of a global and European agenda for climate-change action has been a fundamental driver of change in the way energy policy is perceived, made, and imagined today in Europe. Climate-change and environmental policies have provided EU institutions with "a more robust framework" for the design of a common energy policy at the EU level (McGowan, 2011:503).

Climate-change policies and advocacy are not simple to locate or confine in a linear timeline. On the global stage, the process accelerated at the end of the 1980s thanks to the pressing advocacy and commitment of several governments. After the first plans for binding emission-cut objectives emerged in an Intergovernmental Panel on Climate Change in 1988, the issue managed to enter the global agenda by urging negotiations at a higher political level in the United Nations (UN) General Assembly and several other UN Agencies—perhaps a symptom of the "accrued politicization" (Pallemaerts and Williams, 2006:22) of the topic which ran in parallel with the scientific and technological debate giving dramatic publicity to the long-term threats implied by climate change. The formalisation of the process in the 1992 UN Framework Convention on Climate Change (UNFCCC) and the negotiation, two years later, of the Kyoto Protocol to the UNFCCC radicalised the "[d]ifferent North-South, North-North, and South-South fault lines" that had emerged between the parties of the Convention, as well as the attempt to balance "between national sovereignty and collective state responsibility" (Pallemaerts and Williams, 2006:26-27). The prospect of binding goals hampering the sovereign determination of national climate-change actions by signatory states, as well as the impending economic damage stemming from fees and penalties for non-compliance, made several key global players back away from the Kyoto Protocol—the United States, Canada, Japan, and the Russian Federation among others—thereby affecting

the whole ratification process and the undermining the overall effectiveness of the global climate-change regime.

On the contrary, the commitment of European institutions to the newly-established climate-change regime was immediate—although "largely symbolic" in the absence of a consistent intra-EU climate-change policy—since the beginning of the UNFCCC proceedings (Pallemaerts and Williams, 2006:43ff).[30] The 1993 SAVE Directive[31] on energy savings and efficiency was the first step in this direction, even though the directive only recommended the creation of national programmes for energy savings measures, with no binding criteria or goals. In 1999, the European Commission issued a recommendation to reach an agreement with the motor industry on emissions cuts and consumer information.[32] These measures, finally, were flanked by increased monitoring powers for EU institutions. This notwithstanding, an actual EU climate-change policy with concrete repercussions on the behaviour of Member States and their industries was not up until 2001. This turning point is marked by the entry into force of the RES Directive, the draft decision to ratify collectively the Kyoto Protocol, and the draft directive to implement an EU-wide greenhouse-gas emission trading scheme. The RES Directive, the Emission Trading Scheme (ETS) Directive,[33] the directive on the energy performance of buildings[34] are all cast against the backdrop of the ratification of the Kyoto Protocol and show perhaps the summit of the political overlap of the global and European regimes on climate-change and environmental sustainability.

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[30] Other authors (Deketelaere and Peeters, 2006:3) go as far as to hypothesise that the reluctancy of powerful global players like the United States to ratify a constraining agreement such as the Kyoto Protocol may have forced the EU to show a stronger stance on global climate-change matters and perhaps even to "become a global green leader in climate change policies".

[31] Directive 93/76/EEC of 13 September 1993, to limit carbon dioxide emissions by improving energy efficiency.

[32] Commission Recommendation No. 1999/94/EC of 5 February 1999, on the reduction of CO_2 emissions from passenger cars.

[33] Directive 2003/87/EC of 13 October 2003 establishing a scheme for greenhouse gas emission allowance trading within the Community.

[34] Directive 2002/91/EC of 16 December 2002 on the energy performance of buildings. The act was later recast by Directive 2010/31/EU of 19 May 2010.

Two programmatic documents of the European Commission, the strategy for 'Sustainable, competitive, and secure energy' (2006a) and the communication on 'An energy policy for Europe' (2007a), elicited more convergence on a common energy policy platform in Europe. The Commission's activity combined with the "sense of vulnerability about an increasing reliance on a small range of suppliers as the EU became more and more dependent on energy imports" that the first episode of the 'gas disputes' between Russia and Ukraine had helped instigate to engender a whole new narration about energy policy in Europe, which was later "approved in principle" (McGowan, 2008:95) also by EU Member States and crystallised in the 'climate-energy' strategy of the 20-20-20 goals (European Council, 2007). The strategy brought about several policy actions, documents, and legislative proposals and acts in the following months, marking "a significant milestone in EU energy policy making" (McGowan, 2011:503). On April 23, 2009, the 'climate-energy' package was approved, including updated legislation on renewable energy sources,[35] emission trading schemes,[36] and the establishment of a legislative framework for carbon capture and storage technologies.[37]

The impact of climate-change politics on the European discourse about energy and environmental policy, however, has gone beyond the promotion of concerted intervention and legislation in these sectors. Since the initial emergence of a climate-change regime on the global stage, the proactive advocacy in favour of strong, binding, and coordinated action catalysed the polarisation of the debate between those actors willing to cooperate in order to avoid the "impending climate catastrophe" (Hildingsson *et al.*, 2012:28) and those which self-interestedly decided to pursue domestic priorities and hinder the emergence of a global

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[35] Cf. above and fn. 28.

[36] Directive 2009/29/EC of 23 April 2009 amending Directive 2003/87/EC so as to improve and extend the greenhouse gas emission allowance trading scheme of the Community.

[37] Directive 2009/31/EC of 23 April 2009 on the geological storage of carbon dioxide.

response. This radicalisation of the debate forced the EU to accept that respecting the Kyoto caps and working for enhanced international cooperation on climate-change policies was not only the 'good' choice to be made, but also the only option that—in terms of political identity and, most notably, foreign policy—was consistent with the EU's aspiration to "play a leading role in the global fight against climate change" (Van Schaik and Schunz, 2011:1).

One of the key consequences of this 'constraining' political context at the European level is perhaps the successful establishment of a new "political myth" about 'Green Europe' (Della Sala, 2010; Lenschow and Sprungk, 2010). This narrative revolves around the EU's self-perception as "an environmental leader, both on a global level and within its Member States" and the attempt by its political leadership to "show that Europe is both actually acting green *and* that it is 'destined' to carry a green mission" (Lenschow and Sprungk, 2010:134-135, emphasis added). Even though the 'Green Europe' myth offers EU institutions a valuable degree of political legitimisation to pursue an agenda which otherwise would perhaps meet additional resistance from some Member States or parts of the industry, the climate-change rhetoric only covers a part of the political spectrum. This is particularly true in a context—EU energy policy—in which a number of objectives and policy problems concur to drive and shape policy initiatives in this field, e.g., rising energy prices, growing supply insecurity and import dependence, as well as the "EU's longer-term ambition to promote liberalised and integrated energy markets" (Hildingsson *et al*., 2012:23).

The sustainability myth provided a two-speed impulse to EU climate-change and energy policy. While "environmental and… more specific climate change concerns spurred support for greater EU involvement", these were not backed by substantial and effective policy initiative and action. It was the Commission's attempt to "creatively exploit" internal market goals that provided the EU with enough political leverage to seek "deeper integration and harmonisation" in energy policy (Hildingsson *et al*., 2012:23). In other words, while climate-change

discourse remained strategic and political, energy policy interventions were tactical and piecemeal. In conclusion, even though the "sluggishness" in implementing actual climate-change policy actions or meeting the Kyoto criteria has raised "doubts about the credibility and hence sustainability of the Green Europe myth", climate-change narratives have been a powerful driver for energy policy change in the EU (Lenschow and Sprungk, 2010:135).

There are, however, two dimensions that should be highlighted and also affect the scope of analysis of this thesis. First, the 'Green Europe' myth has served strategically as an essential catalyst of "a high level of legitimacy attributed to and identification with" this new political myth across the European public (Lenschow and Sprungk, 2010:135). Although it is debatable whether this sustainability-driven rhetoric has effectively substituted the foundational myths of integrating Europe through the pacification of the continent and improving cooperation through the creation of the internal market, the 'Green Europe' myth was *instrumental* to create new momentum for EU-wide collaboration and integration and bolster it with a legitimising discourse that could be easily promoted to Europe's public opinion, civil society, and political debate.

Second, the preoccupation with environmental and climate-change threats has offered EU institutions a valuable discursive 'umbrella' under which a number of collateral interests and objectives could be pursued while enjoying the high degree of normative legitimisation stemming from the sustainability myth. Policy options are available, in other words, only insofar as they are consistent with the overarching climate-change objectives. Accordingly, while climate-change action and environmental sustainability serve as long-haul compasses for EU energy policy initiatives, short-term tactics may as well respond to other priorities. EU institutions "readily absorbed" environmental rhetoric and issues to the European agenda "to expand the mission of European integration" (Lenschow and Sprungk, 2010:138)—a

process which is similar to the vested interest that a policisation approach attaches to discursive entrepreneurs like the European Commission.

In other words, this thesis concurs with Dieter Helm (2005:347) that "[a]ddressing climate change is, then, to a considerable extent about redesigning energy policy". At the same time, however, addressing the complexity and the multiple objectives and dimensions of energy policy through climate-change action alone—or tracing energy policy change and innovations back to climate-change initiatives and politics alone—implies an untenable reduction in the scope and potential of energy policy analysis. Accordingly, even though it is accepted that the climate-change debate and the policy arena's growing awareness about this issue have certainly galvanised EU energy policy development, this thesis argues that the ultimate drivers and the central explanation of energy policy change in Europe in the last fifteen years could be found in a different set of overarching strategic goals—e.g., market integration and competitiveness, inter-institutional bargains and competence expansion, energy security through more integration, efficiency, and technological development—and in the ability of certain policy entrepreneurs, i.e., the European Commission, to mobilise support for and cluster interests around *this* kind of non-normative discourse.

As it is argued in Chapters 4 and 5, even climate-change-related policies such as the promotion of integrated infrastructure for renewable sources or energy efficiency have been supported by a *technical* narrative of expertise-driven low politics instead of a conventional *political* discourse insisting on normative 'missions'. Whereas energy policisation, in Chapter 1's matrix, is a blend of the integrationist and technical visions, climate change narratives put together an integrationist but highly political framing. Surely the epic and the long-term objectives of an environmentally-sustainable future serve as a comprehensive ideational paradigm against which no policy actor can legitimately argue. Market integration, technology, and piecemeal regulation, however, compose the toolkit that the Commission has been

using to design an alternative platform and *frame* to approach energy policy issues and suggest solutions.

2.2. Policy history and framing: policy discourse and narrative waves

This section reconstructs the evolution of EU energy policy discourse through the years of European integration and critiques the resilience of two analytical tools—crisis and efficiency—which have been used extensively in the literature to explain change in EU energy policy. These two concepts have persisted in EU energy policy analysis regardless of the discursive frames that, at different points in time, have guided the actions of EU energy policy actors.

The central argument of this analysis is that critical events and exogenous shocks can catalyse change in policy-making but are not a sufficient condition for frame shifts in the policy agenda, tools, and goals. The case of the energy efficiency agenda—which has been present throughout the process of European integration and has never succeeded in entering the formal agenda at the EU level before the Commission's policy offensive in the 2010s—is consistent with this argument.

Oscillations and continuity in the EU's energy policy discourse

According to the timeline of Figure 2.1, which includes *all* documents produced by EU institutions and indexed under the subject matter '*energy*', integrationist and/or EU-wide interventionist thrusts can be recorded during the 1975–1980 interval, *presumably* in the aftermath of the oil market shocks of the 1970s; during the longer 1990–2000 interval, within which the construction of the internal market took place; and, most pronouncedly, during the last five-year interval, from 2005 to date.

Figure 2.1. Binding and non-binding energy policy documents, five-year intervals, 1960–2010

(source: own elaboration from Eur-Lex data, http://eur-lex.europa.eu)
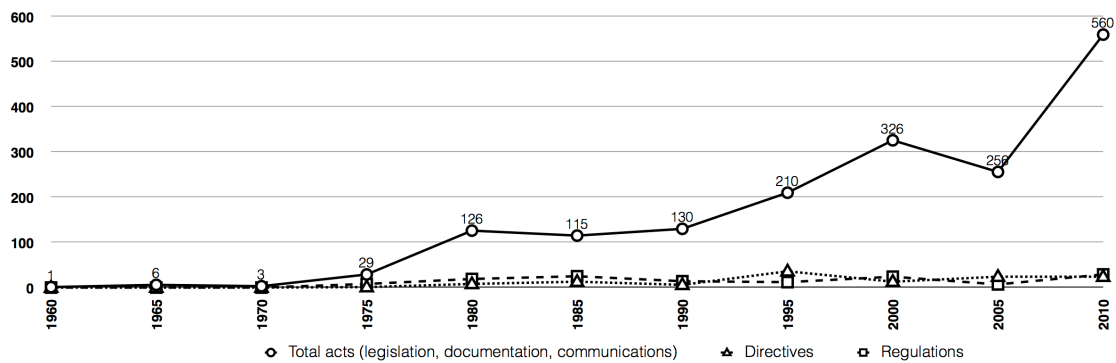
'Absolute' measurements such as Figure 2.1's, however, are biased. First, non-binding legislation and documentation are cost-free contributions by institutional players to a broader policy discourse and thereby do not necessarily signal any concrete commitment to the creation of an actual EU energy policy. Second, absolute figures are subject to a number of intervening factors that can distort measurement such as successive enlargements: up to 1970, the Community had passed ten legislative acts on energy policy with a six-Member State membership and a less powerful non-elected European Parliament, while in the 2005–2010 interval the EU produced 560 acts on energy policy with twenty-seven Member States and an institutional geometry that had gone through several structural revisions and Treaty amendments.[38]

The Community and then the EU have simply *produced more* as time went by. These factors, moreover, should also account for the lack of correlation between the absolute figures of EU policy-making and documentation on energy policy and the trends in the production of binding legislation—i.e., directives, regulations, and the body of strategic documents, drafts, and amendments that stem from the process.

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[38] The substantial dismantlement of Euratom through the years, for example, had a significant impact on energy-related legislative output by European institutions. To date, about 55 percent of the whole energy *acquis communautaire* deals with nuclear energy or related issues.

Figure 2.2. Trends in energy policy binding documents and related acts, 1957–2011

(source: own elaboration from Eur-Lex data, http://eur-lex.europa.eu)
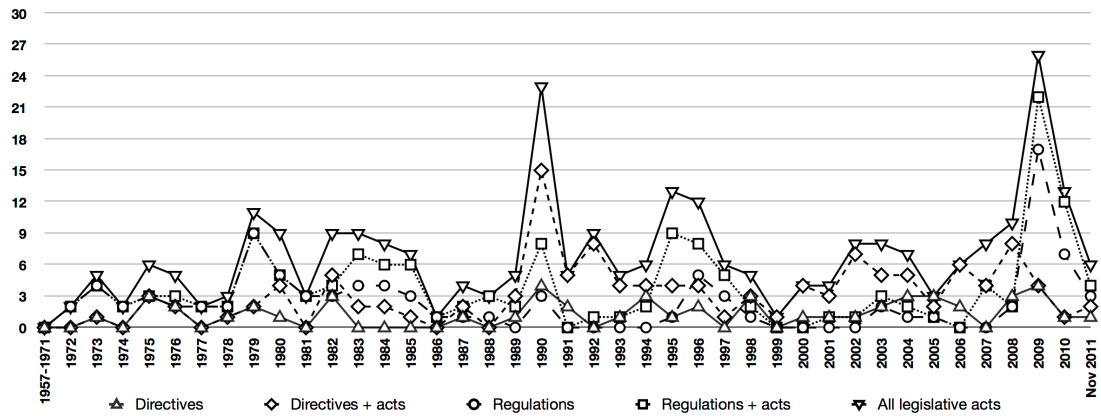
Figure 2.3. EU legislation (directives and regulations) on subject matter 'energy', 1957–2011

(source: own elaboration from Eur-Lex data, http://eur-lex.europa.eu)
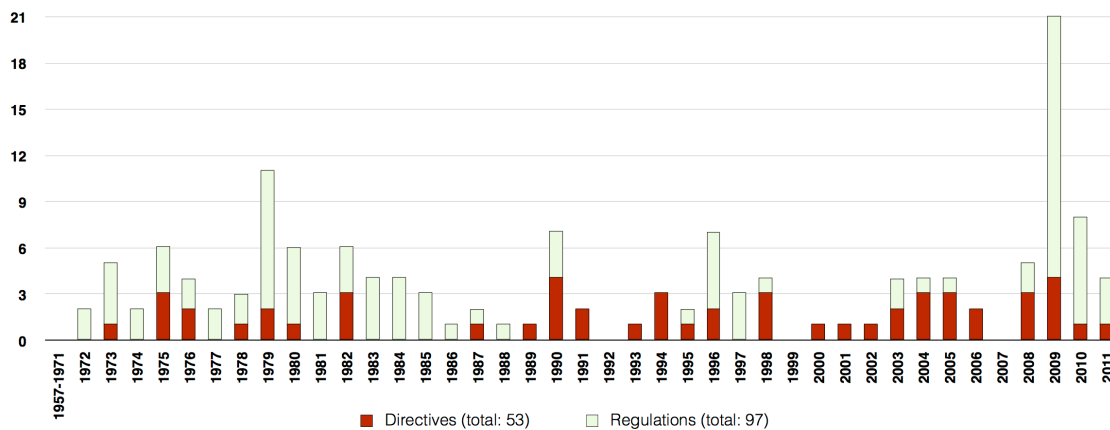
Figure 2.2 narrows the analysis to legislative documents issued on energy policy from the beginning of the integration process in 1957 to latest available data of late 2011. When limited to legally binding acts, the analysis shows a much more irregular activity record by EU institutions and Member States, with several peaks calling for further explanation. Moreover, the jagged line of relevant legal activity—as opposed to the steadily growing rate of general and 'political' energy policy activity of Figure 2.1—is relevant for two reasons. First, some of the assumptions of mainstream readings of EU energy policy are hardly corroborated by available data. Second, there exists a significant imbalance between programmatic or strategic documents by EU institutions (i.e., policy impulse and proposals) and the actual provi-

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sions that are eventually agreed upon by EU institutions and Member States—in particular, legally-binding ones such as regulations and directives (Figure 2.3).

The 'peaks' in EU energy policy activity identified in figures 2.2 and 2.3, moreover, do not precisely correspond to the macro-eras singled out by orthodox accounts of Europe's energy policy integration. First, it cannot be generalised that energy policy, like other fields of EU-driven policy activity, experienced a phase of 'eurosclerosis' during the 1970s and 1980s. As a matter of fact, the two decades are characterised by significant intensity in strategic planning and legislative production in energy policy. In particular, looking at the ratio of binding legislation to the EU's overall activity, EU energy policy in the 1973–1985 interval (from the oil shocks to the adoption of the Single European Act) is by and large comparable to policy intensity in the 2000s—during which energy policy had already regained the top of the EU's political agenda. In a framework in which the political dynamics and the historical justifications for a common EU energy policy were arguably insufficient, the successfulness of integration pushes in this direction is debatable, but they probably did not transform into "the most spectacular failure of the European integration process", as they were described by part of the literature (George, 1985:100).[39]

Even more notably, there was a significant peak in EU energy policy's legislative and strategic activity between the end of the 2000s and the beginning of the 2010s—at the intersection of several important turning points in the integration process: the EU enlargement to Central and Eastern European countries; the 'gas disputes' at the EU's border; the growth of worldwide attention to the climate change and environmental sustainability phenomena; and the inception of an intensive energy efficiency policy programme at the EU level (European Commission, 2006b; 2011a).

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[39] Meaningfully enough, Stephen George did not change his judgement in later editions of his now classic work (1991:116, 1996:152).

The central observation inferred from this analysis is, therefore, that the history of EU energy policy has followed an irregular pattern which has been occasionally altered by unpredictable critical events. While concepts like 'crisis' and 'shock' are useful to explain frame shifts and variations in the prevailing policy discourse, this section also looks for evidence of a persisting energy policy frame based on energy efficiency, energy substitution, and policy interventions on energy consumption patterns as a resilient 'European' way of understanding and addressing energy policy issues. At the core of this thesis lies a story about EU energy policy during the last fifteen years which deals with both change and continuity. On the one hand, this story tells about the sudden and unexpected change which has shifted EU energy policy from security and state-centred preoccupations with supply towards a more integrated and collaborative paradigm that tilted the focus to the EU level. On the other hand, the European Commission's policy vision about EU energy policy tells a story of continuity. During the last forty-five years the Commission has consistently defended its policised approach to energy, emphasising the policy's complexity and the relevance of sustainability, competition, and efficiency. It is the interaction between these two stories—i.e., the ability of the Commission to harness the windows of opportunity created by sudden change to (finally) present its long-standing policy platform and change the EU energy policy agenda—that has allowed the shift to energy policisation to ultimately take place.

Shock, crisis, and variation in the discursive framing of EU energy policy

Several recent contributions on energy policy feature several studies that have re-traced the developments of EU energy policy in order to single out 'paradigmatic' changes in response to critical junctures, new policy opportunities, and unsustainable status quo in light of unpredictable—or perhaps underestimated—events and 'shocks' (Chevalier, 2009; Duffield and Birchfield, 2011; McKillop and Newman, 2005). According to this 'crisis-driven' ap-

proach, crucial turning points in EU energy policy can be linked to external events or collapsing structural conditions prompting otherwise unanticipated behaviour by decision makers and policy actors or, similarly, empowering different coalitions or interests to succeed where they had previously been unable to act.

In line with this argumentation, Dieter Helm (2005; 2007) has extensively analysed EU energy policy in terms of crisis-driven paradigms that have somewhat forced EU energy actors to act in accordance with unpredictable and overwhelming change. In particular, the first dramatic change from the static equilibrium carved into the wording of the EEC Treaty stemmed from the global repercussions of the infamous OPEC-driven 'oil shocks' in the 1970s.

The consequences of this political tension were durable: facing predictions of ever-raising oil prices, Western economies were—in their mid- and long-term policy planning—forced to switch part of their energy-intensive industries and economies to more sustainable and service-ridden activities. As energy-intensive industries progressively moved towards other markets, Western consumers rationalised their energy supply, distribution, and consumption. The result was that by the 1980s Western (and European) consumers found themselves with a highly controlled and over-regulated energy sector. As a consequence, "the set of ideas surrounding privatization, liberalization, and competition developed in the 1980s" became the new paradigm in the management of the energy market. By means of an "asset-sweating approach… refineries were closed rather than built, mergers and acquisitions focused on consolidating the market, and infrastructure suffered accordingly" (Helm, 2007:3).

This chain of events led to another critical turning point by the end of the 1990s, when the supply–demand game of European consumer and net-importer countries was crushed between an obsolete infrastructure on the internal side and pessimistic prospects on supply and reserves on the external side. European countries were progressively unable to cope with

domestic consumption while larger fast-growing economies such as China and India were rapidly depleting and monopolising supply from increasingly unreliable "swing producers" (Helm, 2005:4). As European energy markets remained widely deregulated and left to the pressures of liberalised competition, prices skyrocketed in the face of steadily-growing demand, decreasing known reserves, and higher 'consumption competition' from developing economies. Security of energy supply was then back to the top of the agenda.

Further shadows on this critical supply scenario were eventually cast by the growing concerns about the long-term sustainability of traditional fossil-fuel supply—especially at a time in which the debate on climate change and environmental challenges had just emerged globally. Finally, and again unpredictably, the 'gas disputes' that hit Europe at its eastern borders in 2006 and 2009 further added to the uncertainties and instability that had been affecting energy supply strategies in the European markets.

Crisis-driven readings of energy policy change do not necessarily hint at energy securitisation. In fact, the windows of opportunity opened by critical events or turning points can serve as a springboard for alternative framings. As a consequence of the lack of effective and coordinated responses to the 2006-2009 gas crises, it was in the coincidence of growing demands, unreliable supply, and environmental concerns that the "key objectives in the new paradigm" lay (Helm, 2007:5).

Faced with these difficulties, national governments had two main strategic options. First, reducing their reliance on fossil fuel imports from ever-stronger cartels of producers and turning back to more sustainable diversification—in particular, to coal and derivates as well as to the development of renewable and cleaner sources. Second, the market infrastructure that had been left to the competition game had to be reviewed mostly in terms of *efficient consumption*—reducing waste, inefficiencies in transportation and distribution, and improving the quality of end-user consumption. These crisis-driven approaches acknowledge that in

the face of less reliable traditional sources and wary energy market mechanisms, national governments had literally no other option than diversifying consumption while making it more efficient.

Besides the obviousness of this claim, however, it must be underscored that the expectations for a 'new' energy paradigm, for a more radical change upsetting the existing balances of EU energy policy—at least in the context of an EU-wide response to the challenges of energy policy—were not entirely fulfilled. Trends in overall inland consumption over the last twenty years prove that the 'critical' turning point of the year 2000 did not affect the relative impact of non-fossil sources on the energy endowment of the EU-27 area lastingly (Figure 2.4).

Figure 2.4. Relative share of energy sources in EU-27 inland gross consumption, 1990–2009.
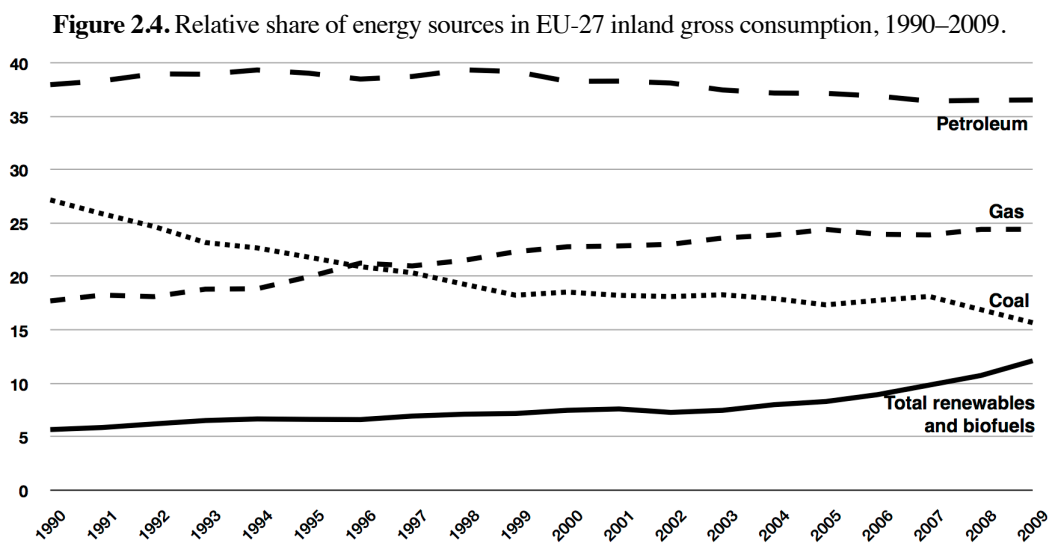
(source: own elaboration of data from Eurostat's energy statistics database)

In fact, the decline of coal (especially vis-à-vis the growing concerns about environmental sustainability of energy demand in Europe) has been inexorable throughout the 1990–2009 period, and the 2000 threshold only confirmed the growth of gas as an alternative source to petroleum products, which were not significantly affected by either rising prices or supply shortages and crisis outbreaks. The only consistent trend is a steady increase

in the use of energy originating from renewable sources and fuels, in terms of both absolute

quantities (Figure 2.5) and relative shares.

Figure 2.5. Overall EU energy consumption (million tonnes of oil equivalent) by energy sources, 1990–2009.
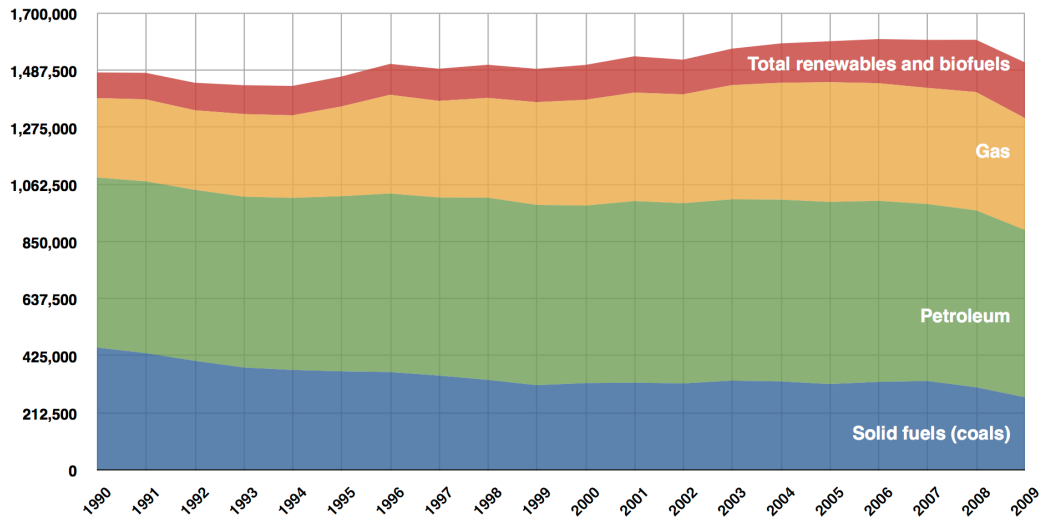
(source: own elaboration of data from Eurostat's energy statistics database)

Crisis and shocks were not sufficient conditions for re-framing. Even though they may

open a window of political or discursive opportunity, the *quality* and the content of change

depends on the conflictual dynamics between opposite frames, narratives, and perceptions.

The crisis-driven approach underpinning Helm's new 'energy paradigm' is vulnerable,

moreover, to at least two criticisms. From an empirical perspective, assuming that crisis

would trigger policies of diversification and the renovation of competitive domestic energy

markets was simplistic and normative. Even though it is true that Helm's analysis (2005, in

particular) stems from the energy policies brought about by the British government, his ef-

forts wind up neglecting the incentives and opportunities that EU institutions and the Mem-

ber States had (and did not harness) to strengthen the EU's internal energy market in order to

overcome the inefficiencies and negative externalities of fractured and isolated national

markets and legislation. Policy actors had persisted with ineffective or inadequate frames

despite crises and shocks other times in the past. The explanation of change after critical

turning points has to be supported, ultimately, by evidence of discursive competition be-tween contrasting platforms, narratives, and policy entrepreneurs. Crisis alone, in other words, can provide an opportunity for change but not the bases for a new stable equilibrium.

Consequently, from a theoretical perspective, Helm's reliance on critical and unpredict-able events and shocks as the *only drivers* of policy change undermines his explanation structurally: it is not clear whether the change in policy action follows the exogenous event through a nexus of causality or the identification of critical events stems from the observa-tion of a policy change. Finally, its process-tracing technique seems to 'look for' events that—independent from the actual objectives and decisions of actors—are likely to have caused the observed phenomenon.

The 'paradigmatic' argument of Helm's crisis-driven approach risks being a *deus-ex-machina* explanation that is instrumentally constructed to provide an account of observed facts (cf. Blyth, 1997:230). This fallacy is common for students and works embedded in his-torical institutionalism: the preoccupation with critical turning points and sudden unexpected events to justify *ex post* the occurrence of policy change 'neutralises' the role of agency and the impact of actors' decisions on future equilibria and the new stati quo that inevitably fol-low crisis. Studies as dependent on exogenous change as historical institutionalist ones are able to re-tell (in hindsight) any story of policy change. They risk, however, to fail in ex-plaining both the causes and the consequences of the variation they observe.

Sources and supplies: the inherent physical constraint of energy policy

Another strand in the energy policy literature, drawing mainly on concepts and tools of economics, has also re-interpreted events and energy policy choices in terms of successive paradigms—consistent and comprehensive sets of policy understandings, tools, and objec-tives. Building on traditional arguments about the constrained rationality of economic actors,

scholars in this strand have emphasised how energy policy—regardless of the specificities of national markets and contingent balances in the demand–supply game—is subject to a major, overwhelming structural constraint, namely the material availability of resources for the production and consumption of energy. Accordingly, energy policy is not a policy arena in which the actors are *completely* free to act according to their subjective function of rational utility. In fact, despite the differences in such functions, all actors are constrained by the actual availability of the sources they trade. The only determinant of energy policy shifts is something closer to a bounded 'product life-cycle' than to purposeful political decisions—let alone unpredictable changes following exogenous events.

Some authors have linked this approach back to Cesare Marchetti's path-breaking studies (1977; 1979; 1986) on the logical and cognitive patterns underlying the life and functioning of social systems—something that Marchetti considered to be analogous to the bounded mechanics of biology. Marchetti's economic argument is one of 'logistic substitution' and it was initially tested (1977) on the markets of primary energy sources. The findings were straightforward: the substitution of energy sources follows a simple logistic function, according to which every new source of energy is first discovered, then harnessed, and finally substituted by a newer source able to overcome the effects of the technological obsolescence of the former. Shifts in energy production and consumption occur as soon as newer, more efficient, and more easily available sources appear.

This basic mechanism—that functions similarly to Kondratieff waves—makes "primary energies… compete much as species in a biological niche" (Devezas *et al*., 2008:2) and shows that all energy sources are nothing more than "*just different technologies competing for a market* and should behave accordingly" (Marchetti and Nakićenović, 1979:1, emphasis in original). However, the heedless reliance of Western economies on petroleum products and fossil fuels in general has shown since the 1980s that Marchetti's expectations were by

and large too optimistic. Marchetti's model and its confutation, however, play an important role in analysing the evolution of energy policy and energy markets.

If Marchetti's regularities had been reliably confirmed, the responsibility for efficient energy systems (production, marketisation, and consumption) would have rested entirely on the market: as long as a specific source is easily available and its technology is cost-efficient, it will remain the source of choice. This perspective would have refuted any crisis-driven analysis. The OPEC shocks in the 1970s, for instance, a crucial turning point for the regulation of energy policy in Europe according to Helm's analysis, did not prevent oil from remaining the most important source of energy for industrialised economies. Its demise would have only occurred once petroleum had become economically non-efficient. Crisis only alters the regularity of a source's 'wave' marginally and in the short-term since "all perturbations are reabsorbed elastically without influencing the trend" (Marchetti and Nakićenović, 1979:15).

Disruption, shortages, as well as commercial and political decisions would not have altered the regularity of the sources' "schedule […], will, and […] clock" (Marchetti and Nakićenović, 1979:15). Rather than 'shocks', these would have accounted for ordinary fluctuations of the evolutionary cycle that every source undergoes. Since Marchetti's regularities have been empirically rebutted by the persistence of fossil-fuel economies and the interruption of substitution cycles in spite of the growing uncertainties about reliable supply, it can be argued that stochastic events do matter in the analysis of energy policy trends.[40] This shows, on the other hand, that (at given times and under specific circumstances to be investigated) exogenous events and autonomous political decisions can affect the paradigm under which energy is produced, consumed, and understood. Once the rational regularity of the

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[40] According to Marchetti's original model, solid fuels such as uranium would have substituted fluid fossil fuels in the long term. In hindsight, the persistence of the fossil fuel cycle made clear that "his imagined projection of a [nuclear energy] scenario was very optimistic" (Devezas *et al.*, 2008:4).

logistic approach is broken, nothing prevents specific ideas of energy policy, channeled

through a purposeful discourse, to guide the process through an alternative path.

The invalidity of the model's predictions across the 1980s—i.e., the persistence of fossil

fuels as the main primary source of energy and the "relatively static behaviour" in logistic

substitution (Devezas *et al.*, 2008:3)—was investigated by Vaclav Smil in his studies on the

global politics of energy markets (1994; 2003), in the attempt to identify critical events or

decisions that may have altered the reproduction of substitution cycles. Part of the regular

substitution process was certainly impeded by the decline of the 'nuclear option' in the mid-

1980s after the Chernobyl crisis.[41]

Similarly, market constraints curbed down Marchetti's optimistic expectations about the

growth of clean renewable sources and above all about their potential to take over fossil fu-

els as main primary sources of energy—mostly because of higher costs, lower efficiency,

and more complex infrastructure (Swider *et al.*, 2008; Wüstenhagen and Menichetti, 2012).

The long-term reliability of fossil fuels, and petroleum products in particular, was jeopard-

ised by an increasingly cartelised supply (Doukas *et al.*, 2011) and less reliable known re-

serves (Hamilton, 2009).

These two elements are inherently contradictory: as fossil and conventional fuels run out

or become increasingly costly to explore and extract, the costs and the large scale required to

harness renewable sources make any substitution unviable. This deadlock could be over-

come in the future by developing technologies or new discoveries (Helm, 2008), yet the

risks connected to running industrialised economies at full speed despite unreliable energy

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[41] The impact of the Chernobyl crisis varied much in accordance with long-established nuclear policies in dif-
ferent countries as well as with the political identity of ruling governments at the time (Eiser *et al.*, 1990). The
positive correlation, however, between nuclear accidents or critical events and nuclear policy phase-outs in
energy-craving economies was observed also in the aftermath of the Fukushima accident, following the March
2011 tsunami in Japan (Sardana, 2011; Wittneben, 2012).

supply have brought about a different conception of energy policy—i.e., a frame revolving around the idea *energy efficiency*, doing more with the resources available.

2.3. Conclusions: a timeline of EU energy policy frames

Re-constructing EU energy policy history through the lenses of framing approaches shows that crisis, shocks, and unexpected turning points have played a major role in inducing change and variation in policy choices and outcomes. At certain points in time, the existing policy balances collapsed under the pressure of exogenous events and opened windows of opportunity for different agendas or actors to take the lead of the process. Accordingly, conventional readings of EU energy policy in the literature interpret this evolution as different 'blocs' separated by sudden events that—within the *greater design* of the European integration process—have moved energy policy either down or up the EU's political agenda. Energy policy entered the debate at the EU level following the 1973-1974 oil shocks only to confirm that national interests and a security-ridden perception of national security had prevailed once again to favour bilateral agreements and strengthen the reliance on imported supplies and fossil fuels. The opportunity to use energy policy as leverage during the construction of the internal market in the late 1980s and early 1990s put energy back into the limelight. Again, however, the resistance of many Member States prevented the formation of a truly-European competence on energy around the core issue of market liberalisation and enhanced EU-wide competition.

An explanation for the periods of continuity and stability between shocks assumes, however, that competing frames 'lurk' in the process and persist even when the actors that adopt them are unable to lead the policy-making phase. In particular, the analysis of the history of EU energy policy shows that the policised frame—based on the concept of energy efficiency, EU-wide market integration, and environmental sustainability—had been unable, for

over forty years, to prevail over other policy narratives. This occurred despite systemic shocks such as the 1973 oil crisis and even though the idea of 'doing the same with less' or, rather, to substitute depleting energy sources with a more rational and efficient consumption has been present in the political and technological debate since the 1970s and has been 'institutionally' advocated by the European Commission since its late-1960s communications and policy papers. If the policisation frame embodied by the rhetoric and narrative of the European Commission has now been able—after more than forty years—to harness the windows of opportunity opened by the emergence of worldwide concerns on climate change and the sustainability agenda and the increasing unreliability of imported fuels against a backdrop of global supply instability, the explanation needs perhaps to be sought in the interrelation between unexpected and inevitable change and the Commission's persistence in supporting its own complex and multidimensional energy policy agenda. The former served as necessary catalysts for a new policy balance, while the latter shows a discursive asset that the Commission had been unable to use politically when previous policy windows had opened. This combination of change and continuity is at the core of the ideational interpretation of the EU's energy policy developments of the last fifteen years advanced in this thesis.

This lack of re-framing opportunities can be partially explained by the institutional structure of the EU and EU energy policy in particular. Until 2009, energy was not a competence of the EU and non-national institutions enjoyed a fairly limited room for manoeuvre to act in this policy field, if any. As shown *supra*, most energy policy-making at the EU level had been made by means of a patchwork of complex and technical interventions in different policy fields—e..g, market integration, environmental policy, or competition—whose repercussions managed to affect energy policy legislation and regulation in the Member States' national systems. Even if shocks prompted massive and systemic change in the characteristics and routines of EU energy policy and economics, policy frames and narratives—i.e., the

way energy policy was told and understood in Europe—had not abandoned its state-centred and Member State-driven approach for decades.

The next chapter analyses in detail how the discursive shift from energy securitisation to energy policisation was put into effect and aims to collect evidence of the changes in the way energy policy has been officially and legally defined, made, and presented to the public at the EU level. The study of this framing shift is a necessary introduction to the analysis of the discursive tactics that EU institutions and energy policy actors like the European Commission can implement when they harness opportunities to drive the policy-making process towards different goals—which they see as being more consistent with their policy preferences, vision, and ideas.

Chapter 3

The policisation of EU energy policy: the European Commission's re-framing strategy

This chapter provides evidence of a strategic and instrumental re-framing process of EU energy policy by the European Commission. The process took place during the 1990s and, most notably, the 2000s. Energy policisation became increasingly institutionalised and legitimised while the Member States' alternative framing narrative—i.e., a discourse of energy securitisation—proved to be insufficient or lacking vis-à-vis the many challenges that EU energy policy had to take up in the face of sudden crises and exogenous shocks.

The analysis conducted so far has provided further insights into the definition of policisation. First, energy policisation is to a certain extent *inherent* in the normative approach of EU institutions—and the European Commission's in particular—to the process of European integration as a whole. Either in the analysis of academic observers or in the words of its representatives, the Commission's vision of the future of European integration is one of expanded competences at the EU level, completion of an efficiently working internal market, and further integration of the economic and social spheres on a continental scale.

Second, the themes of energy policisation have been present in the policy discourse of the European Commission since the beginning of the integration process, even though they were not crystallised in a workable policy agenda and platform until the late 1990s. Especially in the face of critical and unpredicted shocks, conventional liberalisation and security-driven frames failed to provide a long-term, reliable, and sustainable response to supply, transmission, and market shortcomings. A systematic response to these shortcoming came from the European Commission's discursive strategy, which had prioritised for decades the rational

use of energy and investment on a more responsible energy consumption, i.e., energy efficiency as an active instrument of energy policy.

Because of the repercussions on a number of policy fields and actions—consider, for instance, the impact on the environment, on market competitiveness and job creation, on end-consumer policies, and research and innovation—energy efficiency has grown to become the lynchpin of the Commission's policisation frame. When the Commission was able to systematise this policy platform into a comprehensive and consistent policy narrative, in the late 1990s and early 2000s, energy efficiency became the *flagship* policy in the agenda. The case studies of chapters 4 and 5, which deal with two different implications of EU energy efficiency policy, are a fitting example of energy efficiency's centrality in the strategy of the European Commission. The case studies, moreover, show how these policy vision and understandings have been translated into operative policy actions. They are central, therefore, to explain why the policisation frame that the Commission has advocated for the last four decades had to wait for the unexpected events of the late 2000s to finally breach the EU energy policy-making agenda.

Third, the fact that the Commission had long devised its energy policy vision through a complex and multidimensional policisation frame and had attempted to present its energy efficiency-driven discourse at different times throughout the process of European integration also entails that, for decades, the European Commission has had to *lurk* into the process with no institutional resources and political opportunities to contend with the Member States' competing frames. From 1957 to the late 1990s, crises and exogenous shocks can easily explain changes in the way energy policy was framed, understood, and made—favouring either market- or security-driven approaches—but did not grant EU institutions any viable opportunity to re-frame energy policy in a more integrationist way. Conversely, the crises that hit EU energy security during the 2000s—price crises on the global market, the 'gas dis-

putes' at the eastern border, and more recently the Fukushima accident in Japan and the unsettled political turmoil in many of Europe's largest suppliers in North Africa and the Middle East—occurred in a context of institutional maturity (e.g., the approval of the third energy legislative package and the new Title XXI in the TFEU in 2009) which presented the Commission with an actual window of opportunity to advance its policised agenda and struggle to take the lead of the process.

This chapter proposes a bibliometric test to infer—from the use, quality, and nature of the discourse adopted by relevant policy actors and stakeholders—when and under what circumstances the Commission has been able to drive the shift from a securitised to a policised overarching understanding of EU energy policy (Section 3.2). After introducing the raw bibliometric data, the chapter goes on to analyse the energy policy discourse of relevant policy actors and look for evidence of the frame shift in the specific *discursive vehicles* used in the elaboration of the energy policy agenda and debate (sections 3.3 and 3.4). The two parts of the analysis combine to provide both a quasi-quantitative and a qualitative study of discourse variation and instrumental policy re-framing in EU energy policy. Both tools confirm the existence of a shift and the major role played by the European Commission in driving it.

3.1. The bibliometric test: discursive vehicles of energy policisation

This section reports the results of a bibliometric test conducted on EU discourse about energy policy from 1990 to November 2012. The analysis conducted above has shown that several critical events and exogenous shocks have affected EU energy policy and, more importantly, the way policy actors and policy makers—at both the national and the EU level—spoke and thought of energy policy and how it was to be made. Accordingly, the 1990–2011 interval includes in the analysis a number of crucial events and turning points in order to single out the impact of each on the overall institutional discourse of EU energy policy by

relevant actors: the establishment of the internal market in 1992; the energy price crisis of the late 1990s and early 2000s (Helm, 2005); and the 'gas dispute' episodes between Russia and Ukraine in 2006 and 2009 (Pirani *et al.*, 2009).

Methodological notes

The analysed data consists of *discursive vehicles*. These have been organised in two distinct categories—i.e., legislative acts and public-exposure documents—dealing with two distinct discourses—i.e., energy securitisation and policisation. On the one hand, Table 3.1 and Figure 3.1 report all the legislative and quasi-legislative acts that have been produced in the EU and contained a selected range of relevant keywords about energy policy and energy securitisation.[42] All data was retrieved through the official EU legislation online resource, i.e., the Eur-Lex database.[43] Legislative acts include acts with binding effect, namely directives and regulations. Quasi-legislative acts include those documents and communications which precede, accompany, and complement the EU's legislative process. The Eur-Lex database defines this sub-category as 'preparatory acts' or 'legislation in preparation'.[44] Table 3.2 and Figure 3.2 report all the press releases, public statements, speeches, memoranda, and other public-exposure documents that have been institutionally produced by the EU and contained the same range of relevant keywords on energy securitisation.[45] All data was retrieved

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[42] The research query used in this enquiry was: *(Text = 'energy policy' or 'energy') and (Text = 'energy security' or 'security of supply' or 'security of energy' or 'supply security' or 'energy supply' or 'secure energy').*

[43] The database is freely accessible at the address http://eur-lex.europa.eu [last accessed: 6 November 2012].

[44] The database includes in this sub-category all COM documents (proposals and other acts adopted in the framework of a legislative procedure, communications, recommendations, reports, white papers, and green papers), JOIN documents (joint proposals, communications, reports, white papers and green papers adopted by the Commission and the High Representative), and SEC/SWD document (staff and joint staff working documents, i.e., impact assessments, summaries of impact assessments, staff working papers).

[45] The documents examined in the analysis include: IP (press releases of the European Commission), MEMO (memoranda of the European Commission), SPEECH (speeches by members, officials, and staff of the European Commission), DOC (documents from the Presidency of the Council of the European Union), and PRES (conclusion of the European Council presidency).

through the official EU databases of the press documents available to the public, i.e., the Rapid database.[46]

On the other hand, Table 3.3 and Figure 3.3 analyse the legislative and preparatory acts that contained a selected range of relevant keywords about energy policisation and its central features—market, competitiveness, environment, sustainability, renewable sources, and energy efficiency in particular.[47] Table 3.4 and Figure 3.4 report all the EU press releases and public statements about energy policisation. In both the securitisation and the policisation research queries, the search was 'ring-fenced' against spurious results (i.e., documents in which mentions of energy policy and/or energy security may have been marginal or occasional) by double-checking the presence of 'energy' and 'energy policy' in the retrieved documents' text *beside* mentions of relevant search terms and, when possible, the mention of 'energy' in the keywords assigned to the documents by the cataloguing system. The Eur-Lex database offered, moreover, the opportunity to filter results by type of document, so to avoid retrieving accessory or collateral documents together with main results (e.g., corrigenda documents or opinions).

Figures 3.5 and 3.6 show a comparison between securitised and policised documents, both in terms of legislative/preparatory activity and public exposure about the two issues. Figure 3.7, finally, proposes a comparison between the ratios of legislative acts to preparatory acts within both the securitisation and the policisation frames. This last measurement is particularly useful to assess *frame effectiveness*, i.e., a raw indicator of the actors' ability not only to frame the policy discourse, present an issue, and introduce it in the public agenda in a

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[46] The database is freely accessible at the address http://europa.eu/rapid/search.htm [last accessed: 6 November 2012].

[47] The research query used in this enquiry was: *(Text = 'energy policy' or 'energy') and (Text = 'energy efficiency' or 'energy market' or 'infrastructure' or 'renewable' or 'sustainable' or 'sustainability')*.

way which is consistent with their preferences and interests, but also to convert these narratives into binding pieces of legislation.

Findings (I): discourse intensity

The data analysed in this test[48] shows that all types of activity—legislative, quasi-legislative, and public acts and documents—have recorded a significant growth after the year 2000. Similarly, all types of activity about EU energy policy were generally scarce in the early 1990s, i.e., before the Treaty of Maastricht and the establishment of the internal market could deploy their effects on EU energy policy-making. In general, all types of activity have also recorded a significant drop after 2011.[49] In particular, public documents and speeches in 2011 had decreased by 46.2 percent compared to 2007. As this trend has affected both the securitised and policised narratives, one of the possible explanations is that 'EU-branded' energy policy discourse as such—as a political and public-agenda priority—may have lost a significant degree of its public appeal vis-à-vis other issues that have moved into the limelight in the last few years, first and foremost the global financial crisis.

As far as legislative and quasi-legislative/preparatory acts are concerned, the frame of energy securitisation was almost irrelevant during the 1990–1995 interval. The first increase in discursive production on energy securitisation was recorded in the 2000–2003 interval. On the one hand, by "the end of 1999, oil prices began to climb from the low levels" that had characterised the fifteen previous years on the global energy market (Helm, 2005:2). The uncertainty which followed this price surge may have prompted a securitised response in the way energy policy in the EU—a community of energy importers and, then, at risk of disruption—was conceived in the aftermath of the price 'shocks'.

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[48] The *N* of the bibliometric test was 11,312 documents (of which 7,648 = 67.6% policised). 6,895 were legislative acts (of which 4,849 = 70.3 percent 'policised'). 4,417 press releases (of which 2,799 = 63.4 percent 'policised').

[49] The latest data available at the time of this research have been collected on November 7, 2012.

On the other hand, however, the surge in securitised discursive vehicles in the 2000–2003 interval coincides also with intensive policy activity by the European Commission to advance an alternative strategy and policy platform to fight the uncertainties rising in the energy market. The Commission's discourse was already introducing a policisation frame in the policy arena—more than 500 preparatory acts contained policised discursive vehicles in this time interval—but part of the Commission's strategy was still presented as security-oriented in order to gain leverage vis-à-vis national actors. Consider, for instance, the Commission's green paper 'Towards a European strategy for the security of energy supply'. In the green paper, while insisting on the idea of "life after oil" (European Commission, 2000a:15) and advancing a policised, comprehensive, and EU-wide strategy to address Europe's complex energy challenges, the Commission (2000a:3, emphasis added) still presented the critical events of the early 2000s as consequences of "the fact that the price of crude oil has tripled since March 1999" revealing "once again… the European Union's *structural weaknesses regarding energy supply*". Similarly, during the 'gas disputes' crisis in 2006 and 2009, the figures of Commission officials and representatives' speeches about energy security grew enormously (by 16 times, i.e., by 1,500 percent, from 2004 to 2007), showing the Commission's attempt to play—as the crisis struck with full intensity—both discursive tables, even though the number of preparatory acts on energy policisation suggests that, in legislative terms, the Commission held consistently on to its more complex and integrationist vision.

The two 'waves' of securitised and policised discourse have moved in parallel as long as the price crisis of the late 1990s had an impact on the debate. The comparisons between the policised and securitised discursive vehicles (figures 3.5 and 3.6) show, however, that the two frames part ways abruptly in the aftermath of the first gas 'dispute' in 2006. Compared to the pre-crisis context of 2004, securitisation legislative and quasi-legislative acts had

grown in 2009 by 186.7 percent. The same kind of discursive vehicles for a policised narrative had grown by 281 percent. The figures are even more impressive in the case of public-exposure discursive vehicles. Compared to 2004, the public exposure of EU institutions and the Commission in particular on a policised discourse of energy policy had increased by nearly 6.7 times in 2008. In the same year, securitised discourse in the public and media venues started to drop sensibly: in 2012, only 83 public documents and statements dealt with energy security and securitisation, as opposed to 293 in 2007.

The 2006–2009 interval is also crucial because more evidence of the shift from securitisation to policisation clusters around this time interval. In the aftermath of the second 'gas dispute' episode in 2009, securitised discourse remained around the same levels it recorded during the crisis in terms of legislative and preparatory acts. Policised vehicles, conversely, reached a peak in 2011, when most of the Commission's legislative and strategic endeavours focused on and were eventually formalised into the 2011 Energy Efficiency Plan. Similarly, as far as public exposure and public stance are concerned, energy-related documents had severely dropped after 2008. Policised discourse in the media and public declarations of EU institutions and officials, however, re-gained momentum in 2011. This data may corroborate the hypothesis that the Commission's discursive stance on energy efficiency and, most notably, the submission of the Energy Efficiency Directive (EED) proposal may have opened a significant window of opportunity for a policised, complex, and multidimensional framing of energy policy in the public agenda and debate across Europe.

Similarly, the observations made so far may entail that:

(a) energy securitisation discourse, despite the crisis, the hardships suffered by eastern European countries in the aftermath of the supply disruption, and the alarmist reaction of some Member States—which "acted as catalysts for this debate on energy security, by emphasising the geopolitical dimension of energy policy" (Natorski

and Herranz-Surrallés, 2008:80)—*may not have been as overwhelming as it was expected theoretically*. Securitisation, for instance, did not prevent EU institutions like the Commission from offering, with varying degrees of success, an alternative policised agenda and opposing a complex multidimensional policy-making strategy to state-centred inward-looking securitisation;

(b) the frame shift and the change in energy policy discourse, narrative, and vision *did not occur simply as a consequence of exogenous critical events*. The pattern of change is more easily found *immediately after* the critical juncture of 2009, when a significant window of opportunity for frame competition and a clash of the two leading policy strategies and discursive platforms was opened. The way in which energy policisation discourse has kept growing since 2009 vis-à-vis the constant decline of the securitisation narrative confirms the centrality of the Commission's new energy efficiency strategy, which ultimately led to the 2011 Action Plan and to the approval of the EED in October 2012. In this regard, the contribution of the European Parliament (291 parliamentary questions in 2011 alone, 46.5 percent of the year's legislative activity) to the debate which has followed the negotiations of the EED has been fundamental (Chapter 5). This outcome also calls for further evidence—by means of discursive analysis—of what role the discouraging impact of energy securitisation on crisis management played in downsizing the relevance of security-driven discourse when publicly re-formulating the EU's post-crisis energy policy agenda.

The higher resilience of the policisation frame in the aftermath of crisis is also visible considering the ratio of binding legislative acts to non-binding preparatory and strategic ones. Up to November 2012, energy policisation had, for the first time, a higher ratio than energy securitisation—and the official database does not yet include the 2012 Energy Effi-

ciency Directive and its related acts, one of this thesis' case studies. This final observation on the discursive intensity of the two competing frames also introduces the concept of discursive *effectiveness* in converting narration into action.

Findings (II): discourse effectiveness

Discourse 'effectiveness' is defined here as the ability not just to convey a set of specific policy ideas and preferences into the public agenda by means of *ad hoc* discursive vehicles—speeches, words, statements, pieces of legislation, preparatory acts, communications, or strategic papers—but also to convert these instruments into actual policy action and outcomes with concrete and visible effects on society and the public. In the context of EU energy policy-making, the simplest way to assess this parameter is to measure the ratio of EU legislative acts with binding effects on national governments to the total number of preparatory acts—policy proposals and strategic documents—produced by EU institutions on a given issue (Figure 3.7).

The graph shows that, as energy policy integration went on and the production of strategic documents and guidelines increased, the 'effectiveness' ratio has decreased sensibly since the inception of the internal market. In 1999, legislative production peaked, in relation to the preparatory acts, mostly because in that year EU institutions started many of the accession procedures for the central and eastern European countries that entered the EU in 2004, a few of them having repercussions on energy policy, market, and competition. Another central observation is that the outbreak of crisis *does not necessarily correspond* to an increased ratio of legislative production. The 2006–2009 crises, in other words, may not have boosted the effectiveness of EU institutions' energy policy-making, considering that a large number of preparatory acts—featuring both securitised and policised discourse—was not converted into binding legislation. The peak years for both securitised and policised dis-

courses on energy policy, i.e., 2008 and 2009, do not show a meaningful increase in discourse effectiveness. While EU institutions were prone to *talk, discuss, and plan more* about EU energy policy in times of crisis, this did not entail an increased ability to act and achieve their preferred outcomes by means of binding legislation.

Two observations, finally, about discourse effectiveness in EU energy policy connect directly with the thesis' research questions. First, discourse effectiveness shows that discursive practices are not necessarily aimed at 'concrete' policy objectives and outcomes such as pieces of legislation or other binding acts. This tilts the focus on the 'collateral' objectives of discursive re-framing and strategic agenda-setting. The key assumption of this thesis, accordingly, is that policy actors re-frame issues to take the lead in the policy-making process and to establish new *modi operandi* and a new understanding of the policy's rationale that, by presenting the issue in a certain way, may facilitate the attainment of strategic goals. Effective policy outcomes *can be* a consequence or a positive externality of policy framing but—as it will be shown in the following chapters—policy framing can also be initiated *just* for the sake of controlling the policy-making process and/or entering a policy arena which was previously inaccessible. Policy framing, in other words, at times can be performed *regardless* of the concrete impact or policy outcomes and within a continuous struggle for shifting the power balances in a given policy-making context.

Second, in latest timeframe available to analysis, i.e., 2011 and 2012, framing effectiveness has followed the general EU energy policy discourse trend, plummeting to much lower levels if compared to the early 2000s and the beginning of the critical conjuncture for Europe's energy security. This notwithstanding, in 2012 policisation discourse has been more 'effective' than securitised discourse. It could be hypothesised that a relation exists between this outcome and the persisting advocacy of the European Commission for the establishment of an EU legal framework on energy efficiency. The case study on the negotiation

and approval of the Energy Efficiency Directive (Chapter 5) analyses an instance of how a strategic discursive offensive can eventually lead to 'concrete' outcomes such as a new piece of EU legislation with binding effects on Member States.

This measurement carries, however, a sensible methodological caveat that should be taken into consideration when analysing these data and results. There exists a structural issue with measuring 'discourse effectiveness' as the ratio of preparatory documents being converted into legislative and/or binding EU acts. The process of transformation of a policy recommendation or strategic document into actual legislation extends across different spans of time according to a number of diverse variables that stem from the institutional architecture and procedures of the EU's policy-making mechanisms. The ability to tell the conversion rate of policy documents into actual EU legislation, at different points in time, is thus hindered by the impossibility to calculate the 'wave' or 'accordion' effect through which the legislative process of each act has spanned. The measurement of the EU's 'discursive effectiveness' should therefore be considered a very raw indicator of changes in priorities in the energy policy-making balances but not necessarily as a faithful reproduction of political and legislative dynamics in this field.

Findings (III): policy actors and policy entrepreneurship in EU energy policy discourse

In most cases, the type of discursive vehicle analysed can also help identify the actor that produced it and, therefore, the actors' degree of participation in the agenda-setting, problem-definition, and re-framing phases. Besides the most obvious cases (e.g., European Parliament questions and the European Court of Justice's case law), this is particularly useful with public statements and speeches and allows the analyst to distinguish between Commission's documents and the statements made by the European Council and the Council of the EU, i.e., by national heads of government and national representatives at the EU level.

Table 3.1. *Security-driven discursive vehicles in EU energy policy legislative activity, 1990–2012.*

	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	Total
Directives	2	2	3	0	2	0	3	0	5	0	1	3	1	3	5	2	3	3	3	12	2	0	0	55
Regulations	1	13	6	3	3	4	0	2	2	3	2	0	6	2	1	4	6	3	10	8	8	5	3	92
Preparatory	0	0	0	1	23	25	28	19	26	24	37	71	64	91	60	95	140	180	187	151	145	146	96	1513
EP questions	0	2	0	1	0	0	0	7	12	3	5	13	5	13	4	7	20	23	19	35	74	56	31	299
Case law	0	0	1	2	2	0	3	4	1	0	3	7	3	5	5	5	6	1	8	9	9	13	4	87
Total	3	17	10	7	30	29	34	32	46	30	48	94	79	114	75	113	175	210	227	215	238	220	134	2046
Quotas per year																								
% Dirs	66.7	11.8	30.0	0.0	6.7	0.0	8.8	0.0	10.9	0.0	2.1	3.2	1.3	2.6	6.7	1.8	1.7	1.4	1.3	5.6	0.8	0.0	0.0	
% Regs	33.3	76.5	60.0	42.9	10.0	13.8	0.0	6.3	4.3	10.0	4.2	0.0	7.6	1.8	1.3	3.5	3.4	1.4	4.4	3.7	3.4	2.3	2.2	
% Preps	0.0	0.0	0.0	14.3	76.7	86.2	82.4	59.4	56.5	80.0	77.1	75.5	81.0	79.8	80.0	84.1	80.0	85.7	82.4	70.2	60.9	66.4	71.6	
% EPQ	0.0	11.8	0.0	14.3	0.0	0.0	0.0	21.9	26.1	10.0	10.4	13.8	6.3	11.4	5.3	6.2	11.4	11.0	8.4	16.3	31.1	25.5	23.1	
% Curia	0.0	0.0	10.0	28.6	6.7	0.0	8.8	12.5	2.2	0.0	6.3	7.4	3.8	4.4	6.7	4.4	3.4	0.5	3.5	4.2	3.8	5.9	3.0	

Table 3.2. *Security-driven discursive vehicles in EU energy policy public exposure and statements, 1990–2012.*

	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	Total
IP	10	11	4	5	6	12	13	16	8	4	13	25	35	30	30	31	73	86	64	88	33	22	26	619
MEMO	2	1	0	2	3	4	0	0	0	0	1	3	5	4	1	10	16	51	31	32	24	31	22	218
SPEECH	1	5	8	3	3	9	4	7	3	1	9	11	13	13	9	31	97	144	94	91	52	56	28	664
DOC	1	1	1	0	0	0	0	0	0	0	2	1	1	0	1	0	0	0	0	1	0	0	0	9
PRES	0	0	0	3	2	2	1	0	1	0	0	2	1	2	3	8	16	12	12	23	12	8	7	108
Total	14	18	13	13	11	27	18	23	12	5	25	42	55	49	44	80	202	293	201	235	121	117	83	1618
Quotas per year																								
% IP	71.4	61.1	30.8	38.5	54.5	44.4	72.2	69.6	66.7	80.0	52.0	59.5	63.6	61.2	68.2	38.8	36.1	29.4	31.8	37.4	27.3	18.8	31.3	
% MEMO	14.3	5.6	0.0	15.4	0.0	14.8	0.0	0.0	0.0	0.0	4.0	7.1	9.1	8.2	2.3	12.5	7.9	17.4	15.4	13.6	19.8	26.5	26.5	
% SP	7.1	27.8	61.5	23.1	27.3	33.3	22.2	30.4	25.0	20.0	36.0	26.2	23.6	26.5	20.5	38.8	48.0	49.1	46.8	38.7	43.0	47.9	33.7	
% DOC	7.1	5.6	7.7	0.0	0.0	0.0	0.0	0.0	0.0	0.0	8.0	2.4	1.8	0.0	2.3	0.0	0.0	0.0	0.0	0.4	0.0	0.0	0.0	
% PRES	0.0	0.0	0.0	23.1	18.2	7.4	5.6	0.0	8.3	0.0	0.0	4.8	1.8	4.1	6.8	10.0	7.9	4.1	6.0	9.8	9.9	6.8	8.4	

Figure 3.1. *Security-driven* discursive vehicles in EU energy policy *legislative acts*, 1990–2012.
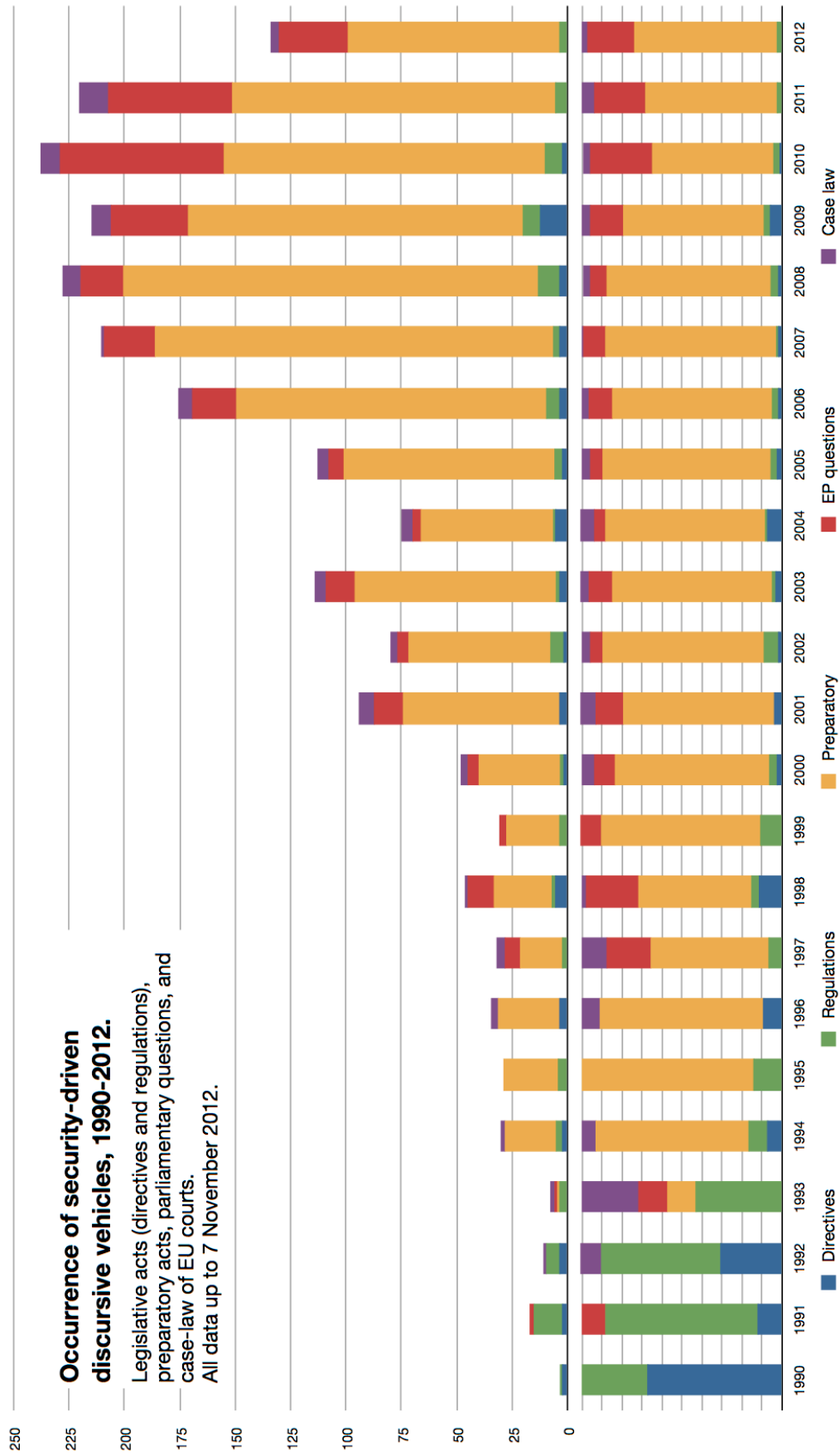
Occurrence of security-driven discursive vehicles, 1990-2012.

Legislative acts (directives and regulations), preparatory acts, parliamentary questions, and case-law of EU courts.
All data up to 7 November 2012.

Directives Regulations Preparatory EP questions Case law

Figure 3.2. *Security-driven* discursive vehicles in EU energy policy *legislative acts*, 1990–2012.

Occurrence of security-driven discursive vehicles, 1990-2012.

Press-releases, memos, speeches, European Council conclusions, and Council of the EU Presidency conclusions. All data up to 7 November 2012.
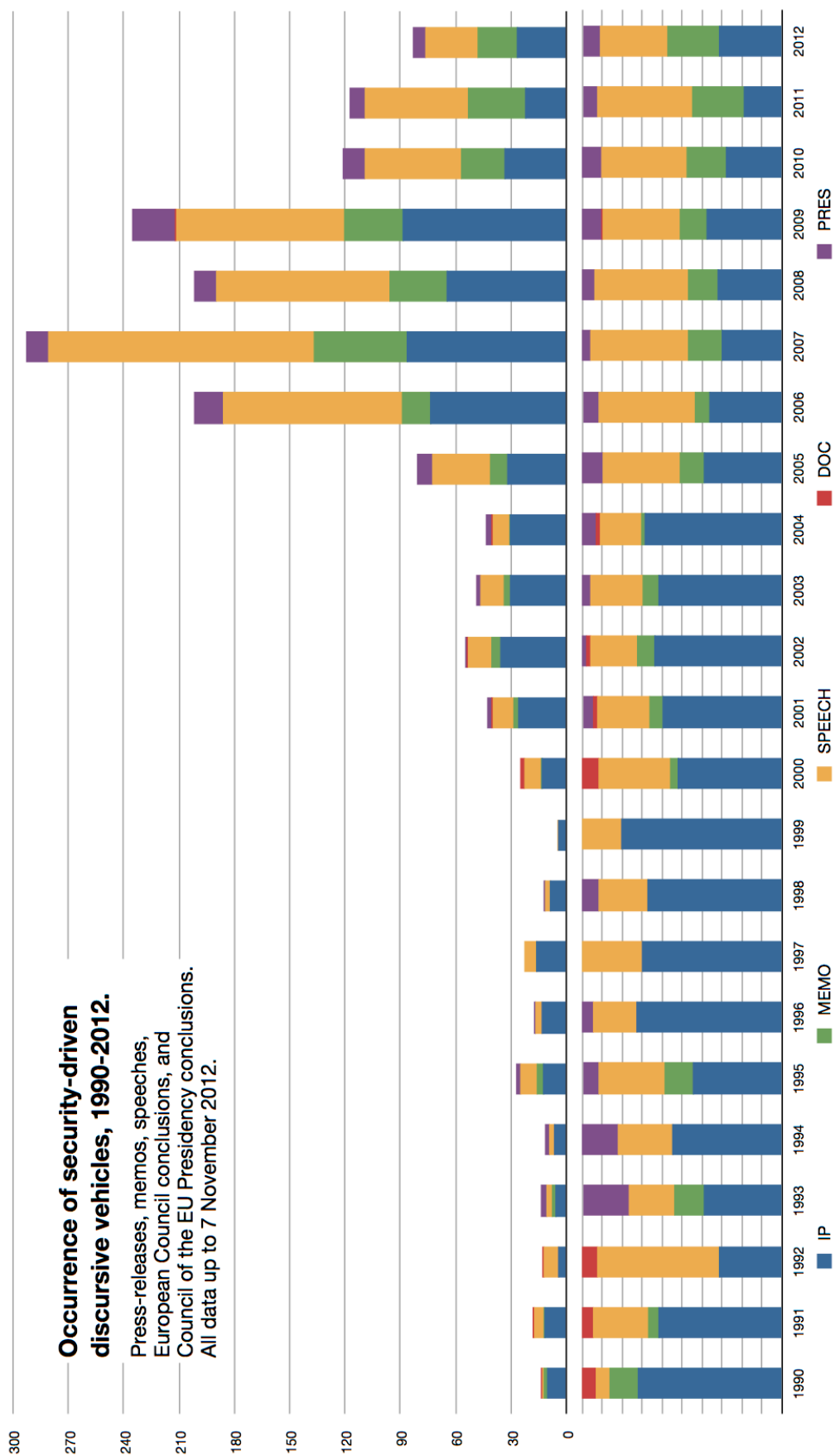
IP   MEMO   SPEECH   DOC   PRES

Table 3.3. *Policy-driven discursive vehicles in EU energy policy legislative activity, 1990–2012.*

	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	Total
Directives	2	1	1	0	2	2	4	1	2	0	1	2	3	6	1	2	4	1	5	6	4	1	1	53
Regulations	1	0	0	0	1	1	0	1	1	2	3	2	3	0	2	1	9	6	13	26	16	8	9	105
Preparatory	2	3	6	5	25	34	52	50	56	68	85	141	134	151	95	211	262	299	316	300	348	311	213	3167
EP questions	7	4	10	2	0	101	22	40	29	21	40	23	20	30	16	50	65	122	106	101	181	291	159	1440
Case law	0	1	0	0	1	0	1	0	0	1	1	4	8	5	2	5	1	3	8	9	4	15	16	85
Total	12	9	17	8	29	138	79	92	88	92	130	172	168	192	116	269	341	431	448	442	553	626	398	4850
Quotas per year																								
% Dirs	16.7	11.1	5.9	12.5	6.9	1.4	5.1	1.1	2.3	0.0	0.8	1.2	1.8	3.1	0.9	0.7	1.2	0.2	1.1	1.4	0.7	0.2	0.3	
% Regs	8.3	0.0	0.0	0.0	3.4	0.7	0.0	1.1	1.1	2.2	2.3	1.2	1.8	0.0	1.7	0.4	2.6	1.4	2.9	5.9	2.9	1.3	2.3	
% Preps	16.7	33.3	35.3	62.5	86.2	24.6	65.8	54.3	63.6	73.9	65.4	82.0	79.8	78.6	81.9	78.4	76.8	69.4	70.5	67.9	62.9	49.7	53.5	
% EPQ	58.3	44.4	58.8	25.0	0.0	73.2	27.8	43.5	33.0	22.8	30.8	13.4	11.9	15.6	13.8	18.6	19.1	28.3	23.7	22.9	32.7	46.5	39.9	
% Curia	0.0	11.1	0.0	0.0	3.4	0.0	1.3	0.0	0.0	1.1	0.8	2.3	4.8	2.6	1.7	1.9	0.3	0.7	1.8	2.0	0.7	2.4	4.0	

Table 3.4. *Policy-driven discursive vehicles in EU energy policy public exposure and statements, 1990–2012.*

	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	Total
IP	12	13	14	12	29	26	23	27	19	12	21	66	88	46	40	55	102	135	126	133	81	71	58	1151
MEMO	1	1	0	1	3	3	3	2	0	0	4	7	19	9	4	29	36	101	164	55	43	68	73	553
SPEECH	1	2	9	2	4	10	17	13	5	7	11	20	26	19	11	53	119	147	133	101	75	98	94	883
DOC	3	1	0	0	1	1	0	2	1	1	3	1	3	0	1	0	0	1	0	1	0	0	2	20
PRES	0	0	1	8	5	2	2	1	3	8	4	5	2	4	2	19	16	11	21	37	25	16	21	192
Total	17	17	24	23	42	42	45	45	28	28	43	99	138	78	58	156	273	395	444	327	224	253	248	2799
Quotas per year																								
% IP	70.6	76.5	58.3	52.2	69.0	61.9	51.1	60.0	67.9	42.9	48.8	66.7	63.8	59.0	69.0	35.3	37.4	34.2	28.4	40.7	36.2	28.1	23.4	
% MEMO	5.9	5.9	0.0	4.3	7.1	7.1	6.7	4.4	0.0	0.0	9.3	7.1	13.8	11.5	6.9	18.6	13.2	25.6	36.9	16.8	19.2	26.9	29.4	
% SP	5.9	11.8	37.5	8.7	9.5	23.8	37.8	28.9	17.9	25.0	25.6	20.2	18.8	24.4	19.0	34.0	43.6	37.2	30.0	30.9	33.5	38.7	37.9	
% DOC	17.6	5.9	0.0	0.0	2.4	2.4	0.0	4.4	3.6	3.6	7.0	1.0	2.2	0.0	1.7	0.0	0.0	0.3	0.0	0.3	0.0	0.0	0.8	
% PRES	0.0	0.0	4.2	34.8	11.9	4.8	4.4	2.2	10.7	28.6	9.3	5.1	1.4	5.1	3.4	12.2	5.9	2.8	4.7	11.3	11.2	6.3	8.5	

Figure 3.3. *Policy-driven* discursive vehicles in EU energy policy *legislative acts*, 1990–2012.
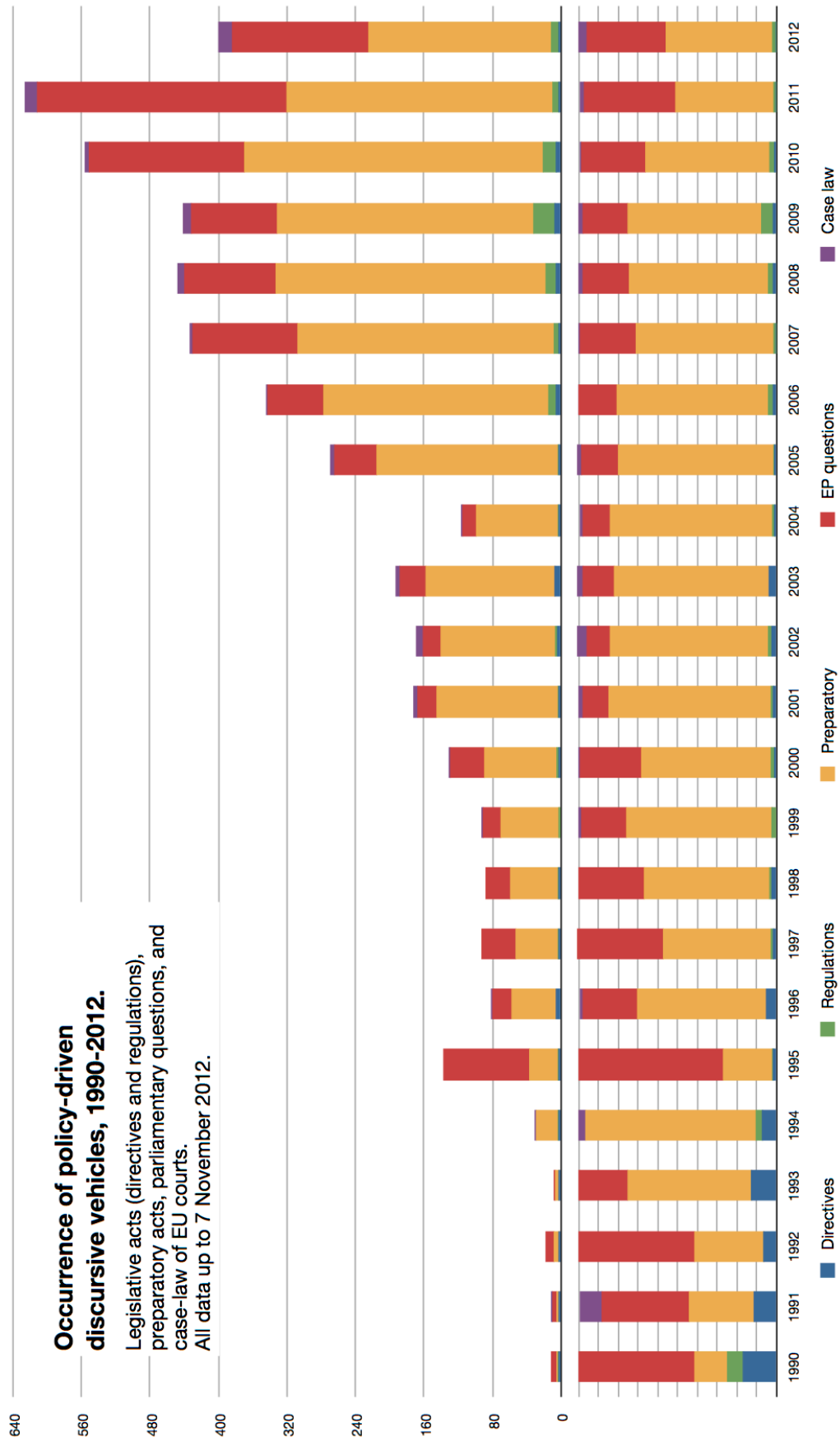
Occurrence of policy-driven
discursive vehicles, 1990-2012.

Legislative acts (directives and regulations),
preparatory acts, parliamentary questions, and
case-law of EU courts.
All data up to 7 November 2012.

Figure 3.4. *Policy-driven* discursive vehicles in EU energy policy *public exposure and statements*, 1990–2012.

Occurrence of policy-driven discursive vehicles, 1990-2012.

Press-releases, memos, speeches, European Council conclusions, and Council of the EU Presidency conclusions. All data up to 7 November 2012.

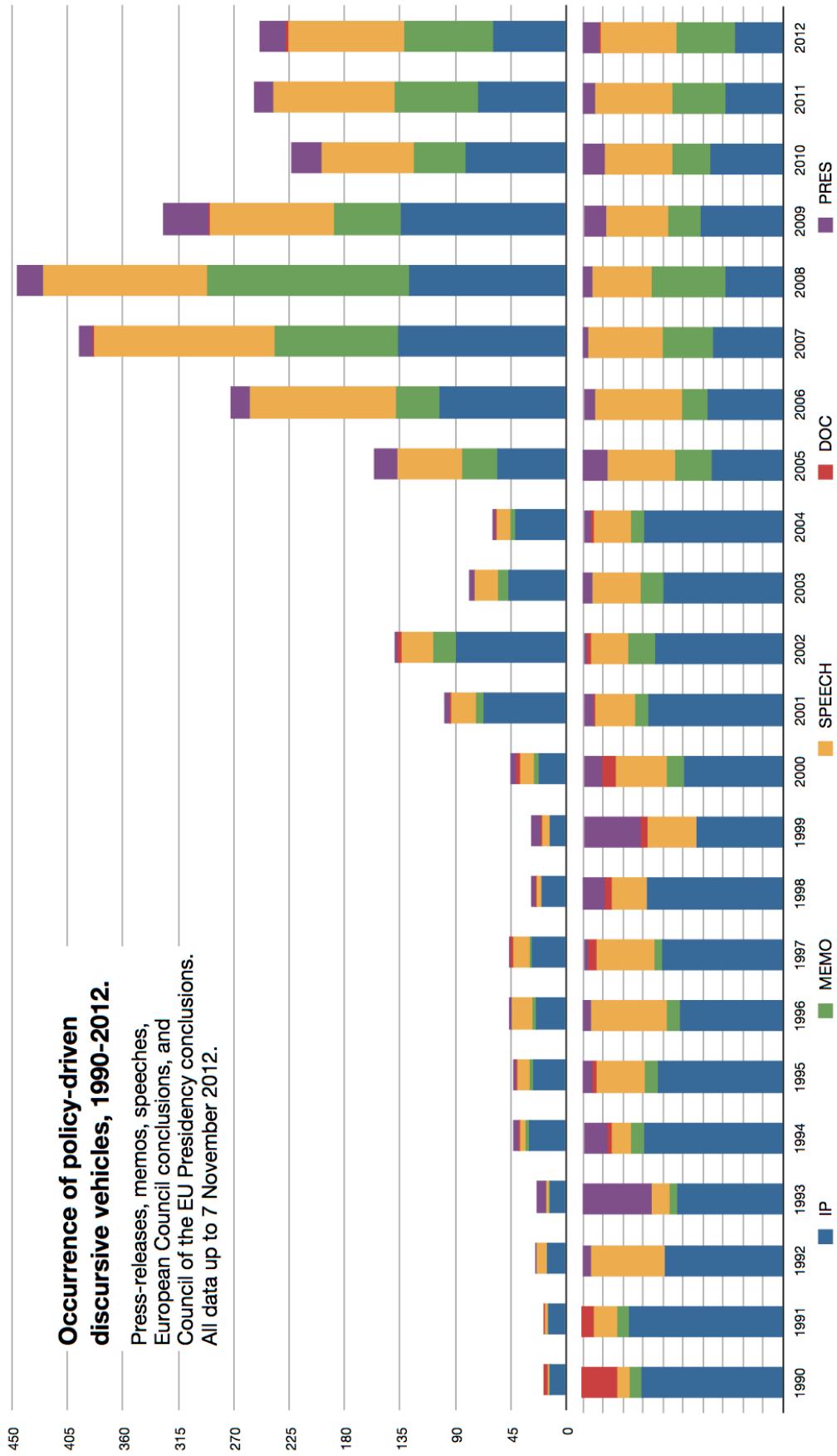**Figure 3.5.** Comparison between securitised and policised *legislative acts* on EU energy policy, 1990–2012.

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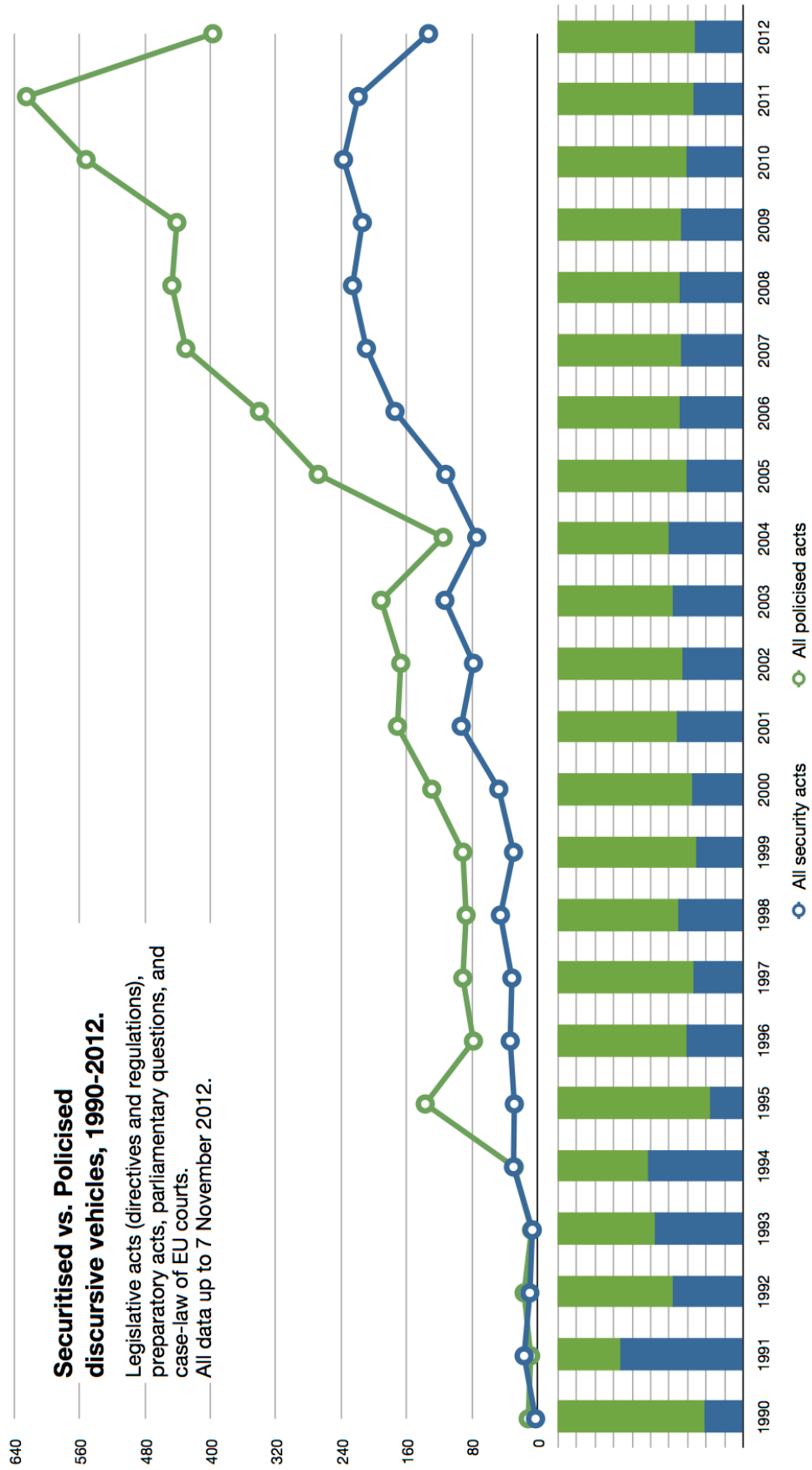**Figure 3.6.** Comparison between securitised and policised *public exposure and statements* on EU energy policy, 1990–2012.

Securitised vs. Policised discursive vehicles, 1990-2012.

Press-releases, memos, speeches,
European Council conclusions, and
Council of the EU Presidency conclusions.
All data up to 7 November 2012.

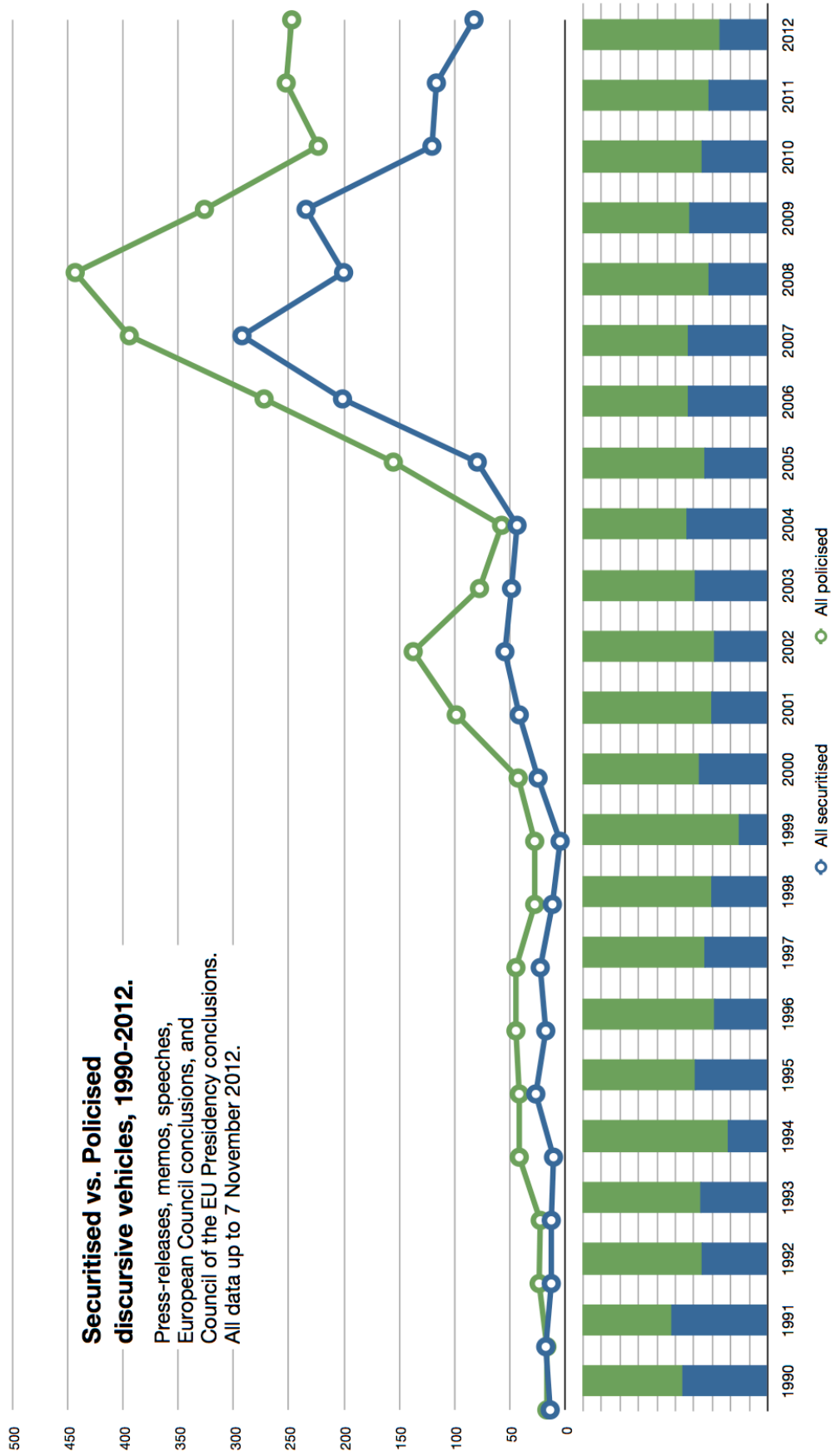◇ All securitised   ◇ All policised

Figure 3.7. Comparison between securitised and policised ratio of binding legislative acts to preparatory documents on EU energy policy, 2000–2012.

Securitised vs. Policised discursive 'effectiveness', 1994-2012*.

Ratio of binding legislative acts to preparatory acts.

* only the 1994–2012 interval is taken into consideration in order to normalise the data: sources for preparatory acts issued before 1994 are approximative and often report less preparatory acts than legislative ones.

◇ Security   ◇ Policy
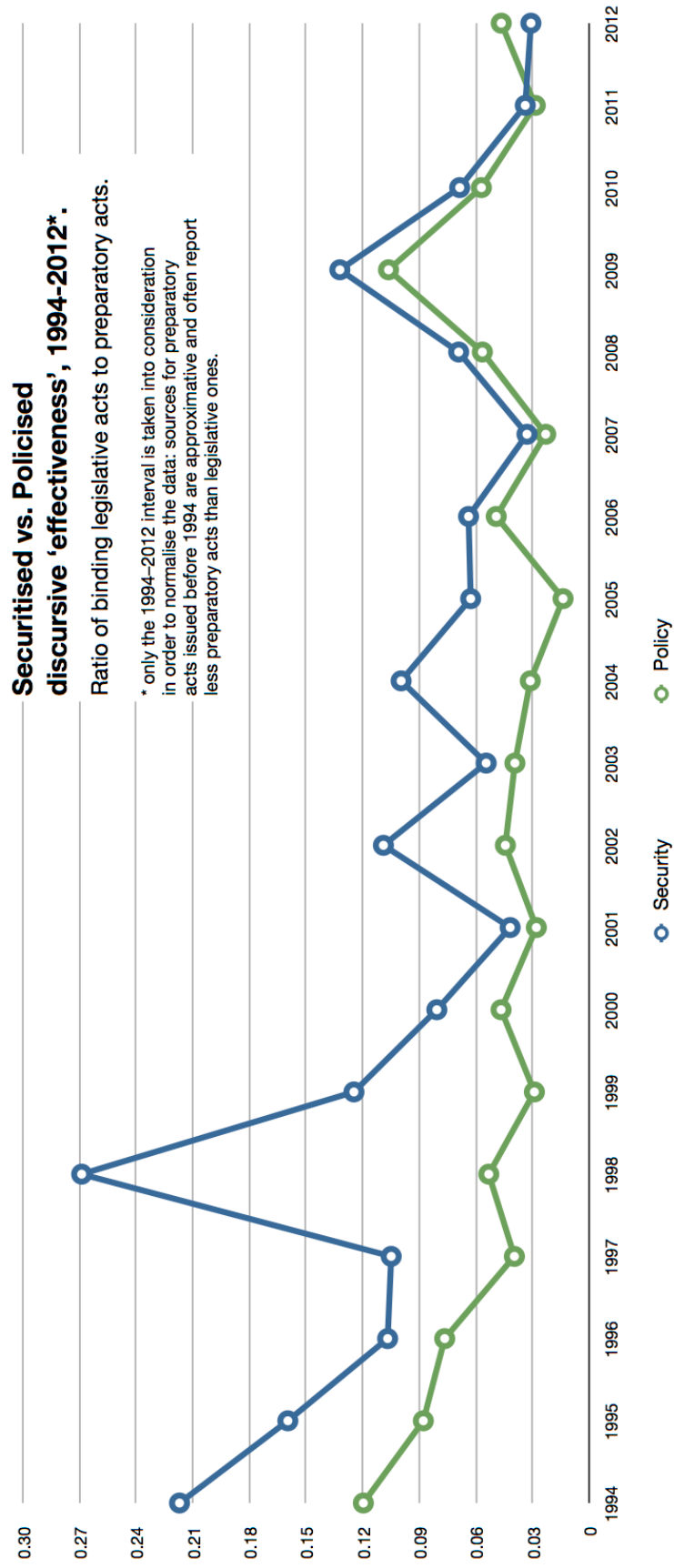
The analysis of the *official* discourse on energy policy at the EU level carries, however, another methodological bias that should be taken into adequate consideration. As far as the discursive vehicles that are produced at the EU level or, in general, under the umbrella of the EU's institutional architecture are concerned—a discourse, i.e., which is officially 'EU-branded'—the European Commission would inevitably appear as being by far the largest "policy entrepreneur" (Laffan, 1997; Dudley and Richardson, 1999; Dery, 2000) in EU energy policy discourse. Its presence is preponderant in both legislative activity and public exposure because the Commission has the largest selection of potential discursive channels at its own disposal. The official EU databases from which the bibliometric data were originally selected catalogue discursive vehicles that are by and large only available to the Commission: press releases, memoranda, speeches, and most preparatory acts (mostly the COM and SEC series). This technical and institutional *bias* should be added to the exclusive power of legislative initiative that allows only the Commission to present proposals for any piece of EU legislation. These elements, however, may help argue that:

(a) the ability to convert discourse into action does not entirely depend on access to discursive vehicles or policy venues, since even the Commission—despite its exclusive power to initiate legislation and the diverse discursive channels available—is not always able to drive policy-making towards its preferred direction;

(b) if access to the policy arena with several discursive tools available is not sufficient to guide the policy-making process, it is generally necessary for actors to adopt specific tactics in order to make their own understanding of policy and their frame ultimately prevail.

Accordingly, this thesis' two case studies (chapter 4 and 5) analyse two instances of policisation re-framing by the European Commission, identifying two different tactical approaches by the Commission to initiate policy, gain leverage and consensus, and eventually compete with existing frames to lead the process. The thesis clearly acknowledges, in other words, that there are a number of institutional venues and discursive instruments that are fully available to other EU institutions—such as Member States, the European Parliament, EU agencies, as well as organised interests and the civil society—to voice their policy preferences and their strategic positioning about policy issues being debated at the EU level. These bias and limitations notwithstanding, the bibliometric test has been conducted with the purpose to analyse the use of specific EU-level discursive vehicles to channel a certain policy discourse and disseminate a certain agenda. The test aimed to provide a raw measurement of the ability of certain policy actors, and in particular of the European Commission, to create an 'EU way' of defining a problem and designing a strategic solution in the field of energy policy, i.e., to create a *European narration* about EU energy policy.

3.2. Tracing the frame shift: a preamble on methods and techniques

This section analyses the shift from energy securitisation to a more complex, multidimensional, and comprehensive discursive frame of energy policisation more in detail, dissecting the instruments, the discursive vehicles, and the language that policy actors used. The type of actors involved, the time and political context in which their declarations, stance, or decisions are embedded, as well as the visibility and reach of their discourse are fundamental variables in explaining how the way a policy is told, explained, perceived, and eventually made can change through time.

Energy securitisation, moreover, is especially predisposed to discursive analysis. Securitisation is an intentional strategic process through which ordinary 'low' public policies are dis-

cursively re-framed as objects of security threats affecting the stability or even the survival of a given political community. In public policy analysis, therefore, securitisation is seen as a clear-cut and common example of how a policy actor's intentional "*speech act*" (Wæver, 1996:107, emphasis in original) can define an entirely new discursive frame in which all the elements necessary to decide are given and all policy choices are made. The so-called 'Copenhagen School' of International Relations theory had originally devised the concept of securitisation bearing in mind all the diverse examples of governmental decisions which were instrumentally classified as matters of national security in order to avoid further public or institutional scrutiny and, in general, as a way to amplify the governments' autonomy in specific, strategically crucial policy fields.[50] Governments can decide, accordingly, to *label* a policy as a matter of security and, thereby, of "existential threat" to the community of reference. *Hard* policy objectives become inevitable: "if we do not tackle this, everything else will be irrelevant" (Wæver, 1996:106). Securitisation becomes the self-referential horizon of policy action in that field, thereby rising to a paradigmatic status.

In this academic strand, the EU has worked as a powerful "referent object" (Wæver, 1996:104) for the securitisation of several of its policy realms. The polity of the EU as a unitary object with a meaning in itself and acknowledged by its own components was strengthened by identifying threats to its survival while, at the same time, it was a pretext for various actors—governments, private companies, local politicians, institutional players, non-EU actors, or even the international community—to channel new sets of interests and policy objectives through a security discourse. In a nutshell, if the EU was endangered, as a unit, by security threats, this would further confirm the existence of an actual EU polity. At the same time,

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[50] Throughout the 1990s and 2000s the concept has gained an impressive academic popularity. Earlier studies in this strand focused on both national and global security issues (Buzan and Hansen, 2009; Buzan *et al.*, 1998; Wæver, 1996), but since the inception of securitisation studies the EU has offered a valuable test ground for securitising acts in several fields—justice and home affairs (Balzacq, 2008; 2009), immigration (Huysmans, 2006; Wæver *et al.*, 1993), and identity construction (Hansen and Williams, 1999) being perhaps the most compelling examples.

telling a story of security threats hovering over the EU allowed several actors to push specific topics higher on the EU agenda with the priority label of 'security issue'. The survival of the EU became a 'sticky' excuse for certain actors to impose a new energy frame: the objectives, the tools, and the values underpinning energy policy had changed, but the way they were dealt with also became an EU-wide concern—despite the lack of institutional leverage and resources attached to energy policy at the European level.

Against this backdrop, however, it is all the more surprising that—despite their clear-cut theoretical foundation—securitisation studies do not yet offer a set of established and reliable indicators against which the existence of an actual securitisation process may be tested. There is no measure, therefore, of *how much* security discourse allows for the securitisation of a policy decision; there is of course no inventory of *what* specific words in security-ridden speeches might show the existence of such paradigm; and there is no history of specific events, outcomes, or acts caused by security narratives that can be considered *archetypes* of a securitised policy.[51]

To perform its discursive analysis test, this section relies upon existing attempts in the literature (Natorski and Herranz Surrallés, 2008; Popovic, 2007) to suggest or define viable indicators of securitisation, in order to construct—in spite of the lack of 'standardised' procedures—a test for securitised policy actions in EU energy policy discourse. Devising a model to measure the securitisation frame, moreover, would allow the analyst to compare competing frames against the same set of indicators. By analysing variation in these variables it would be then possible to pinpoint the key moments of discursive change and, there-

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[51] Even key theorists of securitisation have not taken a stand on this methodological concern, while they have rather relied on "visible outcomes such as war, mass expulsions, arms races, large-scale refugee movements, and other emergency measures" as incontestable indicators of securitisation (Buzan and Wæver, 2003:73). This scholarship acknowledges that—while such broad and obvious indicators offer a good degree of generalisation in multiple cases or small-*N* empirical studies—single cases such as EU energy policy paradigms "would have to study more carefully how successfully different issues are securitised, by whom, and who contests this securitisation" (Buzan and Wæver, 2003:74). They fail, however, to provide the tools, criteria, and indicators to perform such trace.

fore, the frame shifts in the way EU energy policy was told, understood, and made. There are

at least four elements that can be drawn from the securitisation literature and help *measure*

and analyse change in energy policy framing:

1. changes in the *language*, word choice, and narratives through which the new policy ideas, decisions, and objectives are told to the recipient community;
2. the "*linkage of issues* with another previously recognized threat" to form a "security continuum" (Popovic, 2007:17, emphasis added) through contagion dynamics;
3. *institutional* and administrative *changes*—e.g., signing of related agreements or acts, establishment of authorities/agencies, targeted operations;
4. *resource allocation*, namely, how many and what kind of resources are invested in policy re-framing.

Figure 3.8. Discourse-analysis model for energy securitisation and policisation in the EU, 1990–2012.
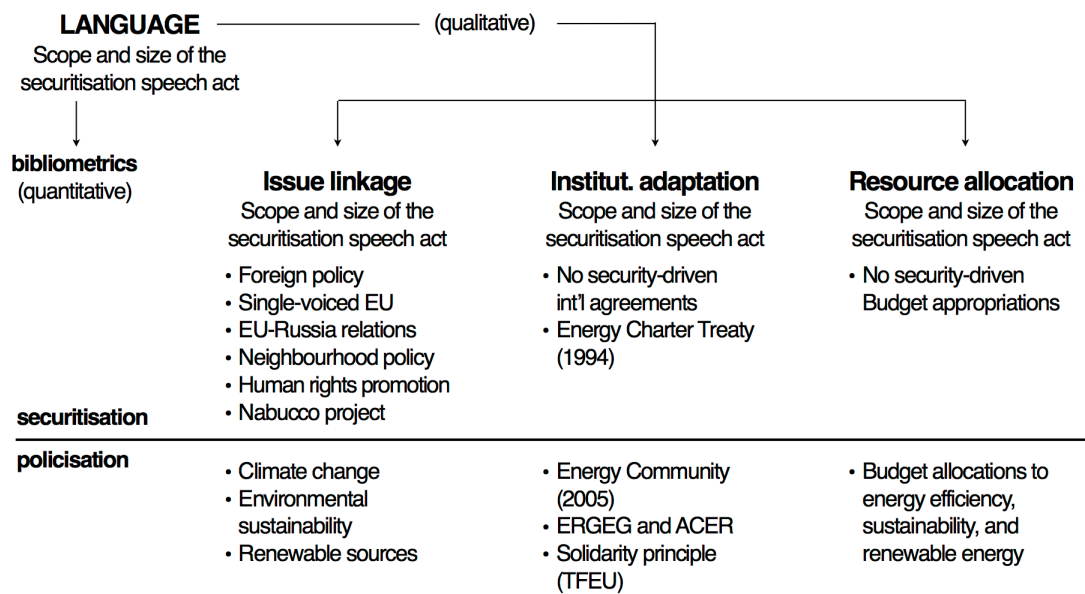
(source: own elaboration)

This model enables the analyst to perform a comparison between competing frames and

deduct the key turning points at which discourse has been effectively driven towards a dif-

ferent frame than it was originally supportive of. The next sections run the test along all four

indicators for both the energy securitisation and the energy policisation frames. Only after it

is established and proved that the shift in discourse, ideas, and policy goals has taken place,

it will be possible (chapters 4 and 5) to analyse in detail and by means of ad hoc case studies *under what circumstances* and thanks to what tactical interventions policy energy re-framing has occurred and the Commission's integrationist view of a *policised* energy has prevailed over the well-established preferences held by EU Member States.

Figure 3.8 shows how discourse analysis connects directly with the 'quasi-quantitative' bibliometric test of Section 3.2 and sums up the key findings of the discourse-analysis test run below:

(a) the policisation discourse of EU institutions and, in particular, of the Commission has long 'lurked' in the energy policy-making process, albeit unable to prevail over competing narratives;

(b) the seemingly prevalence of energy securitisation after the critical turning points at the beginning of the 2000s and later in 2006 and 2009 has largely depended on issue-linking discourse—thanks to which energy security was effectively connected to other top-of-the-agenda issues such as EU-Russia relations, foreign policy and the development of a 'single-voiced EU', and the EU's fledgling neighbourhood policy—and proved to be ephemeral vis-à-vis the growing legislative and policy activity driven by a policisation frame;

(c) the impact of energy securitisation on the institutional development of energy policy institutions and bodies at the EU level is—if relevant at all—significantly lower than the impact policisation discourse has had on the re-organisation and institutional growth implied in policised projects such as the 'climate-energy' package and the 20-20-20 goals (European Council, 2007), the Energy 2020 initiative (European Commission, 2010a), the Energy Infrastructure Package (2010f), and the 2009 third energy legislative package.

3.3. Frame shift (I): energy securitisation in the 1990–2012 period

This section will assess the effects of securitisation on the energy policy narratives of the EU in the 1990–2012 period by means of the indicators listed and described above. This interval has been selected in order to capture the evolution of energy policy discourse in the EU across several significant turning points: the establishment of the internal market in the early 1990s; the fossil-fuel price crises at the end of the 1990s and the beginning of the 2000s; and finally the disruption crises that hit Europe in 2006 and 2009.

Language

The use of securitised language in the attempt to re-frame energy policy discourse in the EU policy-making arena was explicit in the aftermath of the 2006 first 'gas dispute' between Russia and Ukraine. Following sudden cuts in supply to several EU Member States, from Russia through Ukraine and the lack of a consistent and prompt response by EU institutions (Pirani *et al.*, 2009), the Brussels European Council of March 2006 reacted with a whole section of the Presidency conclusions being dedicated to 'Energy Policy in Europe' (EPE). Besides the meaningful reference to 'Europe' rather than to the EU, the document prioritised common external energy policy, "diversification with respect to external as well as indigenous sources, suppliers and transport routes" (European Council, 2006:14), as well as growing solidarity among the Member States themselves. At the beginning of 2007, however, the recommendations of the European Council had already garnered a strong institutional reaction from the European Commission (2006a; 2006b; 2006c) on a much larger policy platform for a comprehensive revision of EU energy policy. Consequently, the European Council (2007) converted the EPE strategy into an operative Action Plan featuring a five-point list of recommendations to EU institutions and Member States—including investments in the electricity and gas internal market, supply diversification and crisis-response capabilities,

extension of bilateral and EU's energy external relations, development of renewable technologies and efficient consumption, and investment in innovation and research.

Most importantly, the conclusions of the European Council of March 2007 outlined the key strategic framework of the '20-20-20 objectives', aiming at the reduction of energy consumption in Europe, at the increase in the use of renewable sources of energy, and at the cut in dangerous emissions—all by twenty percent and by the year 2020. The same institutional body, in a one-year interval, had changed its energy policy priorities from cautiously securitised to multidimensional and efficiency-driven. The same discursive tool—the presidency conclusions, representing the ultimate consensus of Member States' governments in the public arena of the EU—that had been demanding for hard security responses in early 2006, by early 2007 had already turned into the manifesto of a policised complex strategy.

The policy response solicited by the European Council was therefore framed within a securitised discourse in the *immediate aftermath* of the disruption crisis in 2006—when the matter was perceived as more sensitive in both the national and European public arenas—but re-framed in a more comprehensive (policised) discourse once the Commission had been given enough room for manoeuvre to keep a tight rein on the EU energy policy agenda by means of its green papers, action plans, and communications.

A similar trend—with an instrumental and yet contingent securitised response to crisis followed by a more policy-driven approach—occurred in 2009 after the second 'gas dispute' between Russia and Ukraine and the critical shortages in energy supply on the eastern border of the EU. In March 2009, the Brussels European Council (2009:8) underscored that:

> energy security is a key priority which needs to be enhanced by improving energy efficiency, diversifying energy suppliers, sources and supply routes, and promoting the Union's energy interests vis-à-vis third countries [...] the EU collectively, as well as each Member State, must be prepared to combine solidarity with responsibility.

Inclusive co-ownership between the European Council and the European Commission on the path to EU energy security was made explicit when the Presidency "invited [the Commission] to present early in 2010 its proposal for a new EU Energy Security and Infrastructure Instrument" as well as "proposals for concrete action on the development of the Southern corridor including a mechanism to facilitate access to Caspian gas" (European Council, 2009:9)—in line with *hard* foreign policy concerns about diversification and material availability of energy supply to Europe. Responding to the call from the European Council, the Commission undertook a programme of revision of EU energy policy (2010b) and issued a strategic programme to take up the challenges of the 20-20-20 platform.

Through the 'Energy 2020' initiative, the European Commission (2010a) pushed for concrete innovation and reform of the energy efficiency legislation and the EU-wide infrastructure of electricity and gas interconnections (Ciambra, 2011a). Once the Commission had been put in charge of the process, *hard* security of supply was progressively marginalised. Taking note of the Commission's activism following its solicitations, the Brussels European Council of February 2011, devoted its attention to securing the energy efficiency platform outlined by the Commission (European Council, 2011a:2, emphasis in original):

> Safe, secure, sustainable and affordable energy contributing to European competitiveness remains a priority for Europe. Action at the EU level can and must bring added value to that objective. Over the years, a lot of work has been carried out on the main strands of an EU energy policy, including the setting of ambitious energy and climate change objectives and the adoption of comprehensive legislation supporting these objectives. […] The EU needs a fully functioning, interconnected and integrated internal energy market. Legislation on the internal energy market must therefore be speedily and fully implemented by Member States in full respect of the agreed deadlines. […] The Commission will regularly report on the functioning of the internal energy market, paying particular attention to consumers *including the more vulnerable ones*.

By means of the political impulse given by the European Council of February 2011, the European Commission was able to bring out a package of key documents: the second Energy Efficiency Action Plan (European Commission, 2011a), a communication on the development EU-wide smart grids (2011b), and an updated revision of the EU's strategic external energy relations with the closer neighbourhood (2011e). This lot of documents is at the core of the policised approach to energy policy that the European Commission was able to establish as the driving course of EU energy policy-making—despite the persistent pressures to 'securitise' the energy discourse in the face of sudden and contingent crises. The presidency conclusions of the Brussels European Council of December 2011, similarly, did not mention energy security—except for a call to improve interconnections among energy markets in order to enhance intra-European solidarity (European Council, 2011b). It is possible to argue that even the securitised discourse of the Member States' governments in the European Council was somewhat downsized in favour of a more complex policy approach.

This approach of instrumental and temporary involvement of the EU structure into the securitisation discursive re-framing was also common to the diverse compositions of the Council of the EU. Under the Czech presidency in early 2009, replying to a written question[52] by a member of the European Parliament from the Party of European Socialists about the potential of a 'European Energy Union' to face disruption crises and insufficient resources by means of further diversification and common infrastructures, the Council of the EU presented energy policy as a priority for the presidency, as well as a matter of urgency for the safety and wellbeing of EU citizens, but stated overtly that "the Council fully respects

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[52] Written interrogation by Justas Vincas Paleckis (Party of European Socialists), reference E-0527/09, 4 February 2009.

the Member States' choice of energy mix and sovereignty over energy sources" remitting *hard* energy security matters to the domestic stage only.[53]

Issue-linkage securitisation

Issue-linkages across securitised policies can be a useful indicator of instrumental securitisation. Securitising a specific policy field, namely, raising the policy discourse to a higher, more protected level, may help stakeholders and institutions bolster consensus about spreading the process to other policies. The case of energy policy in Europe is, in this regard, atypical insofar as energy policy—rather than being securitised by 'contagion' of contiguous policy fields—has worked as a *security catalyst*. Several issues have been partially or instrumentally securitised in order to achieve energy security objectives. Enlargement policy (e.g., Turkey's accession negotiations) was presented, for instance, as a key strategic point in a broader security framework to react to the 2006-2009 disruption crises. The then Commissioner for Enlargement (since 2010 Commissioner for Economic and Financial Affairs), Olli Rehn, on March 4, 2009, addressed a selected audience in Brussels combining the enlargement and the energy security issues together, by somewhat 'passing' the responsibility to provide secure energy supply on to Turkey as a crucial cog in the accession process (Rehn, 2009:2):

> Today gives us an opportunity to underline how the European Union and Turkey can be complementary in particular in the field of energy. […] Securing reliable and affordable energy supplies is a major challenge for Europe today. It is also for Turkey. The recent Russia-Ukraine gas crisis illustrates the urgent need for diversification and investment. Turkey can play a key role in the diversification of energy supply routes to Europe.

Similarly, the same securitising pressures applied to neighbourhood policies towards the eastern borders of the EU. Both the bilateral and the regional frames of cooperation between

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[53] Reply to ref. E-0527/09 (30 March 2009) available on-line at http://www.europarl.europa.eu/sides/getAllAnswers.do?reference=E-2009-0527&language=EN.

the EU and its neighbours were, in specific cases, *re-told* emphasising the importance of energy supply to the mutual welfare and to the fruitfulness of the partnership programmes. The strategy of the EU with its eastern neighbours has been pursued by means of the Eastern Partnership (EaP) programme, established since 2009 as an evolution of the eastern dimension of the European Neighbourhood Policy (ENP).

Even though the institutional weight of the EaP "offers too little to change" the neighbours' approach to the EU—i.e., it does not ultimately offer any prospect for accession—the EaP has certainly re-framed the focus of the partnership on crucial issues, such as energy policy and border-control cooperation, which had been dispersed in the vaguer framework of the ENP (Shapovalova, 2009:5). Paving the way to this energy-concerned institutional turn, the then Commissioner for External Relations, Benita Ferrero-Waldner, immediately after the 2009 gas disputes, pointed outright at the responsibilities Ukraine held towards its European partners: as "the Ukrainian infrastructure carries 80 percent of the gas Russia exports to us… all of us here today have an interest in *ensuring* Ukraine provides a *reliable and secure* transit route for gas in decades to come" (Ferrero-Waldner, 2009a:2, emphasis added).

Due to the crystallisation of these security urges in the EaP rationale, the effects of this discursive change have stretched out to date. In January 2011, the President of the European Commission, José Barroso (2011a:2), reminded how "the process of pooling sovereignty [in the EU] started in a crucial area: energy. And this is also what we do with Azerbaijan". In the institutional narrative told by Barroso, the role of Azerbaijan in securing energy supply to Europe (in particular vis-à-vis the hegemony of Russia on the eastern side of the EU's energy geopolitics) was presented as a crucial lynchpin.

Energy policy is a security catalyst in the eastern neighbourhood insofar as the partners are engaged in an unequivocal discourse: *a*) if energy supplies to Europe are not secure in the area, all the other policy objectives of the partnership become unattainable; *b*) any evolu-

tion of the partnership status depends on the outcomes of energy security cooperation and the interest in secure energy needs to be *mutual* (Barroso, 2011a:4, emphasis added):

> [T]he final focus of the Eastern Partnership is *to strengthen energy security through* cooperation to ensure long-term *stable and secure energy supply and transit* […] Azerbaijan has a central role to play here, being both a producer and a transit country. The beauty of our energy cooperation is that it is *for the benefit of both parties*. Indeed, it is as important for Azerbaijan to diversify its export markets, as it is for Europe to diversify its energy supplies.

Eloquently, this has not happened in a context where energy securitisation has been far less institutionalised, e.g., in the case of the neighbouring countries on the southern shore of the Mediterranean. Despite similar pre-conditions—i.e., the highly critical events of the so-called 'Arab spring' uprisings in 2011 that swept the whole Middle Eastern and Northern African region, as well as the strong national interests in the energy supply provided by southern neighbours (France's and Italy's above all)—the ability and the willingness of EU institutions and Member States to securitise the energy policy discourse in the area have been significantly lower.

On the one hand, national governments have acquiesced in the attempt of European energy companies to restore the pre-crisis status quo and have extensively relied upon existing stock reserves in order to marginalise losses due to the interruption of supply flows (Lochner and Dieckhöner, 2011). In spite of the critical events of the first trimester of 2011—when the governments of Tunisia and Egypt had already been taken apart and the Gaddafi's regime in Libya was being attacked by a Western military coalition—by May 2011 EU Member States were already importing more oil and as much natural gas as they did before the 'Arab spring' turmoil began (Ciambra, 2011b).

On the other hand, EU institutions have kept silent on the energy policy implications of the uprisings, refraining from either re-framing the issue as a potential threat to the EU's en-

ergy security or presenting the events as an unexpected opportunity to spread policised ideas in the southern neighbourhood. Energy-related policy preoccupations only arise in the 'Agenda for Change' (European Commission, 2011f) through which the European Commission has recently re-stated its commitment to the southern neighbourhood, in an attempt to revive and update the framework of its development and democratisation policy in the area. The document (European Commission, 2011f:9) commits EU institutions to:

> offer technology and expertise as well as development funding, and should focus on three main challenges: price volatility and energy security; climate change, including access to low carbon technologies; and access to secure, affordable, clean and sustainable energy services.

Besides the official stance of EU institutions, it must be underscored how the 'Arab spring' events in the southern neighbourhood, however affecting important exporters of energy supply to Europe, have not been perceived by the national publics as threatening the energy security of the EU. One parliamentary enquiry[54] from Greek MEP Nikolaos Salavrakos, from the Eurosceptic group Europe of Freedom and Democracy, urged the Commission to reconsider the EU's energy security in light of the bloody events that had started to affect Libya's political and economic reliability in March 2011. Commissioner for Energy, Günther Oettinger, merely confirmed[55] that:

> The EU energy dependency on Libya is relatively low. […] Due to the unrest in Libya, oil and gas supplies to the EU have been interrupted. However, the replacement of Libyan supplies of both oil and gas has been smooth and complete, and should continue to be feasible in the medium term.

In general, and as shown above, securitised discourse re-framing seems particularly concerned with the occurrence of critical events that upset established political balances *if* these

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[54] Written interrogation by Nikolaos Salavrakos (Europe of Freedom and Democracy), reference E-02472/11, 15 March 2011.
[55] Reply to ref. E-02472/11 (5 May 2011) available on-line at http://www.europarl.europa.eu/sides/getAllAnswers.do?reference=E-2011-002472&language=EN.

also directly affect energy policy interests. In a context such as the southern neighbourhood in which national interests are less deep-rooted, energy crises have been less likely to stimulate protective securitised discourse and more able (as it will be shown in the next part of the discursive test) to channel more policised cooperative and EU-wide effort in the area to harness prospective opportunities. This confirms that issue-linkage securitisation of energy policy in Europe has been one of a particular kind. Rather than being securitised because of the securitisation of other policy actions or priorities, energy policy has allowed for the partial securitisation of previously ordinary policy fields such as enlargement or neighbourhood policy on the eastern border as a consequence of re-framing energy security as a potential threat to these sectors too.

Institutional adaptation

The impact of energy securitisation on the institutional structure of the EU is probably the most significant indicator of the mismatch between the discursive effort deployed and the substantial content of the policy response—on both its external and internal dimensions. Internally, no institutional modifications at the EU level has been explicitly set up as a *consequence* of energy policy securitisation. To a certain extent, the innovations brought about by the Treaty of Lisbon in the consolidated version of the TFEU—i.e., Title XXI on Energy and, most importantly, Article 194—show a timely correspondence between Treaty revision and the energy security debate after the 2006 crises.

The creation of Title XXI, the attribution of energy policy competences to the EU via the wording of Article 194, and the inclusion of "ensur[ing] security of energy supply in the Union" among the objectives of the provision cannot be immediately traced back to an institutional discourse concerned exclusively with security of supply. Conversely, the proceedings of the Intergovernmental Conference (IGC) that, in 2007, delivered the Treaty reform do not

overtly urge the insertion of Title XXI as a response to recent supply disruptions. While the presidency of the IGC (2007:11) stressed the importance of the principle of solidarity introduced in the new text, it also re-stated that "Article [194] does not affect the right of the Member States to take the necessary measures to ensure their energy supply".

Externally, despite the exposure of a securitised discourse in the official statements and institutional stances of EU energy policy actors, single-voiced actions by the EU were negligible. The only significant international agreement designed and supported by EU institutions is the Energy Charter Treaty (ECT) signed in 1994, several years before the securitisation turn. The ECT is a complex document that, after the end of the Cold War, was meant to include the former-Soviet Union newly independent countries' (including the Russian Federation) energy resources and strategic logistics into the sphere of Europe's fledgling internal market and growing demand (Konoplyanik and Wälde, 2006). Nearly twenty years later, the ECT has been signed by fifty-one states. The treaty shows a high degree of consistency with the tenets of the EU's energy policy strategy, looking for convergence on foreign investment in energy markets, freer energy products trade among members, dispute settlement mechanisms, and energy efficiency and sustainability legislation and partnerships.

This notwithstanding, the ability of the ECT to deliver its objectives in terms of actual energy security for the European continent has been seriously harmed by the uncooperative stance of some of the EU's largest suppliers—namely, Norway and the Russian Federation.[56] This issue is all the more significant with regard to Russia, since the treaty was originally conceived to normalise energy relations between the EU and the broader post-Soviet Union area. In the aftermath of the first gas crisis in 2006, however, Russia agreed to

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[56] Both Norway and Russia are members of the Energy Charter Conference, the international organisation whose mandate was to support the process of ECT ratification. However, even though both countries signed the Charter in 1991, Norway has initiated but not completed the process of ratification, while Russia has never ratified the document.

provisionally apply the ECT rules. Nonetheless, facing the second disruption crisis in 2009, Russian officials made clear that the government's intention to ratify the ECT were "minimal" (Jozwiak, 2009), while luring Russia's closest EU partners into "plans for a new global treaty on trade in fossil and nuclear fuel" (Rettman, 2009). The lack of effectiveness of the ECT regime during the critical span of 2006–2009 proved the Charter unable to achieve the objectives it was originally conceived for and showed the limits of an institutionalised 'control room' of the EU's energy security map lacking the cooperation of Norway and Russia.

Resource allocation

Acknowledging the impact of energy policy to be a potential threat to the security and the stability of the EU polity does not immediately translate in operative actions such as securing specific amounts of energy resources, constructing new infrastructure, or stocking reserves in the face of disruption. In a nutshell, EU institutions have been granted no actual operative power by the Treaties, and therefore have no room for manoeuvre to tackle effectively the alleged security threats connected to energy supply and energy policy actions. Budget allocations and appropriations for the recent years show neither a particular focus on energy security nor the strategic introduction of specific instruments to tackle the issue at the EU level. Neither the documents of budget planning proposed by the European Commission[57] and then approved by the EU Council nor the annual reports of budget appropriations, commitments, and expenditures by the EU's Court of Auditors[58] make any reference to 'energy security' as such—let alone to *ad hoc* instruments facing impending threats or crises.

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[57] All budget data (Commission's drafts, parliamentary and Council's readings) through 2007 is available on-line at http://eur-lex.europa.eu/budget/www/index-en.htm. A list of the pre-2007 draft and amended budgets analysed in this section and their references on the EU Official Journals is available on-line at http://ec.europa.eu/budget/library/figures/pre_2007/OJ_Ref_Budg_1998_2010.pdf.
[58] All annual reports by the Court of Auditors are available on-line at http://eca.europa.eu/portal/page/portal/publications/auditreportsandopinions/annualreports.

Energy budget remains tightly connected to planned commitments and expenditures of the European Commission's DG Energy[59] and its administrative structure.

In conclusion, the four indicators show that the effects of securitisation cannot be traced as specific, operational policy actions set up by institutions at the EU level. In line with the theoretical premises of securitisation theory, energy policy securitisation should be regarded as a particular way of understanding, limiting, and accessing the policy horizon of the EU energy policy debate at a specific point in time, allowing a specific group of actors to share the discursive rules and instruments available—thereby influencing the way policy is made. The indicators listed above describe specific conjunctures of agent intentionality and exogenous events after which a securitised discourse has prevailed, re-formulating the options and opportunities available to policy actors. One of the aims of the test run above was to demonstrate that after a precise turning point—the increase of fossil fuel prices and the growing unreliability of known reserves around the end of the 1990s—EU institutions were 'collectively' involved in the establishment of a securitised discourse that re-framed energy policy as a matter of threats to the survival of the market-ridden model embodied by the EU.

As an inherently discursive process, energy securitisation in the 2000s worked as a façade that allowed policy actors, first, to raise energy policy in the EU political agenda and to grant it a status of sensitive policy and, second, to negotiate with larger room for manoeuvre the substantial content of energy policy in Europe vis-à-vis the looming challenges and structural crisis of long-running systems of production and energetic sustenance. Securitisation served as a common-denominator set of rules that regulated the energy policy 'game' and negotiations: insofar as the securitisation of energy policy was consistent with the policy preferences of national governments and energy companies, every policy actor willing to

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[59] Before February 17, 2010, the Directorate-General was operative by the name of DG Energy and Transport (TREN).

take part in the policy-making process *had* to abide by this discursive frame—i.e., adopt its words, meanings, concepts, and goals—to have any chance to induce any kind of change.

Even a substantially integrationist institution like the European Commission, therefore, had to play by these rules just in order to access the energy policy arena and *only then* try and harness the windows of opportunity offered by the unexpected critical events of the 2000s. As the next section shows, once the Commission and several other EU institutions succeeded in accessing the energy policy arena, they have attempted to re-frame the energy policy narrative at the EU level, especially because the outcomes of energy securitisation (e.g., the inability to create new institutional venues, establish a truly EU-wide vantage point on supply security issues, or add to the financial and political resources available at the EU level) convinced the Commission that no real integration is possible when it accepts to play according to rules that have been demanded and designed by national governments. The outcomes of energy securitisation made it clear, for the Commission and other EU institutions like the European Parliament, that supporting a complex and multidimensional narrative was the only viable option to reject the securitisation frame's limitations on EU-wide integration and promote the establishment of a genuinely European regime for the harmonisation and the standardisation of energy policy across the continent.

3.4. Frame shift (II): energy policisation in the 1990–2012 period

The assessment of the four indicators of securitisation suggests that, even though EU energy policy securitisation was elevated—discursively—to a paradigmatic status, its actual impact on the policy ideas and objectives that have guided energy policy-making at the EU level has been less significant than expected. Ultimately, despite the discursive machinery established consistently across the spectrum of energy policy stakeholders and institutions at both the national and European levels, the indicators have not delivered significant evidence that

securitised rationale, objectives, and instruments have guided EU energy policy towards security-driven outcomes rather than others.

These findings, therefore, arguing that securitisation has stopped short of a language re-framing tool preserving the status quo against the challenges of sudden crisis, beg the question of which policy ideas have actually been driving the policy-making process underneath the securitised discursive surface. What have national and European institutions and stakeholders been thinking, so to speak, while they were 'speaking' security? The four-indicator model can be applied to the policisation framing hypothesis advanced in this study, in order to prove that a more complex and comprehensive understanding of energy policy in Europe—*beyond* hard energy security concerns—has long been affecting energy policy-making in spite of transitional discursive strategies of securitisation.

Language

The 'turn' to energy policisation has elicited an extensive discursive effort by the institutions, actors, and stakeholders driving this process of renovation of energy policy-making ideas. Language, discourse, and narratives work as powerful indicators of the drastic change occurred in the way energy policy is conceived, presented, and understood in the European policy-making arena. The other indicators provide evidence of the discursive transformation that has accompanied more specific and narrow policy actions and frameworks. But it is the change in the tone, wording, and concepts used to describe and support EU action in energy policy that serves as a significant rhetorical symptom of how the new policisation frame has re-moulded the objectives, the tools, and the ambitions of energy policy makers and stakeholders in Europe.

The European Commission, in particular, has undertaken a significant communication effort in order to re-frame the energy policy discourse within its own understanding of the

EU integration process. Its highest officials have overtly advocated for the new set of objectives and instruments to eventually become the backbone of a genuinely EU-driven energy policy—for both its internal and external dimensions.

Günther Oettinger summarised this view in his very first appearance as a Commissioner-designate in front of the European Parliament in early 2010, while aiming to engage the newly-elected members of the assembly in what he defined strategically as the "Europeanisation of energy policy". Commissioner Oettinger renewed the institutional commitment of the Commission in a later speech which, in this regard, works as a 'manifesto' of energy policisation (2010c:2, emphasis added):

> *'Europe' and 'energy policy' belong together*. European integration was founded on the safe use of nuclear power and the pooling of coal resources. […] Today, there are other challenges which bring Member States together: energy security, our imports are rising while our oil and gas production is declining; climate change, low-carbon energy resources and technology are developing too slowly; energy price volatility and economic uncertainty; […] our need for new electricity and gas networks. […] Today's leaders have come back to the philosophy which Europe started off with in the 1950s—namely that *the best way to deal with energy challenges is European cooperation*.

Even before Oettinger's mandate, however, the Commission had already formulated its energy policy platform in more *policised* terms. In particular, the lack of significant results coming from a securitised response to the disruption crises of 2006 and 2009 had offered Commission's officials the opportunity to advance an EU-wide response based on alternative strategies and instruments. In the aftermath of the 2009 gas controversy, the then Commissioner for External Relations, Benita Ferrero-Waldner (2009b:2), addressed an audience of energy stakeholders warning that "[the gas dispute] was another wake-up call… that enhancing energy security in Europe is an increasingly pressing concern, and one that needs a European, rather than national, response". The then Commissioner for Energy, Andris Piebalgs (2009a), showed the complex and multidimensional design of the Commission's pol-

icy strategy when he addressed an EU-Mediterranean-Gulf ministerial-level Conference by promoting renewable energy sources and calling for Mediterranean partners to be actively involved in the construction of an efficient and environmentally sustainable energy market. The European Commission presented, at its highest level, a web of policy actions connecting efficiency, market, sustainability, and external relations in the same inextricable initiative.

A policised discourse in energy policy has been used by the European Commission also in a more upfront opposition to traditional or securitised approaches. Commissioner Piebalgs presented the 'security obsession' with material supplies—entering the Member States and relieving their national security concerns—as eventually counterproductive to the interests of a more integrated and systematic energy policy working consistently at the EU level (2009b:2, emphasis added):

> The magnitude of the necessary investments, the limited number of supply countries, *Member States' preoccupation with supply security* and the 'integrated nature' of the gas industry were all quoted as arguments why gas was different and why liberalisation of the gas markets would not work. Today, most accept that *these are no[t] valid arguments, and I have not heard such sceptical voices for quite some time*. I think there are a number of good reasons why the perception has changed and why *the internal market is now generally accepted as a realistic goal* and a worthwhile solution.

The new Commission's cabinet has of course taken up with this market-centred approach, to such an extent that Commissioner Oettinger (2010d:3-4) has put it forward as an institutionalised position in a recent speech:

> [t]he Commission is looking into ways of improving the regulatory coordination and co-operation across borders. […] Beyond networks, we are also looking at the horizon. Our policy choices now, will have long-lasting implications of our low-carbon, high efficiency energy system sought for 2050. It is in the coming years, not in 2050, that the determining decision will be made. […] today, I have set out why we in the Commission consider that a truly integrated, pan-European electricity market is indispensable for competitive, secure and sustainable energy supplies.

In its institutional stance, the Commission has not neglected to emphasise the role that, in a framework of complex and policised energy policy, EU cohesiveness plays in its external energy relations. Advocating for the "Europeanisation" of energy policy in Europe, Commissioner Oettinger (2010a:2, emphasis added) has called for a more consistent and single-voiced 'actorness' of the EU in defending its energy security interests outside its borders:

> All indeed recognise that *the right level of intervention is at least the European Union. The challenges facing us are too overwhelming* to be resolved by one Member State. The unpredictability of energy security, the volatility in energy prices and the delays in new technology and infrastructure investments call for decisive action. […] The internal market is still far from being integrated and competitive. As companies grow beyond national borders, their development is still constrained by a collection of different national rules and practices. […] the objective set for energy efficiency is far from being achieved. Despite recent serious external supply crisis that acted as a wake up call as to Europe's vulnerability, *there is still no common foreign approach towards partner supplier or transit countries*.

What is relevant to the purpose of this chapter, however, is the evidence that the new mindset brought about by the European Commission through its strategic activity has contaminated and re-shaped the energy policy concepts and objectives held by other significant and active stakeholders and actors in the field. There is a trend in the evolution of the European Council's discourse—especially in the face of the failure of securitised policy responses. The presidency conclusions of the Brussels European Council of March 2009 were the prelude to a further acknowledgement of the new policy ideas. The presidency recognised that "energy infrastructures and interconnections must be developed", the "urgent need to establish adequate crisis mechanisms in the EU as well as to obtain clear guarantees from suppliers and transit partners", that "energy efficiency can make a major contribution to energy security", and that "the EU collectively, as well as each Member State, must be prepared to combine solidarity with responsibility" (European Council, 2009:8-9). The declara-

tion, to a certain extent, gave assurances that a new process had been set in motion but, this notwithstanding, the representatives of governments held on to material concerns about national supply and re-affirmed that "energy security is a key priority".

Two years later, following the Brussels European Council of February 2011, the presidency conclusions featured the goal of "safe, secure, sustainable and affordable energy" on top of its agenda. The document calls for a "fully functioning, interconnected and integrated *internal energy market*" and "Europe's energy infrastructure" in order to "ensure that solidarity between Member States will become operational" (European Council, 2011a:2-3). Investments in energy efficiency, renewables, and low-carbon technologies are similarly solicited. Even more importantly, however, energy security is—for the first time and in a document which collects the programmatic vision of national governments—not a priority, but rather a consequence, an automatic outcome of the prescriptions of a more policised, complex, and multidimensional approach to energy policy. Whereas the securitised discourse was resolute in promoting traditional, bilateral, and 'hard' measures in order to achieve energy security goals, a policised discourse addresses actively the many facets and tools of energy policy in order to *consequently* secure supply to EU citizens and economies.

This approach has yielded growing consensus also from other stakeholders and institutions in the EU's political machinery. The European Economic and Social Committee organised at the end of January 2012 an EU-wide event to follow up on Jacques Delors' recent contribution to the debate about the possibility of a 'European energy community' (Andoura *et al.*, 2010). The conference gathered high-ranked officials from the European Commission, national representatives (of both EU and neighbouring countries), scholars, as well as private companies and market stakeholders—including the president of the Council of European Energy Regulators (see *infra*) and the president of the 'Friends of the Supergrid Initiative', an informal consortium supporting the development of the North Sea 'super' interconnection

grid, largely involved in one of the case studies of this work (cf. Chapter 4). The event has had a significant discursive impact on the on-going debate, insofar as it shows that the interests of EU institutions, national institutions and regulators, market actors, and local authorities can converge on a more comprehensive and inclusive approach to energy policy. In a message addressing the audience, Jacques Delors, former President of the European Commission and influential advocate of a 'European energy community', stated outright that (Delors, 2012:3, emphasis added):

> [w]here energy is concerned, *purely national action has become irrelevant*, and a sustainable, resilient and forward-looking energy system can be best achieved at European level. We need to work together to shape this European energy pact and unite our efforts towards sustainable development […]. *Energy policy needs more Europe*.

Issue-linkage policisation

Issue-linkage is a particular indicator of policisation, since the frame itself builds upon the idea that energy policy cannot but be considered as a complex compound of different policy interventions and outcomes. The history of energy policy itself, as strategically conceived and put forward by the European Commission, especially since the inception of the internal market in 1992, has been a history of several targeted policy actions in contiguous policy fields, planned in such a way to further extend the limits of EU competences—while making these overlap more with the idea of complex, multidimensional energy policy that the Commission holds and has explicitly set out in its documents.[60] The indicator, however, serves as a review of the main components of a *policised* idea of EU energy policy, of its multiple dimensions, as well as of the more 'technical' contents of energy policy actions taken under this frame.

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[60] The strategic discursive process of linking several issues conceptually together, even though the frames to which they belong may be "structurally unconnected", according to a criterion of 'ideological congruence' also recalls Benford and Snow's (2000:624) conceptualisation of "frame bridging".

Competition and internal market policies have had a significant impact on the construction of this compartmentalised approach to energy policy. As shown extensively in the historical overview of EU energy policy above, the European Commission has long advocated the completion of an efficient and well-integrated internal energy market as a fundamental part of the 'mission' underpinning the very establishment of the common market and of the EU itself. Since the earliest stages of the process, moreover, the Commission has presented the internal energy market as an indispensable component of an efficient and competitive single market, overtly suggesting that the two objectives could not stand but together and emphasising the incentives for the Member States to support a comprehensive common EU energy policy (European Commission, 1988:5-6, emphasis in original):

> The single market is a means of cementing the economic integration of the Community… and a means to make it *more competitive* in a world which is increasingly open to demanding competition. […] a more integrated European energy market should *reduce energy costs*, […] also have a beneficial effect on the *structure of the Community's energy industry*: … it will encourage the maintenance or development within the Community of healthy and prosperous energy enterprises which are better able to deal with international competition and benefit from attractive and secure supply conditions. It must be acknowledged that a more integrated energy market is a significant additional factor as regards the *security of supply* for all Member States.

Originally, this prospect had gained significant consensus even among the Member States, showing that the approach to the integration of the EU's energy market was being genuinely European and under the consistent control of EU institutions. In 1986, for instance, the then Council of the European Communities issued a non-binding resolution that may, in many regards, serve as a forerunning manifesto for energy policisation (Council of the European Communities, 1986):

> [The Council] considers that the energy policy of the Community and of the Member States must endeavour to achieve […] greater integration, free from barriers to trade, of the internal energy market with a view to improving security of supply, reducing costs

and improving economic competitiveness; […] a search for solutions as regards energy and the environment, by making use of the best available and economically justified technologies and by promoting energy efficiency, […] the continuous and reasonably diversified promotion of technological innovations through research, development and demonstration.

The endeavour of the European Commission to guarantee the implementation and amelioration of the internal energy market soon focused on two main strands of policy-making and strategic planning. On the one hand, stemming from the observation that "meaningful competition does not exist in many Member States" and that "stakeholders do not yet have a high degree of confidence in the internal market" (European Commission, 2006d:2), EU institutions promoted the liberalisation of the electricity and gas markets of the Member States by means of extensive legislative harmonisation and a mix of both positive and negative integration. As already mentioned above, the three successive legislative packages that regulate the EU's gas and electricity markets—the last one of which was finally approved in 2009—constitute to date the backbone of the energy market legislation at the EU level. The Commission has strongly supported a more competitive and liberalised internal energy market because of its beneficial effects on consumption and on the improved balance between demand and efficient supply under the pressures of competition from other market players. Moreover, a more competitive market attracts further investments which, in their turn, expand the connections between markets, lower energy costs, and favours intra-European transmission—thereby improving supply security and diversification.

On the other hand, the liberalisation of a competitive energy market had been hindered by lacking infrastructures, interconnections, and inadequate intra-EU networks. Resources could not flow freely across the territory of the EU and the interests of market players and other stakeholders were limited by physical obstacles to their activities. Therefore, improved connections across the continent as well as an efficient EU-wide network capacity became

one of the main goals of the EU's internal energy market policy-making. The Maastricht Treaty introduced a legal basis[61] for the Trans-European Networks (TEN), a framework for projects of European interest in the area of energy, transport, and telecommunications infrastructures. TEN has offered EU stakeholders and investors incentives to expand cross-border connections and harmonise intra-EU standards in energy transmission and distribution. Finally, the EU has also recently advanced a new strategy for the development of EU-wide *smart grids* of transmission. The smart grid technology allows two-way digital exchange of information between energy providers and final consumers. A digitally interconnected network, of course, cuts down waste and monitoring costs, passes the burden of responsible and efficient energy consumption down onto the consumer, and increases the accountability of suppliers directly to its costumers. The Commission (2011b:2) has invested in this field significant leverage and strategic planning:

> [i]nnovation will also contribute to tackling one of the most critical challenges Europe is facing today, namely ensuring the efficient and sustainable use of natural resources. […] Without serious upgrading of existing grids and metering, renewable energy generation will put on hold, security of the networks will be compromised, opportunity for energy saving and energy efficiency will be missed, and the internal energy market will develop at a much slower pace.

Pointing out the many effects that a single efficiency-driven measure can deploy, the concerned remarks of the Commission give an example of a policised understanding of energy policy-making at the EU level—according to which piecemeal policy actions diffuse their effects on a number of contiguous policy fields and reverberate on multiple interests, actors, and levels of governance.

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[61] The framework was first introduced in the Treaty on the European Communities by the Maastricht Treaty as Article 154 in Title XV (in the post-Nice consolidated version). It is then reproduced in the TFEU under Article 170 in Title XVI.

The key topic of **energy efficiency**, however, has been re-stated not only as a matter of efficient transmission but also, and even more importantly, as efficient consumption on the part of final consumers—both enterprises and households. Energy efficiency has become one of the vanguards of the Commission's approach to energy policy. At the same time, energy efficiency has stimulated extensive legislative production, mostly thanks to the legal basis offered by Article 175 of the Treaty establishing the European Community on environmental policy.

EU energy efficiency legislation is at the same time an example of intensive positive integration, since EU rules have either created or overridden existing national laws in the attempt to uniformly harmonise EU-wide legislation on the issue; and of cross-level policy-making, insofar as the proactive legislative production in Brussels has immediate local effect on individual citizens as energy consumers instead of being mediated by the national level. Consequently, efficient consumption legislation is particularly detailed and sees a remarkable imbalance between directives (to be substantially implemented by the national governments) and operative regulations insisting directly on the recipients. Narrow policy fields such as energy labelling of domestic appliances, eco-design, and energy efficiency in buildings account for four directives and twenty-two regulations (twenty of which being Commission's operative regulations).

Energy efficiency has also served to the European Commission as a spearhead to further increase its energy policy competences, in particular through extensive strategic planning on the topic. The 2006 Action Plan on energy efficiency aimed to maintain "Europe's position as one of the most energy-efficient regions in the world" (European Commission, 2006b:3). In line with the precepts of the 'climate-energy' strategy, the Energy 2020 initiative—tightly linked to the EU's new competitiveness and growth framework, Europe 2020—emphasised extensively how the most dangerous threat to the EU's energy security came from an ineffi-

cient internal energy network. The Commission's strategy, conversely, entails "replacing and expanding existing capacities, finding secure non-fossil fuel alternatives, adapting networks to renewable energy sources and achieving a truly integrated internal energy market". The policised discursive commitment of the European Commission on energy efficiency has been very straightforward (European Commission, 2010a:3-4):

> [t]he quality of National Energy Efficiency Action Plans, developed by Member States since 2008, is disappointing, leaving vast potential untapped. […] The EU is the level at which energy policy should be developed. Decisions on energy policy taken by one Member State inevitably have an impact on other Member States. The optimum energy mix, including the swift development of renewables, needs a continental market at least. Energy is the market sector where the greatest economic efficiencies can be made on a pan-European scale.

Energy efficiency, finally, has also wound up being the field of European expertise and intervention with the highest degree of political controversy, insofar as it has also proven the ability of the European Commission to transform its strategic wishful thinking into more substantial policy-making and outcomes. In mid-2011, a directive proposal on energy efficiency, which was supposed to take the process one significant further step ahead by making the commitments of the Energy 2020 platform uniformly binding to the Member States, was gently marginalised by the Council of the EU and dragged into the gooeyness of cross-parliamentary examination. This case (one of the empirical case studies of this analysis, cf. *infra* Chapter 5), however, is particularly telling of how sensitively the national governments are keeping watch on the growing activism of the European Commission in expanding its own competences.

Furthermore, energy efficiency is the key driver of the 'Resource efficient Europe' flagship in the Europe 2020 growth and competitiveness strategic framework (European Commission, 2010d). The flagship comprises objectives, plans, and guidelines that address **cli-**

mate change, environmental, and sustainability objectives within the larger framework of the EU's de-carbonisation and 'climate-energy' strategies. In February 2010, the brand-new Directorate-General for Climate Action (DG CLIMA) was established by the European Commission, giving institutional currency to the EU's resonant narrative on climate change and supporting the EU emission-trading framework and sustainability policies from a more technical vantage point—i.e., as far as research, innovation, and scientific groundwork are concerned. Concrete policy action revolves around the 'Roadmap to 2050', a programme "helping the EU become a competitive low carbon economy by 2050" (European Commission, 2011g:2).

Together with energy efficiency and climate-change policies, of course, the promotion of renewable energy sources and technologies is another key tenet of the EU's sustainability strategy. Renewables have been a recurring leitmotiv of energy policy in Europe. They have been mentioned since the Commission's earliest communications as a strategic option for increasing energy security, combating import dependence, and tackle the environmental concerns stemming from heavy reliance on finite fossil fuels.[62] It was not until 2001, however, that the EU endowed itself with effective legislation on renewable energy sources, by means of Directive 2001/77/EC, subsequently updated by Directive 2009/28/EC, usually referred to as 'the RES Directive'. The preamble of the RES Directive gave EU institutions another opportunity to link its renewables policy to the wider framework of policised energy policy-making (European Parliament and the Council, 2009b:16):

> increasing technological improvements, incentives for the use and expansion of public transport, the use of energy efficiency technologies and the use of energy from renewable sources in transport are some of the most effective tools by which the Community can reduce its dependence on imported oil in the transport sector, in which the security

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[62] An earlier communication (European Commission, 1972:12) advocated for "[r]esearch directed to discovering new energy sources" and in 1982 the European Commission was already monitoring performance in renewables quotas in the Member States energy endowment.

of energy supply problem is most acute, and influence the fuel market for transport. […] In order to reduce greenhouse gas emissions within the Community and reduce its dependence on energy imports, the development of energy from renewable sources should be closely linked to increased energy efficiency.

Issue-linkage is the essence of the Commission's approach to energy policy. The understanding of energy policy as a comprehensive whole made up of intertwined and inseparable units is the ultimate underpinning of EU energy policy under a policisation paradigm. The consistency in the Commission's advocacy for this approach, finally, shows how this paradigm has long been *latent* in EU energy policy-making and has constituted the horizon of energy policy choices available to the European Commission for nearly the last forty-five years.

Institutional adaptation

In opposition to the impact of securitised discourse, institutional adaptation is a visible indicator of energy policisation in both its internal and external dimensions. Internally, this contrast is more notable. The institutional and constitutional changes driven by policisation include, of course, the new Title XXI on energy in the TFEU. The wording of Article 194.1 recalls the definition of common energy policy that the European Commission has been supporting for the last fifty years:

> In the context of the establishment and functioning of the internal market and with regard for the need to preserve and improve the environment, Union policy on energy shall aim, in a spirit of solidarity between Member States, to: (a) ensure the functioning of the energy market; (b) ensure security of energy supply in the Union; (c) promote energy efficiency and energy saving and the development of new and renewable forms of energy; and (d) promote the interconnection of energy networks.

Similarly, in a path-breaking communication dating back to 1968, the European Commission (1968:5) had already underscored the "need" for a common European energy policy, pointing out that:

there are still serious obstacles to trade within the Community as regards energy products. […] Disparities between the costs of use of energy, resulting primarily from divergences in between the energy policies of the individual Member States, are increasingly distorting competition in industries with high energy consumption […]; uneconomic systems of aid, consumption taxes varying from country to country, and increasingly nationalist supply and marketing policies are the result. This dangerous trend can only be changed by a Community energy policy which fully integrates the energy sector into the common market.

With a telling resemblance to the content of the new Article 194, the Commission's communication (1968:6, emphasis added) went on to suggest that:

[a] community energy policy is also necessary to counterbalance within the Community *the risks arising from the great dependence* of the Member States on imports and from *insufficient diversification* of the sources of supply. […] *a common approach* would be *the best way* of enabling it to play its role as a major costumer on the world energy market and to give itself a sufficiently reliable supply basis.

The changes brought about by the new Title on energy also concern the establishment of the principle of energy solidarity among the Member States. As claimed by the Commission since its earliest communications on energy policy,[63] the persistent differences and cleavages between the energy policies of the Member States have prevented the creation of a genuinely common energy policy in the EU—hindering the integration of the European energy market and undermining the ability of the EU to respond to crisis or disruption by means of "[s]trategies to share and spread risk, and to make the best use of the combined weight of the EU in world affairs can be more effective than dispersed national actions" (European Commission, 2008a:3).

Finally, energy authorities were established *ex novo* in the process of energy policisation, in the attempt to "set up… formal cooperation between national regulators" at an EU-wide

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[63] Following the disruption crises of the early 1970s, the European Commission (1976:1-2) advocated for the "unity of the Community market by facilitating use of supplies", inviting the Member States to "set out the principle of Community solidarity" and avoid "distortions to intra-Community trade due for example to uncoordinated and speculative measures".

policy level (Delvaux, 2010:184). Most notably, the Agency for the Coordination of Energy Regulators (ACER), established in 2009, has been fully operative since 2010 and has its seat in Ljubljana. In its board of regulators, ACER includes representatives from each national energy regulation authority of the EU. The purpose of ACER is to give a top-down impulse to cross-border energy market integration as well as to make their different outlooks on the liberalisation and harmonisation of the EU's gas and electricity markets converge within the same institutional base.

According to the wording of the establishing regulation,[64] ACER is unable to produce binding legislative decisions, but will nonetheless contribute to the strategic framing of the EU's energy policy by consulting with the European Commission and issuing guidelines on uniform application of EU energy law, interconnections and infrastructures, best practices from national regulators' activities, as well as enhancing energy security. ACER situates itself beside other European-level bodies such as the European Regulators' Group for Electricity and Gas[65] (ERGEG) and the European Network for Transmission System Operators—ENTSO-E for electricity transmission, created in 2008, and its gas equivalent ENTSO-G, established in 2009.

These bodies, ultimately, share in a broader strategy put forth by the Commission to "fill the regulatory gap at Community level and to contribute towards the effective functioning of the internal markets in electricity and natural gas" (European Parliament and the Council, 2009a:2). Moreover, twenty-nine regulatory bodies (from each the EU Member States, Iceland, and Norway) set up in 2000 a bottom-up coordination group, the Council of European Energy Regulators (CEER), as a platform for information exchange and cooperation in the

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[64] Regulation No. 713/2009 of the European Parliament and of the Council of 13 July 2009, establishing an Agency for the Cooperation of Energy Regulators. Ref. OJ L 211. Brussels, 14 August 2009.

[65] The ERGEG was created by the European Commission in 2003, but was dissolved in 2011 following the establishment of ACER—whose tasks and competences widely overlap with those previously held by the ERGEG.

establishment of an efficient and liberalised European energy market. The group now closely cooperates with ACER, providing further evidence of the effects of energy policisation on the overarching policy 'mindset' of European stakeholders. The close cooperation between the Commission and this network of agencies and bodies—in the words of the Commissioner for Energy, Günther Oettinger—has raised "demanding expectations" for the process of "Europeanisation of energy policy", by means of "clear policy goals in terms of competitiveness, security of supply and sustainability" (Oettinger, 2010a:2).

Externally, institutional adaptation to energy policisation has been similarly significant. While the effects of securitisation were intimately linked to pre-existing bilateral balances between individual EU governments and exporting countries, the external projection of policisation seems to respond to a more systematic strategy by the European Commission, in the attempt to reproduce the same comprehensive and multidimensional approach to energy policy even outside the borders of the EU. Moreover, acknowledging the prerogative of the Member States to have the ultimate say in the provision of their domestic energy supply,[66] the action of the European Commission has focused on *alternative* programmes and partnerships that could provide EU energy policy with different routes and strategies to efficient and secure external energy relations.

The most developed actions in this framework have focused—at three different stages—on three regions of the EU's closer proximity: the INOGATE (Interstate Oil and Gas Transportation to Europe) programme, started in 1995, in the Eastern neighbourhood and Central Asia; the Energy Community for South-East Europe (EnC), conceived in 2005 and set in motion in 2008, in the Western Balkans; and the Desertec initiative, actively funded and planned since 2009, in North Africa.

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[66] Cf. the Presidency of the Intergovernmental Conference (2007), the safeguard clauses of Articles 192.2 and 194.2 TFEU, and the Council of the EU (footnote 16 above) on the matter.

The INOGATE programme is funded by the ENP Instrument and has gained new thrust since 2004, when the EU enlargement to Central and Eastern European countries tilted the focus of the ENP further eastwards. Since the programme participants gave INOGATE additional thrust by means of two strategic joint declarations in Baku (2004) and Astana (2006), the programme has grown to include twelve participants and the Russian Federation as an observer. Between 1995 and 2004, more than 3.3 billion euros were invested in the amelioration and renovation of transmission infrastructure in the Caucasus and in Central Asia. Six currently active projects, up to 2015, have been financed up to almost forty million euros.[67]

The EnC is an institutional framework of energy market integration and harmonisation set up by the Athens declaration of 2005 and eventually crystallised in the Treaty establishing the Energy Community, entered into force in 2006. To date, the EnC includes the European Commission and nine countries from the Western Balkans and Eastern Europe as signatory parties of the Treaty. Several EU Member States cooperate with the EnC as participants, but the European Commission is the only official party to the Treaty representing the EU as a whole. Moreover, the Treaty of the EnC is the only international agreement signed by the European Union in the field of energy policy in the period 1990–2011 under examination in this section. Through extensive monitoring, the EnC has pursued the objective of exporting the *entire* EU energy policy *acquis*—including energy market harmonisation, environmental policy, and competition policy—to the non-EU signatories of the Treaty. Even though the gap between member performances remains wide (e.g., between newly-accessing Croatia and fragile statehoods such as Kosovo's) and some members still face structural deficiencies, the EnC is a path-breaking example in the EU's external energy relations—normalising and harmonising the EU's energy market and infrastructure in the closer proximity

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[67] Detailed and updated information about the INOGATE projects can be found at the official internet portal of the programme, on-line at: http://www.inogate.org/index.php?option=com_inogate&view=projects&Itemid=7 5&lang=en (last accessed, 29 February 2012).

as well as bolstering the *perception* of the EU as a single-voiced norm-exporter and a 'best practice' model for the neighbours (Ciambra, 2011c).

The Desertec initiative, finally, is the forefront project in the broader framework of the 'Mediterranean Solar Plan' developed by the Union for the Mediterranean (UfM). The UfM represents a government-led attempt by several EU Member States, and France in particular, to upgrade and renovate the partnership between the EU and its southern neighbourhood. The idea of the UfM stemmed from the overall disappointing results of the comprehensive and one-size-fit-all ENP in providing the North African region with tailored responses to area-specific issues. However, even though the UfM almost three years since its creation has yet "barely managed to establish the rudiments of a substantial existence" (Torreblanca and Vaquer i Fanés, 2011), its institutional architecture allowed for the development of the 'Mediterranean Solar Plan' as a viable way to both strengthen supply diversification in Europe, thanks to increasing and sustainable imports of renewable energy from Northern Africa, and spread the production and use of renewable sources as an alternative to traditional fuels in the region[68]—still heavily lagging behind in consumption from renewable sources, as compared to the rest of the African continent and in spite of its immense potential (Monforti, 2011).

Against this backdrop, the European Commission has welcomed the initiative of private investors behind the Desertec Industrial Initiative, a project to connect a massive network of renewable energy facilities in the Northern African deserts and Mediterranean shores with the networks and infrastructures already existing in Europe. The project expects 700 terawatts hour (and up to 15 percent of the EU's overall electricity demand) to be transmitted

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[68] The Plan also ambitiously included another "20-objective" in order to "develop 20 gigawatts of installed renewable energy capacity in the Mediterranean region by 2020" (Carafa, 2011:7).

each year across the network in 2050.[69] Even though the costs of implementation are steadily rising, the whole project is still in a planning phase with no division of labour whatsoever among the stakeholders, and "*in other words, almost everything related to DESERTEC is still a matter of debate*" (Erdle, 2010:4, emphasis in original), the European Commission has invested significant discursive resources on the Desertec idea.

Commissioner for Energy, Günther Oettinger (2010b:2), "trust[s] that Desertec will continue to develop in an inclusive and open manner". President Barroso (2011b:6) addressed guests from the 'development' community at the end of 2011, stating that the Desertec "energy project in North Africa is a promising sign of the type of cooperation we could enjoy that would bring economic and environmental benefits to both regions". Finally, the then Commission for External Relations, Benita Ferrero-Waldner (2009b:2), praised the developments of the Mediterranean Solar Plan as "a real 'win-win-win' for the EU and the Mediterranean in terms of energy security, economic and social development, and the welfare of our planet". Despite the difficulties ahead and the rapidly changing political and economic environment in the region, the Desertec project remains a significant example of a policy-making structure which, starting from a genuinely EU-driven initiative, engages private market players, local authorities, national governments, and non-EU partners with the same set of objectives and expectations.

Taken comprehensively, the three programmes extend the structure and organisation of the EU's internal market of gas and electricity beyond EU borders. The European Commission has been supporting the integration of the regional 'blocs' of the EU's proximity to improve the connections between the EU as a whole—i.e., a community of consumer countries—with both producer and transit neighbours, as a crucial improvement vis-à-vis the potentially coun-

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[69] Cf. data provided by Erdle (2010) and the Commission's press release: The European Commission promotes integration of the electricity markets of the Maghreb. Ref. IP/10/763. Brussels, 20 June 2010.

terproductive shortsightedness egoisms of national "bilateral energy relations between individual Member States and third supplier or transit countries", considering how "past experiences" often resulted "in a fragmentation of the internal market rather than a strengthening of the EU's energy supply and competitivity" (European Commission, 2011e:2).

Besides the specific features of each project, the breadth and comprehensiveness of the external projection of EU energy policy outside its borders have attempted to cover strategically all the dimensions of a policised approach. These projects aimed, therefore, to re-draw the map of the EU's influence and opportunities in energy policy-making abroad in such a way as to—ideally—harmonise its closest energy markets with the EU's *acquis*, to allow for the diffusion of renewable energy policies in the neighbourhood while boosting investment in infrastructures and trade, to advocate for environmental and climate-change concerns in developing countries, and to open new ways for diversification of supply of both fossil and alternative resources.

Resource allocation

The active involvement of EU institutions and, in particular, of the European Commission in the policised set of energy policy objectives, ideas, and actions explained above also entailed, of course, a significant investment of material and economic resources. The construction of the internal energy market has received the largest amount of investment and financial commitment. In the period between 1995 and 2012, the TEN-E framework appropriated around 302 million euros in projects of European interest for the interconnection of transmission and distribution systems across the continent. Besides having involved a number of organisations and financial and technical consortia, the smart grid framework for the renovation and upgrade of the electricity interconnections across the EU has seen an overall investment of about 3.9 million euros.

The Commission's Joint Research Centre and Directorate-General for Energy have emphasised, however, that the required amount of financial investment in the smart grid framework—to keep the project competitive with similar frameworks developed in other industrialised economies—should approximate fifty-six billion euros for the smart grid upgrade only, and up to five hundred billion euros for a comprehensive upgrade of the EU's transmission-distribution network (Giordano *et al*., 2011). Breaking down the overall investment figure, however, the smart grid budget shows a particular anomaly. Italy has so far been the EU Member State with the largest investments (over two billion euros) in the smart grid, mostly because of one single smart-metering project—*Telegestore*—developed by the Italian electricity and energy company ENEL. By 2006, "about 30 million meters had already been installed" (Giordano *et al*., 2011:19), with ENEL claiming yearly savings of 500 million euros and the management of over three million bad payers in 2008 alone. The example of ENEL's *Telegestore*, therefore, also shows the immediate repercussions of the new paradigm on the economic efficiency of the energy industry. Finally, the newly-established institutions for EU-driven energy market regulation have been appropriated new financial resources as well. ACER has received more than five billion euros in 2011 and its budget allocations have been expanded to 7.48 million euros for 2012.

The European Commission also plays a crucial role in financing the external 'projection' of the EU's energy policy. In 2011, the Energy Community for South-East Europe has been funded by the European Union for 98 percent of its budget—roughly 3.3 million euros—and only for a total of 67,600 euros by the non-EU partners of the EnC.

The European Commission also backs financially, through a number of budgetary channels, the Paving the Way for the Mediterranean Solar Plan programme, "a consortium of consulting and energy companies" supporting the renewables initiative of the EU in the North African and Middle Eastern region (Carafa, 2011:24). The allocations to the pro-

gramme account for 4.6 million euros. Investment in environment- and sustainability-concerned policies should also include the 27.2 million euros allocated to Directorate-General Climate Action for policy programmes tackling climate change.[70]

3.5. Conclusions: *frame consolidation* rather than a frame shift?

There has been a substantial change of the way energy policy is conceived, produced, and implemented in Europe. Under certain circumstances, EU institutions and, more noticeably, the European Commission have moulded and directed EU energy policy in a way which is much more significant and effective than usually acknowledged. Even though the prevailing discourse of energy policy traditionally awards the Member States and their governments with powerful competences in this field, the amount of decision-making autonomy granted to EU institutions and agencies is larger than conventionally thought. The rise of energy securitisation, therefore, was expected to be the consequence of the strenuous defence by the Member States of what they had grown to perceive as being an exclusive and critical prerogative.

The underestimation of the impact that EU institutions have on energy policy-making in Europe, however, stems from the lack of adequate ideational and non-material theorising in EU energy policy studies. Most mainstream interpretations and readings of EU energy policy, in fact, tend to neglect the impact that the values, beliefs, ideas, prejudices, objectives, and ambitions held by actors and stakeholders can have on the definition of their course of action. Consequently, the theory of EU energy policy has focused mostly on structural, exogenous causes of policy change—e.g., the overall process of European integration (Matláry, 1997), the occurrence of sudden crisis (Helm, 2005), or the constraints of physical resource availability (Devezas *et al.*, 2008)—rather than analysing what purposes and per-

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[70] See Commission decision of 12 October 2011 on the adoption of 2012 work programme in the Climate Action policy area, serving as a financing decision. Ref. C(2011) 7187. Brussels, 12 October 2011.

spectives drive the ultimate decisions of policy actors and stakeholders, sometimes even irrespective of material interests and rationalist calculations.

Accordingly, the rationale underpinning this chapter stems from an empirical observation: despite the high security status attached to Europe's energy security in the traditional energy policy discourse, the most recent advances and developments in EU energy policy seem to pursue objectives, to be guided by classes of actors, and to bring about instruments other than those conventionally connected to energy security. While the expectations of traditional theoretical models would elicit a pattern of consumer-producer bilateral relations based on the physical needs of domestic consumption, the policy response of the EU has been much more complex, comprehensive, and multidimensional. It has encompassed a number of diverse policy areas and preserved consistency among a number of different policy measures: energy efficiency, environmental protection, enhanced market competitiveness, climate-change action, and cross-border infrastructure became parts of a consistent whole. This has specific consequences on theory, praxis, and methods of EU energy policy studies.

Theoretically, this chapter collects evidence that ideational and non-material elements cannot be excluded from EU energy policy analysis. Insofar as policy actions undertaken by EU actors and stakeholders contradict simple functions of material interests, it is necessary to turn to the ideas, beliefs, and long-term objectives that certain actors hold when strategically contributing to energy policy-making in order to find out the drivers of change and policy action. The findings of the discourse-analysis test run above show that the European Commission has been consistent in its understanding of energy policy in Europe for at least the last forty years (European Commission, 1968; 2011a). The ideas about energy policy, about how to achieve certain energy policy objectives have not changed since, and constitute the whole 'universe' of policy options available to the Commission. These ideas and these non-material components of policy action, therefore, have risen to paradigmatic status, guiding

the Commission and its officials through the understanding, the design, and the implementation of energy policy in Europe. According to mainstream interpretations, in order to devise a truly European common energy policy the European Commission should have worried either about the challenges coming from unreliable suppliers or about boosting investment and innovation to rely efficiently on new sources while slowly dismissing hydrocarbons—as it had been the destiny of other sources such as wood and coal during the past decades.

Conversely, the Commission (on behalf of the EU as a unitary polity) has brought about a policy design which includes *both* these preoccupations together with the long-established objectives of an integrated energy market, efficient consumption, sustainable environmental impact, and prospective action on climate change. This observation leans towards the argument that any theory willing to come to grips with the complexity of the Commission's approach should not marginalise (let alone neglect) the role of non-material and ideational elements—including established beliefs, long-running strategies, exclusive know-how, and the self-perception that actors hold of what they are and of what they *should* do.

Empirically, this chapter's discursive test was also useful to demonstrate that energy securitisation, albeit crucial in energy policy responses to several crises and turning points during the 2000s, has not risen to an overarching, all-encompassing paradigmatic status. Securitisation was hardly the *only* option in the policy-making game and generally no actor relied exclusively on securitised instruments or narratives when approaching the energy policy-making process. Even the European Council, i.e., the grouping of the heads of government of the Member States, compromised on the idea of energy security as the flagship of EU energy policy and ultimately welcomed—and even advocated for—the more complex and policy-based approach championed by the Commission (European Council, 2011a; 2011b). This adds to the argument according to which securitisation through traditional means (e.g., bilateral negotiations, controlled intra-EU solidarity, and 'pipeline' geopolitics) was *one op-*

tion among many, delivered in the EU energy policy-making arena by national governments in the attempt to lead the process and 'secure' their preferences. In this regard, securitisation of EU energy policy during the 2000s followed the theoretical expectations underlying it, being mostly an instrumental discursive strategy aiming to channel the policy-making process towards certain subsets of national interests.

The consequences of such finding may be analytically valuable. The main hypothesis of this work suggests that a paradigm *shift* has occurred from securitisation to policisation during the last years of energy policy integration in Europe. This chapter, moreover, has tried to show that the policy frames stemming from different paradigms and policy visions have 'oscillated' through time: while the paradigm of a fossil fuel-driven economy was upset by the OPEC crisis in the 1970s, similarly the paradigm of energy liberalisation and security-through-market collapsed in the face of price crises during the 1990s.

At the same time, the data retrieved may show the resilience of a policisation frame—embodied in the large *corpus* of strategic, programmatic, and legislative production of the European Commission and in the development of energy policy institutions at the EU level over the last ten years. This conclusion would also corroborate, on the one hand, the hypothesis of the Commission's *persistence* in supporting a policised complex approach to energy policy throughout the last four decades. On the other hand, it would support the argument that this approach 'belongs' to the Commission's general approach to public policy in the EU—i.e., the effects of a policised understanding of the policy-making process may as well be found in policy sectors other than energy policy and its proximate sub-fields.

The findings suggest, moreover, that securitisation may have been a deliberate attempt to deviate the discourse of EU energy policy towards more narrow, national-based, and non-integrationist outcomes. This discursive 'manoeuvre' has slowed down the establishment of a policised paradigm, which had long been *latent* in EU energy policy-making. Even in the

absence of a 'traumatic' or systemic shift from securitisation to policisation, the results of the bibliometric test and the discourse analysis model performed in this chapter beg a fundamental question: if the policisation frame has been established as the leading narrative of EU energy policy, *how* and *under what circumstances* can this happen? What tactics, what mechanisms, and what competition dynamics between diverging or opposing frames can elicit a frame shift? The case studies of chapters 4 and 5 analyse two different instances of these processes and suggest two different blueprints—one cooperative and one conflictual—for effective policy re-framing by means of discourse.

Lastly, this chapter has tried to contribute to the methodological debate currently on-going about ideational research and the methods and techniques available to achieve valuable results. The discourse analysis model, in particular, deals with the lack of substantive empirical research in the field of public policy-making as analysed from an ideational vantage point. These deficiencies concern ideational research in general (Chwieroth, 2007)—as opposed to the 'certainties' of materialist theories—and discourse analysis literature (Schmidt, 2008; 2010) and securitisation theory (Buzan and Wæver, 2003) in particular. Building on previous attempts to operationalise securitisation (Popovic, 2007), this chapter suggests a four-indicator model that served reliably as a measure of the 'pervasiveness' of discourse in the policy-making process. These indicators offer a measure of how certain policy ideas and beliefs, channelled through discursive and rhetorical tools, are able to re-mould political language, drive institutional change, and alter cross-policy linkages and resource allocation in a complex policy system such as the EU. The aspiration of this model is to provide a reliable set of indicators to assess how specific policy ideas enter and alter the policy-making process, thus also supporting the theoretical significance of policy ideas—vis-à-vis material 'observables' and interests—in determining policy outcomes.

Part III
Empirical analysis and hypothesis verification:
the case studies

Chapter 4

Cooperative socialisation and coalition building: the North Sea and Europe's energy infrastructure

EU energy policy has changed substantially during the last fifteen years. It has become more integrated at the EU level, where a more intense legislative activity has been paired with a significant degree of institutional creation and the involvement of larger groups of European, national, and sub-national actors. Moreover, it has also become more complex. It has been re-framed, developed, and publicly presented as a policy which is now no longer concerned *only* with securing a sufficient and affordable amount of energy to consumers, but also with the environmental sustainability of energy consumption, the strengthening and competitiveness of the EU's internal energy market, and the diversification of energy supply towards technologically-advanced renewable sources. This frame is defined in this thesis as one of energy *policisation*.

Chapters 2 and 3 have provided evidence of this frame shift to policisation and emphasised the connection between this discursive change and the occurrence of several critical events which have affected EU energy policy during the 2000s: the global rise in energy prices, the Russia-Ukraine gas disputes in 2006 and 2009, and, more recently, the Fukushima disaster and the political turmoil which has affected many Northern African and Middle Eastern EU energy suppliers.

The shift to energy policisation, however, is particular at least in two regards. First, the discourse, goals, and policy instruments of policisation are not new developments in EU energy policy. In fact, the European Commission has extensively supported this understanding of energy policy in its official documents since the beginning of the European integration process. The recurrence of policised discourse in its activity shows a significant consistency

in the Commission's *vision* about the future and the needs of Europe's energy policy. The findings of chapters 2 and 3 show, to a reliable extent, that energy policisation is a story of discursive and political *continuity* by the Commission, in contrast to the volatile pattern of *change* which has characterised EU energy policy in the face of sudden, unpredicted, and critical events or exogenous shocks. Second, the shift towards energy policisation has occurred when it was least expected—i.e., after several critical events that, because of their severe effect on Europe's energy consumption, would have ordinarily prompted a reaction by Member States which centred around domestic security of supply, external relations with energy exporters, and an inward-looking stance rather than enhanced EU-wide cooperation.

Crisis and shocks, therefore, were not sufficient conditions for discursive change and policy re-framing. The history of EU energy policy has been battered by critical events and turning points which have altered existing balances and upset the distribution of policy-making power among the actors involved. This notwithstanding, and despite the resilience and consistency of its complex and multidimensional energy policy vision, before the 2000s and the turn to policisation, the European Commission had never managed to harness these shocks and crises to take the lead of the policy-making process and drive it towards more integration. Why has this occurred at a moment in time in which the opposite policy response could be expected? What specific circumstances have allowed for an increase in the policisation of EU energy policy and, ultimately, favoured more integrated and 'genuinely European' policy outcomes? Even if energy crises in the 2000s have created a valuable window of opportunity for the Commission to (re-)advance its discursive platform and compete for the leadership of the energy policy-making process, there must have been certain decisions and tactics that have catalysed energy policy re-framing towards a more policised approach. There must have been, that is to say, specific circumstance that made the Commission's discourse—which has not changed substantially since 1968 at least—ultimately prevail.

While Chapter 5, on the negotiation and approval of the Energy Efficiency Directive, suggests that successful policisation can also be induced by specific *framing conditions*, this chapter analyses the case of the establishment of an offshore grid for wind-power electricity transmission and distribution in the North Sea. It suggests that successful policisation was due to a particular type of *process*, more specifically to the Commission's ability to instrumentally socialise a range of other policy actors into its own frame and understanding of EU energy policy. The North Sea offshore grid project, with its repercussions on renewable energy support, internal energy market, and energy efficiency, was a substantial part of the Commission's discursive tactic.

The European Commission's new strategic platform for energy policy, as embodied in the Energy 2020 Initiative, pays particular attention to the establishment of a fully-operative, interconnected, and efficient internal energy market. The rationale for this commitment does not simply stem from the need to complete the EU's internal market and to guarantee market competition in the field of energy transmission and distribution. The Commission has been promoting the idea and the understanding that the EU—a community of energy consumers with massive differences in its pattern of consumption and supply—can positively benefit from an effectively interdependent energy market. Stable interconnections would allow any Member State to compensate its own domestic energy deficit with the surplus production of others, while decreased wastage in transmission and distribution would eventually reduce the overall energy consumption rates across the EU. Market-wise, lower energy demand would entail lower prices and thereby immediate beneficial repercussions for all end-users of transformed energy and electricity—i.e., for all EU citizens.

Besides the normative implications of such a vision, the Commission has been advancing the idea that national differences, closed domestic markets, and divisive borders can impede the development of a coherent energy market and jeopardise the struggle against waste, un-

sustainable consumption, and import dependence. As the challenge that EU energy policy is facing in the near future emphasises the structural interdependence of European economies, policy integration in the field of energy and enhanced cross-border cooperation on infrastructural matters become essential to the achievement of any sustainable energy policy goals.

In line with the strategic and paradigmatic premises of the Commission's energy *policisation*, the development of an interconnected EU-wide energy infrastructure is not a self-standing policy choice, but rather connects mutually with the other goals that substantiate the Energy 2020 strategy and, generally, with the complex and multidimensional understanding of public policy-making in the EU held by the Commission. An efficient and integrated infrastructure is not a public good *per se*, but only insofar as it "will also improve security of supply and help stabilise consumer prices by ensuring that electricity and gas go to where it is needed" and create a European network to "transport and balance electricity generated from renewable sources" (European Commission, 2010f:5-6).

This chapter analyses the impact that the Commission's discursive effort to promote and defend the 2020 objectives and establish a comprehensive energy policy—based on market efficiency and sustainable consumption—has had on the development of energy infrastructure in Europe. The main argument underpinning this analysis is that without the Commission's discursive and programmatic policy framing, conventional nationally-driven interests would have most likely prevailed, hindering the establishment of cooperation and integration frameworks at the regional and European levels. It investigates the case of the North Sea priority area for offshore electricity infrastructure development and the relationship between the Commission's strategy and the intergovernmental projects supported by the North Sea countries' Offshore Grid Initiative (NSCOGI) since 2009. The analysis is concerned, in particular, with instances of *instrumental socialisation* of relevant stakeholders into the Commission's overarching objectives and strategic vision of infrastructure development in the

North Sea, in the attempt to lead the policy process towards the preferred direction without resorting to conventional, security-driven narratives. The case of the NSCOGI is all the more relevant if one considers that the Initiative is, politically speaking, entirely driven by national governments: the argument of this chapter is that even though the NSCOGI is formally and legally an intergovernmental project, its very creation and inception would have been impossible without the policised discursive framing established by the European Commission by means of its strategic and programmatic efforts.

The first part of the chapter describes the evolution of EU energy infrastructure policy during the last five years. The second part describes the evolution of the North Sea as a priority area of interest for infrastructural development at the EU level. The third part dissects the framing instruments deployed by the European Commission in order to connect the developments of offshore wind-power energy infrastructure with its main discursive strategy and alternative policy agenda, while socialising other stakeholders' interests into it.

4.1. The EU energy infrastructure strategy and policy

The EU in general and the European Commission in particular have committed themselves to the improvement of cross-border interconnections in specifically selected priority areas across the continent, in order to meet the Energy 2020 (European Commission, 2010a) strategic objectives while preparing the ground for the more ambitious set of goals enshrined in the Energy Roadmap 2050 (European Commission, 2011h). The Commission plans to do so by means of projects of European interest aimed at improving energy conservation and a more efficient allocation of energy capacities and surpluses. This brief definition encompasses the diverse dimensions of the Commission's strategic vision on the future of energy policy-making in Europe—energy efficiency, market construction, infrastructural renovation, renewable energy promotion, and security of energy supply. The development of EU

energy policy infrastructure, however, can be better analysed on a timeline, which includes both strategic documents and policy-oriented instruments and regulations.

Figure 4.1. Timeline of EU energy infrastructure policy.
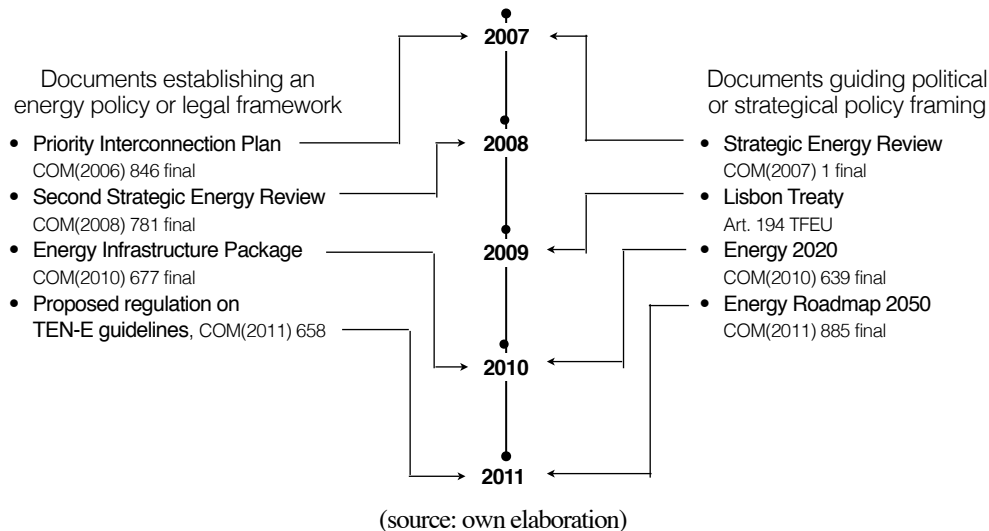

(source: own elaboration)

Figure 4.1 shows, on the left side, those policy documents which the Commission used to set up adequate tools for intervention in EU energy infrastructure policies during the late 2000s. These documents established ad hoc operative policy frameworks which defined specific objectives and goals (e.g., the infrastructure priority areas identified in the 2010 Energy Infrastructure Package) or designed financial and technical instruments for concrete policy implementation routines—within, for instance, the TEN-E programme, first set up in 1996 and further analysed *infra*. On the right side, Figure 4.1 lists the documents that, conversely, have provided the European Commission and EU institutions in general with the political impulse to intensify their presence in EU energy infrastructure policy by setting up the key strategic vision and long-term perspective. The relationship between the two types of discursive intervention by the Commission is mutual: on the one hand, more 'practical' operational frameworks such as the Energy Infrastructure Package were embedded in an overarching and 'paradigmatic' strategic pattern such as the Energy 2020 Initiative but, on the other hand, it is

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likewise true that achievements in infrastructure policy implementation—the TEN-E programme, for example, or the Priority Interconnection Plan—surely granted the Commission additional political leverage when pushing for paramount institutional reforms such as the new Title XXI on energy policy in the Treaty on the Functioning of the European Union (TFEU).

The Commission's strategic vision on energy infrastructure policy

Since 2006, when its Green Paper on a "sustainable, competitive and secure energy" was published, the European Commission has devoted a significant amount of political and strategic resources to the establishment of "a new comprehensive European energy policy" (European Commission, 2006a:4). Infrastructure has been a crucial component of this policy endeavour. Already in 2002, following the attempt by the Commission to renovate the TEN-E framework, the European Council had solicited the Member States to interconnect *at least* 10% of their overall electricity transmission capacity with bordering countries. Together with interconnection issues, the 2006 Green Paper also promoted the establishment of a comprehensive European grid for the distribution and transmission of electricity and gas, with positive returns for Member States' energy security, solidarity mechanisms, and industry competitiveness. The Green Paper mentioned for the first time the necessity to establish "a European energy regulator to look at cross-border issues" (European Commission, 2006a:6), prompting a process which would eventually lead to the creation of the transmission system operators' consortium, ENTSO-E, and of the Agency for the Cooperation of Energy Regulators (ACER). The Green Paper's call for infrastructure development was taken up by the first Strategic Energy Review (SER) with a dedicated document, the Priority Interconnection Plan of January 2007 (European Commission, 2006c). The Plan adopted a discursive narrative that presented an interconnected, integrated, and efficient energy infrastruc-

ture as an essential precondition for any developments in EU energy policy (European Commission, 2006c:5-6):

> If the EU continues on its present infrastructure course, none of the [Energy Policy for Europe] objectives will be met. Because of congestion, energy prices will be higher. The development of renewable energy sources will be hampered by the lack of network transmission capacities either within or between Member States. Recent experience shows that a significant bottleneck exists for the development of green sources of energy... As a result of insufficient network transmission capacities and constrained production, each national electricity market will also [need] more reserve generation capacity to face unpredicted peak increases of demand or unexpected failures of generators leading to a less efficient power system.

By emphasising the urgency to act and set up an effective EU-wide energy transmission infrastructure, the Plan aimed to associate the Member States' reluctance to fully integrate their connection systems with the obstacles that a genuinely European energy policy had been facing, as well as with potential structural shortcomings, supply crises, and inefficient pricing for end-use consumers. Since the beginning, therefore, the Commission's strategy has aimed to single out national insulation and particular interests as a hindrance for the system, thus promoting EU-wide infrastructural integration and political cooperation as the only way forward for EU energy policy.

Several of the proposals and scenarios designed by the first SER in 2007 led to enhanced discussion and negotiation with Member States. Accordingly, the March 2007 European Council's presidency conclusions institutionalised the Commission's recommendations by both formalising the Energy Policy for Europe framework and spelling out the so-called 20-20-20 objectives on energy efficiency improvement, carbon emission cuts, and overall energy consumption reduction. The path-breaking conclusions of the European Council outlined a demanding agenda with the "aim of increasing competition, ensuring effective regulation and encouraging investment to benefit consumers" (European Council, 2007:16). The

conclusions set out challenging targets of system unbundling—i.e., the separation between the production and supply phase of the energy chain and the ownership of the distribution and transmission networks, a typical feature of formerly state-controlled energy companies—in domestic and cross-border energy markets, enhanced cooperation among energy regulators and transmission operators, investments in an EU-wide grid, and consumer protection. The European Council conclusions sanctioned the beginning of a "new 'Climate-Energy strategy'", a platform of "less extensive… but arguably more effective" set of "binding commitments to reduce emissions of greenhouse gases by a 20 percent and to increase the share of renewable energy to 20 percent of total energy by 2020" (McGowan, 2011:503).

The political impulse of the March 2007 European Council's agenda was somewhat formalised at the highest legal level with the introduction of Article 194—whose paragraph 1.(d) lists the promotion of "interconnection of energy networks" among EU energy policy objectives—in the TFEU, entered into force in December 2009. The Energy 2020 Initiative, i.e., the Commission's (2010a) strategic document which converted the European Council's aspirations into a more operational policy platform, identified the "pan-European integrated energy market" as one of the key priorities for long-term energy policy action by the EU and called for a "blueprint of the European infrastructure for 2020-2030" (European Commission, 2010a:11). All policy frameworks and operational guidelines developed by the Commission are 'nested' into these programmatic platforms and comprehensive long-term vision.

From vision to praxis: EU priorities from TEN-E to the Energy Infrastructure Package

The 1992 Maastricht Treaty established the Trans-European Networks (TEN) framework "to enable citizens of the Union, economic operators and regional and local communities to derive full benefit from the setting-up of an area without internal frontiers" (Title XV, Article 154.1 TEC, cf. fns. 14 and 40 *supra*). TEN projects have been developed in the field of en-

ergy, transport, and telecommunications. The guidelines and procedural limits to access financial aid by the EU have been regulated by specific decisions.[71] While the EU-wide liberalisation and competition policies enabled by the Treaties would not go beyond negative integration—i.e., removing obstacles in national legislation to cross-border connections—the TEN-E programme was conceived to stimulate investments and positive action to contribute to the "completion of the internal market and the strengthening of economic and social cohesion", as well as to increase "the reliability and security of… energy supplies" (European Parliament and the Council, 1996:147). For over fifteen years the TEN-E programme has been the cornerstone (and the sole legal instrument) of EU energy infrastructure policy.

In 2007, after the TEN-E project guidelines had been updated, the Commission delivered a new operative strategy to promote investment in energy infrastructure across Europe. The Priority Interconnection Plan (European Commission, 2006c:8) identified "key projects… vital to completing the internal market", invited transmission operators and energy regulators to improve regional cooperation and system integration, and offered an up-to-date review of several projects of European interest under the umbrella of TEN-E funds.

In 2008, the second Strategic Energy Review advanced six main infrastructure priorities for urgent EU policy intervention. The second SER also addressed specific goals—such as the Southern Gas Corridor project or offshore wind energy production—with ad hoc communications, adding to the strategic endowment of EU energy infrastructure policy. More importantly, the second SER enforced the paradigmatic vision of a long-term energy future for Europe held by the European Commission. Especially as far as new infrastructures were concerned, the document (European Commission, 2008a:16) reminded the Member States

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[71] Decision No. 1364/2006/EC provides the most recent guidelines for TEN-E projects. The document repealed Decision No. 1229/2003/EC which, in turn, had updated the original guidelines contained in Decision No. 1254/96/EC. Access to EU funds destined to TEN-E projects has been ruled by Regulation No. 807/2004/EC, amending Regulation No. 1655/1999/EC which, in turn, had amended the original provision, Regulation No. 2236/95/EC. Finally, the implementation process of the TEN-E programme has been delegated to the Commission by Council Decision No. 1999/468/EC.

and other energy stakeholders that, in order to be efficient, an EU-wide energy grid would have to:

> [t]ake account of climate change impacts and to serve an integrated European market with multiple small suppliers of renewable energy, be it from wind farms or domestic electricity generation which, alongside the larger power plants, will contribute to an increasing extent to guaranteeing essential electricity for the EU economy… Concepts such as an offshore supergrid ring around Europe to connect southern solar, western wave and northern wind or hydro energy with the main consumption centres needs to be explored further.

With the same 'progressive' attitude, the 2010 Commission staff's Impact Assessment accompanying the Energy 2020 Initiative reviewed the outcomes of almost fifteen years of TEN-E operations quite positively while, however, emphasising that "the dramatic changes the EU energy policy framework has undergone in the recent years call for a thorough review of both the concept and rationale of the TEN-E framework" (European Commission, 2010b:11).

The Initiative was also accompanied by a document of detailed strategic infrastructure planning, the Commission's communication on 'Energy infrastructure priorities for 2020 and beyond' (European Commission, 2010f), the so-called Energy Infrastructure Package (EIP). The EIP prepared the ground for a new strategic and comprehensive framework in the establishment of "a new EU energy infrastructure policy… to coordinate and optimise network development on a continental scale" (European Commission, 2010f:5).

This document has at least two major implications. On the one hand, strategically, the EIP re-defines the Commission's broad objectives in the field of energy infrastructure across Europe. This entails re-defining the long-term goals of EU-wide interconnectedness as well as the efforts to overcome barriers in domestic legislation and market organisation that prevent the internal energy market from being consistently unified. The document's authors also made a discursive and normative effort to engage as many stakeholders, policy makers, and

citizens as possible in the process—presenting the wide range of beneficial outcomes ex-
pectedly deriving from a truly integrated and cooperative internal energy market, especially
in terms of energy security, price competitiveness, and long-term environmental sustainabil-
ity. On the other hand, practically, the document addresses the obsolescence of the TEN-E
programme by defining energy infrastructure *priority areas* on which the concrete and im-
plementable projects "chosen… out of the major changes and challenges, which Europe's
energy sector will face in the coming decades" will have to focus in the future (European
Commission, 2010f:18).[72]

Figure 4.2. Map of priority areas in the Commission's Energy infrastructure package (2010).

(source: European Commission, 2010f:19)

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[72] The package is accompanied by detailed technical staff working papers (European Commission, 2010g;
2010h).

The map of the priority areas (Figure 4.2) covers the whole EU and is drawn across both North-South and East-West corridors: the North Sea offshore grid is officially included in the list of Europe's 2020 infrastructure priorities (European Commission, 2010f:25-ff.).

Figure 4.2 also shows that, in addition to the geographical comprehensiveness of the Commission's energy infrastructure priorities, the main goal of the EIP was to suggest a map of viable projects to meet the diverse needs and overcome the various shortcomings of the EU's consumption patterns. Accordingly, the EIP includes projects in the field of electricity transmission and distribution (such as the North Sea offshore grid, the South Western electricity interconnections, and the North-South interconnections) together with prospective interventions in the field of more conventional fuels such as gas (the North-South gas corridor in Western Europe and the Southern gas corridor connecting continental Europe, Turkey, and the strategic Caucasus exporters together) and oil (the North South interconnections in Central and Eastern Europe). In this operative framework, the Baltic Energy Market Interconnection Plan (BEMIP) shows already positive returns in terms of system integration of both electricity and gas markets. The project, which was thought to *emancipate* the newly-accessed Baltic countries from a nearly complete dependence on Russian gas, will allow 'European' electricity to reach these countries' markets (providing them with a reliable safeguard buffer in case of sudden supply disruption from their eastern neighbour) while, at the same time, integrating their distribution and transmission system into the larger EU-wide network, stabilising the electricity flow and including these countries into the EU's capacity allocation mechanisms. The BEMIP "provides an important example of successful regional cooperation" and the "lessons learnt from this initiative will be taken into account for other regional cooperation structures", as it was further confirmed by Commission's policy officers involved in the EIP framework.[73]

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[73] Interview with a DG Energy policy officer and member of the Adamowitsch Group, Brussels, 27 June 2012.

4.2. The North Sea: the evolution of a priority area

The North Sea is geographically considered a 'marginal sea'—i.e., a basin which, without being landlocked, is nonetheless largely surrounded by continental and land mass. The North Sea is situated extremely close to the Atlantic Ocean, with which it shares large ways of water communication via the English Channel in the south and the Norwegian Sea in the north. As shown in Figure 4.3, it touches the coastline of several European countries, which enjoy a significantly varying exclusive economic competence on the North Sea's waters and continental shelf: massive portions of the seabed, for instance, fall within the economic zone of the United Kingdom and Norway, while Belgium's zone only extends over 0.51 percent of the whole basin. Due to its enclosed geography, the North Sea has a natural strategic importance as far as fisheries, navigation, maritime, and trade policies are concerned.

More specifically, as regards energy policy, oil reserves have been explored and exploited on the bottom of the North Sea for the last 150 years, together with century-old exploration and production of natural gas. Besides providing Western Europe's largest known reserves of oil and gas, the natural design of the North Sea—basically surrounded by advanced industrial countries—makes it a crucial site for international supply and electricity transmission, infrastructures, and strategic pipeline interconnections.

The distribution of fossil-fuel resources in the North Sea is, country-wise, particularly uneven due to the configuration of the Economic Exclusive Zones in the basin—especially when considering that most hydrocarbons reserves are located in the northern part of the continental shelf. Since the early 1990s, however, North Sea countries such as Germany, the Netherlands, and Denmark have been exploiting wind as an alternative energy source plentifully available in the North Sea area (Hohmeyer *et al.*, 1998).

Figure 4.3. Map of the North Sea and national Exclusive Economic Zones.

(source: elaboration from a NordNordWest/Wikimedia image issued under Creative Commons Licence)

Figure 4.4. Average annual offshore wind speed in Europe.
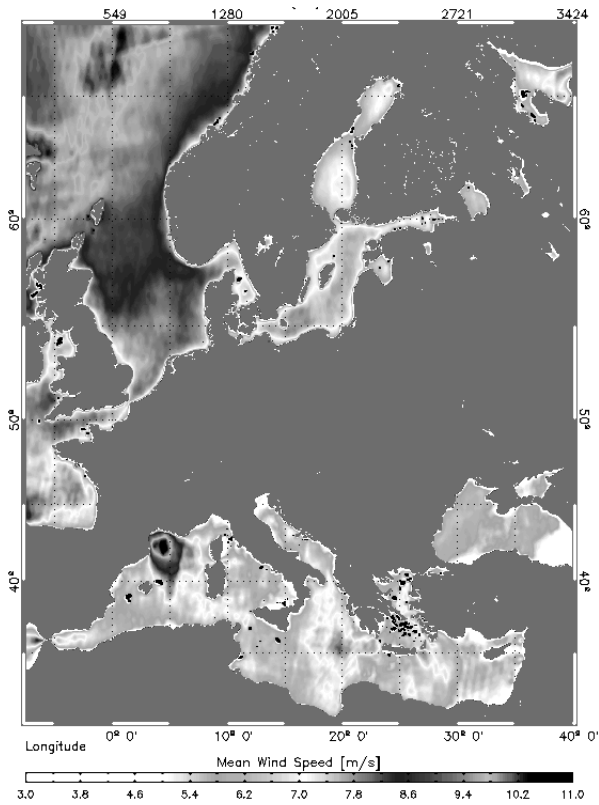
(source: European Space Agency)

Figure 4.4 shows that the annual mean wind power in the North Sea is relatively higher than other enclosed or infrastructure-prone basins in Europe. Similarly, the North Sea offers capacity for the exploration of hydropower and tidal energy. There is, therefore, an obvious interest for the EU to invest further resources in the Sea's potential. Moreover, its closed basin can potentially become a strategic kernel for infrastructure cross-border interconnections among Member States and between the North Sea's EU coastline and Norway—a scenario which is particularly consistent with the Commission's policisation strategy and its efficiency- and sustainability-driven goals and policy design.

This potential notwithstanding, to date the exploitation of the North Sea basin appears to be—in terms of both electricity infrastructure development and renewable energy production—still quite embryonic. The North Sea is currently crossed only by four cross-border interconnections of direct current (DC) transmission: two cables connecting the United Kingdom with the continent, both on the French and the Dutch coastlines, and two connections from Norway to both Denmark and the Netherlands (see Figure 4.5). Moreover, all offshore wind power infrastructure—currently developed off the coasts of Norway,[74] Denmark,[75] Germany,[76] the Netherlands,[77] Belgium,[78] and the United Kingdom[79]—are connected independently to the mainland, with no real interconnection among the production facilities, i.e., with a significant efficiency loss in the distribution of transformed energy to the onshore grid.

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[74] One Statoil wind farm, 'Hywind', for just 2.3 Megawatts (MW) capacity.

[75] Two wind farms, Horns Rev I and II, with a joint capacity of 369 MW.

[76] One wind farm, Alpha Ventus, with a capacity of 60 MW.

[77] Two wind farms, Princess Amalia and OWEZ, with a joint capacity of 228 MW.

[78] One wind farm, Thorntonbank, with a capacity of 30 MW.

[79] Six wind farms with a joint capacity of 826 MW.

Figure 4.5. Cross-border electricity interconnections and infrastructure in the North Sea as of June 2012.

(source: elaboration of a ENTSO-E map)

To explain and address this lack of investment and loss of energy policy potential, the European Commission (2008c) had already identified, in its analysis of Europe's potential for offshore wind power technologies and infrastructure, four key obstacles—technological, strategic, informational, and infrastructural—hindering the consistent development of EU infrastructure policy in this field and geographical context. As the Commission pointed out, first, early offshore technologies and planning tended to rely extensively upon known tech-

niques, materials, and components from their onshore counterparts: as several technical problems were met, market investors' confidence in this sector dropped and "*made it harder to finance projects* and entail[ed] higher costs because of the risk premiums" required (European Commission, 2008c:4, emphasis in original). Second, according to the Commission's analysis, the Member States were largely responsible, as their "*limited experience with, and sometimes inadequate governance structures and rules for, integrated spatial planning in the marine environment*" made offshore planning even more legally complicated and financially less reliable (European Commission, 2008c:4, emphasis in original). Third, cross-border integrated offshore wind-power production planning has met significant obstacles as far as coordinated environmental impact assessments and legislation are concerned. In particular, the lack of intergovernmental dialogue on the issue has made policy initiation harder and added to the starting costs of financial investments on offshore grid projects. Fourth, offshore technologies are more demanding than onshore ones in terms of infrastructural requirements: intuitively, offshore production facilities will produce and accumulate electricity far away from the actual energy consumption sites in which electricity is going to be needed. Any offshore production and transportation infrastructure such as an integrated grid will require, therefore, extensive investments to both overcome this original separation and be adequately connected to existing onshore transmission networks.

The combination of the basin's strategic importance, the comparatively minor exploitation of its potential, and the need to overcome the structural shortcomings highlighted by the Commission have made the North Sea area a priority area for EU-led offshore grid policy planning since the late 2000s. This chapter analyses how the European Commission has used this window of opportunity to re-frame energy infrastructure policy in the North Sea within the larger vision and understanding of a common energy policy for the EU. The Commission, however, has not been the only policy stakeholder to wager on the future of

transmission interconnection and renewable energy production in the North Sea. The EU is acting in a policy environment in which both network operators and the Member States have already initiated autonomous policy platforms and planning strategies for the last three years. This section analyses the evolution of the North Sea's offshore wind-power sector along an ideal timeline, in order to understand how—when adequately re-framed—a market-driven technical project can be transformed into an issue of political strategy.

The technical inception of the Grid 'idea': the role of stakeholders and advisory groups

The integration of more wind power into the EU's electricity network has been the topic of extensive and committed research and policy analysis by interest groups, consultancy firms, and non-governmental organisations and associations mostly concerned with planning a more environmentally-sustainable future for Europe's energy policy and consumption. In general, most of these studies' 'deliverables' deal with the promotion of wind-generated energy as such: this industrial sector alone provides tangible effects on renewable energy, environmental, and innovation policies, and the power output from (both off- and onshore) wind power grew by about 570 percent in just ten years, between 2000 and 2010. However, some studies (De Decker and Kreutzkamp, 2011; Söker *et al*., 2000; Van Hulle, 2009; Woyte *et al*., 2008) emphasised in particular the relevance of the North Sea as an area of privileged strategic potential for the establishment of integrated infrastructure and actual regional cooperation on the internal electricity market.

Organised interests around wind-generated energy have been particularly visible since the 2000s, with the European Wind Energy Association (EWEA) in the lead. Environmental pressure groups such as Greenpeace have been similarly active on matters of renewable energy sources and have long favoured wind power thanks to its relatively higher investment returns and because it can be easily integrated into the existing electricity network. Wind

power has "proved that renewable energy is ready and able to match conventional energy technologies euro for euro, kilowatt for kilowatt", and pressures from both domestic consumption of industrial economies and international norms on climate-change objectives substantiate the argument that the wind power "industry has now developed technology of sufficient size, reliability and efficiency that it is ready to unlock the vast offshore wind resources that exist around the world" (Gerdes *et al*.:1).[80]

Between corporate and environmental concerns, several consultancy and technological organisations have provided the expertise and know-how to further develop the policy implications of strategic long-term grid enhancement, with a particular focus on offshore technology for wind power generation. An earlier work was commissioned in 2000 by Greenpeace to the Deutsches Windenergie-Institut, a study analysing the financial and technical potential of offshore wind farms in the North Sea. The document features an extensive environmental impact assessment and a case study based on the German experience for cost-benefit calculations, together with an ideological ten-point call by Greenpeace (Söker *et al*., 2000:6-7) for governmental action addressed to the Member States of the North Sea area. The organisation urged the North Sea countries to:

> [h]alt the issuing of new oil and gas licensing in their territorial or economic exclusion waters…; extend the national grids to the newly licensed fields…; develop programmes or include off-shore wind energy in renewable promotion programmes to encourage investment in and take-up of renewable electricity…; collaborate on offshore wind development so as to optimise infrastructure development…; make renewable energy and energy efficiency the basis of its greenhouse gas mitigation strategy.

Strategically speaking, Greenpeace's understanding was that offshore wind "is the obvious transition for the North Sea oil and gas industries" and that Member States should act as swiftly as possible to smoothen the process. Greenpeace insisted in its discursive effort with

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[80] The "dollar for dollar" (Söker et al., 2000:5) or "euro for euro" motto has been a recurring promotional theme in Greenpeace's wind-power policy analysis.

a series of studies both promoting renewable sources of energy more generally (Teske, 2005) and the diffusion of offshore wind power infrastructure more specifically (Snodin, 2004; Gerdes *et al*.). Its activities were not limited to the European stage, but aimed to achieve a more global coordination of governmental, financial, and technological efforts. Greenpeace—together with EWEA—set up the Global Wind Energy Council (GWEC) and supported both planning (GWEC, 2005) and monitoring (see for instance GWEC, 2006), activities to boost investments in wind power worldwide.

In 2002, an inter-institutional experiment was set up between a ministerial group from sea-bordering European countries, their regulatory agencies, and a number of institutions and organisations representing interests and providing expertise in the field of wind power infrastructure: the Concerted action for Offshore wind Development (COD). The COD project (2005a; 2005b) published its results in 2005, in tight cooperation with the Commission's DG Energy and the technical contribution of, among others, the EWEA and the Brussels-based planning consultancy firm 3E. Under the supervision of the EWEA and with the collaboration of several other consultancy groups, 3E contributed to the TradeWind project and directly supervised the OffshoreGrid project, both in 2009.

All these documents provide crucial technical expertise in strategic planning of offshore wind developments in Europe generally and in the North Sea in particular. The technological rationale for infrastructure development underpinning most of them, however, is to improve the interconnection between the offshore wind farms and the mainland, in order to make the transmission of power profitable and worth the base investment. The repercussions of this objective are multiple. A more efficient North Sea network would make wind power more financially attractive and the ultimate cost of energy consumption lower and, most importantly, it would *force* the Member States involved in the project to cooperate in order to boost the productivity and reliability of both renewable energy production and transmission in the area.

The main hindrance to these advances stems from the current configuration of choice of Europe's offshore electricity grid, i.e., a *radial* design. With this configuration, all wind farms are connected directly to their national mainland: all power output goes straight to on-shore transformation facilities. When there is not sufficient wind, for example, the wind farms simply work at less-than-full power, and the onshore grid similarly receives less output. With a radial design, the only way to set up a 'European' network in the North Sea is to build interconnections (mostly underwater cables) between the countries' onshore transformation sites. Conversely, with a *meshed* design interconnections are established *both* among wind farms *and* onshore facilities. Several studies and analyses (De Decker and Woyte, 2010; Van Hulle, 2009) show that setting up connections among national onshore facilities *but also* between different wind farms *and* between wind farms and several onshore facilities—i.e., regardless of their nationality—entails several beneficial effects: a more efficient use of installed wind power in case of weaker wind flows; actual compensation capacity within the integrated network in case of shortage or disruption; lower congestion pressure on the onshore network thanks to redistribution within the meshed structure; and much lower financial investment for the construction of new infrastructure.

In 2008, Greenpeace published, jointly with 3E, a strategic document addressing the infrastructure development of offshore wind power networks in the North Sea (Woyte *et al.*, 2008). The document proposes a fledged "grid topology" by 2020-2030 (Figure 4.6) and advances a number of technical hypotheses for the implementation of a *meshed*-design scenario (Figure 4.7). The impact of a high-wind (i.e., with large investment in wind-power infrastructure) scenario on energy prices would be particularly significant also for end-users, with a decrease of maintenance and management costs for the whole network and beneficial repercussions on energy prices in general.

Figure 4.6. Possible configurations of meshed-design interconnections between offshore wind farm and the coast.
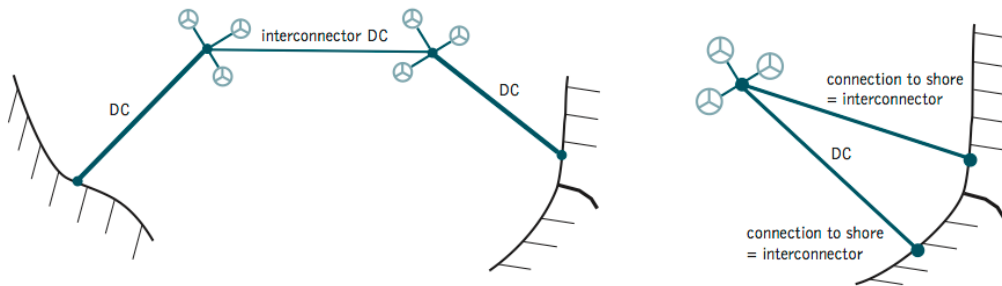
(source: Woyte *et al*., 2008:22)

Figure 4.7. Proposed grid topology and potential wind-farm installation scenario.
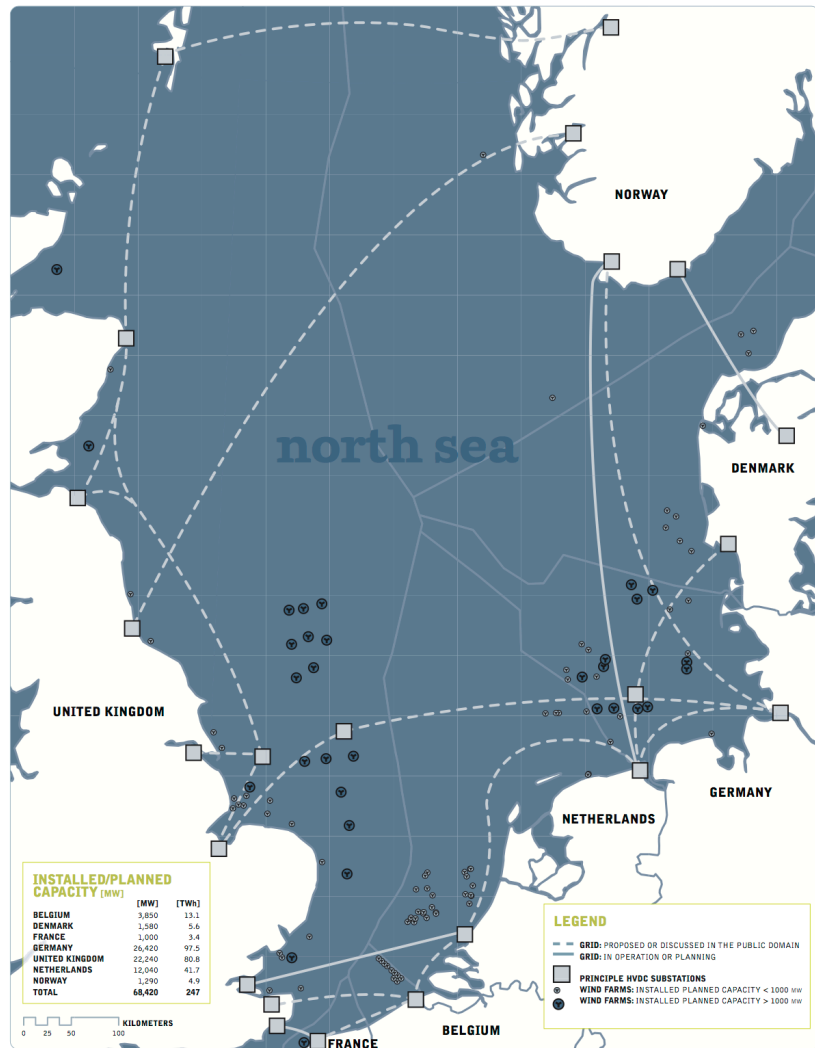
(source: Woyte *et al*., 2008:24)

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3E has further developed its design recommendations with two projects, TradeWind (2009) and OffshoreGrid (2009), coordinating the work of a consortium of organisations and consultancy firms and participating to the Commission's Intelligent Energy Europe programme and call for projects of interest. More importantly, however, the 2008 strategy document was received favourably by the energy ministers of five North Sea EU Member States—Belgium, the Netherlands, Luxembourg, France, and Germany—within the framework of the Pentalateral Energy Forum (PEF).[81] The political declaration by the Forum's ministers, which incidentally mentioned this report, was the first step towards intergovernmental cooperation in the North Sea for the establishment of an electricity grid connecting offshore wind farms with the European onshore electricity network.

The Member States: the North Sea countries' Offshore Grid Initiative

The PEF was originally established with the aim of regulating market coupling in Western-Central Europe—i.e., the integration of different market infrastructure, in particular across borders, to improve the system's efficiency and mechanisms of capacity allocation.[82] Following a meeting on December 8, 2008, the PEF issued a decision that welcomed an institutional discussion on the development of wind-power facilities in the North Sea area—a prospective goal confirmed by a later meeting on June 6, 2009, which called for a more structured working plan for the fledgling infrastructure project. The impulse given by the PEF cooperation framework was essential to involve other North Sea countries in the project. Nine governments—Belgium, Denmark, France, Germany, Ireland, Luxembourg, the Netherlands, Sweden, and the United Kingdom—signed a political declaration on the North

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[81] The PEF is institutionally embedded in the framework of Benelux—an organisation for economic dialogue and cooperation formed by Belgium, Luxembourg, and the Netherlands. In order to address the issue of cross-border integration and infrastructure investment, the Benelux members have also invited two neighbours, France and Germany, to take part in the Forum.

[82] The PEF ultimately delivered a Memorandum of Understanding on 'Market coupling and security of supply in Central Western Europe' (PEF, 2007).

Sea countries' Offshore Grid Initiative (NSCOGI) on December 7, 2009. The document recognised the importance of the PEF's preliminary work to set up a working plan and a discussion table for the development of the project, as well as the fundamental contribution of the technological and policy expertise put forth by the research and analysis groups. Deeper institutional context for the Initiative came from the European Commission's (2008d) European Economy Recovery Plan (EERP)—a communication recommending an agenda of investment boost and increased competitiveness—which included, in a list of ten pivotal actions, proposals for several billion euros to be invested in energy infrastructure over the medium-term. At about the same time, Regulation No. 663/2009/EC granted an initial fund of 160 million euros for infrastructure projects in the North Sea area.

During the Belgian presidency of the Council of the EU of the last semester of 2010, the then Belgian minister for energy, Paul Magnette, drove a new political effort among the parties of the Initiative, which eventually led to the signature of a Memorandum of Understanding on the NSCOGI on December 3, 2010. In February 2011, Norway also joined the Initiative as its tenth governmental member. The Memorandum includes the European Commission and two 'policised' EU-level regulatory bodies such as ENTSO-E and ACER among its signatories, and the institutional grounds upon which the document rests refer to the Commission's second and third energy legislative packages, as well as to the 2020 objectives, the Energy Infrastructure Package, and the Roadmap 2050.

The structure and mission of the NSCOGI is divided between three Working Groups, each with specific purposes and a timeline for action. The first group deals with issues of grid configuration and integration, and its main goal—with provisional deadlines spread across 2012—is to produce viable scenarios for grid implementation in the 2020-2030, while also taking into consideration issues concerning interconnection between structures referring to different national jurisdiction and, more importantly, cost-benefit assessments of techni-

cally viable grid configurations. The second group covers market and regulatory issues and is supposed to consult the Initiative's parties on market barriers still impeding the actual integration of the electricity markets and infrastructure across borders. This group's 'deliverables' are strategic in terms of cross-border investments and operations, and addresses explicitly the issue of market penetration (and profitability) of renewable sources of energy in the different national contexts. The third group deals with planning and authorisation procedures. Its purpose is to identify potential vertical regulatory or legislative bottlenecks impeding cross-border integration and aims to "reduce substantially the length and complexity of decision making procedures for… reinforcement related to offshore development" by identifying best practices and proposing ad hoc measures (NSCOGI, 2010:10).

Although pragmatically reasonable, the division of the NSCOGI into three main working groups with different backgrounds, scopes, and interests involved has complicated the pattern of work. The different experiences and objectives that converge within the Working Groups are at risk of impeding progress if the dialogue between national regulators, national political forces, and industry and civil society representatives becomes less harmonious in the institutional venues currently available. The Commission has attempted to provide the parties with a blueprint for cooperation through its policy recommendations and interventions in the process. The Energy Infrastructure Package, in particular, is an attempt to break this potential negative loop in the course of negotiations.[83] The working groups, moreover, have worked in close collaboration with the European Commission, especially in the person of the EU Coordinator for Baltic and North Sea off-shore wind connections (see *infra*), Georg Adamowitsch, and his staff. Most deadlines for deliverables in the agenda of the working groups are set for 2012, either in June or December. As of June 2012, however, only the third working group on planning and authorisation seems likely to deliver its find-

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[83] Interview with a DG Energy policy officer and member of the Adamowitsch Group, Brussels, 27 June 2012.

ings according to the original Memorandum's schedule, while the other two groups seem to be performing slightly late on the expected deadlines.[84]

The European Commission: the North Sea as a priority area through time

In 2006, the European Commission started paying further attention to the strategic prospects of energy infrastructure in the North Sea. Initially, the main focus was almost exclusively on gas interconnections, with pipelines and connection facilities between the United Kingdom and the continent being recommended as projects of European interest in the TEN-E project guidelines.[85] In early 2007, the Priority Interconnection Plan (European Commission, 2006c:8) classified the link between the Danish site of Kassø and Hamburg, an electricity infrastructure project connecting the shores of Denmark and Germany, as being "vital to completing the internal market, integrating generation from renewable energy sources into the market and significantly improving security of supply" and "essential for integration of large volumes of wind electricity" across Northern Europe. Alongside with identifying infrastructure development priority areas, the same document also recommended the creation of European coordinators for energy projects, building on positive experiences in other and diverse sectors—such as counter-terrorism or anti-trafficking.

The Brussels European Council of March 2007 encouraged the Commission to appoint coordinators for the main priority areas. The support from the European Council is particularly telling of the Commission's strategy. Considering that the underpinning rationale for the role of the European coordinators is to "promote *the European dimension of the project* and initiate a cross-border dialogue between promoters, the public and the private sector as well as local and regional Authorities and the local population" (European Commission, 2006c:10), this move suggests the intention of the Commission to strategically lead the

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[84] *Ibid.*
[85] Decision No. 1364/2006/EC, cf. footnote 43 above.

process and, as a matter of fact, *brand it* as a Commission-led policy action in line with a larger, policised understanding of energy policy means and goals. The European coordinator for Baltic and North Sea off-shore wind connections, Georg Wilhelm Adamowitsch, was appointed on September 12, 2007, together with other three coordinators responsible for as many priority projects of EU energy infrastructure.[86]

In 2008, the European Commission put forth another strategic document addressing overtly the development of offshore wind infrastructure and resources in Europe. The rationale for the document built on the increasing importance of the wind power industry in the landscape of the EU's energy endowment. It also emphasises how "*offshore wind can make a significant contribution to all three key objectives of the new Energy Policy*: reducing greenhouse gas emissions, ensuring security of supply and improving EU competitiveness" (European Commission, 2008c:2, emphasis in original), thereby responding fittingly to the strategic guidelines of energy policisation. Referring to the study by Woyte *et al*. (2008), the Commission admitted that "potential synergies between offshore projects and cross-border inter-connectors are currently not being exploited" (2008c:5). Accordingly, the Commission promoted a package of targeted and tailored financial investments to be framed within the Strategic Energy Technology (SET) Plan, the seventh Framework Programme for project financing, and the Intelligent Energy Europe (IEE) programme.[87]

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[86] Incidentally, Georg Adamowitsch has also been appointed European coordinator for another priority project, the "Salzburgleitung", or Austrian Power link Salzach neu-Tauern. In an interview with a DG Energy policy officer and member of the Adamowitsch Group (held in Brussels, on June 27, 2012), the work of the task-force on the Austrian project was described as so meticulous as to travel personally to all the sites and towns which were somehow affected by the EU's project, in order to meet the local communities, answer their questions, and address their concerns regarding the project. The European Commission—the interviewee confirmed—was regarded as the only widely credible and reliable policy actor in the lot, considering that transmission system operators (TSOs) are generally seen as market players looking for profit while governments or political local authorities were generally not willing to bear the political costs of the unpopular decisions connected to the project. The other priority areas assigned to European coordinators are the French-Spanish connection, the axis linking Caspian Sea countries and the Middle East to the European Union (including the Nabucco pipeline), and the northern European power-link.

[87] The programme was originally created by Decision No. 1230/2003/EC for the 2003-2006 period. A new programme (IIE-2) was launched in 2007 with a mandate for the 2007-2013 interval. The call for funding opened within the programme have financed, so far, about five hundred projects in the field of energy policy, research, and infrastructure.

While supporting entirely the policy platform composed by the joint initiative of the European coordinators, ENTSO-E, and ACER, the European Commission (2008c:9) welcomed a political effort "to bring together the various processes, authorities and stakeholders, to develop 'best practice' through specific cases, and to stimulate the emergence of similar cooperation efforts elsewhere, beginning with the North Sea".

The interest of the European Commission for the energy infrastructure development of the North Sea has also taken other forms than the more institutional presence of EU legislation and Commission-appointed officials. The Commission has tried to multiply its influence on the policy-making process by branching out its presence through ad hoc European consortia of national bodies and authorities. This is part of the programmatic strategy to reformulate energy policy in genuinely European terms, as well as to create a policy space which is accessible exclusively at the EU level and in which those actors, rejecting integration and cross-border cooperation, are inevitably relegated to the role of outsiders. In this fashion and against this backdrop, EU consortia such as the Energy Network of Transmission System Operators for Electricity (ENTSO-E) and the Agency for the Cooperation of Energy Regulators (ACER) worked as springboards for further integration of traditionally inward-looking domestic bodies, in order to engage them in EU-wide projects and make them commit to European goals while bypassing the conventional governmental mandate.

This persevering process of policisation of energy policy's European dimension by the Commission has been consistent in the field of electricity market construction and infrastructure policy. The Commission has always regarded the unification of electricity regulation and transmission operation as an essential goal to complete the construction of an efficient electricity market and EU-wide infrastructure. In 2007, the first SER advocated for the establishment of "a new Community mechanism and structure for Transmission System Operators, responsible for co-ordinated network planning, reporting to national regulators and

the Commission" (European Commission, 2007a:22). In 2008, the Commission's (2008c:10) communication on offshore wind energy overtly committed to "facilitate regional cooperation on offshore energy site and grid planning between Member States, energy regulators, transmission system operators… and other relevant stakeholders".

The goal of integrating Europe's electricity production, transmission, and distribution infrastructure, however, was particularly problematic. Until the late 2000s, regional cooperation among domestic regulators and transmission system operators (TSOs) was the only pattern of integration across the continent. The map of electricity in Europe was composed by seven detached "power pools" of integrated national systems (see Figure 4.8).[88] Each pool lacked adequate interconnections and shared standards with the other blocs: difficult cross-border transmission clogged the network's capacity especially along "highly congested axes", resulting in inefficient performance bottlenecks and higher costs for both TSOs and taxpayers (CESI *et al*., 2005:9-10).

Figure 4.8. Electricity network 'power pools' until 2009.
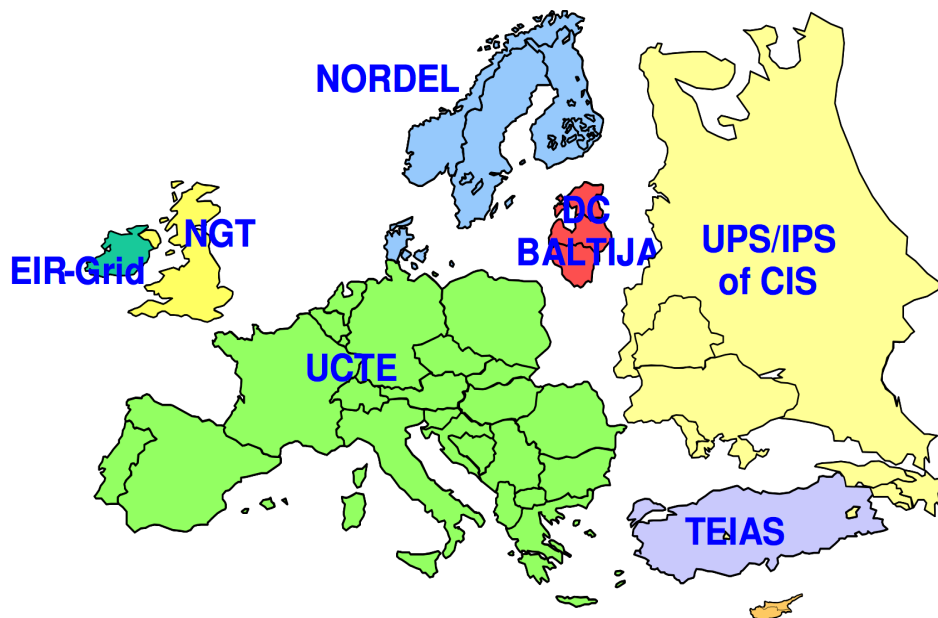
(source: CESI *et al*., 2005:9)

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[88] The pools included four multi-national blocs (UCTE for Western and Central Europe, Nordel for Scandinavia, DC Baltija for the Baltic countries, UPS/IPS for former-Soviet Union countries and the Russian Federation), as well as three national networks: NGT (United Kingdom), EIR-Grid (Ireland), and TEIAS (Turkey).

Following the recommendations of the Commission's programmatic platform, Article 5 of the latest regulation on electricity network access,[89] part of the so-called third energy legislative package which entered into force in 2009, established ENTSO-E. It is now responsible for the electricity transmission system and operations across Europe through an extensive integrated system that also includes non-EU countries such as Norway, Switzerland, Iceland, Serbia, Montenegro, Kosovo, Bosnia-i-Herzegovina, and the former Yugoslavian Republic of Macedonia. The network works as an EU-sponsored integration platform of national TSOs.

Figure 4.9. ENTSO-E's Europe-wide electricity network.

(source: ENTSO-E)

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[89] Regulation No. 714/2009/EC of 13 July 2009 on conditions for access to the network for cross-border exchanges in electricity and repealing Regulation (EC) No. 1228/2003.

The structural shortcomings that ENTSO-E is mandated to address are visibly depicted by the map of Europe's electricity network (see Figure 4.9), which still betrays quite visibly the separation of national systems into bordering and yet non-communicating blocs in spite of the sometimes incredibly dense interconnections running parallel to each country's political boundaries. The border between Germany and France, or the mere two interconnections[90] between Spain and France are clear examples of the current degree of integration—or lack thereof—of the European network. It is this expectation–reality gap between the desirable outcome of an integrated EU-wide network and the actual inability of national systems to overcome their inward-looking concern with domestic infrastructure and performance that has prompted growing convergence on a more cooperative European way to define and tackle issues of efficiency and coherence in electricity production, transmission, and distribution across the continent—as well as the wave of institutional renovation and development sponsored by the European Commission in the late 2000s, of which ENTSO-E and ACER are the most visible outputs.

On the one hand, and in spite of the challenges ahead and the ambition of its mandate, ENTSO-E's contribution to EU energy infrastructure policy has been significant. In 2009, right after its establishment, the organisation produced an influential strategic document of medium- and long-term development of the European network, the Ten-year Network Development Plan (TYNDP), which served as a blueprint for several of the Commission's plans and initiatives included in the Energy Infrastructure Package later in 2010. The TYNDP draws several prospective scenarios for the integration of the European electricity network. The bedrock goals of this strategic planning rest on the 2020 objectives developed

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[90] The insufficient interconnection and the insulation of the two national systems is duly noted in the Ten-year Network Development Plan, which suggests increasing communication and power flows between the two countries across the Pyrenees.

by the European Commission, showing that the Commission was to some extent able to *socialise* the system operators which participate in ENTSO-E into its long-term aspirations and underpinning 'vision' of a fully-established and effective internal energy market. The TYNDP scenarios are cast against the background of the 2020 objectives and adopt a series of benchmark indicators consistent with the Commission's strategy. More specifically, the TYNDP goes on to assess the performance of the EU's energy production and transmission system to match the expectations raised by the 2020 framework. While the use of electric power coming from renewable energy sources can positively stand the pace of the long-term goals, the cut of industrial carbon emissions shows more worrying prospects. The report is even more precise in pointing out that "macro-economic conditions, favouring coal-fired or gas-fired power plants" in the various national energy systems, will certainly play a role in the achievement of the twenty-percent drop objective (ENTSO-E, 2010:66).

The substantial understanding of ENTSO-E in this regard, however, leads unmistakably to the 2020 vision's virtuous circle: more electricity generation from renewable sources, which may more easily connected with the existing transmission network, will improve environmental sustainability, capacity allocation, states' solidarity, market efficiency, and ultimately the energy security of Europe even in the longer term. This scenario, finally, welcomes the inherent paradox that Europe's energy endowment is going to face in the coming years: an increase in actual *power demand*, which is nonetheless "compatible with the overall decrease of energy consumption (and not only electricity) by 20% compared to the business-as-usual scenario" thanks to the switch from oil or gas to electricity for end-user activities and consumption (e.g., heating, household activities, or transport) and to the impact of effective and integrated energy saving and efficiency policies at the EU level.

In the ENTSO-E programmatic landscape, the North Sea plays a fundamental role for the enhancement of the electricity network across Europe and the development of renewable

energy-generated power. The ENTSO-E planning blueprint considers the North Sea as an independent regional group with specific characteristics, objectives, and potential to contribute to the larger demands of the integrated European network. Specifically, the North Sea fits very well in the project of connecting more renewable-generated electricity with the system thanks to the potential of offshore wind-power technology and the geographical features of the North Sea basin. The micro-setting of the North Sea, moreover, seems to offer all the necessary elements for the inception of a beneficial 'upward spiral': the characteristics of the region attract investments in renewable sources—namely, offshore wind power and both hydro- and tidal power generation, while more renewable sources' plants and facilities concentrated in one region call for additional interconnections both with the onshore network and across borders. As a result, more investment in RES-generated electricity infrastructure has beneficial effects on network interconnectedness and increases the demand for efficient network integration. Finally, conventional fossil-fuelled plants and infrastructure in the North Sea area is inevitably ageing. ENTSO-E (2010:89) foresees that increasing consumption in a liberalised EU electricity market, together with infrastructure obsolescence and the "nuclear phase out started in some countries", will create "opportunities… integrating renewable and conventional energy sources, considering new technologies and new locations". The TYNDP advanced a roadmap for the implementation and management of an integrated North Sea power grid, addressing seven structural shortcomings with as many policy suggestions. The document promotes, in particular, enhanced cooperation and dialogue among both the system operators and the national regulators (ENTSO-E, 2010:158), suggesting several key objectives:

"National (local) governments must… ensure international coordination".

"Policymakers (and regulators) [are recommended] to coordinate".

"Parallel and coordinated work of all stakeholders is necessary".

"Regulators should coordinate".

"Alignment of security/planning standards and connection rules… is recommended".

The ENTSO-E North Sea grid recommendations move along two main lines: on the one hand, direct responsibility to the lowest (most local) technical management level, i.e., TSOs; on the other hand, strong involvement of cooperating national governments and policy makers. In this regard, also ENTSO-E (2010:158) welcomed "the creation of the North Sea countries' Offshore Grid Initiative" and aims to contribute to the "coordination on the offshore interfaces" of the various national systems and networks. ENTSO-E analysts perfected the consortium's policy stance on the North Sea grid later in 2011 with a document which focused on different implementation scenarios for wind-power interconnection between offshore farms and online transformation facilities. The document rests on a strong integrationist claim and supports the view according to which, also technically speaking, there is no solution other than cooperatively integrated national systems to make efficient transmission and solidarity and capacity-allocation mechanisms work properly on a European scale. In line with the findings and stance of several other studies in this field and mentioned above (De Decker and Kreutzkamp, 2011; Van Hulle, 2009), ENTSO-E policy recommendations promote the implementation of a meshed grid design in the North Sea, as opposed to the current radial standard for infrastructural connection.

The creation of ACER in 2010, on the other hand, is perhaps too recent to provide a useful assessment of its impact on the development of energy infrastructure policy in the North Sea.[91] Nonetheless, the Agency has been actively involved—together with a Commission representative and ENTSO-E—in the NSCOGI. The participation of national regulators as a bloc or unique body in the Initiative completes a process of institutionalisation and formalisation of a long-standing collaboration which had already been set in motion via informal

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[91] Interview with a DG Energy policy officer and member of the Adamowitsch Group, Brussels, 27 June 2012.

ways of coordination.[92] The regulators participate in a 'division of labour' within the NSCOGI framework, especially as far as the second Working Group of the Initiative—on market and regulation—is concerned. Even though the degree of formalisation is still embryonic and these consortia have been working more as 'labels' than actual institutions, the regulators have welcomed the Commission's strategic goal to set up cooperation *loci* at the European level for the national regulators to exchange expertise and gain leverage also vis-à-vis their respective national governments.[93]

4.3. Policisation through socialisation: 'controlling' the North Sea grid

The main argument of this chapter is that, at a given point in time, the European Commission initiated a discursive endeavour in energy policy-making which was able to alter the status quo—i.e., an inward-looking national approach that did not consider the full integration of Europe's electricity market as a key goal for the development of energy infrastructure. The European Commission has supported the idea that more cross-border integration and enhanced EU-wide cooperation are fundamental to achieve any of the EU's energy policy objectives. This hypothesis begs the questions of when this narrative was initiated, how it has been performed, and to what extent this discursive action has ultimately changed the outcomes of EU energy infrastructure and renewable policies and helped make the achievement of the 2020 goals closer. The aim of this section is to draw a conceptual map and timeline of how certain ideas, conveyed by the Commission through a certain type of discourse and acts, have managed to create new and otherwise unattainable policy opportunities in EU energy infrastructure policy.

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[92] Interview with a policy analyst from French energy regulator and ACER member, *Commission de Régulation de l'Énergie* (CRE), Paris, 22 June 2012.
[93] *Ibid.*

The methodological grounds of this analysis rest on a simple observation. A specific policy field, i.e., energy infrastructure, which until 2007 was by and large a national prerogative managed *vertically* by governments in close collaboration with their energy regulators and system operators, is now progressively transforming into a shared competence at the EU level. Within such a framework, several actors—EU institutions, national governments, regulators and system operators both individually and within EU consortia, market players, and organised interests or advocacy groups—can be involved *horizontally* and according to an EU-wide long-term perspective. This shift in vision may as well tone down the discursive emphasis and political preoccupation with national borders and their role in limiting the jurisdiction and scope of action of past infrastructure policies. As far as this process of discursive transformation is concerned, this case study analyses the relation between the variation in discursive vehicles and intensity adopted in the process (independent variable) and the establishment of an EU-wide network for energy infrastructure as the outcome of an intentional discursive strategy under the programmatic impulse of the European Commission (dependent variable).

To sketch a timeline of this process (Figure 4.10) and building on the analysis carried out in this chapter and in the sections above, the construction of an efficient electricity infrastructure was a largely national policy competence[94] at least until 2007, when the conclusions and recommendations of the Priority Interconnection Plan were first collected and assimilated by the European Council. It is true, however, that the legal and strategic framework of the TEN-E programme (1996-2006) had created a long and politically grey area in which projects of 'European interest' were welcomed and organised under one single Commission-led policy umbrella. In 2006-2007, however, the Commission's communications and strate-

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[94] Or, at best, a regional one, cf. the unitary UCTE electricity pool in Central Western Europe before the establishment of ENTSO-E.

gic documents on the new sustainable, competitive, and secure EU energy policy discursively united the fortunes of energy infrastructure developments with those of renewable energy promotion as well as of internal energy market competition and effective decarbonisation of EU economies and productive activities. It is at this point in time, finally, that energy infrastructure policy—and, in particular, technically-advanced interconnection renewable energy sources in the North Sea—starts being presented as one of the several building stones of a new energy policy, which is structurally multidimensional, diversified, and based entirely on specific technical policy decisions rather than political, let alone securitised, dilemmas.

Figure 4.10. Timeline of discursive action by the European Commission to re-shape EU energy infrastructure policy.
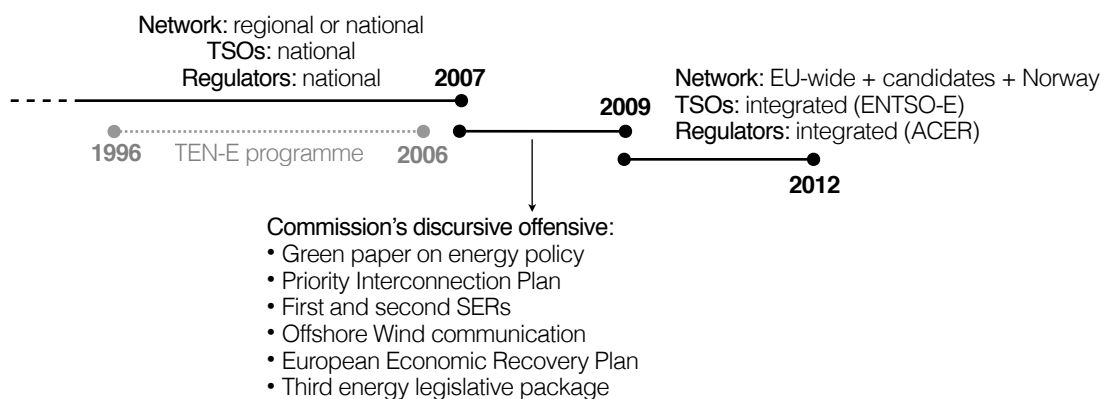
(source: own elaboration)

The outcome of this strategic intervention by the Commission was not, of course, the establishment of a formal 'European infrastructure policy' in which national governments pool at the EU level all of their prerogatives and powers on the matter. Rather, intergovernmental action inspired by 'progressive' national actors and giving impulse to regional projects and initiatives has continued to be the norm in this sector. This entails that the ultimate strategic objective of the Commission was not to create a formal or institutionalised 'community' infrastructure policy, but rather to guide governments towards policy cooperation and cross-border integration while conceding them the discursive 'image' of being *politically leading*

the whole process. Finally, the one assumption underpinning this analysis is that the European Commission has a structural interest in increasing the areas under its own competence in EU public policy and progressing the process of European integration.[95] Even though the case of energy infrastructure policy in the North Sea shows that most policy projects are led or initiated by the Member States' governments or via regional cooperation, the European Commission has attempted to re-organise discursively energy policy in Europe so that cooperation rather than insulation, material and political integration rather than inward-looking coexistence, and interdependence rather than unbalance could eventually prevail—thereby involving Member States in a scenario which is not necessarily consistent with those basic national interests that are generally assumed to characterise domestic policy concerns.

This section develops by analysing the process of instrumental re-framing of energy infrastructure policy by the European Commission, adopting a modified three-phase version of the 'technocratic'/low-politics policy re-framing route (Cobb *et al*., 1976; Princen and Rhinard, 2006): policy initiation, frame elaboration, and frame competition. The first dimension analyses the Commission's support to the inception of policy debate about the North Sea's potential within the 'epistemic community' of wind-power and renewable energy advocacy groups, industry, and consultancy firms. The second dimension analyses the frame-construction process, with the establishment of a policy track running parallel to the inter-governmental one and the nesting of North Sea policies within the larger Energy 2020 frame. The third dimension analyses the process of frame competition, in which the policisation frame is presented to a number of different actors of the policy-making process in order to socialise them into the Commission's objectives.

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[95] Interview with a DG Energy policy officer, Brussels, 20 June 2012. The analytical assumption is similarly substantiated by other works in the literature (Hooghe, 2001; 2012; Majone, 1996).

Policy initiation: Commission's support to issue definition and epistemic expertise

The European Commission's attempt to re-frame the development of offshore wind power infrastructures in the North Sea and narrate it as a crucial component of its broader and paradigmatic vision of the EU's energy policy for the next decades has rested since the beginning of the process—i.e., the early 2000s—on a kernel of scientific knowledge that justified and promoted technological and financial investment in this direction. The key pattern under observation here is one of instrumental policy initiation, through which the Commission has funded and politically sponsored specific technical expertise practically congruous with its own energy policy paradigm.

As mentioned in the previous section, policy actors from the renewable energy industry, the electricity transmission industry, and environmental advocacy groups have actively researched and then supported the potential expansion of offshore-generated wind power in Europe's northern sea basins, including the North and the Baltic seas. International non-governmental organisations such as Greenpeace have advocated for the establishment of a Europe-wide framework of renewable energy policy, and it was their collaboration with infrastructure planning and design consultancy firm 3E, in 2008, which ultimately sparked the interest of the ministers of the Pentalateral Energy Forum (cf. Woyte *et al*., 2008) and formally inserted the development of offshore wind facilities and interconnections into a relevant regional public policy agenda—i.e., that of the nine North Sea-bordering EU Member States that, together with Norway, today participate in the NSCOGI. Similarly, the industry of renewable energy in general (and offshore infrastructure in particular) showed a significant interest in developing expansive projects in the North Sea area, with the pre-eminent examples of the European Wind Energy Association—whose worldwide membership counts

over 700 associates from 60 countries—and, more recently, of the Friends of the Supergrid (FoSG) consortium.[96]

The high degree of cooperation among a limited number of stakeholders, the ability to cluster different interests—economic and financial in the case of the wind energy industry, more 'principled' and advocacy-driven in the case of Greenpeace (Gerdes *et al*., 2005; Teske, 2005)—around a specific and shared policy objective, as well as the diffusion among the insiders of a restricted core of technical knowledge and expertise shows that wind power development in the North Sea and its interconnection to the mainland electricity network has developed through time as an effective "epistemic community" (P. Haas, 1992), whose consistency was crucial for the PEF to acknowledge the issue and introduce it in a formal public agenda.[97] On its part, the European Commission was not at all indifferent to these developments. Its early interest in the unravelling of the North Sea's potential can be traced basically

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[96] The association was established under private Belgian law in 2010 and its membership includes, to date, 17 companies from the renewable power and energy infrastructure industry and 4 national energy companies and TSOs—together with 3E as planning advisor. The association's mission connects directly to Mainstream Renewable Power, an offshore developer and a stakeholder in the European supergrid projects. More information was made available during a phone interview with Ms. Aguado, CEO of the Friends of the Supergrid, held on May 31, 2012.

[97] It could be nonetheless debated whether the stakeholders involved in offshore wind advocacy in the North Sea do indeed form a consistent epistemic community, or whether they *fail* the first criterion of Peter Haas's (1992:3) analytical test: "a shared set of normative and principled beliefs". As far as policy framing in the EU is concerned, Princen and Rhinard (2006:1121) agree that, because of the expertise and knowledge they are able to generate, actors in a low-politics/technocratic route of agenda-setting should indeed be considered like Haas's epistemic communities. And it is true, moreover, that all stakeholders of North Sea offshore projects share the belief that only 'cleaner' renewable energy production can make Europe's energy consumption less obsolescent and more sustainable, and that only a more efficient and interconnected market can safeguard Europe's energy security endogenously. A step backwards, however, into the ideational motivations of the different actors would show that diverging interests—e.g., market profit versus environmental protection—justify the rationale for their individual commitment. Other analytical frameworks, however, do not necessarily provide the analyst with sounder insights. The absence of opposing or competing *epistemes* or coalitions of organised interests discards the possibility of considering the heterogeneous group of lobbies, industry companies, consultancy firms, and advocacy organisations which has been supporting the development of wind power offshore infrastructure in the North Sea as an *advocacy coalition* in the analytical meaning postulated by Sabatier and Jenkins-Smith (1993)—which is by the way more interested in explaining policy change by means conflict rather than by knowledge-based agenda setting and policy framing. Moreover, considering that the case under observation in this study has only developed approximately over the last five years, such analysis would fail to assess one of Sabatier's (1998:106) main working hypotheses—i.e., that the balance between or line-up of adversarial coalitions (as well as their internal consensus) on a given public policy issue is by and large bound to change in accordance to decade-long cycles.

along three main tracks, i.e., in terms of financial aid, political sponsorship, and ideational convergence with the stakeholders involved in the first steps of policy initiation.

The financial dimension of renewable and infrastructure energy policy in the North Sea has been since the earlier stages a crucial dimension of Commission-led re-framing. Key funding frameworks established and coordinated by the Commission such as the Seventh Framework Programme (FP7) and the IEE programme have provided the stakeholders with the financial resources as well as with the normative and ideational route for their projects to follow.[98] In absolute figures, over 2.2 billion euros were destined to energy projects within the FP7's 2007–2013 budget—out of a gross total of 55.8 billion. The current IEE programme has made 730 million euros available for the 2007–2013 period, and has financed 460 finalised projects promoting energy efficiency and renewable technologies since 2003. A measure of the combined impact of FP7 and IEE on the development of wind power energy and electricity infrastructure in the North Sea can be given by analysing the participation of the epistemic community in the framework—with 3E and EWEA taking part in five finalised projects respectively.[99] Moreover, the European Investment Bank (EIB) has been particularly active in the North Sea area, with a history of investments and loans in the field of offshore wind farms and interconnection construction. In 2003, the EIB issued a 134 million euros loan to Denmark for the establishment of the Horns Rev offshore wind farm.[100] In 2010, the EIB took part in a consortium of European banks financing the construction of the

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[98] It is worth noting that the 7th Framework Programme is, to date, the largest financial instrument dedicated by EU institutions to applied research Europe-wide. The Programme covers the 2007–2013 timeframe and has co-financed research projects and technological developments for a total amount of nearly 56 billion euros—an increase of 63 percent compared with the previous FP6 programme (European Commission, 2007b).

[99] EWEA was an IEE partner of the WindFacts (2009), WindBarriers (2010), and Seanergy (2012) projects. 3E was an IEE partner of the Impact (2007), Reshape (2008), and New4Old (2010) projects. Both stakeholders were partners in the TradeWind (2009) and OffshoreGrid (2009) IEE-funded projects.

[100] EIB press release, *EIB finances world's largest offshore wind farm in Denmark*. Ref. BEI/03/47. Luxembourg, 19 May 2003.

Borkum wind farm, the first German offshore facility in the North Sea.[101] In 2011, two interventions by the EIB granted a 450-million loan for the construction of an electricity interconnection between Amsterdam and Rotterdam to be subsequently integrated in the European grid and a 500-million loan for the establishment of the Global Tech I wind farm off the German shore.[102]

With the appointment of the European coordinators for energy, the Commission strengthened its public stance and increased its communication effort on the issue. At the 2008 European Wind Energy Conference, the then Commissioner for Energy, Andris Piebalgs, addressed his audience pointing out how wind power had "delivered the most promising results in the EU for a number of years" and stated overtly that the Commission meant to "secure a favourable framework for the development of wind in the European Union" (Piebalgs, 2008:2). The speech also served as a springboard to promote the Commission's communication on offshore wind power (2008c), to advertise the appointment of Georg Adamowitsch as the European coordinator responsible for electricity and offshore renewables developments in the North and Baltic seas, as well as to hint cooperatively at other stakeholders, mentioning in particular "the industry's plans for the creation of a pan-European sub-sea energy grid… an interesting project which could potentially enable the incorporation of large quantities of offshore wind into the European electricity market" (Piebalgs, 2008:4). Both the Commission's Strategic Energy Reviews (2007a; 2008a) and green paper on a sustainable, competitive, and secure energy (2008b) identified the electricity-renewables binomial in the North Sea as a key priority area for long-term strategic and financial investment and revived the rhetorical commitment of Commission's officials (see for instance Barroso, 2008; 2011c).

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[101] EIB press release, *EIB finances Borkum offshore wind farm*. Ref. BEI/10/242. Luxembourg, 21 December 2010.
[102] EIB press release, *EIB supports key Dutch grid project to connect offshore wind farms*. Ref. BEI/11/13. Luxembourg, 31 January 2011; EIB press release, *Commercial and development banks join forces to finance Global Tech I offshore wind farm*. Ref. BEI/11/106. Luxembourg and Hamburg, 7 July 2011.

Similarly, the EERP (European Commission, 2008d) granted 565 million euros to offshore wind-related projects in the attempt to stimulate the industry and long-term investment, as well as to confront "the 'not-in-my-back-yard' phenomenon… the biggest challenge to the 2020 targets" (Piebalgs, 2009c:3). In its speech at the 2009 European Offshore Wind Conference, Commissioner Piebalgs addressed directly the issue of renewable energy's "social acceptance", pointing once again at the need for the Commission and all the offshore industry stakeholders to "make communities see the bigger picture and to preserve, or even improve, the positive image that citizens generally have of renewable energies" (2009c:3). Member States—some of which had not "yet come to [the] conclusion [that] the political and socio-economic benefits of this technology are simply too significant" (Piebalgs, 2009c:3)—were to be involved too. Piebalgs's speech, incidentally close to both the publication of the recovery plan and the United Nations' 2009 climate change summit in Copenhagen, showed the Commission's determination to re-frame the discourse on offshore wind power and nest it within the broader Energy 2020 platform that it had been developing (Piebalgs, 2009c:2, emphasis added):

> [O]ffshore wind can deliver a critical contribution to a more *climate-friendly power system*. In addition, of course, offshore wind energy can make a significant contribution to improving *security of energy supplies* in Europe, and to *creating jobs* and generating *economic development*.

Finally, when trying to re-frame offshore wind power as a structural component of the new policy platform envisioned by the EU for the decades ahead, the Commission's effort was somewhat relieved by a certain convergence of ideas and wishful planning between the vision and strategy it has established and the long-term interests and objectives of some of the other stakeholders. The stance of some of the actors to which the Commission has presented its own policy platform over the last five years was, to some extent, a fertile ground for the

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ideas—i.e., a competitive, efficient, secure, and environmentally sustainable energy poli-cy—on which this strategy rests. Back in 2005, actors from the wind energy industry approached this policy field and designed prospective scenarios with the far-reaching idea that "wind power meets all the requirements of current EU energy policy and simultaneously offers a way forward in an era of high fuel prices" (EWEA, 2005:6). In 2008, an internationally reputed and effective organisation such as Greenpeace warned that "the EU power system today is still dominated by large coal and nuclear plants" (Woyte *et al*., 2008:4), and the repercussions on both society and the environment had become unsustainable, considering that:

> large-scale power plants… are inflexible when it comes to our needs. A power system dependent on big power plants is also inefficient; about two-thirds of the energy generated is lost in heat, which is discharged into the environment.

The organisation urged the Commission and the Member States of the North Sea area to "build a coordinated European approach to the planning of offshore wind development in the North Sea" and frame this measure within a renovated idea of a "new European energy policy" (Woyte *et al*., 2008:3-4). As the effects of the two SERs and the EERP began to deploy at the EU level, and while a key core of epistemic knowledge on relevant offshore wind power prospects started to kindle regional cooperation among the governments of the North Sea countries, the European Commission encountered a positively responsive group of committed stakeholders and interest groups. This situation fostered a more cooperative or 'coalition-based' approach on the part of the Commission when entering the policy-making process and made socialisaton-based policy framing a favourable option for the establishment of a policised narrative.

Frame elaboration: nesting the North Sea in the broader paradigm

In 2007, the European Commission began to put forward a discursive offensive about the development of renewable energy and electricity interconnections in the North Sea and to

mainland Europe, presenting it as a key component of its larger vision on long-term EU energy policy objective—i.e., those that were then formalised in the Energy 2020 initiative in 2010. As shown in this section, at that point in time the issue had only been addressed by a specialised and committed epistemic community in the field of renewable energy technology, wind power industry, and environmental protection. Some of the findings delivered by this community managed to spark the interest of a number of EU Member States from the North Sea area, which eventually introduced the topic of an electricity grid in the North Sea connecting wind power facilities to the continent into a well-acknowledged, regional public policy agenda. Against this backdrop, the Commission found itself between the 'wishful support' given to the epistemic community by means of financial aid and investment programmes and the proactive involvement of the five governments of the PEF, with the risky possibility that a limited number of governments may take the lead of the process preventing the full deployment of the potential beneficial effects on a Europe-wide scale.

The main challenge for the Commission was to re-formulate and institutionalise the discourse on the North Sea grid and wind power infrastructures as part of the larger '2020 goals' narrative in order to harness the momentum of policy initiation and present the Commission as a reliable alternative policy leader for the stakeholders to cluster around. The process is similar to the "issue specification" routine in the "low politics route" identified by part of the policy framing literature (Princen and Rhinard, 2006:1121), according to which—at this stage—"expert groups and working parties will seek to formulate specific, technically sound proposals on a given issue before sending them out into the broader decision-making system". Similarly, the financial and political framework offered by the European Commission to the stakeholders' and epistemic communities—mostly the TEN-E, SET, and IEE programmes, together with the involvement of the EIB and the allocations by the EERP—had been fundamental to develop a critical mass of technical expertise on the topic but was

insufficient to actually push the process towards a visible and effective leadership by the Commission. Consequently, the Commission issued far more targeted and practical programmatic documents with more tactical than strategic implications (see Figures 4.1 and 4.9). While the third energy legislative package recommended the appointment of the European coordinators, technical documents such as the Priority Interconnection Plan (PIP), the two SERs, the communication on offshore wind power, and finally the Energy Infrastructure Package (EIP) aimed more precisely at specific projects. This was the case with the Kassø-Hamburg electricity interconnection in the PIP (2006c:8) and the recommendation to develop a "blueprint for a North Sea offshore grid" in the second SER (European Commission, 2008a:5).

It was the Energy Infrastructure Package (European Commission, 2010f), however, that marked a watershed in the involvement of the Commission and in the attention paid to the policy implications of the North Sea offshore grid. The document shows both a proactive and a reactive move on the part of DG Energy. On the one hand, it listed the offshore grid in the North and Baltic Seas among the "priority corridors for electricity" (European Commission, 2010f:25), creating a brand-new institutional channel to guide the Commission's interventions on the issue and formalising its commitment to the North Sea grid as the final outcome of the process. On the other hand, the EIP acknowledges the importance of the North Sea countries' Offshore Grid Initiative (NSCOGI) in developing regional market and infrastructure integration and recommends that any intervention or decision at the EU level be taken *building on* the achievements attained by the NSCOGI rather than besides them, in order to avoid inefficient and politically wearing decoupling of institutional resources and initiatives.

In this regard, the discursive vehicles set up by the Commission (2010f:27-28, emphasis added) in its EIP are strategically designed to take stock of successful political advances at

the level of interregional cooperation while, at the same time, to start *suggesting* a Commission-led alternative as an adequate policy environment to further develop the cooperation framework: the document recommends that further technical studies and initiatives be taken "*under the guidance* of the NSCOGI" and its "structured regional cooperation". Finally, the document acknowledged that "the commitment of the Member States to develop the grid in a coordinated way is very important", but also somewhat marked a threshold between regional planning and future concrete policy-making and implementation following the Commission's lead: the NSCOGI "should, *in line with the strategy presented in the Communication*, establish a working structure… and set a work plan with concrete timeframe and objectives" (European Commission, 2010f:28, emphasis added). The EIP and its wording formalise the existence of a 'parallel track' between the process set into motion and guided by the European Commission and the regional cooperation initiative sparked by the Member States of the North Sea area through the NSCOGI.

The Commission's track links the development of an offshore wind power infrastructure and its connection to the European electricity grid to "a new EU energy infrastructure… needed to coordinate and optimise network development on a continental scale" and considers "adequate, integrated and reliable energy networks" as "a crucial prerequisite" for the EU's goal of a competitive, sustainable, and secure energy policy (European Commission, 2010f:4-5). The Member States' track is extremely narrower in scope, and the NSCOGI's working groups pursue the ultimate goal of providing the Initiative's ten signatory governments with expertise on the most effective legislation, technical and financial designs, and reliable prospective scenarios for the implementation of the North Sea offshore grid

projects.[103] Moreover, the NSCOGI is also limited in time, with its formal mandate's deadlines falling in 2012 and the negotiations for prolonging the Initiative's mission still on-going.

The Commission's track has managed to *expand the issue* onto a larger policy plane—i.e., the Energy 2020 platform and the complex multi-dimensional approach to energy policy. The NSCOGI track is structurally limited to a restricted number of insiders and a short-term agenda. The main objective of the Commission is to take the lead of the policy-making process about the North Sea offshore grid and renewable energy development, certainly building on the cross-border cooperation experience of the NSCOGI but at the same time re-framing its scope in line with the Energy 2020 objectives. The appointment of the European coordinator and the establishment of the Adamowitsch Group, as well as the creation of two EU-wide consortia such as ENTSO-E and ACER have been the key moves in the socialisation process through which the Commission has attracted stakeholders, interest groups, and 'subsidiary' actors to its own discursive and policy track heading for a North Sea offshore grid.

Frame competition: socialising the underdogs into the common good

In the policy context in which the Commission set its discursive offensive in motion, energy infrastructure policy was, by and large, a national prerogative with a fairly narrow scope: policy action was limited to the national electricity markets of each Member State, as disciplined by national legislation and regulated by national energy authorities. The European Commission, by supporting the fledging epistemic community which developed the concept of integrating offshore renewable energy facilities with the electricity infrastructure on an EU-wide perspective, paved the way to stronger cross-border political cooperation and infrastructural integration, at least on a regional scale—i.e., to a process of EU energy *policisation*. As shown above, however, the two parallel tracks that have shaped energy infrastruc-

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[103] Interview with a DG Energy policy officer and member of the Adamowitsch Group, Brussels, 27 June 2012.

ture and renewables policy in the North Sea since 2007 have had different scope and mission. The intergovernmental track, as embodied in the proceedings and findings of the NSCOGI, has an extremely short-term vision and refers entirely to the technical goals set by the member governments—i.e., a sum of the different signatory parties with no real added value but the opportunity to establish a precedent or a best practice for future development.

The European Commission's track, conversely, looks at the North Sea as one of the twelve (European Commission, 2010f) segments in which the EU-wide internal energy market's infrastructure has been compartmentalised, with the aspiration to attract the various levels of national energy markets—the ministries, as well as the regulatory agencies, the local stakeholders, and the market players—into a genuinely European pattern of cross-border integration and cooperation. In its attempt to consolidate a European framework for energy infrastructure that may replace the obsolescent TEN-E programme, the Commission had to re-frame the policy discourse on renewable energy in the North Sea and market interconnection towards a more European and longer-term perspective. The Commission, that is, had to engage the intergovernmental track in *frame competition*, in order to attract as many stakeholders and actors into its own paradigmatic vision—one that includes several intertwined dimensions of energy policy, a timeframe that spans to 2050 (European Commission, 2011h), and that can only happen at the EU level and across truly integrated national systems.

The hypothesis put forward in this chapter is that, under the pressure of *having to* gain leadership of the policy process and successfully re-frame the policy framework towards a favourable direction, the European Commission has instrumentally *socialised* a number of actors into its own programmatic and strategic vision—hence expanding policy action in the North Sea beyond the time and space limits of regional intergovernmental cooperation.

Socialisation has been the object of extensive study in the field of both public policy and international relations and, in particular, through the lenses of an institutionalist analytical

framework. The basic research agenda of this current of study investigates whether institutions, at any level, are able to either adopt a certain behaviour or disseminate certain ideas that may *convince* other institutions and actors of the desirability of a given policy or normative objective or, at least, induct them "into the norms and rules of a given community" (Checkel, 2005:804). This sociological understanding of socialisation can help construct a particularly effective explanation of discursive framing mechanisms—which, in the literature, conceptually overlap with the "normative suasion" type of instrumental socialisation (Checkel, 2005:812).

Accordingly, institutions are able to set up successful policy re-framing only when they are able to convene their vision and ideas in an effective and lasting way. When a new policy frame is successfully established—as it is the case with the idea that the future of energy infrastructure in Europe is inevitably one of renewable energy facilities harmoniously integrated with a continental grid—the actor leading the process creates a new paradigm of appropriateness (i.e., what actors can do, the objectives that can be attained, and the rules of behaviour and competence that distinguish between outsiders and insiders in a like-minded group). Presented with the result of successful re-framing, the other actors have the opportunity to remain insiders of the process and abide by—i.e., be socialised into—the new vision, or drop out of the policy frame. Discourse and language (or, rather, the instrumental use of them) are a key component of the re-framing process, insofar as "normative suasion embodies a much 'thicker' role for [them], as constitutive of agents and their interests". By changing discourse via re-framing, therefore, some actors are able to rearrange the interests at play and socialise other actors into new policy directions.

In the case of renewable energy and infrastructure policy in the North Sea, the target of the socialisation attempt by the European Commission were the energy regulators and transmission system operators on both a regional and a continental scale. The collaboration of these

stakeholders is absolutely crucial to pursue the actual implementation of the Commission's policy projects and goals, considering the large implications that the current blueprints have on local communities, the involved territory, as well as the tight link between EU-wide, national, and local legislation and regulation. At least three phases of the socialisation process can be identified, even if just *ex post*—i.e., with no preliminary tactical understanding or intentionality. First, the deployment of all discursive vehicles (as shown in the sections above) re-elaborating and presenting the specific policy issue—the offshore grid—as part of a larger whole—the Energy 2020 goals. Second, the creation *ex novo* of an adequate institutional framework for policised re-framing to actually take place, i.e., a process of 'venue setting' by means of 'substantially European' institutions such as ENTSO-E and ACER which can formally embody the set of ideas, values and goals that the Commission is pursuing in energy infrastructure policy. Third, the persuasive work of inter-institutional linking, monitoring, and propulsion by the European coordinator, Georg Adamowitsch, and its staff.

The European (and EU-sponsored) consortia that the Commission has established in 2009-2010 are instrumentally-designed laboratories of cross-border cooperation in the field of energy infrastructure policy. The structure and purpose of both ENTSO-E and ACER revolve around the creation of a real European dimension of cooperation among types of actors—such as the energy regulatory agencies and the transmission system operators—which had previously only been socialised with strictly national objectives, interlocutors, and policy contexts. When interviewed, a member of the ACER regulatory group acknowledge the importance of cross-border cooperation among local agencies that, in different national contexts, nonetheless commit to the same goals and would benefit from systemic coordination and a more integrated division of labour at the EU level. The practical and technical nature of energy regulation, however, betrays the temptation of proceeding gradually towards this goal, i.e., favouring in the first place inter-regional cooperation with a lower number of actors involved, thereby

increasing the possibility for agreement while lowering transactional and information costs in smaller-scale projects—as it was the case with the inception of the NSCOGI.[104]

The association document of ENTSO-E, for instance, states overtly that the purpose of the Network is to "pursue the co-operation of the European TSOs both on the *pan-European and regional level*" and engages its members in "an active and important role in the European rule setting process in compliance with EU legislation" (ENTSO-E, 2011a:3, emphasis added). Similarly, the Work Programme of ACER for 2011 listed, among the aims and goals of the Agency, "assisting [national regulatory agencies] in exercising, at Community level, the regulatory functions performed in the Member States and, where necessary,... *coordinating their actions*". The framework designed by the Commission deploys certain discursive vehicles consistent with a socialisation hypothesis and even more with a tactic of normative suasion—for instance when ACER's Work Programme acknowledges that "ACER has at present little decision-making powers" and yet it can nonetheless play an important role in this process" (ACER, 2010:3, emphasis added).

The process of normative suasion, in this case, aimed to 'extricate' a group of inherently national stakeholders and to insulate them within a genuinely European setting. Constrained by the ad hoc institutional limits that the Commission had built around them, regulators and system operators almost *had to* be socialised into the new idea that European cooperation on these matters was possible, that national inward-looking interests did not 'tell the whole story' about the potential benefits of an integrated electricity market, and—most importantly—that the European framework established by the Commission was even able to provide

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them with larger room for manoeuvre and decisional powers that they had been previously granted by their national governments in other policy contexts.[105]

The Adamowitsch Group, for its part, has carried out a duty of *liaison* between the two opposite interest 'poles' of the process. Officially appointed by the Commission and an institutional component of the energy policy framework of the EU, the European coordinator produces a yearly monitoring report on the objectives attained in energy infrastructure development in the North and Baltic seas. Its reports have positively acknowledged the results of regional intergovernmental cooperation within the NSCOGI. At the same time, the Adamowitsch Group has pushed the Commission-led agenda on the issue with the aim to make the two parallel tracks start converging. The aspiration of the European coordinator, as well as of the Commission more generally, to make the two track finally overlap and prolong the regional cooperative effort in the North Sea beyond the 2012 deadlines of the NSCOGI build substantially on the past positive experience of the Baltic Energy Market Interconnection Plan (BEMIP), an initiative guided single-handled by the European Commission which successful attempted to create additional electricity interconnections between continental Europe, Sweden, and the newly-accessed Baltic countries.[106] The Plan showed the ability of the Commission to engage different range of actors—i.e., stakeholders, national regulators, and national governments—in an initiative whose objectives were fully consistent with the 2020 agenda of the Commission. As mentioned *supra*, the Plan successfully allowed DG Energy to create a safeguard net against sudden energy or electricity disruptions for the Baltic countries, while at the same time alleviating the political and economic pressure of Russia, with which the Baltic states had previously shared their only electricity grid interconnec-

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[105] Interview with a policy analyst from French energy regulator and ACER member, *Commission de Régulation de l'Énergie* (CRE), Paris, 22 June 2012.

[106] Interview with a DG Energy policy officer and member of the Adamowitsch Group, Brussels, 27 June 2012.

tion. Similarly, the Adamowitsch Group has tried to re-frame the developments of the NSCOGI and its working groups as a more EU-oriented and consistent project, i.e., "a major European-level progress towards addressing the issues surrounding the need for a European transmission network linking the future offshore parks in the North and Baltic Seas" (Adamowitsch Group, 2010:5).[107]

The reports also provide the NSCOGI stakeholders with additional technical information,[108] recommendations from the Commission, and with updated objectives to be met in order to keep the process developments on track. To date, however, the crucial added value of the Adamowitsch Group has been its ability to constantly revive the NSCOGI agenda and at the same time to keep the links and the connections among the stakeholders involved in the process as active as possible. The European coordinator has developed a routine of meetings and events that often constitute the only opportunity for stakeholders at different levels—with different perspectives and objectives—to meet and discuss the major implications of the project. This routine also creates otherwise unavailable political and technical opportunities, thanks to which the Commission—being in control of the discursive context and showing it is pro-active to the widest range of stakeholders—is able to guide the participation of other actors towards certain goals and further socialise their stance into a more European vision. Since 2008, the Adamowitsch Group's monitoring, recommendations, and meetings have spread the perception that the Commission's narrative is the only viable policy arena in which the development and the implications of the offshore grid—as well as the potential and the future of more intergovernmental projects such as the NSCOGI—can be debated, arranged, and adequately pursued. The actual goal of the Commission has not been,

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[107] The quoted phrase is repeated *verbatim* also in the fourth Adamowitsch Group report (2011:4).

[108] The level of detail of the coordinator's guidelines can be significant. The third yearly report contained a whole section dedicated to the technical implications of alternate or direct current interconnections to be used in the offshore grid. Looking for additional expertise to fulfil the objectives of its work programme, the Adamowitsch Group manages to expand the group of stakeholders and actors involved in the process.

of course, to curb the initiative and goals of other actors, but rather to create—by means of instrumental policised discourse—adequate incentives for as many stakeholders as possible to converge on a genuinely European agenda: "The Pentalateral Energy Forum… together with ENTSO-E and ACER,… will have to ensure that national Transmission System Operators, Regulators and Governments *move from national thinking to European thinking* and approaches" (Adamowitsch Group, 2009:23, emphasis in original).

4.4. Conclusions

Since the early 2000s, several analysts and non-governmental organisations have catalysed the attention of both national and European policy makers, as well as of private investors and local regulators, to the significant potential benefits coming from the prospective establishment of an offshore grid in the North Sea, connecting production facilities of renewable energy among themselves as well as with accumulation and distribution infrastructure onshore. This project, albeit ambitious, would lead to positive repercussions in terms of wastage reduction, energy security of the EU Member States, more efficient energy consumption EU-wide, increased competitiveness for consumers on the internal European energy market, as well as a boost in growth and employment in new technological sectors connected to these infrastructural developments. Far from being a panacea for all the current deficiencies and inefficiencies of the EU energy market and supply mechanism, the North Sea offshore grid implies an extremely long-term policy scenario which is generally unavailable to political actors on the democratic and electoral national stages; significant costs whose repartition among taxpayers and private market investors is as sensitive as it is volatile; and, most importantly, strategic and comprehensive vision and planning which involves different national regulatory and legislative systems, differences in geography and the economy, as well as the establishment and maintenance of a genuinely European infrastructure which optimises the

costs and efficiency of energy transmission, distribution, and (re-)allocation across the continent.

Since the early developments of this project, however, the political attention to its technical and economic potential has grown significantly—to the extent that the European Commission has repeatedly inserted the North Sea area among the EU's priority infrastructural projects in a number of energy policy documents and strategic plans (European Commission, 2006c; 2008a; 2010f) and nine Member States (plus Norway) have committed to a regional project, the North Sea countries' Offshore Grid Initiative (NSCOGI), which aims to provide national governments with all necessary knowledge about the legal, market, and technological implications of setting the offshore grid up.

Accordingly, the case of the North Sea offshore grid for the transmission and distribution of electricity produced by renewable power sources has been selected as a case study of the growing *policisation* of EU energy policy-making because of two main reasons. First, the development of the NSCOGI and the growing concern of EU institutions and market players with the North Sea offshore grid scenario show an increasing degree of cross-border and (at least) regional cooperation on the issue. Second, the development of the North Sea offshore grid shows that, in this particular case, most progress and advances can be ascribed to the intensive cooperation of Member States through regional political platforms: the primal intergovernmental dialogue about the North Sea grid, for instance, was first prompted by the energy ministers of the informal Pentalateral Energy Forum (PEF) within the institutional setting of the Benelux, and the memorandum of understanding of the NSCOGI itself was signed under the political pressure of the Belgian presidency of the Council of the EU in 2010. This premise entails that two different narratives of the North Sea offshore grid potential development co-exist: on the one hand, a political discourse which has been kindled and nurtured by national governments and their representatives from the energy ministries as a

key step towards enhanced industry competitiveness, cleaner and more efficient national energy consumption and, more importantly, more secure domestic energy supply; on the other hand, a policy discourse on the North Sea energy policy potential which has been systematically tabled by the European Commission as a strategic EU-wide priority and, more importantly, as highly consistent with the Commission's (2010a) EU energy policisation agenda—i.e., a focus on infrastructural interconnection, network efficiency, market and end-user competitiveness, and reliance on renewable sources of energy.

This case study, accordingly, responds to the second research question of this thesis—i.e., the identification and definition of ideal, reproducible conditions under which an attempt of strategic and instrumental policy re-framing by an interested institution can be more or less successful. This chapter verifies the hypothesis according to which socialisation practices through speeches, institutional germination (as in the case of ENTSO-E and ACER), and decision-making inclusion—thanks to which the European Commission is able to *socialise* other actors *into* its own way of thinking, defining, and setting energy policy into motion—have altered the discursive balance of the North Sea offshore grid narrative. First, the European Commission tried to *talk other actors into* participating more actively in the energy infrastructure strategic planning at the EU level and, second, to make its own EU-wide and integrationist narration (e.g., the Energy Infrastructure Package, the Energy 2020 initiative, the Roadmap 2050, the proceedings of the Adamowitsch Group) gain more visibility vis-à-vis the competing 'story' embodied in the intergovernmental approach to the issue at stake—i.e., the NSCOGI and the Initiative's signatory ministers. Consequently, a project which by the end of 2009 was regional in scope and agency and thought within a limited timeframe (December 2012 at the latest), in June 2012 showed a certain potential for a different outcome: it had become embedded in a genuinely European framework (European Commission, 2010f) for the creation of an EU-wide integrated electricity infrastructure and the development of

renewable energy sources, with a larger timeframe stretching out to 2050 (European Commission, 2011g; 2011h), and engaging a number of different policy actors, from local energy regulators to market investors (ACER, 2010; Adamowitsch Group, 2011; ENTSO-E, 2011b).

These findings also prelude to two simple theoretical and methodological implications. Theoretically, the definition of the circumstances under which an institution such as the European Commission—with a given endowment of interests and policy preferences in the field of energy regulation, infrastructure, and supply—is able to support and disseminate its own inherent policy ideas calls for a research agenda on the *replicability* of specific conditions that allow an actor to engage other actors, which would otherwise be excluded, into the policy-making process or, in a nutshell, on a prospective strategic 'blueprint' thanks to which an actor is able to increase the chances to successfully *convince* other actors to 'join the cause' of a leading actor. Methodologically, these findings confirm that non-material and non-tangible elements such as ideas, meanings, goals, values, and expectations can in fact be successfully evaluated and—in a sense—even *measured*, and that reliance on primary sources such as interviews and speech transcripts increase the analysts' ability to connect the meaning that discursive vehicles carry to the implicit 'material' objective or preference they pursue.

Chapter 5

Conflicting policy visions and overt confrontation: the negotiation of the Energy Efficiency Directive

Energy efficiency is the flagship of EU energy policy and the outcome of a long and complex process of policy-making. The European Commission (2011a:2) has defined it as "Europe's biggest energy resource". Energy efficiency is central to the energy policy objectives of the EU for several reasons. First, it offers a flexible strategic platform that allows EU institutions to address various policy issues and agendas, ranging from environmental sustainability to market integration and competitiveness. Second, before the entry into force of the Treaty of Lisbon in 2009, energy efficiency was "by far the most effective way... to improve security of energy supply" in the absence of actual competences granted by the Treaties (European Commission, 2006b:3). Third, EU energy efficiency policy builds on a large corpus of minute legislation on several dimensions of the energy policy spectrum, including bio-fuels, eco-design,[109] energy labelling,[110] energy-efficient buildings,[111] smart-grid infrastructure,[112] smart metering,[113] carbon emission trading,[114] and renewable sources of energy.[115] Before the innovations brought about by the Lisbon Treaty and the entry into force of the third energy legislative package in 2009, these pieces of legislation formed, by and large, the only energy policy *acquis* available at the EU level—considering, especially, that because of the technical and knowledge-ridden components of these policies the Com-

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[109] Directive 2009/125/EC and fourteen Commission regulations.

[110] Directive 92/75/EEC and No. 2010/30/EC, Council Decision No. 206/1005/EC, three Council regulations, and five delegated Commission regulations.

[111] Directive 2010/31/EC.

[112] See the Communication from the Commission, *Smart Grids: from innovation to deployment*, COM(2011)202 final, and the Staff Working Document, *Definition, expected services, functionalities and benefits of the smart grids*, SEC(2011)463.

[113] Commission Recommendation, *On preparations for the roll-out of smart metering systems*, C(2012)1342 final.

[114] Directive 2009/29/EC.

[115] Directive 2009/28/EC.

mission had often been able to lead the policy-making process and consolidate its competences in these subfields.

With regard to the discursive strategy of the European Commission and the policy narrative through which it was deployed, since the European Commission's 2005 green paper, "doing more with less" has become the motto of the EU's attempt to achieve more rational and efficient consumption, to reduce the dependence from exogenous sources, as well as to improve the energy security of the Member States by completing the internal energy market and supporting alternative sources of energy. As a comprehensive energy policy framework—if not, by all means, as a *policy paradigm*—the energy efficiency endeavour of the European Commission has yielded, in the last fifteen years, two policy communications (1998b, 2005), three action plans (2000b, 2006b, 2011a), and a strategic framework (2010a).

This chapter analyses the case of the negotiation of the EU Energy Efficiency Directive (EED)—a process which formally started with a Commission's proposal in 2011 (2011c) and evolved into a final and heated stage of debate under the Danish Presidency of the Council of the EU, during the first half of 2012. Methodologically, together with Chapter 4, this chapter complements the within-case analysis of Commission-driven policisation of EU energy policy, even though the case of the EED negotiations highlights a different approach and strategy by the European Commission when trying to take the lead in the policy-making process. While the case of the North Sea grid underscores the effectiveness of a policy strategy aimed at socialising other actors into the Commission's view, the case of the EED negotiations shows that the Commission may decide to confront opposing policy views and paradigms—i.e., a government-driven attempt to preserve national competences and prerogatives on energy efficiency—in the attempt to re-frame the policy towards more integrationist, cooperative, and generally 'European' goals. As in the case of socialisation with the North Sea grid project, however, a contestation-based discursive path to policy-making lead-

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ership also imposes a degree of political compromise on the Commission. This chapter pays particular attention, consequently, on the differences between the original text proposed by the Commission in 2011 and the final directive draft agreed on by EU institutions in June 2012.

The first part of this chapter introduces EU energy efficiency policy and its multiple facets and political implications, as well as the discursive strategy that the European Commission has been pursuing since the early 2000s. The second part discusses the evolution of the EED from the original draft proposal submitted by the European Commission to the final proposal which eventually won the consensus of Member States and other EU institutions. The third part of this chapter analyses the discursive strategy carried out by the European Commission in order to re-frame the EED narrative in accordance with its broader vision of an integrated and genuinely 'common' EU energy policy.

5.1. Policy context and discourse of energy efficiency in the EU

Alongside a number of memos, press releases, and public speeches by senior Commission officials, the whole corpus of EU energy efficiency policy has shown the growing political salience and weight attached to the issue of energy efficiency, sustainable consumption, and rational use of energy resources in EU-wide policy debates and arenas.[116] The analysis of EU energy efficiency policies offers a privileged vantage point to trace the process of discursive re-framing of energy policy by the European Commission.

The plea for the "rational utilisation of energy" first appeared in a 1974 communication to the Council (European Commission, 1974:59), as a reaction to the political turmoil which followed the 1973 global oil crisis. With the aim to curb the EU's overall energy consump-

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[116] Since June 1986, when the Commission started increasing its investment in research initiatives on sustainable technologies following the Chernobyl disaster, approximately 1750 memos, press releases, speeches, and similar official sources have dealt with energy efficiency.

tion, make it more cost- and resource-efficient, and reduce its environmental and economic impact, energy efficiency has progressively managed to encompass all the nuances and different dimensions of the European Commission's activism in energy policy.

The Commission's discursive and strategic effort to promote energy efficiency and its multiple policy dimensions has grown in scope and weight especially after the establishment of the internal market. In 1998, for instance, under the pressures of the newly-signed 1997 Kyoto protocol, a communication on 'Energy efficiency in the European Community' underscored the role of energy efficiency in leading to "a more sustainable energy policy and enhanced security of supply" (European Commission, 1998b:1). In 2000, the first 'Action Plan to Improve Energy Efficiency' gave an institutional shape to the Commission's policised energy efficiency agenda: the Action Plan put "general emphasis… on *integrating energy efficiency into other non-energy policy instruments* and programmes" and pleaded to overcome "a lack of knowledge on how such goals can be attained while pursuing other policy objectives" (European Commission, 2000b:6, emphasis added).

In the programmatic vision of the European Commission, not only are energy efficiency objectives achievable through complex multidimensional policy actions, but a consistent commitment to energy efficiency goals can also give rise to positive externalities and beneficial repercussions in other sectors, including financial savings "equivalent to 60 billion euros per year… the creation of many new high-quality jobs… increased competitiveness and better living conditions for EU citizens" (European Commission, 2005:4). In 2006, the Commission's Action Plan stressed the importance of bottom-up participation for the 'paradigmatic' shift towards a more rational consumption: "energy efficiency is about informed choice by individuals, not just about legislation" (European Commission, 2006b:4). The Ac-

tion Plan went on to show that, since 1971, energy intensity[117] in the EU had decreased to such an extent as to become Europe's "single most important energy resource". The Commission's document also created a specific indicator—the '*nega*joules'—to quantify the amount of energy that was *denied* to EU consumers by inefficient consumption and transmission (European Commission, 2006b:5). In 2008, the Commission (2008a:13) urged policy makers and market stakeholders to consider energy efficiency as "a constant priority for Community energy policy", linking again the ideas of a common EU energy policy and the pursuit of more resource-efficient consumption inextricably together.

Figure 5.1. European Commission's activity on energy efficiency after the establishment of the internal market.
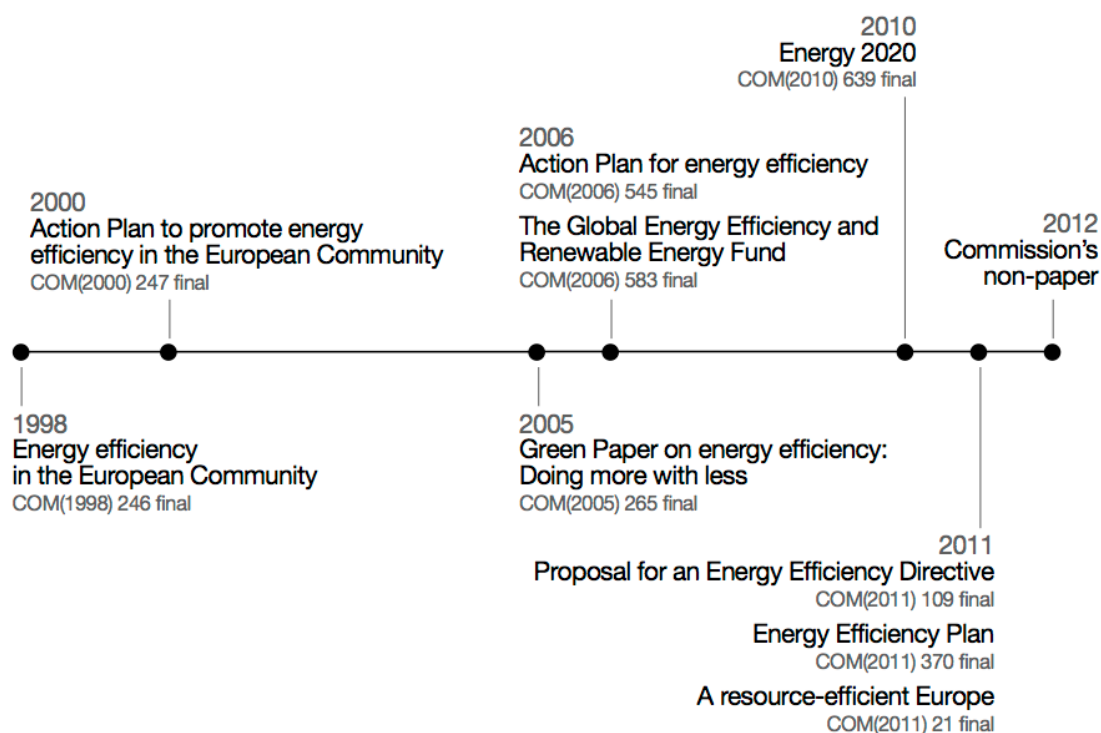
(source: own elaboration)

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[117] In EU official statistics, energy intensity "is calculated as the ratio of gross inland energy consumption divided by the gross domestic product" (GDP) in constant prices (European Commission, 2010e:49). In rough terms and on a national basis, energy intensity calculates how much energy was consumed in the country to produce its wealth. Accordingly, the higher the energy intensity, the less efficient a country's productive system. Further caveats on this simple implication, however, will be discussed in this chapter's analysis. In EU statistics, finally, energy intensity is usually calculated as kilograms of oil equivalent divided by thousands of euros (kgoe/1000€).

Because of its organisational structure and institutional mandate, the European Commission's discursive strategy—in energy efficiency as well as in a number of other policy fields—aims to combine the large and often exclusive amount of technical knowledge that its policy units are able to produce with an adequate policy framework to open a path for further action at the EU level. The next subsections focus on this dual track which the Commission deals with in its own policy discourse: on the one hand, the creation of technical expertise to measure, monitor, and assess a complex indicator such as the energy efficiency of a complex multi-national economy like the EU's; on the other hand, the translation of this knowledge into an effective strategic discourse able to re-frame energy efficiency as an EU-wide concern calling for more integrated and 'European' policy cooperation. This dual approach—building on both theory and praxis, knowledge and policy—has largely influenced the Commission's policisation strategy in the way, for instance, in which the 20-20-20 criteria and goals were first technically developed and then discursively incapsulated into the institutional framework of the Energy 2020 and Roadmap 2050 initiatives.

Technical definition and implications of energy efficiency in the EU

Energy efficiency has been almost effortlessly 'communicated' as a positive concept and a desirable objective by the European Commission's strategic and policy discourse throughout the last forty years. In spite of its success, however, there is no official or institutionalised definition of energy efficiency in Europe which may guide energy policy-making in this direction. The 2011 Energy Efficiency Plan (European Commission, 2011a:2) provides a plain reading of the concept as "using less energy inputs while maintaining an equivalent level of economic activity or service". This intuitive and positive understanding of energy efficiency can explain its longevity in the strategic vision of the Commission, at least before the beginning of the instrumental re-framing in the mid-2000s and the conceptualisation of an agenda

for a "new comprehensive European energy policy" as the policised response to the pressures of crisis, higher prices, and uncertain supply (European Commission, 2006a:4).

The key documents at the core of the Commission's strategy in 2005 and 2006 began to elaborate more accurately and technically on quantifiable, long-term objectives of energy savings in Europe.[118] Building on extensive strategic analysis and theoretical scenarios, the Commission (2005:4) was confident that "the EU could save at least 20% of its present energy consumption in a cost-effective manner" and called for the EU to "lead the way in reducing energy inefficiency"—a crucial precondition for growth, considering that Europe continued to "waste at least 20% of its energy due to inefficiency" (European Commission, 2006b:3). The 20 percent efficiency goal was later crystallised in the Energy 2020 initiative, the Commission's 'climate-energy' strategy, and in the 20-20-20 objectives promoted by the European Council (2007) following the discursive pressures of the Commission. Consequently, the European Commission had to provide itself with the technical means to set standards in measurement, monitoring, and evaluation of Member States' energy efficiency performances, the only way to add appreciable content to the programmatic (and somewhat idealistic) framework of the 20-20-20 objectives and political leverage to build consensus about them.

To date, energy intensity is the most common indicator of energy efficiency performance in EU policy analysis. This index sketches a raw image of energy efficiency trends in EU economies and its time series is particularly useful to analyse change across the time interval under investigation in this thesis—i.e., roughly from the year 2000 on. Figure 5.2, accord-

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[118] In its strategic documents and policy formulations, the European Commission has been careful to acknowledge that the concepts of 'energy efficiency' and 'energy savings'—both largely used in energy policy analysis and discourse—do not necessarily overlap. While the former refers to re-allocating energy consumption in order to produce the same (or more) with less, the latter has a broader conceptual extension, which covers consumption reduction through other means—including, for instance, "behavioural behaviour change or decreased economic activity". Several interviews conducted in Brussels during the elaboration of this chapter have shown, however, that for many policy actors "the two [concepts] are difficult to disentangle" and that "the terms are often used interchangeably" (European Commission, 2011a:2).

ingly, shows the energy intensity index of the EU-27 Member States (and the average EU score) in 2000, 2005, and 2010. The graph shows clearly that progress in terms of energy efficiency has been genuinely EU-wide during the ten-year interval, and that the same pattern of energy efficiency increase (and, conversely, of energy intensity decrease) recurs across the continent with a few exceptions—i.e., mostly countries which had a relatively low intensity index already in 2000.

Figure 5.2. Energy intensity indices for EU-27 countries in 2000, 2005, and 2010
(United Kingdom figures are an estimate based on aggregated Eurostat data)
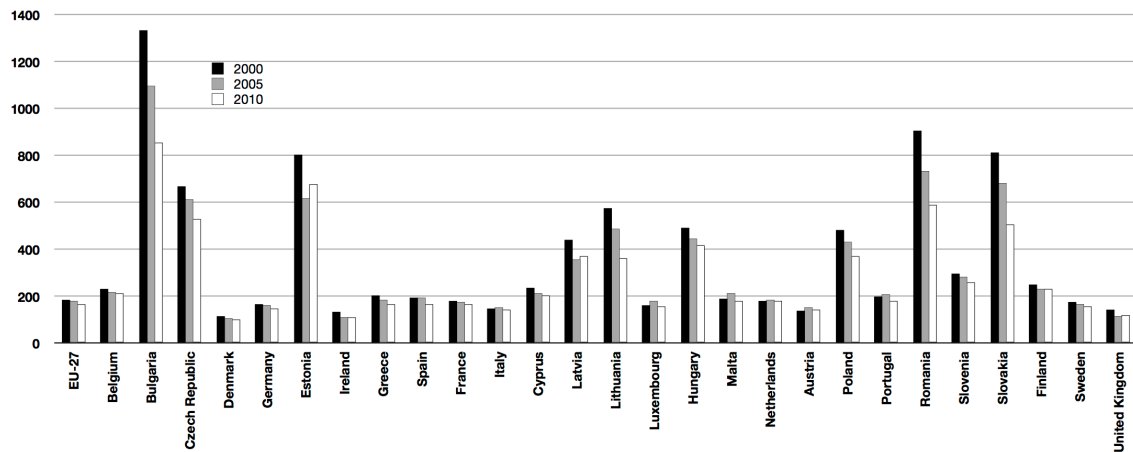
(source: own elaboration of Eurostat data)

The graph suggests two main observations. First, the energy efficiency indicators of the Member States which accessed the EU with the 2004-2007 enlargement were significantly less positive than other Member States. Consequently, the new Member States recorded the most significant index drop after accession but, overall, their energy intensity in 2010 remained nearly twice as high as the EU-15's indices. Second, a similar and yet proportionally smaller improvement in energy efficiency can be seen also across 'older' Member States and the EU's wealthiest economies, thereby hinting at the effects of a collective EU-wide strategy and policy effort to meet the long-term requirements of the Commission-driven 2020 platform. In 2010, the EU's energy efficiency, according to the energy intensity index, had

improved by 10.3 percent since 2000, while up to 2005—i.e., before the effects of the Commission's (2005) green paper and action plan (2006b) on energy efficiency could be observed—energy intensity in the EU had decreased only by 3.2 percent.[119]

Energy intensity is, however, an extremely raw measurement of energy efficiency progress. The index comes with a number of caveats that significantly undermine its scientific value. First, in its definition of energy intensity, the Eurostat database aggregates five different sources of energy in the 'energy consumption' factor—i.e., coal, oil, natural gas, electricity, and renewable sources in general. This vagueness hinders the methodological reliability of the measurement: the exclusion of a relevant energy source such as nuclear power or, for instance, the relative statistical meaningfulness of 'electricity' as a primary source of energy—considering that electricity intervenes in the downstream process of energy consumption also when it is generated by a different power source—seemingly jeopardise the explanatory value of the variable. Second, the technical act of measuring energy efficiency cannot entirely abstain from taking political and social aspects into proper consideration. In this regard, such a generalised definition of 'primary energy consumption' would confound progress in energy efficiency obtained by simply saving energy and reducing consumption (facing, though, potential restraining effects on production and growth) with progress in energy efficiency obtained by relying more extensively on renewable and sustainable sources—with no necessity whatsoever to decrease the absolute figures of consumption. Third, there exists an imbalance between the demographic, geographic, and economic endowment of the EU-27 area and if, accordingly, it can be reasonably expected of a small European country with a traditional reliance on clean sources (e.g., Denmark or Ireland) to

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[119] It is worth noting that an alternative reading of these data may entail verifying the existence of any kind of correlation between the decrease in the EU's overall energy intensity and the drop in gross domestic product, energy purchase figures, and industrial production following the global financial crisis which has affected economies worldwide since the mid-2000s.

show significantly below-average energy intensity, it should be all the more relevant when a relatively larger and heavily-industrialised economy is able to perform low energy intensity scores or, conversely, when low-GDP countries cannot consistently curb their absolute consumption figures.

Once again under the policy impulse of the European Commission and by means of the financial aid of the Intelligent Energy Europe (IEE) programme, a large consortium of research centres from all across Europe contributed to the Odyssee-MURE project, coordinated by the French agency ADEME (Agence de l'Environnement et de la Maîtrise de l'Énergie) with the support of the French consulting firm Enerdata and the American research centre Fraunhofer. The project aims to provide policy makers and institutions with reliable indicators of energy efficiency, building on the operational data of the Odyssee and MURE databases. While the former collects data about a weighed indicator of energy efficiency—the ODEX index—as well as a number of indicators on energy consumption and carbon emissions, the latter collects data on energy efficiency policy measures implemented or designed by EU Member States.[120] The Odyssee's ODEX indicator was developed to overcome the shortcomings inherent in the energy intensity index, basically by weighing this indicator with "differences in the general price level" of each country, "climate differences", and the "nature of economic and industrial activities" (ADEME, 2009:26). The effects of these methodological procedures are quite visible, in particular for those countries—i.e., the newly-accessed eastern European countries—in which a generally lower price level than the rest of Europe corresponds to a lower GDP figure in absolute terms, thereby resulting in a lower divisor and a higher value in the energy intensity index formula.

[120] The Odyssee database can be accessed on-line at this address: http://www.odyssee-indicators.org/database/database.php [last accessed, 3 August 2012]. The MURE database can be accessed on-line at this address: http://www.muredatabase.org/ [last accessed, 3 August 2012].

Figure 5.3. EU-27 energy intensity in 2009 (kgoe/1000€).
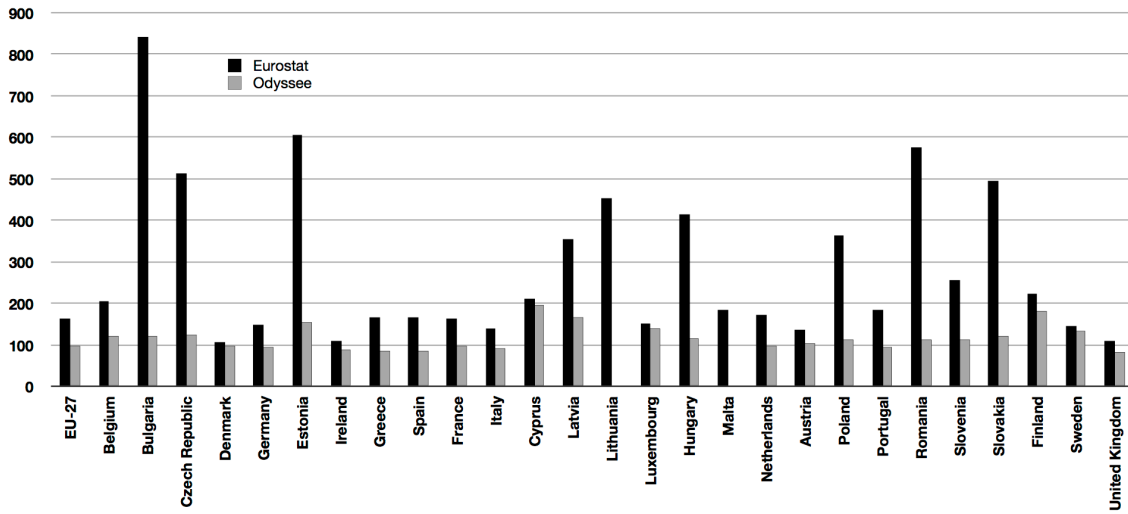
(source: Eurostat and Odyssee-MURE database)

Figure 5.4. Comparison between weighed energy intensity indices in 2000, 2005, and 2009 (kgoe/1000€).
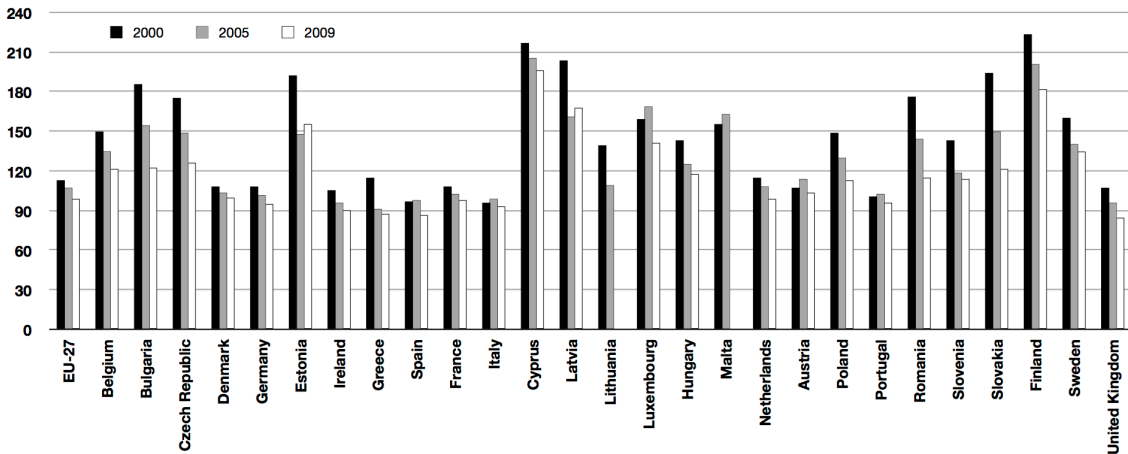
(source: Odyssee-MURE database)

Figure 5.3 shows a comparison between the Eurostat raw data on energy intensity in the EU-27 area and an indicator of energy intensity weighed by the Odyssee's macro-economic, climate, and productive activity criteria (2009 is the latest data available from the Odyssee-MURE database). Figure 5.4, moreover, 're-tells' the history of energy intensity evolution from the vantage point of the Odyssee's weighed indicator. The graph shows significant differences from the Eurostat data (Figure 5.2): the newly-accessed countries' performance is much more consistent with the overall EU trend, thanks mostly to the calibration of the GDP and price index differences. A similar corrective effect can be seen in energy-intensive indus-

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trial economies—e.g., Belgium, Greece, Portugal—with values which, once weighed, reach at worst half of the intensity index calculated by Eurostat.

Finally, however, besides being more methodologically sound and likely to explain the progress of energy efficiency in Europe in a more realistic way, the Odyssee indicators show a general EU-wide trend which by and large overlaps with the Eurostat scenarios. The ADEME reports highlight "a slowdown in energy efficiency progress since 2000… partly explained by the slower economic growth" (ADEME, 2009:4), even though differences in the pace of energy intensity decrease are significantly visible only in the case of newly-accessed eastern EU countries.

It can be argued that in 2005 these countries showed better energy efficiency performances than in 2009 mostly because of the effects of accession—if not yet because of the 'socialisation' of their national systems into the existing EU's energy efficiency regime, at least because of the macro-economic pressures on these countries' currencies, productive systems, and GDP. It is debatable, however, whether the use of the Eurostat indicators, which tend to de-contextualise the energy efficiency performances of certain Member States, may have been somewhat instrumental to discursively present the current situation of EU energy efficiency as particularly challenging and demanding—hence requiring additional intervention supervision by the European Commission to attain a functioning, effective, and fully-integrated EU-wide energy efficiency regime and legal *acquis*.

These indicators try to provide a raw, and yet appreciable, measurement of what kind of objectives the EU's energy efficiency policy aims to achieve and what kind of impact it aims to have on the organisation of energy production and consumption in Europe. The purpose of this thesis, however—and of this chapter in particular—is not to show the effects of the EU's policy actions on the overall energy efficiency of the EU, nor to evaluate whether the energy efficiency component of the 2020 policy platform has so far been effective in terms

of policy outcomes. In fact, the observation that EU energy efficiency has not recorded exhilarating progress during the last decade adds to the research puzzle under investigation in this chapter, i.e., through what discursive re-framing strategies the European Commission was able to present—in spite of these difficulties—an integrated, 'common', and EU-wide energy efficiency action as a key element in the future developments of the EU's energy policy, market, and security.

Strategic and discursive implications of energy efficiency in the EU

The process of 'creation' of energy efficiency as a policy priority for the EU has unfolded over approximately the last fifteen years. Even though common-sense recommendations on the rational use of energy resources, as mentioned above, had already been part of the Commission's discourse on energy policy since the 1970s, it was not until the late 1990s and early 2000s that the Commission was able to systematise this approach into a comprehensive policy strategy—in particular by acknowledging how significantly an integrated EU energy efficiency framework would affect energy savings, sustainable consumption, and environmental impact across Europe.

Some of the political resistance to energy efficiency still persists today, as the negotiations on the EED have shown several times. Even though most governments and political sides agree on the *normative* value of energy efficiency as the guiding principle towards a cleaner, more effective, and more sustainable way to design energy consumption, this instrument was generally seen as counterproductive at the domestic level. Energy efficiency clashes overtly with the long-established interests of fossil-fuel industries that, in general, advocate consistently for an ever increasing demand of traditional sources of energy, i.e., for *more* consumption. Energy efficiency, moreover, is an extremely hard concept for national policy-makers and government officials to *sell* to their citizens in terms of domestic policy. Energy effi-

ciency is usually pursued by means of higher tariffs on conventional, polluting, and depleting sources. The enhancement of existing infrastructure and networks is generally funded by higher consumer-level costs and taxes. When relying on renewable sources of energy, finally, energy efficiency implies a higher per-unit final energy price, which is commonly transferred down to individual customers. Energy efficiency, therefore, is ultimately perceived as a costly and invasive policy measure whose costs affect citizens and voters directly.

These conditions can make it extremely difficult for governments—whose political scope is generally limited to the short-term interval of their mandate—to gather consensus about such a seemingly unpopular policy decision. On the contrary, the distribution of final costs of energy efficiency instruments and actions—which fall, generally, on specific groups of taxpayers, workers, and households—makes it extremely easier for political and discursive coalitions to cluster around the perceived drawbacks of energy efficiency policy and thereby almost effortlessly mobilise additional resistance to it.

On the other hand, however, the common perception of energy efficiency at the national level has also made it simpler for the European Commission to claim political responsibility for the revamp of the energy efficiency debate at the EU level. With its forty-year-long resilience, the Commission's vision and strategy has offered national governments the opportunity to 'share the burden' of energy efficiency measures with Brussels' institutions, while the Commission has tried to propose itself as the potential discursive leader of a brand-new, fully-integrated energy efficiency framework at the EU level. It is in this context that its socialisation tactic, aiming at involving as many non-national and sub-national actors as possible into its policy frame, was put into effect.

As early as 1998, however, with its first communication addressing this issue, the European Commission (1998b) had already given a definite direction to its energy efficiency narrative, insisting in particular on two specific dimensions. First, the Commission urged for

more institutional cohesiveness. The energy efficiency performance of the national governments, in particular, showed a widening gap between the rhetorical commitment to the energy savings agenda and the actual political will to comply accordingly: through the 1970s and the 1980s "more effort was required then from the Member States" (European Commission, 1998b:6). The Commission did not enjoy any institutional or legal powers that could provide it with a stronger leadership in the field and was hindered in the attempt to accompany its discursive effort with concrete and visible policy actions and output. The Commission focused, in general, on EU-sponsored financial frameworks to support EU-wide energy efficiency projects and in particular on the SAVE programme. The SAVE programme was first approved by the Council in 1991 (SAVE, 1991–1995) and then reiterated in 1996 (SAVE II, 1996–2000). It remains a path-breaking example of genuine action "at the Community level" (European Commission, 1998b:6). SAVE I and SAVE II combined with a twin programme on renewable sources of energy (ALTENER) to support over 600 projects, involved about 130 national and local (both governmental and non-governmental) organisations from all over the EU, yielded two pieces of EU legislation,[121] and pioneered energy policy socialisation practices in the neighbourhood of the EU by including central and eastern European countries in the framework several years before the start of their accession procedures. Moreover, the SAVE experience paved the way to the IEE programme, the all-encompassing financial and strategic framework which—as mentioned above in Chapter 4—has played a crucial role in the development of EU energy policy since 2003.

Second, the Commission developed, from the earliest stage, a complex multi-dimensional approach to energy efficiency, recommending explicitly a "greater focus on… promoting energy efficiency via other policies" (European Commission, 1998b:10). This approach is

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[121] Directive 92/42/EEC of 21 May 1992 on efficiency requirements for new hot-water boilers fired with liquid or gaseous fuels, and Directive 93/76/EEC of 13 September 1993 to limit carbon dioxide emissions by improving energy efficiency.

consistent with the structural preference of the European Commission to expand its own competences—or rather, if not to *formally* expand those, at least to achieve certain policy objectives that would institutionally fall outside the Commission's allocated scope—by intervening in contiguous policy fields in which it enjoys larger room for manoeuvre. In 1998, the Commission's (1998b) communication on energy efficiency in Europe re-vamped its composite mix of targeted energy efficiency interventions in non-energy fields: efficient urban and regional policies; emission-curbing provisions in the field of transport and mobility; taxation on energy products to provide the EU with a "broader minimum tax base" (European Commission, 1998b:10) and tax exemptions on energy efficient practices; scientific research and technological innovation, including the development of sustainable resources and materials at the industrial level; and international cooperation on matters of energy efficiency. In 2000, the Commission's (2000b) first action plan on energy efficiency listed the very same recommendations to the Member States and other energy policy actors and called for "greater integration and co-ordination" between EU programmes and national policies in order to "meet the proposed objectives" (European Commission, 2000b:7).

The consequences of this strategy are visible in the EU energy efficiency *acquis*. In 1992, the EU introduced a piece of legislation on energy labelling,[122] in which the issue of providing consumers with enough information on the energy use of household appliances and other manufactured products—i.e., a matter of energy efficiency—was presented as an issue of guaranteeing enough information on the goods not to distort competition and the functioning of the internal market. The legal basis was, accordingly, Article 95 of the consolidated Treaty of the European Community (TEC) on the approximation of national laws for the achievement of Treaty objectives. The same legal basis applied also to EU provisions on cogenera-

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[122] Directive 92/75/EEC of 22 September 1992 on the indication by labelling and standard product information of the consumption of energy and other resources by household appliances.

tion,[123] as well as to eco-design and the many repealing and recasting acts that upgraded this legal framework during the 2000s.[124] In 1993, a new directive,[125] which also gave birth to the SAVE framework, introduced for the first time EU-level legislation on end-use energy efficiency by means of provisions on carbon dioxide emissions, thereby using the legal basis of Article 130 TEC on environmental policy. The same rule applied to the first directive on energy efficiency in buildings in 2002.[126] During the 1990s and 2000s, along the lines of the strategy promoted by the Commission's communications, energy efficiency in the EU was by and large a *residual policy* which pursued its own objectives by supporting action in non-energy fields, or rather a *positive-externality policy* which, in spite of the lack of formal EU competences, benefitted from Commission-led interventions in various relevant policy fields.

The Commission laid the groundwork for policy change in 2005 and 2006. Energy efficiency—together with energy security, the completion of the internal market, and investment in sustainable sources of energy—was re-formulated as a substantial component of the new EU energy policy framework designed in the 2006 green paper on 'A European strategy for sustainable, competitive and secure energy' (European Commission, 2006a). The document recognised the progress made in the past decades but, "although Europe is already one of the world's most energy efficient regions", it also called for further commitment: while admitting that "the national level holds *the key to convincing the public* that energy efficiency can bring them real savings", the Commission had already started deploying a long-term strategy to re-narrate the issue and allow the EU to "have a decisive impact" (European Commission, 2006a:11, emphasis added). The ideational and normative character of the Commission's

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[123] Directive 92/42/EEC of 21 May 1992 on efficiency requirements for new hot-water boilers fired with liquid or gaseous fuels. Cogeneration is generally described as "the simultaneous generation in one process of thermal energy and electrical or mechanical energy" (cf. Article 2.15 of the EED proposal).
[124] Cf. Directives No. 96/57/EC, 2000/55/EC, 2005/32/EC, 2008/28/EC, and 2009/125/EC.
[125] Directive 93/76/EEC of 13 September 1993 to limit carbon dioxide emissions by improving energy efficiency.
[126] Directive 2002/91/EC of 16 December 2002 on the energy performance of buildings.

energy efficiency policy re-framing became apparent with the 'admission' that its energy efficiency strategy was substantially aimed at *changing citizens' minds* about the impact of energy efficiency on their lives and at re-formulating the story conventionally told about energy efficiency and its financial and organisational effect on households and industries.

In 2005, the Commission issued its green paper on 'Energy efficiency, or Doing more with less' to "act as a catalyst, leading to a renewed energy efficiency initiative at all levels of European society—EU, national, regional and local" (European Commission, 2005:6). The document advanced twenty-five open questions on energy efficiency to civil society and suggested a complex agenda of EU-wide, national, and local measures which built extensively on the experience of and the feedback collected from the 2000 action plan. Moreover, the green paper emphasised the importance of disseminating a new image and a new meaning of energy efficiency, in order to overcome the boundaries of a policy which was generally misunderstood as a set of technical interventions to make energy policy more profitable and, collaterally, less polluting. The idea that energy efficiency had "*wider implications than for energy policy alone*" had to persuade the recipients of these policy actions that "*energy efficiency policy also brings significant savings on household energy bills and thus has a direct impact on the every-day lives of all European citizens*" (European Commission, 2005:37-39, emphasis in original).

In 2006, the Commission built on the feedback to its green paper to issue another energy efficiency action plan (European Commission, 2006b), suggesting ten policy priorities and a detailed agenda for the implementation of the plan. Most importantly, the action plan suggested "a view to intensify the process of realising the over *20% estimated savings potential in EU annual primary energy consumption by 2020*" (European Commission, 2006b:4, emphasis added). The pressure on Member States "towards an ambitious implementation and enforcement of these instruments" (European Commission, 2006b:9) set in motion the proc-

ess of institutionalisation of the new energy policy platform and objectives, culminating in the European Council's presidency conclusions of March 2007, in which the 20-20-20 goals were officially presented as an EU-wide long-term strategy—with energy efficiency increase being one of the 'twenties' to be achieved by 2020.

Finally, the ultimate recognition of energy efficiency as one of the pillars of EU energy policy for the future came with the entry into force of the Treaty of Lisbon—and, therefore, of the new Treaty on the Functioning of the European Union (TFEU)—in December 2009. Article 194.1.c on energy (already mentioned several times in this study because of the wide range of implications) promotes "energy efficiency and energy saving and the development of new and renewable forms of energy" as one of the aims of the "Union policy on energy". The new Treaty's provision has served already as the legal basis for a number of acts that have either repealed or recast older energy efficiency legislation under the umbrella of the new constitutional-level norm: directives No. 2010/31/EU on the energy performance of buildings and No. 2010/30/EU on energy labelling have re-designed the energy efficiency *acquis* and rest entirely on the new Article 194.

The Commission's crossfire on both the strategic and the legal dimensions of EU energy efficiency policy—with the Energy 2020 platform and the new Treaty-based legislation respectively—may have played a significant role in inducing the Member States to set up a new institutional framework for energy efficiency, including the industry, civil society, and local authorities in the process. A policy idea which was nothing short of an obvious statement in 1974, a policy recommendation in a 1998 communication, and a first tentative action plan in 2000 became a Treaty-based competence in 2009 and an institutionalised policy agenda in 2010. Besides being a powerful (and yet slowly growing) example of successful policy re-framing, the European Commission's discursive strategy during the 2000s was a fundamental springboard for further action in the following years.

The strategic climax: Energy 2020 as the springboard for a new 'policy offensive' in 2011

Building on the achievements of the late 2000s, the Commission launched, in 2011, another composite energy efficiency policy offensive with a different target in sight. The European Council's acknowledgement of the 20-20-20 energy policy goals helped spread awareness in the EU's policy community about the positive effects of a more integrated and EU-wide energy efficiency framework, but at the same time the presidency conclusions, the Energy 2020 initiative, and the new Article 194 of the TFEU were seen by the Commission more as a means than an end. The formulation of the 20-20-20 goals *implied* further commitment by Member States, energy policy stakeholders, and market players as the new energy policy framework "spells out clearly what is expected from Europe in the energy area" (European Commission, 2010a:2).

To secure the creation of a European and integrated energy efficiency policy and tighten its hold on the policy-making process, however, the European Commission had to intensify the process: if its discursive effort during the 2000s had managed to introduce energy efficiency policy in the EU's energy agenda, it was then necessary to upgrade the degree of institutional commitment to the policy by making it legally binding for the Member States. Softer approaches, after all, had already failed in the past. In 2006, the new energy services directive[127] had required Member States to submit to the Commission three distinct National Energy Efficiency Action Plans (NEEAPs), with the purpose to identify shortcomings in the national policies, legislation, and economic structure that may hinder the achievement of European energy efficiency objectives. In its assessment of the NEEAPs, the European Commission lamented that the last national plans submitted by the governments were re-

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[127] Directive 2006/32/EC of 5 April 2006 on energy end-use efficiency and energy services and repealing Council Directive 93/76/EEC.

ceived more than one year after the official transposition deadline had already expired.[128]

While the action plans described the existing national energy efficiency legislation and 'briefed' the Commission about the degree of implementation of the obligations arising from EU legislation on the issue, the documents did not meet the expectations about defining a coordinated agenda for future progress: "they should set a quantitative, measurable target with a time schedule and concrete steps on who is doing what and the budgetary and human resources available" (European Commission, 2011i:3). Several Member States, however, "present comprehensive strategies and plans likely to deliver savings" beyond the expected target (nine percent of increase by 2016, at the time) even though "many seem to present a business-as-usual approach" (European Commission, 2008e:12).

The publication of the Energy 2020 initiative and the Energy Efficiency Plan 2011 was a new step in the evolution of a fully European and integrated approach to energy efficiency. The documents completed the institutionalisation process of the EU's decarbonisation and 'climate-energy' strategy stemming from the 20-20-20 goals. This evolution was propelled by the invitation of the European Council (2007) to adopt all necessary measures to achieve the objectives of the new energy policy platform and it progressively grew in intensity and scope thanks to the Commission's Strategic Energy Reviews (2007; 2008a), green paper on a secure, sustainable, and competitive EU energy policy (2008b), and the EERP (European Commission, 2008d).

Energy efficiency is the first priority area mentioned in the Energy 2020 initiative. The initiative builds on the effects of the long-standing history of energy efficiency-related documents, communications, and strategies, as well as on the first indicative results of the

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[128] The first round of NEEAPs was supposed to be submitted by June 30, 2007, while the collection of the national plans was completed by July 2008. The Commission's (2008e) first NEEAPs assessment, consequently, was based only on seventeen plans out of twenty-seven, submitted by December 2007. Moreover, a second round of national reports was due on June 30, 2011, but as of July 2012 no assessment from the Commission was available, hence showing difficulties again in coordinating the work of the Member States and completing the submission process.

NEEAPs. Energy 2020 revives the crucial role of energy efficiency in the new EU energy policy platform as "the most cost effective way to reduce emissions, improve energy security and competitiveness, make energy consumption more affordable for consumers as well as create employment" (European Commission, 2010a:6) and sets out a more operational agenda of four targeted medium-term policy actions, aiming at the most efficiency-sensitive sectors: buildings and transport, industrial competitiveness, efficient production and distribution of energy supply, and cooperation through the NEEAPs.

Most importantly, however, the Energy 2020 initiative shows a progress in the communicative strategy of the European Commission and sanctioned the beginning of a new discursive offensive aimed to take the lead in the policy-making process. Resting on the corpus of strategic documents issued during the 2000s, "it is high time that we move from words to actions", engaging the recipients of a genuinely European energy efficiency policy overtly and directly: "energy efficiency needs to be mainstreamed into all relevant policy areas, including education and training, to change current behavioural patterns"—that is, to re-frame the policy towards a new meaning and a new vision (European Commission, 2010a:6). The European Commission aimed to provide all stakeholders—from the Member States down to EU citizens—with this new paradigm and guidance and "through a clear definition of the objective to be reached and strong compliance monitoring". The ultimate goal and, at the same time, the only feasible way to achieve these objectives is further integration at the EU level and the designing of an EU-branded energy efficiency framework: the "new strategy therefore calls for reinforced political commitment to achieving it… Member States and regional and local authorities are called to intensify their work to implement adequate policies and to make full use of the available tools, objectives and indicators" (European Commission, 2010a:6). In spite of the claims of the Energy 2020 initiative, the European Com-

mission failed to oppose the creaking political goodwill of Member States with a resolute stance on the need for binding obligations.

In fact, in October 2010 several members of the European Parliament were critical of the developments that had followed the initiative's wishful thinking, "pushing for a more 'ambitious' [parliamentary] report that includes a binding target for energy savings" (ab Iago, 2010). In February 2011, while the Commission was already in the process of launching its own offensive on energy efficiency and its new energy policy framework, the Commissioner for Energy, Günther Oettinger (2011:4), described the upcoming Energy Efficiency Plan as the vehicle for "far-reaching measures to allow achieving our 20% reduction target" while believing, "however, that concrete measures should come first". Defining even more precisely the scope of the Commission's next steps, Oettinger (2011:4, emphasis added) pointed out that "the nature of the target (binding or indicative) is *more of a distraction at this stage*" and remained available "to propose mandatory national targets" only if Member States were not to cooperate fully.

Less than a month later, in March 2011, the European Commission initiated its discursive offensive on energy policy in general, and energy efficiency in particular. On March 8, the Energy Efficiency Plan 2011 was launched. On the same day, the Commission also issued its 'Roadmap' towards a competitive low-carbon economy in 2050 and, on March 28, its 'Roadmap' to a single European transport area.[129] On April 12, 2011, the Commission issued its communication on the development of integrated smart grids in Europe. Riding high on the leverage acquired with this intense strategic and discursive activity, the European Commission—less than five months after Oettinger's public understatement of the institution's

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[129] The two documents form the backbone of the Energy Roadmap 2050 on climate-change and energy policy measures, issued in December 2011 (European Commission, 2011h).

agenda on the issue—tabled a legislative proposal for an EU energy efficiency directive on June 22, 2011. The proposal (European Commission, 2011c:1, emphasis added):

> transforms certain aspects of the EEP into *binding measures*. The main purpose of the proposal is to make a significant contribution to meeting the EU's 2020 energy efficiency target. For it to be successful, the proposal *must be promptly adopted and implemented* in the Member States.

Approximately thirteen years after the first policy-oriented communication on an EU-wide framework for energy savings and efficiency, the European Commission laid the groundwork to challenge frontally the existing narrative policy framing on energy efficiency—national, compartmentalised, cost-obsessed—and to replace it with a new vision stemming from the policy platform it had successfully crystallised in the new Treaty provisions on energy, in the Energy 2020 initiative, and in its strategic documents.

5.2. The Energy Efficiency Directive

The Energy Efficiency Directive (EED) completes—in the strategic vision of the European Commission—the discursive offensive initiated by the Commission as early as 2005 and which led to the formulation of the 20-20-20 goals and a new platform for a European energy policy. Moreover, the EED rests on Article 194 TFEU as its legal basis, thus contributing to the relevance of the new Treaty-based EU competence on energy policy. The EED updates and integrates the EU's energy policy *acquis* by overlapping in scope with—and thereby replacing—the directive on cogeneration[130] and the directive on end-use efficiency and energy services,[131] as well as by repealing certain provisions of the directive on energy labelling.[132] The first EED proposal was tabled by the European Commission on June 22,

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[130] Directive 2004/8/EC.

[131] Directive 2006/32/EC. Part of Article 4 of this directive, however, sets out the target of a 9 percent increase in energy savings by 2017 for Member States. Even if less ambitious than the EED, this goal is consistent with the objectives and the timeframe of the new directive and is not to be repealed by the entry into force of the new legislation.

[132] Directive 2010/30/EU.

2011. On October 4, 2012, a significantly different text which had resulted from months of negotiations was approved in first reading by the Council of the EU. On October 25 the final text was signed by the Council and the European Parliament. Directive 2012/27/EU entered finally into force on December 5, 2012.[133]

The purpose of the EED is to provide the EU with an all-embracing text establishing an EU framework for an integrated energy efficiency policy. The main strategic basis for the proposal was the Energy Efficiency Plan 2011 (European Commission, 2011a). In the Plan, the Commission had advanced a number of measures to address the main problems and develop the full potential of energy savings and efficiency policy in Europe: focus on the 'example' to be set by public buildings, efficient household consumption, transport, research and innovation, the potential returns of energy efficiency as a business sector, and yet another call upon Member States to play "a key role… in introducing the energy efficiency policies and measures needed" (European Commission, 2011a:14). Building on this toolkit and agenda, the Commission's proposal for the EED "transforms certain aspects of the [Energy Efficiency Plan] into binding measures" (European Commission, 2011c:1). This goal, exposed so explicitly since the earliest draft of the directive, is the core of this chapter's research. Advancing binding energy efficiency measures as the goal of a piece of legislation of the EU was an overt challenge to the existing discursive and legal frame of energy efficiency in the EU—i.e., one in which EU institutions serve as monitoring institutions and provided Member States with guidance and expertise, but also one in which the national governments retained full competence on the transposition of any measures suggested at the EU level and full control on national energy efficiency policies.

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[133] Directive 2012/27/EU of the European Parliament and of the Council of 25 October 2012 on energy efficiency, amending Directives 2009/125/EC and 2010/30/EU and repealing Directives 2004/8/EC and 2006/32/EC. The text was published in the Official Journal of the European Union on November 14, 2012. Ref. OJ L 315, 14.11.2012, 1-56.

The EED is not just the most recent policy device elaborated by the Commission to build an alternative strategy for energy policy in Europe. It also suggests a new policy narrative, informed by the Commission's larger (and inevitably normative) vision and understanding of what public policy in Europe *needs to* be—i.e., the idea that, in a community of citizens and interdependent countries such as the EU, public policy-making is better performed at the EU level *no matter what* and that, when pursuing common EU interests and goals, more policy integration is *always* more desirable than more national insulation.

Phase A, June 2011: the Commission's proposal and the first debate

The text of the proposal tabled by the Commission on June 22, 2011, comprised twenty-four articles and fifteen annexes. The proposal also included a large introduction which located the EED in the EU's energy policy *acquis* and linked it to the broader Commission's energy policy vision and, in particular, to the Europe 2020 strategy for smart, sustainable, and inclusive growth (European Commission, 2010d)—the comprehensive policy framework developed by the Commission in 2010 to replace the Lisbon Strategy as the guiding principle to drive Europe out of the competitiveness and growth crisis which has struck globally since the late 2000s. The Europe 2020 strategy is the overarching framework in which the Energy 2020 initiative was later embedded and emphasises the need for a more energy efficient Europe as an EU-wide policy priority on the way to more sustainable economic growth. The intents and mission of the Europe 2020 framework were also reproduced more systematically in the Commission's (2011j) 'flagship' initiative for 'A resource-efficient Europe', which served as a *trait d'union* between the Europe 2020/Energy 2020 framework and the operational agenda of the Energy Efficiency Plan.

As the link ideally completing this strategic cycle, the EED offers a measure of the degree of ambition of the European Commission to lead the process and impose a genuinely Euro-

pean constraint on the Member States' autonomy in this policy field. The key objective of the EED is to define legally binding measures on Member States and their national energy efficiency policies. This section analyses the implications of this goal by taking into consideration, first, the discursive tools inserted in the proposal that clearly distinguish between integrationist EU-driven 'spikes' and more conciliatory 'vents' that grant Member States enough leverage to accept compromising and tactical losses on other issues or topics; and, second, the content of those key articles in the EED proposal which formally deliver the obligations on Member States. These two elements, finally, are particularly useful to compare the two EED proposals examined in this chapter, the first draft of 2011 and the text which was eventually adopted in June 2012. This research focuses on the re-framing processes that occurred during the negotiation process and eventually led to an agreement on the definitive text of the EED.

The opposition between integrationist and state-driven narratives in the draft proposal underpins the structural quest for compromise between the two massive and diverging interests at stake in the process: the opportunity to contribute to economic competitiveness, curb energy wastage, and increase EU-wide security of energy supply by subtracting competences to the state level and integrating them at the EU level vis-à-vis the Member States' need to defend their ultimate autonomy to decide what measures and decisions apply to their citizens, their economy, and their legal systems. Inevitably, the EED tends to balance between these two contrasting interests. The aim of the directive is to "remove barriers and overcome some of the market failures that impede efficiency in the supply and use of energy" and, consequently, it lays down "an *obligation* for Member States to remove obstacles to energy efficiency", "*requirements* on the public sector" and "*requires* Member States to establish national energy efficiency *obligation schemes*" as well as "regular *mandatory energy audits* for large companies" (European Commission, 2011c:5, emphasis added). As re-

gards energy supply, moreover, the directive "*requires* Member States to adopt national heat-ing and cooling plans to develop" the energy efficiency potential. At the same time, how-ever, the directive grants Member States enough room for manoeuvre to "lay down condi-tions for exemption" from the obligations on energy installation sites' requirements (Euro-pean Commission, 2011c:5, emphasis added).

The core of the compromise deal that the Commission offers to Member States lies in the overarching understanding that binding measures under the control of EU institutions *will not* be considered until national governments are *proved to* be unable to meet the 20 percent energy efficiency goal which they accepted by participating in the Europe 2020/Energy 2020 platform. Accordingly, the EED itself grants Member States, "in a first stage", to set national standards with the discretion to "decide whether these targets should be binding or indicative in their territory", and only "if that approach does not succeed" the EU will be entitled to "reinforce the policy framework by adding a system of binding targets" (European Commis-sion, 2011c:10). Finally—in spite of the wishful thinking of its rock-bottom idealism and the fact that "measures currently adopted at Member States level are also insufficient to over-come the remaining market and regulatory barriers" (European Commission, 2011c:6)—the political balance in which the directive proposal is embedded was still largely favourable to the interests of national governments, and the Commission seemed unable to translate its rhetorical dedication into constraining policy leverage and appears relegated just to a moni-toring role.

The actual content of the directive's articles shows a similar pattern. The targets of the directive are to be set by Member States on a national basis, and governments are invited to just "take into account the Union's target of 20% of energy savings" (Article 3.1). The Commission has to monitor the process of target definition and assess whether the EU as a whole—considering "the sum of national targets"—is likely to achieve the 20 percent objec-

tive by 2020 (Article 3.2). Member States are also required to 'set a positive example' by committing to refurbishment and renovation of public buildings at a yearly rate of 3 percent of the total floor area owned by the public bodies (Article 4). However weighed by the possibility to cumulate surplus, the provision of Article 4 was strongly contested by national governments, and especially by the newly-accessed EU Member States, which on this subject matter have been lagging relatively behind EU averages. With regard to energy audits for a Member State's companies and industry, the directive's provision asks Member States to "promote" and "encourage" energy auditing and ad hoc programmes for energy management, with no actual mandatory target or indication (Article 7.1).

Even in a well-developed sub-sector such as smart metering—which is already object of EU legislation[134] and a key component of the Commission's strategy on EU-wide smart energy transmission grids—Member States are just invited to take into consideration energy efficiency objectives when setting up metering parameters and definitions in their national legislation (Article 8). The provisions on cogeneration require Member States to report on national plans for heating and cooling that develop "the potential for the application of high-efficiency cogeneration and efficient district heating" (Article 10), even though the text goes on to list the potential configurations of exemptions that Member States may concede to companies on their territory.

Energy efficiency is also the guiding principle of the provisions on energy distribution and transmission, hinting at the relationship between the main energy efficiency strategy, plans, and objectives devised by the national governments and their grass-roots technical implementation by national energy authorities and regulatory bodies. This provision (Article

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[134] Provisions on smart metering are included in the latest directives on both electricity (2009/72/EC, Article 3) and natural gas (2009/73/EC, Article 3), which are part of the EU third energy legislative package.

12) follows the same scheme that informs the rest of the EED and sets a number of deadlines for Member States to outline their objectives and national plans on the issue.

The main source of contention, however, was Article 6. When interviewed in Brussels during the final phases of discussion on the directive proposal in 2012, both policy officers from the European Commission and analysts and observers from non-governmental organisations and interest groups would commonly mention Article 6 as a synecdoche to refer to the whole directive negotiation process.[135] Article 6 required, since the earliest proposal of June 2011, Member States to impose a national obligation scheme upon "all energy distributors or all retail energy sales companies operating on the Member State's territory". The scheme should ensure, annually, energy savings for 1.5 percent of the previous year's energy sales volume. According to the Commission's recommendations for short-term intervention aiming at reaching these targets, national governments should start with supporting, for instance, the diffusion of more energy-efficient household appliances or accessories—such as "light bulbs" and "energy efficient shower heads" (European Commission, 2011c:42)—which would perform the same while consuming less. The EED also provides Member States with the criteria and parameters for calculating energy savings in the technical annexes to the proposal.

Articles 4 and 6 remained, however, the only provisions in the directive proposal which require Member States to comply with a precise and concrete objective, putting them in an intermediary position vis-à-vis their own national energy companies on the one hand—whose production and activity is ultimately going to be controlled—and the European Commission on the other hand, with the power to sanction non-compliant governments and, indirectly, their energy industry as well.

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[135] Interview with an analyst from an international environmental NGO, Brussels, 25 June 2012.

Phase B, June 2012: the agreement on the final Directive proposal

The lack of agreement among EU institutions on the content and effects of the EED had hampered the process since its earliest stages. Even though the Commission's proposal reached the Council's desk on June 23, 2011, there were no signs of legislative activity besides the opinions approved with regular majority by both the European Economic and Social Committee (EESC) and the Committee of the Regions (CoR), on October 26 and December 14 respectively.

The Committee of Permanent Representatives (COREPER) reached an agreement on the Energy Efficiency Directive proposal only on June 14, 2012. The Council of the European Union had expressed its consensus about the Commission's proposal almost one year after the submission of the first draft. The new text of the EED (Council of the European Union, 2012) is the outcome of months of negotiations between the European Commission's DG Energy and Member States, as well as other directorate-generals, the committees of the European Parliament, organised interests, civil society, and governmental and non-governmental organisations. Following these negotiations, the outcome embodied by the new EED text is radically different from the original draft proposal presented by the European Commission in 2011. Even though most of the proposal's content is identical, the changes introduced in the new text alter substantially the relative weight and the policy impact of the EED.

The new proposal, for instance, requires Member States to set "an *indicative* national energy efficiency target" (Article 3.1, emphasis added), leaving up to the governments the definition of the criteria according to which the targets will be calculated. Most importantly, Article 3 also grants Member States the possibility to introduce in the calculation certain parameters which may 'weigh' the national targets according to particular characteristics of the economic and productive structure of the country (Article 3.1, emphasis added):

> [n]ational circumstances… such as remaining cost-effective energy-saving potential, *GDP evolution and forecast*, *changes of energy imports and exports*, development of all sources of renewable energies, nuclear energy, carbon capture and storage (CCS), and *early action*.

The formulation of Article 3 in the new EED text is crucial. First, the obligation on Member States to set constraining energy efficiency targets nationally is further diluted into an indicative provision, thereby minimising any incentives for national governments to comply with the EU's broader energy efficiency framework and commit themselves to an integrated strategy with EU-wide repercussions.

Second, the criteria that each national government can use to calculate the intensity of their (EU-derived) energy efficiency objectives fall entirely under the control and definition of Member States and pertain to policy fields—e.g., productive activity, taxation and fiscal policy, physical provision of energy supplies—that lie outside the limits of the Commission's competences.

Third and finally, the "national circumstances" that may partly exempt Member States (and their energy companies) from the directive's obligations include the debated concept of *early action*. 'Early action' in the definition of energy efficiency obligation schemes and quotas means that each Member State will be able to credit the energy savings obtained through its national policies and actions implemented *before* the entry into force of the directive. With this retroactive calculation, the quota of energy savings that the Member States is required to meet within the directive's deadlines will of course be significantly smaller.

The introduction of the 'early action' clause has been a pressing issue in the Council of the EU since January 2012, thanks in particular to the advocacy of a coalition of Member States led by the Austrian government (Riley and Hope, 2012). An 'early action' mechanism had already been used in the 2006 directive on energy services, in which the definition of

'energy savings' included the outcomes of policy interventions implemented from as early as 1995. Interestingly, if the same rationale applied to the EED, the introduction of the early action clause would in fact "slash the 1.5% target [of Article 6] to around 1%" (Riley and Hope, 2012).

The core of the directive proposal—i.e., Article 6—was also profoundly altered in the new draft of June 2012. Even if the 1.5 percent objective for the energy efficiency obligation schemes remains untouched, the complex apparatus of exemptions, exceptions, and calculation criteria jeopardises the effectiveness and clearness of the provision. The new wording of Article 6 requires the Member States' energy companies to meet the energy savings targets on a *cumulative basis* by 31 December 2020, and in a way which is "at least *equivalent* to achieving new savings each year… of 1.5%" (Article 6.1, emphasis added). Accordingly, energy companies *do not have* to prove every year that they have saved energy by 1.5 percent of the previous year's total volume but, rather, now Member States have to provide the Commission with evidence that—cumulatively—by the end of 2020 their firms have saved the same amount of energy *as though* they had saved 1.5 percent annually.

This formulation has significant consequences, since it allows companies *not to* save the required amount of energy on a yearly basis, but to delay their energy-saving measures accordingly to their productive and financial needs—provided that they are successfully going to meet the overall objectives by 2020. The provision's wording also extends significantly the timeframe of the Commission's evaluation of the Member States' performance, since this cannot be properly assessed before 2020. Moreover, the text of Article 6 goes on to further dilute the constraints on national companies by calculating the 1.5 percent amount no longer on the previous year's gross energy sales and distribution volumes, but rather on an average of the most recent three-year period prior to the implementation date of the directive in each Member State. Hence, if Member State *x* implements the directive in 2013, the 1.5 percent

target shall be calculated on an average of the 2010–2012 interval prior to the implementation of the directive in the national legal system. Member States, finally, are left free to calculate the savings quotas and adopt progressive percentages (Article 6.1aa.a), to exclude the energy volumes employed in selected industrial activities (Article 6.1aa.b), and to credit savings coming from cogeneration (Article 6.1aa.3) as regulated by other EED provisions (Article 10).

It is up to Member States, furthermore, to decide whether to take into consideration energy sales used in transport when calculating the energy savings quota. Energy consumption in transport was explicitly excluded in the first EED draft, but this point had raised concerns in the industry, which saw this provision as being excessively detrimental to the interests and profits of energy companies. The German energy corporation BASF, for instance, had publicly lamented that the exclusion of transport and buildings from the energy efficiency obligation schemes would inequitably hit the industry[136] but also undermine the effectiveness of the new EU legislation—considering that "the largest untapped efficiency potentials are in the building and transport sectors (77% and 52%, respectively), juxtaposed to a 15% rate in the industry" (Kugyela, 2012a).

In conclusion, the first EED proposal—devised by the European Commission as the ideal complement to the strategic trajectory that connects its policy proposals from the mid-2000s to the new Treaty provisions, the Energy 2020 initiative, and the 2011 Energy Efficiency Plan—built on two crucial integrationist strongholds, Article 3 and Article 6, which were meant to design a truly European legal and policy framework for energy efficiency. Article 3 imposed an EU-wide target (20 percent by 2020) and required Member States to commit themselves to these goals by adhering to a rigid timeline of national targets and a complex

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[136] It is worth considering that the Commission's (2011j:9) impact assessment accompanying the first EED draft of June 2011 clearly stated that, according to data from PRIMES and the Fraunhofer Institute, energy consumption in industry was the closest to the 2020 objectives (only a 2 percent gap between the energy savings of a business-as-usual scenario and the 2020 potential), while transport (11 percent gap) and residential (16 percent) consumption were still severely lagging behind.

monitoring and evaluation system. Article 6 set out a mandatory scheme for incremental energy savings on an EU-wide basis, aiming directly at energy production, sales, and distribution and insisting on yearly targets in order to tighten the constraints of the fledging European energy efficiency agenda.

It took a year of top-level negotiations among EU institutions and between the EU and all the stakeholders to reach an agreement on an extremely different text which inserted a number of national criteria in the determination of the directive's targets—whose effectiveness was jeopardised by the introduction of cumulative calculation. This seemingly watered-down text was discussed and later approved with amendments by the European Parliament on September 11, 2012. Once the amendments were accepted by the Commission, the final document was ready to be discussed by the Council of the EU. The directive was finally approved by Member States on October 4, 2012. The text was jointly signed by the European Parliament and the Council on October 25 and published in the Official Journal on November 14. On December 5, 2012—i.e., 533 days after the first Commission proposal was tabled—the EED entered into force and became a piece of EU legislation.

The aim of this section, however, was neither to normatively suggest an alternative roadmap for a more integrated or genuinely European energy efficiency framework nor, of course, to assess to what extent EU integration has progressed on the way to a common energy efficiency policy. Conversely, this chapter considers the agreement on a directive proposal on energy efficiency as a goal *per se* and the next step in the Commission's vision and paradigmatic agenda—i.e., an 'upgrade' from a strategic to a legislative status. This section describes and re-constructs *what* the Energy Efficiency Directive is in the broader policy design envisioned by the European Commission, while the next section goes on to describe and re-construct *under what circumstances* the Commission has managed to re-frame energy efficiency in a more integrated and European way—despite the lack of boldness of the final

proposal's text—and succeeded in transposing its own strategic understanding of energy efficiency into a binding piece of EU legislation.

5.3. Policisation through contestation: a name-and-shame discursive offensive

As discussed above, there is significant consensus that the final text of the EED fails to meet the level of ambition which the European Commission's decade-long strategy on the policisation of energy policy had prefigured at the earlier stages of the negotiations. Observers, analysts, and organisations would agree that the Commission could have dared more in the policy-making process, whereas the final outcome seems to rest on a disappointing lower common denominator of all that could have been attained under the circumstances.[137] Officials from DG Energy are more prone to admit that, while the directive could certainly have achieved more, the agreed text is nonetheless a first fundamental step towards a real EU energy efficiency policy and legal *acquis*, and that the directive should be seen as a first step along a path that in 2014—when the Member States' progress will first be evaluated—will go through another crucial development.[138]

However, the research question underpinning this chapter—i.e., under what circumstances the European Commission is able to successfully re-frame policy actions towards more integrated and European policy outcomes—analyses the agreement on the EED as *an end in itself* or, rather, as a successful instance of discursive energy policisation by the Commission. The main analytical goal is neither to assess whether nor how the new piece of legislation on energy efficiency will manage to meet the 2020 targets. Rather, this section investigates in which way the European Commission has re-framed the Energy 2020 narrative to set up, at last, a legal instrument which compels Member States, market players, and

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[137] Interview with an analyst from an international environmental NGO, Brussels, 25 June 2012; phone interview with an analyst from WWF Europe, held on June 29, 2012.
[138] Interview with a DG Energy high-ranking official, Brussels, 27 June 2012.

all other stakeholders of EU energy policy to commit themselves to the ideas, vision, goals, and expectations that the Commission has constructed, defended, and promoted through its policy discourse over the last fifteen years. In the EED case, the prevalence of the Commission's position or its ability to eventually take the reins of the process and drive its outcomes closer to its own goals and preferences does not necessarily imply 'better' energy efficiency provisions being passed or a 'greener' vision of Europe's energy future being designed. The test shows that the Commission's policy preference located somewhat halfway the ambition of many Member States, on the one hand, to neutralise the process and have no more binding energy efficiency caps coming from EU legislation and the hopes of environmental organised interest groups and growing sectors of the European Parliament, on the other hand, to table a much stronger—although politically less viable—legislative proposal.[139] The complex role of the European Commission in the energy sector, in which it has been supposed to both be a "radical supporter of the EU's vision" and, at the same time, "try to reach complicated political compromises", had been apparent, after all, since the inception of the internal energy market and the publication of the first sensitive energy directives in the early 1990s (Andersen, 2001:115).

Methodologically, this section juxtaposes with the policisation test (cf. Chapter 4.3) run to assess the Commission's frame socialisation practices in the case of the North Sea offshore grid. It develops along the three-phase policy re-framing route of policy initiation, frame elaboration, and frame competition. The first dimension analyses how the Commission

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[139] The inherent need of the European Commission to compromise on the position of the Member States is a significant point to understand that, even within the comprehensive climate-change agenda of the EU, the policisation strategy of the European Commission implies progress also on the several other dimensions—market, competition, and consumer protection, in particular—than just the environmental and decarbonisation ones. In this context, the 'full-house' approach advocated by the European Parliament and the climate-change and environmental advocacy groups was not the political optimum for the Commission. As explained by a high-ranking Commission official who took part in the entire negotiation process since the first EED proposal (interview held in Brussels, 27 June 2012), most of the negotiations and the concessions were *necessary* in order to make the directive's scope and goals attainable. In spite of the 'climate-energy' paradigm in which the negotiations were embedded, the Commission could not present itself as an environment-friendly policy leader, but rather as a mediator among radically competing interests.

managed to establish a coherent policy discourse on energy efficiency in general—emphasising the policy's *heal-all* nature—and on the Energy Efficiency Directive in particular, presenting the legally-binding directive as a necessary 'status upgrade' for EU energy efficiency policy to meet its 2020 targets. The second dimension analyses in detail the policy frame with which the Commission has approached the EED negotiations and, in particular, how its original all-encompassing and cooperative attitude clashed against the stubborn state-centred stance of national governments in the Council. The third dimension analyses the upfront contestation with which the Commission has faced the Council's opposition and counterproposals on the EED text—i.e., pressing to reach an agreement on the directive *as such*, as a minimum necessary goal for the development of energy efficiency policy in the EU

As envisaged in Chapter 1, moreover, the case of the EED negotiations lays the groundwork for a within-case comparison between the two instances of energy policisation in the EU. The two policy-making processes show significant similarities—in both cases the Commission initiated the policies in the EU agenda thanks to strategic planning and discourse and elaborated its own frame as an integrationist alternative to the traditional intergovernmental discourse of Member States—but differ in one specific dimension, i.e., the way in which the Commission decided to challenge the existing policy frame to impose its own vision and paradigm. While in the case of the North Sea offshore grid the Commission maintained a cooperative and coalition-prone attitude throughout the process, socialising a number of actors and stakeholders with its own vision to such an extent that it became predominant, in the case of the EED negotiations the frustration of this cooperative stance led the Commission to a more isolated and aggressive approach vis-à-vis the Member States' frame—settling for a lower-common-denominator goal rather than facing the risk of outright re-framing failure.

Policy initiation: energy efficiency as the quintessential energy policy priority

Two main policy initiation tracks need to be analysed to fully acknowledge the Commission's discursive effort and strategy on energy efficiency—i.e., the introduction of energy efficiency *as such* in the broader spectrum of the EU's public policy agenda and the initiation of the policy-making process which led to the submission of the EED proposal and eventually to the inter-institutional agreement on the June 2012 draft.

During the late 1990s and early 2000s, the emergence of two issues with global repercussion such as worldwide climate-change concerns and the long-term prospects of unsustainable energy dependence from depleting fossil fuels created an unprecedented and unexpected window of opportunity for the European Commission to introduce energy efficiency in the long-term EU energy policy agenda. At the beginning of the 2000s, the situation was not dissimilar from the energy scenarios which followed the oil shock crises in 1973-1974. Since then the "interest in energy saving for the reduction of consumption and environmental protection" has been "obvious" (European Commission, 1994:55). Because of the ability of energy efficiency discourse to tackle these two policy pressures—as well as to positively affect the internal market competitiveness, increase the reliance on alternative and renewable sources of energy, alleviate the fiscal pressure on both the industry and households—the European Commission was able to exploit this window of opportunity by presenting energy efficiency as a heal-all remedy and the starting point of the fledgling 'new' energy policy of the EU. As early as 1998, the Commission (1998b:1, emphasis added) warned of the:

> [u]rgent need to reinvigorate commitment both at Community and Member State level to promote energy efficiency more actively, especially, but not only, *in the light of the Kyoto agreement to reduce CO$_2$ emissions*. Improved energy efficiency will lead to a *more sustainable energy policy* and *enhanced security of supply*, as well as to *many other* benefits.

The pressure from growing concerns about the environment and the emergence of a global regime for climate-change and emissions policies was not the only driver of the Commission's interest in energy efficiency: "an effective energy efficiency policy could... make a major contribution to EU competitiveness and employment, which are central objectives of the Lisbon agenda" and, considering that "by 2030, on the basis of present trends, the EU will be 90% dependent on imports for its requirements of oil and 80% dependent regarding gas... energy efficiency is one of the key methods to deal with this challenge" (European Commission, 2005:5-6). Even the Council of the EU promoted the all-encompassing positive benefits of an energy-efficient internal market and productive structure for the EU: in a 1998 resolution on energy efficiency the Council emphasised "the contribution of efficient use of energy to security of supply, economic competitiveness and environmental protection", confirming "the important role of energy efficiency in the creation of business opportunities and employment as well as its global and regional benefits" (Council of the European Union, 1998:1).

The discourse on energy efficiency in the EU, however, in spite of its institutional visibility, set very high expectations about its long-term objectives. Even though this discourse was particularly effective in strengthening the consensus about energy efficiency across the whole spectrum of policy actors and stakeholders, it built for years on soft and mostly strategic instruments which lacked the concrete ability to make actions and facts follow the words and vision propagated by the Commission. It was this capability–expectation gap and the failure of the existing instruments to meet the strategic targets of the Energy 2020 platform that created a new window of opportunity for the Commission to demand a stronger instrument for EU energy efficiency policy and to gather consensus about an upgrade of the policy status—from strategic to legally binding. The actual policy initiation process for the Energy Efficiency Directive, therefore, began when the Commission started disseminating the idea

that the existing energy efficiency toolkit available to EU institutions and energy policy was inadequate to meet the demanding objectives the EU had given itself since the European Council's conclusions on the 20-20-20 goals.

In the impact assessment accompanying the first EED draft in June 2011, the Commission (2011j:8-9) admitted that "the EU's 20% policy objective for energy savings will not be met with present policies—and thus that the related environmental, social, security of supply and economic benefits will not be realised". The gap between rhetorical commitment and actual implementation capabilities showed another structural shortcoming in its dependence on the Member States' political goodwill to effectively support the energy efficiency agenda: "evaluations suggest that the energy saving potential is not being realised fast enough and the measures adopted so far can only achieve energy savings of about 11% by 2020" but only "*if properly implemented by Member States*" (European Commission, 2009c:3, emphasis added). In support of its discursive effort, the Commission (2009c) opened a public consultation on the agenda, timeframe, and policy toolkit which gave birth to the 2011 Energy Efficiency Plan. The response from market stakeholders, organised interest groups, and advocacy organisations converged on the need to upgrade the existing energy efficiency platform to a more compelling status (European Commission, 2009c:27, emphasis added):

> [t]here is a need for an overall target for energy efficiency to be made *mandatory*, such as the 20% by 2020 compared to 1990. This should be underpinned by an understood and clear definition of "energy efficiency" and the development of *an objective method* for measuring and quantifying energy efficiency.

> There are legitimate concerns regarding *the reliability of existing data in all member states* for establishing baselines to measure precise energy intensity. Therefore, there is a need for *more* practical *sector specific targets to be set*.

> There is a need for *an overall binding target for energy efficiency*. The level of ambition should be set at least the 20% savings target already espoused by the Heads of State and government for 2020.

The discourse of the European Commission, consequently, re-elaborated the new EU energy efficiency agenda against the backdrop of the insufficiency of the existing legal and strategic endowment as well as of the failure of the EU—considered broadly as the sum of EU institutions, stakeholders, market and societal players, and citizens—to meet those very objectives that it had set for 2020. In response to this inadequacy, "a new legislative instrument [i.e., the EED] aimed at creating the right market conditions and legal environment so that the 20% objective is fully realised in 2020 is therefore analysed" (European Commission, 2011j:9). One of the achievements of the Commission's discursive strategy which brought about the EED proposal is to have turned the shortcomings of its own policy framework into a window of opportunity to *increase* the Commission's competences, responsibilities, and room for manoeuvre on energy efficiency. By admitting that available instruments and resources were insufficient to meet EU targets, the Commission was able to gain momentum for a new policy frame—more integrated and European—and to advocate for its upgrade to a legally binding status.

Frame elaboration: the European Commission from idealism to disenchant

Frame elaboration in the case of the EED is particularly interesting because of the way it changed through time, in particular in between the publication of the two EED proposals—in June 2011 and June 2012. The European Commission delivered the first proposal as the outcome of an inclusive process which tried to involve as many stakeholders and policy actors as possible, but approached the negotiations which eventually led to the final EED proposal with a more aggressive and isolated stance. It is argued in this section, in particular, that the lack of constructive feedback from the governments of Member States has forced the Commission to opt for a more 'antagonistic' elaboration of its own discursive and strategic framing of EU energy efficiency. This process has had, of course, a crucial impact on the

way in which the Commission has managed the EED negotiations and, consequently, on the final outcome of the policy-making process.

Following their meeting of May 26, 2011, the permanent representatives of COREPER (2011) reached an agreement about the Energy Efficiency Plan which simply 'took note' of the Commission's positions without explicitly supporting any and invited the energy ministers of the Council of the EU to approve of such opinion. Moreover, the COREPER's (2011:6) note questioned openly the EED's provision on the three-percent energy-efficient refurbishment of public buildings (Article 4) by inviting the Commission "to also consider, on the basis of a robust overall impact assessment, alternative approaches". Even after the draft proposal was issued and the process of revision and amendment of the text began, the Council seemed "to be wary of making national energy efficiency targets binding, although a political consensus prevails over the need to achieve 20% of savings by 2020" (Kugyela, 2012b). Member States showed since the very beginning of the negotiation process to admit no flexibility on their *janus*-faced stance on the energy efficiency agenda of the EU: rhetorically, they would agree at the highest political level—i.e., the European Council—on the significance and strategic value of energy efficiency for Europe's market competitiveness, energy security, and environmental sustainability but, practically, they would not engage in any constraining policy measures even if these were based on those very principles and vision they had publicly supported.

This contradiction frustrated the cooperative stance of the European Commission. The first draft of the EED in June 2011, moreover, should be seen as the very last step in a longer path which the Commission had walked for the past forty years—that is, since the rational use of energy was first mentioned as a policy priority for the sake of Europe's energy policy in the communication with which the Commission (1974) reacted to the effects of the 1973-1974 oil shocks. These institutional dynamics, however, were nothing new. In 1986, the

Council of the European Communities approved a resolution which set indicative energy policy targets for 1995, including "even greater energy efficiency in all sectors and act to highlight specific energy-saving possibilities. The efficiency of final energy demand should be improved by at least 20% by 1995" (Council of the European Communities, 1986). When, two years later, the Commission suggested a fourteen-point roadmap to achieve those goals by 1995, it took three years of inactivity on the part of Member States before the Commission had to admit that its communication "had had no appreciable effect" (European Commission, 1998b:6). Another communication on energy efficiency (European Commission, 1990) was forced to emphasise that "in the energy policies pursued by most Member States, energy efficiency generally has become a lesser priority". Finally, in 1998, when it first attempted to outline a consistent EU-wide strategy for energy efficiency, the Commission approached the negotiations with an inclusive narrative in spite of the lack of overt collaboration from many Member States (European Commission, 1998b:9):

> An energy efficiency strategy cannot be successfully implemented without the co- operation and support of a wide variety of actors throughout the Community. Increased co-operation with Member States must be sought as well as with the energy service industry, manufacturers, distributors, installers, industry associations, branch organisations, utilities, consumer organisations and NGOs.

The reiterated frustration of the Commission's *pan*-institutional approach had consequences on the negotiations of the EED text. The EED draft, in the months that followed its publication, gained the support of the European Parliament. The Parliament's committee for environmental affairs, ENVI, approved a report on the directive proposal in late December 2011: while it smoothed a few provisions to meet the requests of some Member States (e.g., curbing the 3 percent quota on public sectors' building refurbishment down to 2.5), it also strengthened the mandatory nature of other provisions—suggesting, for instance, to expand the yearly target of 1.5 percent increase in energy savings to transport too. The Parliament's

committee on energy and transport, ITRE, discussed over 1,800 amendments to the original text (Kugyela, 2011) to finally agree on the binding nature of the directive's provisions and adopt the same changes as they had been recommended by the ENVI committee.

However, despite the Parliament's agreement and the constant support and technical feedback coming from the critical mass of Brussels-based advocacy groups, think tanks, and organised interest groups, the European Commission approached the negotiation of the new proposal with a less cooperative stance, even though its policy officers never interrupted the flow of information with stakeholders, other EU institutions, and national governments.[140] In 2012, Denmark took over the presidency of the Council of the EU, claiming in its mandate's programme that "the energy efficiency directive will be a key priority for the Presidency" (Danish Presidency of the Council of the EU, 2012a:16). Insofar as achieving a resolution on the EED issue became a priority of the Council, the field was left to two conflicting under-standings and visions of what EU energy efficiency was supposed to be and of how the tar-gets of the Energy 2020 were supposed to be met.

At least until March 2012, the Commission took up the challenge of the directive negotia-tions with a very technical attitude, with two major implications. On the one hand, the Commission treated energy efficiency as the sum of a number of economic equations, an-ticipated results, and calculated policy outputs which were necessary to meet—at all costs—the 2020 objectives, i.e., the Commission failed to elaborate its policy frame politically and to suggest an energy efficiency agenda which may have competed with the Member States'.[141] On the other hand, the Commission treated the directive negotiations as the last tile of a strategic domino for energy efficiency competences vis-à-vis Member States, and failed to elaborate its policy frame inclusively and with a socialising, coalition-prone attitude

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[140] Interview with an analyst from an international environmental NGO, Brussels, 25 June 2012.
[141] *Ibid.*

towards all other stakeholders and policy actors—e.g., the European Parliament, local energy authorities, advocacy groups, organisations and associations, and the industry. The outcomes of this deliberate *frame contestation* strategy by the Commission, however, wound up being perhaps surprising—mostly because of the way in which the Commission managed to *discursively influence* the last weeks of the negotiation process.

Frame competition: contesting the legitimacy of Member States' interests

By re-tracing the process of the EED negotiations, it is possibly to pinpoint the moment in which the European Commission launched its discursive offensive to challenge and *contest* the Member States' policy frame on energy efficiency—i.e., one of non-binding EU provisions and national autonomy in determining efficiency goals and the best fitting measures to achieve them. The turning point occurred approximately after March 2012.[142]

At that stage of the negotiations, any progress towards an effective piece of EU legislation on energy efficiency was stalemated. On the one hand, Member States' governments insisted on an ambiguous position which espoused publicly the targets and vision of the 2020 policy framework while they remained unwilling to accept constraining legislation from the EU. The first months of 2012 saw small coalitions of Member States put forward their particular interests to smoothen some of the more demanding clauses of the original 2011 draft text. The newly-accessed countries, in particular, lobbied extensively for a reduction of the pressure on the governments to 'set the example' by means of public buildings' refurbishment (Article 4). At the same time, western European countries were more interested in 'relaxing' Article 6 on the national energy companies' obligation schemes and lobbied for the introduction of the early action clause in the new directive proposal (Kugyela, 2012c). Moreover, some Member States—most notably, the United Kingdom—were quite

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[142] *Ibid.*; interview with a DG Energy high-ranking official, Brussels, 27 June 2012.

effective in channelling to their own public opinion and to the audience of their taxpayers an image of the EED which revolved around the potential rising costs for both government expenditures and the households' budgets (Webb, 2011).

Even when acting as a bloc in the Council of the EU, the Member States did not approach the negotiations with a cooperative stance. The Polish presidency of the last semester of 2011 worked extensively to water down some of the most demanding provisions of the directive proposal and managed to make the national energy efficiency targets "indicative" according to the wording of Article 3 (Kugyela, 2012c). On its part, the Danish presidency, which took over at the beginning of 2012, affirmed overtly the need to approve the directive before June 2012—that is, within its presidency term—but warned the institutional parties that "agreement on this important Directive by the end of June will, however, require a high degree of flexibility and willingness to compromise on the part of both the Council and the European Parliament" (Lidegaard in Danish Presidency of the Council of the EU, 2012b).

Against this backdrop, the European Commission started *contesting* this status quo with an approach which was consistent with its own narrative on EU energy efficiency policy. Accordingly, the directive on energy efficiency *as such*, as an end in itself, needed to be secured as the next goal in the Commission's broader strategy and vision for a common energy policy in Europe. At this point in time, the European Commission began to seek *at least* an agreement on the directive and the creation of a binding piece of EU legislation on the topic: an outcome which was less than originally pursued, but certainly more than a legislative vacuum which left all decision power to the national level and impeded improvements in Europe's energy consumption, security, and sustainability.[143] Frame contestation in the case of the EED negotiations built on the timely combination of three circumstances which happened to occur simultaneously.

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[143] Interview with a DG Energy high-ranking official, Brussels, 27 June 2012.

First, the Danish presidency realised the same danger as the Commission had done and began advocating in the Council for a quick resolution of the political stalemate and for a sign of goodwill on the part of the national governments, in particular by lifting a number of exemptions to Article 6 from the Council's proposal.[144] The Danish presidency had the support of the European Commission but insisted particularly on the European Parliament to win the support of other governments inside the Council. Following the last rounds of negotiations, Denmark's Minister for Energy and Climate-change, Martin Lidegaard, stated to the press that "it is with great pleasure that the Danish presidency has made a deal with the European Parliament and the Commission" and that Denmark had "fought like lions" (Euractiv, 2012a) to successfully negotiate the directive's proposal.

Second, the instrumental and yet compelling momentum of the Danish presidency stimulated a powerful reaction from the European Parliament. The parliamentary rapporteurs on the EED, Claude Turmes, a member of the Greens group, and Fiona Hall from the Liberal-Democrat group, led the negotiations with the Council and managed to gain significant support for a more ambitious text consistent with the Commission's proposal, in particular from the French government. Mr. Turmes emphasised the role of the Parliament in the successful conclusion of the negotiation process—"we prevented the directive from exploding" (Euractiv, 2012b)—while Ms. Hall took credit on behalf of the European Parliament to have raised the bar of the directive's strategic and legally binding value, allowing the prospective measures to "achieve 17% of the 20% energy efficiency savings needed by 2020—compared to less than 15% before" the negotiations were positively resolved (Euractiv, 2012c).

Third, the turn the events had taken since late March 2012 persuaded the European Commission to use an ultimate political weapon, which made the clash of programmatic vision and understanding of energy efficiency between the Commission and the Council more

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[144] *Ibid*.

apparent. On April 19-20, 2012, the European Commission (2012) published a non-paper on the Energy Efficiency Directive which critiqued the Council's proposal on the EED of April 4, 2012.[145] The non-paper compares the provisions of the original Commission's proposal of June 2011 to business-as-usual scenarios and measures the impact of the Council's revisions and amendments on the text—in order to show the loss in programmatic ambition, long-term effects, and actual benefits for the EU's energy market, security, and competitiveness which this would imply. Energy savings in 2020 coming from public buildings' refurbishment as envisaged in Article 4, after the Council's modifications which limited the impact of the provision only to buildings owned and used by the central government, would drop from 4.2 million tonnes of oil equivalent (Mtoe) to a mere 0.4. The obligation for national governments to consider energy efficiency criteria when purchasing new property (Article 5) was made non-binding: the energy savings deriving from it would decrease accordingly from 4.8 to 0.6 Mtoe. The several exemptions added to the national obligation schemes of Article 6 would entail a loss in energy savings in 2020 from 74.9 to 29.1 Mtoe. Considering the Member States' proposal overall (European Commission, 2012:4, cf. also Figure 5.5):

> [t]he Council's version of the Directive is thus estimated to reduce primary energy consumption by about 58.1 Mtoe while the Commission's proposal would deliver a saving of 151.5 Mtoe, which is needed to close the gap (along with measures in the transport sector) to achieve the 20% target.

The Commission's non-paper was meant to be a strategic 'plot twist'. The Commission realised that it could rely upon growing institutional advantage thanks to the converging interests of the Danish presidency to reach an agreement before the end of its mandate and of the European Parliament to broker inter-institutional consensus and cash in on *reputational*

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[145] Non-papers are becoming increasingly common in the institutional custom of the European Commission. Non-paper is the name commonly given, within the European system, to *aide-mémoires*, a typical instrument of intergovernmental organisations. With an *aide-mémoire* a delegation or a member is able to circulate certain policy positions or opinions with the aim of informing other potential parties without committing itself to the contents of the brief.

leverage vis-à-vis other institutions in general and the Council in particular. To best benefit from this political momentum, the Commission 'broke' the rules of the negotiation game and overtly challenged the position of the Council and of most Member States. The non-paper wanted to show how the Council's relentless egoistic perspective on the EED and the dilution of all EU-wide objectives of the proposal were not only preventing the EU from reaching an agreement but were first and foremost harming the potential benefits for Europe's energy security, environmental sustainability, market competitiveness, as well as households and final consumers in terms of lower energy prices.

Figure 5.5. Impact of the EED's provisions according to the Commission's and the Council's proposals (in Mtoe).
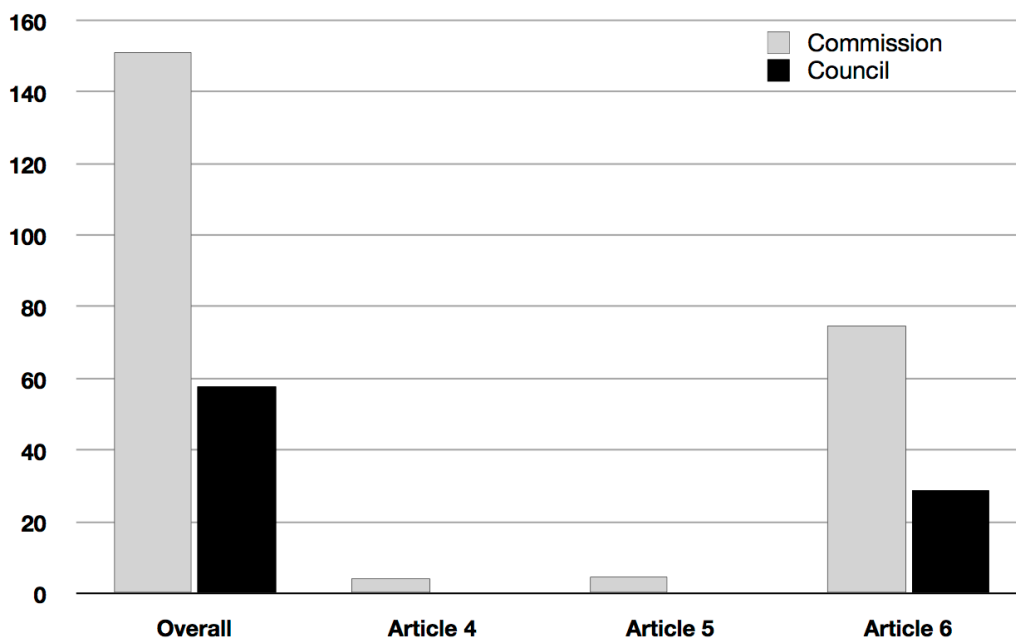
(source: own elaboration of data from the European Commission, 2012k)

As acknowledged also by a high-ranking Commission official,[146] the non-paper became an explosive discursive tool in the hands of the European Commission, as it made available to public scrutiny the dynamics which had been stalling the negotiation process while projecting an inaccurate idea of ineffectiveness and incompetence on the part of EU institutions. The 'lesson learned' by the Commission at the end of the negotiations was that discursive

[146] Interview held in Brussels, 27 June 2012.

offensives like the EED non-paper—which deliberately adopted what can be seen, from its vantage point, as *naming-and-shaming* tactics—may well serve as a 'nuclear communicative option' of last resort for the Commission but, as far as future strategies are concerned, these sudden twists are certainly at risk of altering the institutional balance within the EU policy-making process, most likely with counterproductive consequences on the effectiveness of Commission-led policy re-framing.[147]

5.4. Conclusions

Energy efficiency—i.e., the idea of maintaining or even increasing production and service provision while reducing energy consumption and improving the allocation of energy resources—has an enormous potential in the definition of a common EU energy policy strategy. A comprehensive policy platform for energy efficiency entails beneficial effects on environmental sustainability of economic production and social activity, on the energy consumption pattern continent-wide, on the Member States' security of supply, as well as on the competitiveness of energy companies in the EU's internal energy market, with positive repercussions on the costs borne by EU citizens.

The complex diversity of the concept of energy efficiency, moreover, is particularly resonant with the *policised* framing of energy policy advocated by the European Commission and analysed in this thesis. Indeed, energy efficiency is one of three pillars of the '20-20-20 goals' framework introduced by the European Commission and supported by the European Council (2007) and a substantial component of the Commission's (2010a) operative Energy 2020 initiative. Energy efficiency objectives, in short, allow the European Commission to intervene on a number of policy agendas—renewable energy, energy infrastructure, energy

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[147] *Ibid.*

market, environment, climate change, and energy security—while preserving a consistent long-term perspective and 'branded' idea of EU energy policy scenarios.

As a consequence, the European Commission has invested considerable political and financial resources on energy efficiency. Since the early 2000s, energy efficiency has become increasingly visible in the Commission's energy policy strategy through several strategic documents (European Commission, 1998b; 2006b; 2007a; 2011a; 2011k) which climaxed in the 2011 Energy Efficiency Plan (EEP). The Plan put forward the Commission's energy efficiency policy agenda as the blueprint for the definition of a common European framework on the subject. The Commission converted the Plan into a directive proposal featuring several binding provisions for the Member States to introduce into their national legislation. The first draft of the Energy Efficiency Directive (EED) was tabled by the Commission in June 2011. After more than seventeen months of negotiations, the EED finally entered into force on December 5, 2012.

The case of the EED negotiations provide another case study of the re-framing strategies adopted by the European Commission to lead the energy policy-making process towards a specific set of outcomes—i.e., an integrated EU-wide *acquis* on energy efficiency. Whereas Chapter 4 on the development of an offshore energy transmission grid in the North Sea studied the attempt of the Commission to *divert* a policy discourse from one existing set of preferences (regional state-centred action) to another (EU-wide, coordinated integration), in the case of the EED the Commission has acted in a 'policy vacuum'. The EED proposal of June 2011, which aimed to create an ambitious supranational standard framework towards the achievement of the 20-20-20 energy savings targets, was the epilogue of a strategic policy process which the Commission had supported for almost fifteen years. The strong opposition of several Member States to the draft text engaged the Commission in a discursive confrontation between competing visions and understandings of Europe's energy efficiency policy

in Europe—i.e., a state-driven model limited to domestic energy savings versus an integrated EU-wide mechanisms of evaluation and implementation.

The case of the EED, consequently, offered the 'other side' of the Commission's re-framing coin, one in which the Commission has autonomously established a new policy agenda and attempted to make it legally binding for the Member States. The analysis of policy frame contestation as an alternative strategy to more cooperative frame socialisation yields interesting findings especially as far as the potential replicability of such a strategy is concerned. The analysis of the EED negotiations could single out specific policy conditions and favourable circumstances under which the European Commission—also in policy fields other than energy policy—may have an incentive to adopt a more aggressive discursive stance when defining issues and advancing an agenda *against* other policy actors' alternative policy options.

First, during the EED negotiations, the Commission was generally in control of the agency of the process, i.e., it was presented with several strategic options available and it *chose not to* collaborate with other actors in a fashion similar to the stance it held during the development of the North Sea offshore grid project. When the Commission advanced its strategic vision on energy efficiency, in particular with the 2011 EEP (European Commission, 2011a), there was an opportunity to set up an 'epistemic community' with members of the civil society, non-governmental organisations, and technical consultancies to devise a comprehensive policy instrument on the basis of the EEP's provisions. This notwithstanding, the Commission decided to proceed: the policy provisions published in the EEP in March 2011 were drafted as binding legislation in the EED ambitious draft already in June 2011.

Second, socialisation in the case of the North Sea offshore grid happened by and large on an informal basis: the idea was developed by a closed policy community of committed analysts and experts, regional cooperation was informally developed with the Benelux frame-

work, and even inter-institutional dialogue has been managed by 'informal' actors such as EU Coordinators. In the case of the EED, conversely, frame contestation had to pass through the political constraints of the EU's Treaty-defined policy-making process. This maze of bargaining and negotiations led to a loss of vigour in the Commission's stance and proposal, as shown by interviews with officials from EU institutions and Brussels-based analysts conducted during the research. Compromise and appeasement were inevitable in a context in which the Commission had to strike a balance in the middle of an extremely diverse range of competing interests—i.e., from the Member States' ambition to stop the legislative process altogether and the pressures from organised interests, part of the industry, and environmental advocacy to insist on ideally stronger, though politically unviable, goals.[148] In terms of strategy replicability, therefore, policy entrepreneurs should take into consideration the inherent costs of supporting a specific discursive agenda and policy narration throughout the intricacies of the EU policy-making process before choosing to engage in explicit frame contestation with established paradigms.

Third, the stalemate of the EED inter-institutional bargains was eventually broken in part also because the Commission decided to adopt a non-conventional, one-off discursive weapon when it published its non-paper on the EED's revisions agreed on by the Council of the EU. By admission of the Commission officials involved in the negotiation process, the publication of the non-paper to expose the will of the Council to curb the impact of the directive on national legislation and energy consumption trends was, albeit effective, extremely risky in political terms and, generally speaking, hardly replicable in the future as an accepted pattern of behaviour. The non-paper's tactic, however, needs to be considered in the context of the favourable conditions under which the Commission could make its choice— i.e., provided that the European Parliament had already overtly supported a more compelling

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[148] Interview with a DG Energy high-ranking official, Brussels, 27 June 2012.

text for the Directive and that the Danish presidency of the European Council had positively started persuasion talks among the other governments. The non-paper's unique solution to the negotiations' conundrum, therefore, and the extraordinary circumstances in which the choice was made make it extremely hard to infer a standard blueprint for Commission-driven frame contestation in such a politically sensitive mechanism as the EU's policy-making process. This argument would require future research in this field to provide additional evidence of the effectiveness of this discursive strategy *in spite of* the reliance upon non-conventional policy tools.

The research has pointed out that the European Commission does suffer from an issue of communication capabilities and resources—a problem which is all the more paradoxical considering that discourse, language, meaning, and an alternative narration and understanding of energy policy have been the most widely used policy instruments to promote the new energy efficiency agenda (European Commission, 2010a; 2011a) since the early 2000s. However effectively the Commission may be in devising a thorough policy strategy for the energy efficiency agenda, it has lacked the communicative drive to spread it to the public opinion, civil society, and policy-making circles of the domestic setting.

In the case of the EED and energy efficiency policy in general, this might have impeded the construction of cross-level consensus and the Commission's ability to inform EU citizens and other relevant policy actors—the true recipients of its policy agenda—about the desirable effects of the systematic implementation of the Commission's frame vis-à-vis the existing state-centred mechanisms. The Commission could have performed better when divulging the obvious fact that more energy savings lead to less energy consumption and, according to basic market laws, a lower per capita cost of energy supply.[149] Conversely, the debate on energy efficiency was monopolised by national media and interests, claiming that the

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[149] Interview with an analyst from an international environmental NGO, Brussels, 25 June 2012.

costs of the implementation of energy efficiency policy would have fallen entirely on the taxpayers and had a shrinking effect on growth.

The reasons for these shortcomings lie mostly with the institutional organisation of the EU and the structural advantage that elected national governments enjoy in addressing their citizens and legitimate their actions and decisions. There exists, however, an issue with the attitude that the Commission held throughout the EED negotiations, through which the staff played the part of an executive branch providing decision makers with technical expertise: the Commission, that is, might have been unable to respond *politically* to the energy efficiency challenges and advance its own agenda visibly, while confining itself in the constrained domain of a conventional, technical policy-making routine.[150] The nature of energy and efficiency policy, finally, with their complex compound of interventions and effects in various sub-sectors, might have nurtured fraction and lack of coordination among policy departments within the Commission itself. All these elements may have contributed to the difficulties that the Commission had to face when trying to gain genuine support from policy recipients at all levels of implementation and, consequently, to gain leverage vis-à-vis other institutions. Given favourable circumstances, it took a last-resort discursive weapon like the Commission's non-paper to overcome this institutional asymmetry, pushing policy-making tactics to an extreme limit.

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[150] Interview with an analyst from an international environmental NGO, Brussels, 25 June 2012.

Conclusions

A roadmap to more integration?
Lessons learned from EU energy policy

In March 2007, the presidency of the European Council dedicated its conclusions to Europe's energy policy. In the face of unstable market trends and prices, depleting supply, and a structural inability of the EU to diversify either its energy sources or its energy suppliers, the heads of government of EU Member States reaffirmed the need for "an integrated approach to climate and energy policy" (European Council, 2007:11). The meeting resulted in the '20-20-20 goals' framework and the 'climate-energy strategy' for EU energy policy, a document committing EU institutions and national governments to achieve a 20 percent cut in overall energy consumption, a 20 percent cut in carbon emissions, and a 20 percent quota of gross energy consumption coming from renewable energy sources.

Three years (and another supply crisis) later, however, the unsatisfying performance of the '20-20-20' policy strategy forced the European Commission to warn EU Member States about the prospective failure of this framework. The Commission tried to point out the structural deficiencies that were affecting the institutional architecture of EU energy policy in Europe and jeopardising the governments' ability to reach these objectives. In its Energy 2020 initiative, the European Commission (2010a:3) pointed out that the strategy devised by the European Council was "unlikely to achieve all the 2020 targets, and… wholly inadequate to the longer term challenges". The 'climate-energy' strategy of the 20-20-20 goals (European Council, 2007) and policy documents like the Energy 2020 initiative and the Energy Roadmap 2050 (European Commission, 2011h) became turning points after which the European Commission took up the challenge of developing a *new frame for EU energy policy*, against the backdrop of a potential threat: "[p]ostponing these decisions will have im-

measurable repercussions on society as regards both longer-term costs and security" (European Commission, 2010a:2). This frame shift has attempted to re-design many central features and dimensions of EU energy policy.

The rationale for this thesis stemmed from the observation of this structural and all-embracing change. It has emphasised its coincidence with several critical events and turning points in EU energy security and energy policy. One inevitable question in this regard was *why at this point in time*? Why, in the face of events that shattered its security of supply, has the EU adopted a more integrationist and cooperative turn in energy policy?

This study has also analysed the fundamental role of political and rhetorical discourse and confrontation in a policy field—energy policy in the EU—in which action was heavily limited by strong institutional constraints. How were policy actors like the European Commission or national governments to confront each other over alternative policy routes if the Treaties had, until 2009, excluded any competence of the EU in energy policy? What policy instruments other than rhetoric or public speeches and media exposure have been available to EU energy policy actors? What policy strategies could policy actors put into effect, other than *convincing* key energy stakeholders and policy players about the desirability of a certain outcome? The characteristics and the institutional structure of EU energy policy explain the fundamental role that discourse played in shaping the goals and tactics of the policy actors involved during the last fifteen years. The 'games' of energy securitisation *versus* policisation, external supplies *versus* internal consumption, insulated national systems *versus* an integrated network of European consumers and regulators have been played, for once, on the field of policy ideas, understandings of the world at large, and visions of the possible futures of EU public policy-making and citizenship.

This thesis, finally, has investigated the role played by the European Commission to re-frame EU energy policy towards a more complex and multidimensional approach. It has

searched, however, beyond the obvious question of *why* the European Commission would systematically attempt to make EU energy policy more integrated and 'European' in scope. Rather, the thesis focused more on the definition of the thread tying energy policy and the Commission's view of European integration together. Energy policy, in this regard, is one among the many policies which the Commission sees as naturally connected to the establishment of a functioning internal market and a progressive integration of Europe. Because of its institutional mandate under the wording of the Treaties and its *policy vision* of an overarching European interest, the Commission yearns for public policy-making in Europe to be transferred to the EU level. The discursive offensive in energy policy during the last fifteen years is one *tessera* in the broadest mosaic of European integration imagined by the Commission.

To answer these questions, this thesis has put forward and verified a number of working hypotheses. It argues that the European Commission has instrumentally adopted specific discursive tactics to harness the windows of opportunity created by the unexpected and critical events of the 2000s and to lead EU energy policy towards a different set of policy ideas, tools, and objectives. The research conducted in this study has tried to highlight the connection between trends in energy policy discourse in the EU and the emergence of a more 'policised' way of thinking of and making energy policy in Europe (Chapter 3).

Even though crises and exogenous shocks have proven to be an important catalyst for change by unsettling established institutional balances and prompting the reaction of otherwise marginalised actors, it is true that the recent critical events during the 2000s were not the only crises that have affected Europe's energy supply and the EU's energy policy decision making. The case studies analysed in this thesis have tried to show that a discursive actor like the European Commission may have different routes available to harness a window of opportunity created by sudden crisis and can adapt its own tactics to the specific circumstances un-

der which it finds itself to compete with other policy actors and their respective sets of policy preferences. The case of the North Sea offshore grid (Chapter 4), on the one hand, has shown the Commission's attempts to re-narrate and re-frame a policy action in order to socialise other (otherwise marginalised) policy actors into its own policy ideas and vision about a *better way* to make a specific energy policy decision. The case of the Energy Efficiency Directive (Chapter 5), on the other hand, has shown that, even when *colliding frontally* with a competing policy narrative, certain circumstances or background conditions—the possibility, for instance, to single out some Member States' resistance to change and innovation—can allow an actor to re-frame a policy according to its own preferences.

The consequences of these events on EU energy policy, therefore, are a *symptom* of a broader and more comprehensive phenomenon which is founded in the constant and inevitable confrontation between two basic paradigms or visions of European integration as a whole: the integrationist paradigm of the European Commission (and the European Parliament, as well as many other EU-based institutions and bodies) and the intergovernmental paradigm that still drives the action of many Member States at the EU level and their understanding of the European integration process. Since different policy ideas, visions of European integration, and worldviews guide the preferences and decisions of policy actors, discourse and rhetoric have played an extremely complex and central role in the determination of policy outcomes, often minimising the impact of power balances within EU institutions or other 'concrete' indicators. The findings of this thesis, consequently, do not pertain exclusively to the field of energy policy in the EU. Rather, they tell a story about a certain way of making public policy in the EU, certain policy actors which are skilfully able to intervene in the policy-making process by means of ideas, meaning, and communication, and certain circumstances that make specific discursive tactics and strategies more or less effective to in-

strumentally re-frame EU policies. This story has all-embracing implications that span the theoretical, empirical, and methodological dimensions of this research.

The theoretical implications

This thesis has made a strong theoretical assumption about the significance of ideational and non-material factors in the explanation of variation in social phenomena. In the case of EU energy policy, this conviction stemmed from the observed anomaly that underpins this research: a growing degree of integration in EU energy policy has been observed at the time in which it was least expected. Both theoretical models and empirical expectations or past experiences (e.g., the 'isolationist' response of European governments in the aftermath of the 1973-1974 oil shocks) suggested that in the face of this kind of crisis and shock it would have been more rational for national governments to further insulate their national systems, struggle for the energy security of their respective polities, and avoid the economic and political cost of further integration at the EU level. If the observed facts contradict the actors' interests and 'function of utility', the explanation of their seemingly unreasonable behaviour must be sought elsewhere.

This thesis argues that policy ideas can alter policy outcomes, i.e., that "ideas matter" (Blyth, 2002:18). The actors' preferences can be constantly re-negotiated by means of discourse and, therefore, also driven towards goals other than those normally attached to an actor's identity, background, and cultural or political belonging. In complex policy arenas such as the EU's, policy actors interact continuously not just through their own given material endowment—e.g., power, knowledge, or wealth—but also through their own set of strong ideational features. Each actor joins the policy-making process with a *kernel* of values, beliefs, convictions, fears, idiosyncrasies, misperceptions, certainties, constraints, policy visions, and understandings of future opportunities. Even though no actor is willing to com-

promise on these core ideas that underpin and justify their action, the constant contact with other actors' ideas can change theirs, provoking new understandings of a given situation, inducing new objectives or justifications, and finally socialising them into a different or even contradictory set of policy preferences.

This kind of change had to take place, therefore, through shared meanings, communication, and discursive interaction. Words, documents, speeches, public stance, and all kinds of policy declarations become extremely important to convey the ideas that policy actors hold about a certain policy and the potential outcomes of policy-making processes. The analysis conducted in this thesis has tried to show that:

(a) instrumental 'discursive vehicles' may play a significant role in prompting the shift from a security-oriented and state-centred understanding of EU energy policy towards a more integrated and comprehensive approach of energy policisation (Chapter 3). Critical events and exogenous shocks have catalysed the discursive activity of EU energy policy actors around central turning points, after which the European Commission has been able to systematically address alternative dimensions of energy policy, leading the narration away from energy security and towards the complex impact of environmental policy, market competitiveness, energy efficiency, and responsible consumption on the lives of EU citizens and the performance of EU economies;

(b) even though the Commission may have been able to tilt the focus of discussion and debate of EU energy policy towards policisation and its dimensions, the impact on other actors' ideas, opinions, goals, preferences, and visions was all but automatic. In fact, the case of the North Sea offshore grid project (Chapter 4) has shown that discursive re-framing has required *intensive* socialisation of other actors into the Commission's policy vision and a non-negligible effort in terms of financial, politi-

cal, and institutional resources invested. The negotiations that led to the new Title XXI on energy in the Treaty on the Functioning of the European Union (TFEU), the creation of brand-new bodies and institutions such as the Agency for Cooperation of Energy Regulators (ACER) and the European Network of Transmission System Operators for Electricity (ENTSO-E) or the Directorate-General on Climate Action (DG CLIMA), and the conception of long-term strategies such as the Energy 2020 initiative or the Roadmap to 2050 are just the most visible components of a discursive paradigm which the Commission has developed and perfected consistently over the last forty-five years. The Commission's ability to harness critical events and turning points to *instrumentally* socialise new actors into its views and engage them with an alternative policy platform and agenda is the key explanation of the change observed in EU energy policy since the early 2000s.

(c) the scheme of policy re-framing in EU policy-making does not automatically apply to all contexts or circumstances. The objective of this analytical framework was to isolate discursive practices that would guarantee change in policy outcomes irrespective of context variables like time or the specific characteristics of a given policy sector, i.e., a *law* of ideational and discourse-induced policy change. The case of the Energy Efficiency Directive (Chapter 5), however, has shown that idea- and discourse-induced policy change is still highly dependent on specific circumstances and entails only a limited *law-like* replicability. The process of negotiation and approval of the Directive has shown that under specific circumstances the European Commission, even when contesting the existing policy narrative more frontally, can be able to establish a new idea of energy efficiency at the EU level, set up a new policy framework and roadmap for the achievement of the 2020 energy efficiency goals, and table an ambitious proposal for a binding piece of EU legislation. This notwith-

standing, research conducted in the venues in which the negotiation took place has shown that this outcome was possible thanks to specific discursive tactics—i.e., the last-resort option to stigmatise the uncooperative behaviour of many Member States and their intention to water down the contents of the directive—that may be otherwise unavailable to Commission staff under different circumstances, in a different time conjuncture, or when dealing with a different EU policy with a different distribution of power in the process. The research conducted in this thesis has shown that, even if the argument that ideas and beliefs matter in EU policy-making is now hardly contested, there is still no replicable standard blueprint for discursive action that policy actors can adopt anytime or in any policy context to achieve certain objectives. While it is accepted that non-material variables cannot be excluded from proper scientific analysis, any exact correlation between their variation and the policy change it causes is yet to be known.

Finally, the goal of this thesis is to contribute to the ideational–materialist debate in the social science with a strong argument about the relation between policy ideas (and the discourse that conveys them) and policy outcomes. The analysis conducted in this thesis has tried to corroborate the argument that non-material elements like ideas, beliefs, perceptions, and objectives may be able to alter or influence the course of policy action and explain seemingly contradictory or paradoxical outcomes that are labelled as incongruous or 'unreasonable' by traditional materialist approaches to social phenomena and change.

The empirical and policy implications

The research conducted in this thesis has aimed to gain evidence that EU energy policy has changed significantly in the last fifteen years. It is now more complex, integrated, and 'European' in scope and purpose. EU energy policy has progressively dismissed its conven-

tional state-centred discursive frame—almost exclusively preoccupied with energy supply, foreign energy policy, and the security of national polities against energy disruption—in favour of a more comprehensive approach that deals with the many facets of energy policy. This shift has been particularly visible along four main routes of energy policy.

First, there was an intensive wave of institutional adaptation and evolution. According to Article 194 of the TFEU, entered into force in December 2009, the European Union's (EU) policy is now responsible for ensuring the stability and competitiveness of the EU's internal energy market, its security of supply, the environmentally-sustainable promotion of renewable energy sources and other energy technologies, and the interconnection of Europe's energy networks. In February 2010, the European Commission's Directorate-General on Energy separated from Transport to gain full administrative autonomy. At the same time, the Commission set up DG CLIMA in order to dedicate more focused human and financial resources to meet the environmental and climate-change goals of the Energy 2020 platform. In 2003, natural gas regulators began cooperating at the EU level within the European Regulators Group for Electricity and Gas (ERGEG). In 2009, a similar body was established to promote cross-border collaboration and EU-wide inclusion of all EU national transmission system operators within ENTSO-E. In 2010, ACER was set up in order to provide national energy regulators with a new institutional venue to meet regularly, develop common projects, and exchange expertise and knowledge. The intense collaboration between these agencies and bodies is now translating the guidelines of the European Commission's (2010f) 'Energy Infrastructure Package' into concrete policy action for the establishment of a more interconnected and efficient energy and electricity networks across the EU. With the ideal goal of year 2020, the document's seven energy 'corridors' across the continent will drive financial and strategic investment to where it is most needed, while its map of Europe's integrated network raises the central issue of the counterproductive and inefficient insulation of

the Member States' national networks and the added value of a fully-integrated system for the creation of compensation and prevention mechanisms against future disruptions.

Second, there was a significant investment on renewable energy and the development of new technologies. In 2009, the EU's legal framework on the promotion of renewable sources of energy was revised, updated, and strengthened.[151] The new directive sets the pace towards the final goal of a twenty-percent quota for renewable energy in the EU's energy consumption pattern and provides Member States with a tight schedule to implement this policy route in their own national systems. From 1990 to 2000, the use of renewable energy had only increased by 1.8 percent. Since the establishment of the first EU legal framework on renewable energy sources in 2003, their quota on overall energy consumption has reached 12.17 percent and grown by 4.64 percent in the 2003–2012 period.

Third, in June 2009 the third energy legislative package was finally approved. The legislation updated the existing rules on the EU's electricity and natural gas markets, providing further impulse to the liberalisation of national systems and networks. The provisions insisted on the cross-border cooperation of national energy regulators and the unbundling of national systems. Accordingly, EU institutions tried to force Member States to dismantle national companies which owned both up- and downstream infrastructures, i.e., networks used both to produce or transform and distribute or transmit energy supplies.[152]

Fourth, energy efficiency has finally become the 'flagship' component of EU energy policy. In the late 2000s alone, the EU has produced or re-cast a large number of legislative acts, policy communications, operative regulations, and strategic documents on a myriad relevant subfields—smart transmission grids, household products like lightbulbs and appliances,

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[151] Directive 2009/28/EC of 23 April 2009 on the promotion of the use of energy from renewable sources and amending and subsequently repealing Directives 2001/77/EC and 2003/30/EC.

[152] The negotiation process of the package was long stalled on the depth and scope of the unbundling measures and it is likewise a fitting example of the discursive clash between the integrationist and intergovernmental frames which has characterised EU energy policy-making in the 2000s (Eikeland, 2011).

tyres, energy certifications, and energy-efficient buildings—to achieve a critical mass of energy savings by means of targeted small interventions in many aspects of industrial and economic production as well as of EU citizens' day-to-day lives. In 2010, it took the EU-27 *half the energy* to produce the same amount of gross domestic product than it did in 1990. Moreover, the European Commission tried systematically to convert the wishful thinking of the '20-20-20 goals' into a more rigorous roadmap to the goal of twenty-percent more energy savings in 2020. The Energy Efficiency Plan (European Commission, 2011a) set the pace for the transition from a policy strategy to a binding piece of legislation with an impact on the energy efficiency rules of EU Member States. On December 5, 2012, the Energy Efficiency Directive entered into force as Directive 2012/27/EU.[153] Despite the attempt of several Member States to water its provisions down, the text maintains some of the ambitious objectives that were contained in the first proposal tabled by the Commission.

The case studies selected in this thesis have offered a comprehensive perspective on the changes observed in EU energy policy-making. The case of the North Sea wind-power offshore grid is a telling example of the overlap between sustainability and infrastructure policies. While the former aim at promoting renewable energy sources, the latter aim at upgrading the EU's obsolescent network and overcome transmission bottlenecks across Member States' borders. The European Commission has managed to establish a fledgling institutional structure that involves actively ACER and ENTSO-E—i.e., national regulators and national network operators even *beyond* the control and influence of their respective national governments—in the definition of an EU-wide framework to implement the guidelines and roadmaps of the Commission's (2010f) Energy Infrastructure Package. The case of the North Sea grid, in particular, has shown how socialisation practices can provide the Euro-

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[153] Directive 2012/27/EU of the European Parliament and of the Council of 25 October 2012 on energy efficiency, amending Directives 2009/125/EC and 2010/30/EU and repealing Directives 2004/8/EC and 2006/32/EC.

pean Commission with sufficient technical and political leverage to induce Member States to cooperate. While the Member States of the North Sea area had already started embryonic intergovernmental cooperation on the offshore grid project, by including national regulators and market stakeholders in order to *bypass* national governments the Commission has established a new agenda and policy vision on the issue, defining the problem as one of sustainable infrastructure development and forcing Member States to join forces with EU institutions, lest they be excluded from the decision-making process.

The case of the Energy Efficiency Directive has emphasised the comprehensiveness of a policy framework whose provisions can affect at the same time energy savings, rational and sustainable consumption, technological development, market competition, and environmental protection. Because of its multidimensional impact, the Directive has been presented by the European Commission as the final step of a long-haul strategy which had been initiated in the early 2000s and contributed substantially to the definition of the original '20-20-20 goals' by the European Council. The case study has analysed the European Commission's attempt, during the sixteen-month negotiations on the text, to challenge the Member States' long-established policy preferences and drive them towards a binding piece of EU legislation committing them to improve their performance through time and abide by a binding principle of intra-EU solidarity.

In terms of policy repercussions, however, besides the historical approval of such 'heavy' legislation, the negotiation process has emphasised two elements—one positive and one negative for the future of EU integration—worth careful consideration. First, there was a direct face-off between a supranational institution like the European Commission and an inherently intergovernmental one like the Council of the EU. On the one hand, the clash of the two competing frames, as mentioned above, was partially resolved by the Commission's strong decision to single out the Council's non-cooperative behaviour. This adds to the ar-

gument that, once at a stalemate and when backed up by a consistent and effective narrative on a certain policy scenario, the Commission can have the political ability to challenge Member States and eventually win their consensus—however partial this may be. Nevertheless, this also begs the question of *why* the Commission has been forced to resort to a 'nuclear' policy and discursive option.

On the other hand, research on the Directive's negotiation has also proved the Commission's inability to adequately communicate its own policy frame and discourse *outside the EU policy-making black box*. This makes a process like the Energy Efficiency Directive negotiation much more demanding and resource-intensive than it could be if the Commission were able to build consensus more easily outside the EU policy arena. The case of energy efficiency is all the more striking because of its immediate consequences on the lives and wellbeing of EU citizens. The Commission, during the negotiation process, was unable to 'sell' the plain argument that consuming energy more efficiently would have automatically meant less consumption, less imports, less transformation costs, less infrastructure and maintenance costs, that is to say, cheaper energy bills and fares for households and end-users.

The public discourse on energy efficiency, therefore, was left to both national politics and corporate interests, which have emphasised the initial costs of a more efficient and integrated EU energy endowment—i.e., new infrastructures and connections—and re-framed energy efficiency policies as being a liability more than an asset for EU citizens. The fact that the Commission's long-term strategy and short-term challenging tactic have contributed to the re-elaboration of the EU's agenda on energy policy while, on the contrary, failing to involve the citizenship and the larger public in the policy's larger narrative is a measure of the particular institutional environment in which EU energy policy is made: an *élite policy-making* arena in which accountability and 'democratic' feedback could be considered being structurally (and knowingly) low.

The methodological implications

Any research based entirely on ideational hypotheses about policy change in the EU should feature a small section dedicated to the thesis' methodological findings, mostly because of the operational difficulties related to this analytical framework. This study has tried to contribute to the on-going methodological debate in political science—and in public policy analysis in particular—about the 'measurability' of non-material and ideational factors when explaining variation and change of social and policy phenomena, addressing what Chwieroth (2007:8) labels as the 'how to?' problem with ideational approaches.

The bibliometric test of Chapter 3 has shown that the quasi-quantitative analysis of 'discursive vehicles' is a reliable measure of policy actors' commitment to the ideas, values, beliefs, and goals that drive their actions and define their preferences in a given policy context. Discursive vehicles like legislative acts, even at the EU level, are central insofar as they embody the ultimate agreement of policy actors on a binding provision, thereby defining their position when a new policy balance or status quo is established. Discursive vehicles such as communications from the Commission, preparatory acts of legislative proposals, or even public statements like press releases or speeches show the evolution of an actor's discourse and narratives on a given policy theme and through time.

Change in the content, scope, or depth of such documents can show the effect of mutual interactions, socialisation or persuasion techniques, and the response to unsolicited variation. The shift from a more securitised to a more policised discourse by the European Commission in the aftermath of the 2009 'gas dispute' showed, for instance, the growing awareness by Commission officials that 'playing' the energy policy game with concepts, meanings, and words borrowed from a governmental vision of EU energy policy was a lost cause, and prompted the Commission to fully activate its discursive offensive to re-frame energy policy

and head for more integration. Discursive vehicles have proven to be a reliable method to grasp both the change and continuity dimensions of political discourse in EU policy-making.

Final remarks and the prospects for future research

This thesis has tried to prove the existence of a *shift* in EU energy policy from a security-driven and national perspective to a more complex platform which addresses all the diverse dimensions of this policy field—i.e., environmental sustainability, competition and market, energy efficiency, and security of supply—and which has been labelled as *policisation*. This shift has been driven mostly by the European Commission, which has harnessed the windows of opportunity opened by the sudden and unexpected crises that affected Europe's energy supply during the 2000s. In theoretical terms, the shift towards policisation also proves that crisis or exogenous shocks can catalyse and facilitate change by offering new policy opportunities but, at the same time, are not a sufficient condition for policy variation. Certain context conditions as well as sufficient institutional resources and policy entrepreneurship are required on the part of the policy agent for change to finally take place.

Despite the institutional constraints that limited its relative power in EU policy-making, the Commission has been able to drive this shift and ultimately lead EU energy policy towards more integration mostly thanks to a consistent alternative *discourse* on energy policy, i.e., without resorting to material or political resources but simply by advancing an alternative agenda and *re-framing* the way energy policy was presented, understood, and made in Europe. From a theoretical vantage point, the findings of this thesis corroborate the argument according to which non-material factors such as ideas, beliefs, vision, motivations, and goals can have an impact on policy-making processes and outcomes as much as material factors do.

The consistency of the Commission in supporting a certain *vision* of EU energy policy and the ability to challenge the long-established intergovernmental discourse in the face of sudden shocks also proves that the shift towards policisation can be explained as an instance of the overarching and inevitable collision between two distinct paradigms of European integration. On the one hand, EU Member States participate in European integration and policy-making preserving the ultimate interest of their national polity as the core preference guiding each of their policy actions. On the other hand, the European Commission, the European Parliament, and all other EU institutions that gravitate around them are *substantially* preoccupied with the development, evolution, and completion of the European integration process and aim ideally at an institutional and legal structure within which all public policy competences and procedures are transferred to the EU level.

This thesis locates itself in the realm of ideational approaches to the social sciences and, more specifically, contributes to several debates still open in public policy analysis and EU studies. Its findings, however, may help opening new paths for prospective research agendas in these fields. First, even though energy policy has served as a telling and challenging example of the Commission's ability to re-frame public policy and expand the competences of EU institutions, more *cross-policy analysis* is required in order to verify: *a)* whether these policy vision and preferences have been guiding the action of the Commission or any other actor in a similar way in other policy fields; and *b)* whether the re-framing tactics put into effect by the European Commission to lead the policy-making process are replicable and applicable to other policy fields or whether successful re-framing can be partly explained by the peculiar characteristics of energy policy as such.

Finally, further research is needed to develop and perfect more reliable models of discursive analysis, especially as far as the objectivity and replicability of operationalisation criteria and techniques are concerned. The development of rigorous indicators is indispensable to

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design discourse-analysis models whose validity can be verified regardless of the context in which they are used and to attain a common-denominator threshold of *analytical relevance* for non-material factors. Methodological rigour is the first fundamental step towards the widespread inclusion of ideational variables in the explanatory models of the social sciences, i.e., a more reliable interpretation of reality and a short step closer to a certain idea—however volatile—of truth.

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