

PESTALOZZI WINS ELECTRICITY GRID ACCESS TARIFF CASE IN FEDERAL SUPREME COURT

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According to the hydropower concessions granted by several municipalities, a Pestalozzi client (a hydroelectric power plant), is obliged to provide the municipalities with electricity at preferred conditions and to grant access to its grid free of charge in this context. However, the access conditions for the transport of electricity provided by third parties have been disputed for a long time, [a firm statement reports](#).

The case has been submitted to the Federal Electricity Commission (ElCom) to confirm the client's position according to which it can charge the normal grid access tariff for the transport of the energy provided by third parties. In the course of this administrative tariff procedure, the concessions needed to be interpreted as preliminary question. ElCom and - upon appeals by the counterparties - both the Federal Administrative Tribunal and the Federal Supreme Court have ruled the case in favor of the Pestalozzi client.

The Pestalozzi team included Franz J. Kessler (Partner - Energy, pictured) and Evelyn V. Frei (Associate - Energy).