

E-mobility: The Autorité starts proceedings ex officio to analyse competition in the sector of charging infrastructure for electric vehicles

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Background

The *Autorité de la concurrence* has decided to start proceedings ex officio to analyse and issue an opinion on the competitive operation of the electric vehical charging infrastructure sector.

This opinion will provide the opportunity to examine the competitive dynamics and the practices implemented in this sector and, if necessary, to discuss how some of these practices could be considered from a sustainable development perspective.

To conduct its analysis, the *Autorité* will contact the sector's players and consult the competent authorities. It will then issue its opinion, which may include recommendations, in the first half of 2024.

The European Union has set itself the target of achieving carbon neutrality by 2050, in line with the Paris Agreement. To meet this objective, it plans to ban the sale of new combustion engine cars by 2035. The development of e-mobility is therefore a key element of the ecological transition in the transport sector, which today accounts for about 30% of greenhouse gas emissions in France. As such, the deployment of a dense and reliable network of charging infrastructure for electric vehicles (CIEV) is an absolute precondition for the development and sustainability of e-mobility.

Sustainable development is one of the priorities of the *Autorité de la concurrence*. The *Autorité* has decided to initiate proceedings ex officio to examine the competitive situation of the CIEV sector, in accordance with the provisions of Article L. 462-4 of the French Commercial Code.

CIEV is essential to the development of e-mobility

In addition to its widespread deployment, CIEV must show a high level of quality and availability in order to provide users of electric vehicles an experience as close as possible to that of combustion vehicles, particularly for long-distance journeys, and thus to support the development of e-mobility and the transformation of France's car fleet.

A sector undergoing structuring

There are many players involved in the sector, such as charging operators, mobility operators and interoperability platforms. Markets are in the process of structuring and business models have not yet stabilised.

At the same time, the regulatory framework is changing considerably, particularly due to the ongoing revision – in the form of a regulation – of Directive 2014/94 on the deployment of alternative fuels infrastructure and of Directive 2010/31 on the energy performance of buildings.

A complex ecosystem to analyse

The purpose of *Autorité*'s opinion is to enable it to conduct an overall analysis of competitive operation in this sector.

It will provide the opportunity to identify the potential delimitations of markets related to the sector and to examine the competitive dynamics of the various segments of the value chain, as well as the position of the existing players and their contractual relations. A closer analysis will be carried out on market segments which are crucial to users of electric vehicles, such as public CIEV – including on freeways – and private CIEV in collective housing.

If necessary, the ***Autorité*** may issue recommendations likely to foster competition in the sector. It may also provide information useful for the competitive assessment from a sustainable development perspective.

The ***Autorité*** will contact the sector's players and consult the competent authorities. It will then issue its opinion in the first half of 2024.

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