

Insights

TARIFF REVIEW OF PHOTOVOLTAIC CONTRACTS 2006-2010 - ARTICLE BY JEAN-PIERRE DELVIGNE, PARTNER AND MAXIME DUPUIS, LAWYER FOR FRENCH MAGAZINE LJA - LETTRE DES JURISTES D'AFFAIRES.

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Tariff review of photovoltaic contracts 2006-2010: the impact of a "reduction" that rhymes with "suppression" - an article by Jean-Pierre Delvigne, partner and Maxime Dupuis, lawyer for the LJA - Lettre des Juristes d'Affaires.

This is an important source of concern for the industry and the authors explain the possible litigation consequences if the reform is adopted. In addition to administrative proceedings for annulment, "other means of recourse are possible: an action for compensation against the State for the damage incurred by producers as a result of the law, provided that it can be shown that the legislator did not intend to exclude all compensation and that the damage is of an abnormal and special nature; a condition which seems to be met in this case. Furthermore, in view of the loss of income, a criminal aspect is being considered because of the abusive nature of this reform, in the form of an action against the Prime Minister and the ministers in charge before the Court of Justice of the Republic. "

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