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RWE contests the German government's decision

On 1 April, RWE submitted a complaint against the federal government's decision passed as a consequence of the catastrophe in Fukushima. In response to this catastrophe the German government temporarily withheld its decision to extend the period of operation of nuclear power plants in Germany. As a result, RWE, among other firms, had to halt the work of one of its power plants, which is located in Hesse. If the court grants the complaint, this will mean that the government's decision was illegal, which will be a defeat for Angela Merkel's cabinet.

The federal government issued the order to temporarily switch off the reactors on the grounds of the Nuclear Energy Act, which authorises the government to issue such an order in cases when a power plant's operation poses a risk to life, health or property. RWE has contested this decision, arguing that none of the risks has taken place. The company is claiming damages for the financial losses it is incurring every day as a result of reduced electricity sales volume (approximately 1 million euros daily). A former head of the Constitutional Court says that the court is very likely to award the damages to the company, and that the imposition of the moratorium itself was illegal. The other energy companies have not decided yet to bring complaints: E.ON does not rule out contesting the government's decision, Vattenfall is negotiating with local authorities, and EnBW is now the scene of a struggle for the takeover of the majority stake. As a consequence of switching off some nuclear power plants, Germany no longer has surpluses in electricity trade (which had been reaching around 14.3 billion kWh). This caused an increase in the transmission of electric power from France, the Czech Republic and Poland, thus turning Germany into an importer of electricity. <koma>