

Multi-level ‘venue shopping’: The case of EU’s Renewables Directive

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Executive Summary

Lobbying has traditionally been an enterprise of national interest organizations, which chiefly seek to influence national actors, governments in particular. However, national interest organizations are increasingly targeting the European Union as well. As the EU agenda expands in depth and scope, interest organizations at national and EU political levels might be expected to align in coalitions in order to influence EU legislation. Such strategies could increase the political leverage of interest organizations significantly – yet, lobbying coalitions consisting of organizations aligned to different political levels are little-studied. Therefore, the first aim of this article is to present a case where coalition lobbying would appear highly likely: the lobbying strategies employed by the interest organizations of Germany’s energy industries in the process leading up to the EU’s Renewable Energy Directive. These industries are represented by various organizations at the national and European levels.

Secondly, the article examines how the Renewables Directive came about, as the outcome has profound impact on power production and consumption, and future prospects for EU mitigation of greenhouse gases. Considerable controversy accompanied the legal proscriptions against support mechanisms for enhancing renewable energy production in particular. Two of the organizations that would be the most severely affected by the Directive were the European utilities industry and renewables industry, together constituting all power producers and their affiliates in Europe. These industries disagreed deeply on core issues, such as legislation on support mechanisms for expanding production of renewable energy in the EU. The utilities industry favoured an EU-wide green certificate scheme, whereas the renewables industry pressed for national choice of support mechanisms. But, because the stakes were high, both had considerable incentives for investing substantial resources in lobbying on this legislation.

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Thirdly, the article discusses what such multi-level lobbying reveals about perceptions of where real decision making power is located in the EU. Energy policy is traditionally a strong national domain, which makes the governance theory of liberal intergovernmentalism (LI) relevant. However, with the EU increasingly expanding its legislation on energy issues, also multi-level governance theory (MLG) might describe how interest organizations perceive power as located when EU legislation is formulated.

The results indicate that, despite that all the lobbying that organizations targeted towards the German government, which played a key role in the negotiations, observations of lobbying behaviour are better described by MLG than LI. The limited leverage of LI is illustrated by three points: First, all the German interest organizations lobbied institutions at *both* the national and at the EU levels. Second, national and European interest organizations participated in informal multi-level political coalitions consisting of a broad church of actors, as regards the renewables industry in particular. By coordinating political positions, pooling resources and developing common strategies, the interest organizations probably increased their leverage substantially, not least because these coalitions also were backed by governments in key member-states and members of the European Parliament. Third, all the EU-level interest organizations lobbied both the core EU institutions and central national governments.

These findings indicate that multi-level strategies should be considered for inclusion in analyses of national and European-level interest organizations' lobbying of EU legislation. The interest organizations themselves seem to see power as distributed across multiple levels of governance, and lobby accordingly. In order to comprehend the momentum of the lobbying process, it appears relevant to assess coordination of strategies between interest organizations at different levels in complex multi-level advocacy coalitions. By showing that all organizations concerned, regardless of size or resources, lobbied at multiple governance levels, this study also nuances the picture of which actors participate in EU policymaking. When legislation on crucial issues is created, small national interest organizations might also target EU institutions. Finally, at least one national interest organization cooperated with private companies to share tasks and enhance lobbying strength. Such cooperation between an interest organization and its private members is a relevant topic for future research.

Keywords

Coalition lobbying; interest organizations; political strategies; European Union; EU governance; EU energy and climate policy.

As the EU expands the depth and scope of its responsibilities, multi-level lobbying becomes increasingly relevant for interest organizations as a strategy for achieving their political aims. By joining coalitions in order to enhance lobbying strength, interest organizations may significantly enhance their capacity for influence. The literature on EU lobbying in general, and connected to specific fields of EU legislation, is growing rapidly. Still, relatively few in-depth studies concern lobbying by interest organizations in complex multi-level advocacy coalitions within the EU, particularly with regard to EU energy policy. Understanding more about this phenomenon is important for several reasons, not least for a better grasp of political decision making in the European Union and of interest organization strategies.

The EU Directive on the promotion of the use of energy from renewable sources (Directive 2009/28/EC, 'Renewables Directive') is well suited for illustrating the influence and coalition behaviour of interest organizations across political levels, especially because of the controversy and the high stakes for the involved organizations. After a prolonged and heated conflict involving actors from states, Directorates General, the European Parliament, the European Council, EU agencies, interest organizations and companies, the Commission significantly altered the final draft proposal regarding its most controversial part: support mechanisms for boosting the production of renewable energy in the EU. Under the final Directive, member-states may continue to choose support mechanisms themselves and trade so-called 'green certificates' only under certain conditions. Toke (2008, p. 3003) and Nilsson *et al.* (2009) argue that one important reason for this change was efficient lobbying and large-scale political mobilization by a broad coalition of 'green' organizations, especially those representing the European renewables industry.²

² 'Industry' is here understood as all the organizations, businesses and other enterprises connected to a particular

For understanding more about the nature of multi-level lobbying, the role of the interest organizations representing the German energy industries in the negotiations leading to the Renewables Directive is particularly relevant. Such lobbying normally requires substantial resources and is not a feasible option for all interest organizations, small businesses in particular (Eising, 2007a). National interest organizations logically emphasize the national level, but some studies have shown that many also lobby at the EU level, provided that they are adequately endowed with resources (e.g. Bouwen, 2004; Klüver, 2010; Dür and Mateo, 2012). The German renewables industry and the utilities industry are Europe's largest within their sectors and can probably afford to pursue such lobbying strategies (Dagger, 2009; BMU, 2011). Moreover, Germany is regarded as a key country in the negotiations (see Toke, 2008; Boasson and Wettestad, 2013). Thirdly, German interest organizations are particularly likely to engage in multi-level lobbying, because, as noted by Eising (2007c, p. 351) they tend to be more specialized in their interest representation, be better endowed, control more policy information and also prioritize EU institutions more than interest organizations from other countries. Finally, inclusion of the German energy industries' European-level interest organizations is relevant for exploring the cooperation and coordination of strategies across political levels. As founding members of their European umbrella organizations, German interest organizations are likely to have good contacts with their Brussels-based representatives.

There is reason to believe that the Commission also was dependent on input from interest organizations. As complexity generally increases the influence of interest organizations (see Klüver, 2013, p. 182), high-quality policy information was probably paramount in the creation of the Renewables Directive. Summing up, if there was multi-level cooperation and coordination as regards the Renewables Directive, German interest

form of energy production – energy producers, equipment manufacturers, labour organizations, etc.

organizations were probably involved.

Lobbying is perhaps best viewed as a ‘complex collective process’ (Klüver, 2013, p. 53); however, this study focuses mainly on alliances that are *intentionally created*, not just organizations that push in the same direction because of similar policy goals.

The dynamics underlying the Renewables Directive are complex in terms of the number of political actors, issues and levels involved (see Nilsson *et al.*, 2009). Handled with as ‘highly sensitive information’, the strategies of interest organizations are largely invisible to the public. Therefore, analysis of the processes connected with the Directive requires an extensive descriptive account and analysis, in order to answer the following research questions as precisely and completely as possible:

- 1) What lobbying strategies did the interest organizations of Germany’s energy industries use to influence the formulation of the EU Renewables Directive?
- 2) What do these strategies tell about their perceptions of where the real decision making power in the EU is situated? Is it located at the national level, or at the national and the EU levels?

Using a large-N sample, Eising (2004) has tested the ‘grand governance theories’ about how EU functions on the observed behaviour of interest organizations. However, few researchers have tested expectations derived from these different theories on the empirical observations of interest organization lobbying on a single EU directive. Arguably, theory testing is the most ambitious use of case studies. This article investigates the lobbying behaviour of several interest organizations representing German energy industries, assessing observations against expectations derived from Moravcsik’s (1993) liberal intergovernmentalism (LI) and Hooghe and Marks’ (2001) multi-level governance (MLG) theories. Comparing observations with

predictions, observations are used for testing and evaluation of the theory-based approaches.

Why use these theories in such a design? First, liberal intergovernmentalism is indicated because energy policy has traditionally been a strong national domain (see e.g. Nilsson *et al.*, 2009). Second, the EU is increasingly developing more authority in the field of energy policy, and the renewables and utilities industries possess sufficient resources to conduct multi-level lobbying. The conditions for lobbying behaviour in line with MLG theory are therefore also met. Third, both LI and MLG are regarded as two of the most influential and relevant theories on EU integration today, in research and in the public debate. Finally, Franchino (2005) and others have called for more theory-testing studies of EU governance structures. This article is a part of the on-going research project, 'The EU Energy and Climate Package: Causes, Content and Consequences' (ECPack).

Theory-testing case studies usually take the form of either a most-likely case or least-likely case format to give maximum leverage to the conclusions (Eckstein, 1975). However, a given case may also be analysed against two rival theories – which is the approach employed here. The present study may prove particularly fruitful for confronting the two theories by offering what amounts to a most-likely case for both LI and MLG. In other words, if one of the two theories fails to account for the process, it should be seen as considerably weakened in explaining interest organizations' perceptions of power relations in EU energy policy.

Several studies have analysed aspects of the Renewables Directive. Toke (2008), Nilsson *et al.* (2009), and Boasson and Wettestad (2010 and 2013) have examined the political processes at the EU level, explaining the end results by means of various theoretical approaches in causal analyses. Toke (2008) focuses on the organizations that were for and against trading of green certificates and analyses the support mechanisms. An advocacy coalition framework (ACF) is used by Nilsson *et al.* (2009) to explore why the trading of

green certificates was rejected as an EU-wide system. Boasson and Wettestad (2010; 2013) explain the outcomes regarding governance of the EU climate and energy package by several theories. However, relatively little scholarly attention has been devoted to investigating in detail the lobbying processes focusing on interest organizations' strategies across levels. This study thus also nuances the picture of how exactly the directive was created.

This article is organized as follows: the second section outlines LI and MLG as theory frameworks and formulates hypotheses based on them. Section three introduces the research methods used and the cases, and the fourth section presents the empirical observations of actual lobbying behaviour. The fifth section discusses whether the observations match the hypotheses and how this relates to the literature on EU lobbying. Last, the sixth section offers a summary and conclusions.

Theory background: lobbying in intergovernmental and multi-level governance systems

How does the lobbying behaviour of interest organizations change as the EU expands in depth and scope? As utility-maximizing actors, interest organizations should lobby where the power is located. Thus, lobbying patterns should reveal where the interest organizations perceive power in the EU system to be located.

Liberal intergovernmentalism emphasizes that national governments act as the predominant decision makers in international negotiations. Implicitly, interest organizations are then less important for political outcomes than are politicians in government. Governments may delegate some authority to supranational institutions, but *only* in order to achieve specific

goals such as economic growth and prosperity. Moravcsik (1993) created a theory that many view as aimed at explaining the large intergovernmental conferences (IGCs), but here it is argued that, by extension, the theory also encompasses negotiations on secondary legislation on issues where member-states have retained a high degree of self-determination, such as energy policy. Moreover, as Moravcsik and Schimmelfennig (2009, p. 74) stress:

[...] recent empirical research suggests that LI theory applies far more broadly than commonly suggested, including much everyday EU decisionmaking. The reason is that many decisions within the EU are taken by de facto consensus or unanimity, even when the formal rules seem to dictate otherwise.

As a part of the EU Climate and Energy Package, the Renewables Directive was subject to the co-decision procedure, requiring final consensus in the European Council and the European Parliament. That makes LI applicable to this case. According to this theory, in negotiations requiring de facto consensus, policymaking in the EU is thus only to a very limited extent determined by the EU institutions themselves. Policymaking should instead be understood as the result of intergovernmental negotiations by sovereign national governments (Moravcsik, 1993, pp. 474–480; Moravcsik, 1998, pp. 7–9; Hooghe and Marks 2001, p. 2). Here the key member-states are essential for understanding the negotiation outcomes (Sverdrup, 1999). In such situations, lobbying EU institutions will have limited effect because they exert little independent impact on decisions made there. If interest organizations perceive EU negotiations this way, they can be expected to focus on lobbying member-state governments.

Research expectation:

The energy industries' national and European interest organizations lobbied the German government, but paid little attention to influencing policymakers in the EU, such as members of the European Parliament or the Commission.

According to MLG, the EU's collective decisionmaking processes will lead national

governments to lose control over decisions of importance to them. The political levels of governance are mutually interdependent. MLG therefore implies that political actors like interest organizations will lobby on various political levels to exert influence, working across regional, national and supranational arenas. On this assumption, interest organizations will target EU institutions because these are influential lobbying targets in their own right. MLG does not claim that the nation-state has lost its role as the most important unit in international negotiations, but rather that the EU level is also crucial (Hooghe and Marks 2001, p. 4). This is supported by empirical observations, for example Coen and Richardson's (2009, p. 7) account of how interest organizations lobby in the EU:

As a result, we no longer see EU interest politics in terms of 'bottom-up' national interests feeding into the EU, or 'top-down' coordination of EU lobbying, rather we see a managed multilevel process with numerous feedback loops and entry points constrained by the size of the interest organization, lobbying budgets, origin and the policy area.

Several developments make the EU institutions attractive lobbying targets. The Commission, the EU's multipurpose executive body, has become more and more independent of the member-states, increasingly constituting a higher level of governance than the national governments (see e.g. Egeberg, 2006, pp. 1-3). The Lisbon Treaty and several other EU reforms have given the European Parliament enlarged powers. For instance, more and more issues are handled under the co-decision procedure (today called the 'ordinary legislative procedure'). These legal reforms serve to give power to the EU institutions at the expense of national sovereignty – in turn making these institutions increasingly attractive and important as lobbying targets. According to MLG, interest organizations therefore should lobby *both* the EU institutions and the relevant government(s) intensively.

Research expectation:

In the case of the Renewables Directive, the industries' national and European interest organizations lobbied the Commission, the European Parliament, the European Council and the German government intensively.

Method and data

In line with prominent case-study methodologists like George and Bennett (2005, p. 214), we argue that the case-study method is useful for testing theories on data that describe micro-level phenomena. Theory-testing case studies usually take the form of either a *most-likely case* or a *least-likely case* study to give maximum leverage to the conclusions (Eckstein, 1975). However, as noted, a given case may also be analysed against two rival theories. To test the theories, this study employs the congruence method (pattern matching), which proceeds by formulating observable expectations from each theory, and then testing the degree of compliance between these and observable outcomes (George and Bennett, 2005, p. 181; Gerring, 2007, p. 45). In addition, process tracing has been used to obtain an indication of the effects of coalition-building on the impact that the interest organizations had on the Renewables Directive. Case studies can be used for making *analytical* rather than *statistical* generalizations (Yin, 2009). Conclusions from this study can therefore be drawn to help in understanding the causes and pathways of lobbying in the EU, but also to strengthen, exemplify, weaken or nuance claims made in recent studies of EU lobbying, such as Klüver (2013, p. 152): 'Lobbying in the European [Union] is instead a truly multilevel endeavour in which both national and European interest organizations are equally active.'

The organizations interviewed represent the German energy industries at the national and at the EU level. These can roughly be divided into two sectors/industries: the utilities industry³ and the renewables industry.⁴ There exist many organizations representing these

³ The utilities industry may be defined as the conventional power producers and their affiliates, including the

industries in one way. The organizations studied here were selected on the basis of the size of the technologies they represent in terms of the quantity of energy production they contribute.⁵ The utilities industries' national-level interest organizations are: German Association of Energy and Water Industries (*Bundesverband der Energie und Wasserwirtschaft*, BDEW) and Federation of German Industry (*Bundesverband der Deutschen Industrie*, BDI). At the European level, the Union of the Electricity Industry (EURELECTRIC) has this role. The renewables industry is here represented by the umbrella organization German Renewable Energy Federation (*Bundesverband Erneuerbare Energie*, BEE), the more specialized German Bioenergy Association (*Bundesverband BioEnergie*, BBE) and German Wind Energy Association (*Bundesverband WindEnergie*, BWE). At the European level, the renewables industry's interest organizations include the European Wind Energy Association (EWEA), the European Photovoltaic Industry Association (EPIA), and the European Renewable Energies Federation (EREF). The European umbrella organization of the renewables sector is the European Renewable Energy Council (EREC).

The reasons for choosing interest organizations at the national and the EU political levels were: a) to identify coordination and cooperation across the political levels; b) some of them (EWEA, EPIA and EREF) have German companies and associations as individual members and thus represent their interests directly in Brussels; and c) all these have German

large companies producing electricity and heat from nuclear power, coal, gas and hydropower, and their equipment suppliers.

⁴ The renewables industry may be defined as the producers of energy from renewable energy sources and their affiliates, such as renewables equipment manufacturers. Many utilities companies also produce electricity from renewable energy sources. However, the distinction is appropriate because the companies that mainly produce conventional power and the companies that focus on producing power from the 'new' renewable energy technologies have often had very different political interests, in Germany and in the EU.

⁵ The largest renewable energy technologies apart from hydropower in Germany at the time were bio-power, wind power and solar power. Hydropower is not included because power produced from this source is already cost-competitive in comparison to, for instance, power from coal; it therefore does not need support.

interest organizations as founding members and therefore probably constitute important indirect lobbying routes for their national members. Therefore, the study follows the advice of Dür (2008, p. 1223): ‘In future research on interest organization influence in the EU it will be essential to consider the existence of distinct pathways to influence.’

Data were collected primarily through one semi-structured interview with each organization in March 2011, supplemented by one conversation and one correspondence with two of them in June 2011. All interviews were taped and transcribed. Afterwards, the respondents gave feedback on the presentations of their respective organizations. Since the topic could be perceived as sensitive, the respondents were granted anonymity. Triangulation was used in order to ensure that the quality of the data was as valid and reliable as possible – for example, interview data were checked against written material such as press releases and other data gathered in document studies. Interest organizations’ representatives were asked how they had lobbied concerning the Renewables Directive, about their cooperation partners within and outside the industry, and political positions on salient issues. In addition, they were questioned about the kind of information they provided to decision makers, and the role of resources such as finances and number of personnel.

What was the debate about and how did the organizations lobby?⁶

The Renewables Directive is a part of the EU’s Climate and Energy Package, a coordinated legislative strategy aimed at achieving several different major EU goals. These include fulfilling commitments under the Kyoto Protocol, being an international leader in the development and innovation of renewable energy sources, and ensuring security of energy

⁶ Data for this article were gathered in relation to the author’s master’s thesis (Ydersbond, 2011).

supply (European Commission, 2009). The development of renewable energy has become a core EU strategic priority in recent years (see European Commission, 2010). By 2020, 20 per cent of energy consumed is to stem from renewable energy, the Package has declared as a major target.⁷ If properly implemented, the Renewables Directive will contribute to a large-scale expansion of renewable power production and innovation across the EU.

Several systems of support mechanisms for achieving the 20 per cent target were conceivable. The two main options discussed were either national choice of support mechanisms or EU-wide trading of ‘green certificates’ (also called green electricity certificates, GECs, or certificates of guaranteed origin, GOs). Most EU member-states had chosen feed-in systems (systems with feed-in tariffs, FiTs) before the Renewables Directive negotiations. Although this has been a controversial issue, also in the research literature, evidence seems to indicate that feed-in tariffs are the most efficient in stimulating production of and investment in renewable energy in Europe (see e.g. Mez, 2007; Verbruggen and Lauber, 2012).

The outcome of the negotiations leading up to the Renewables Directive had profound impacts on how and where energy would be produced. This affected particularly the industries affiliated with the various types of energy production. For parts of the renewables industry this became an almost existential fight about opportunities for survival and future prospects. Several issues proved controversial, for example the question of binding targets for domestic renewables consumption in 2020. The question of what kind of support mechanisms member-states should be allowed to have for increasing renewable energy production has remained the most salient issue by far.

⁷ The other main targets were reducing greenhouse gas emissions by 20% from 1990 levels and improving EU energy efficiency by 20% within 2020. These three are famously known as the 20-20-20 targets.

Here, there were mainly two different coalitions of interest organizations and their affiliates. The utilities industry, headed by BDEW in Germany and EURELECTRIC in the EU, were heavily engaged. They felt that allowing member-states to determine support mechanisms themselves would have negative effects, like leading to continuation of feed-in systems (which they saw as distorting the electricity markets), stimulating renewables expansion in suboptimal locations, being detrimental to conventional electricity producers and generally uneconomical for governments. In contrast, the renewables industry, headed by the German Renewable Energy Federation (BEE) in Germany and the European Renewable Energy Council (EREC) in the EU, argued that the main alternative, a Europe-wide certificate-based system would mean less expansion of renewables – because investment safety would decline; further, a certificate-based market would be bureaucratic, and would lead to expansion of only the most mature renewable technologies. These opposing ‘worldviews’ still mark the debate.⁸

German utilities’ interest organizations⁹

First and foremost, the utility industries’ German interest organizations in the sample, the German Association of Energy and Water Industries (BDEW) and the Federation of German Industry (BDI) lobbied the German government. The BDEW and the BDI lobbied the Federal Ministry for the Environment, Nature Conservation and Nuclear Safety, and the Federal Ministry of Economics and Technology in particular (interviews BDEW, 2011a and BDI, 2011). Generally, the Liberals (*Freie Demokratische Partei*, FDP) supported their views on

⁸ Table 3 presents the main arguments in the debates.

⁹ Table 1 gives an overview of the coalition of the German utilities’ interest organizations and their affiliates.

energy issues. BDI did not address the German Parliament, which had little to do with the Directive directly. Through committee meetings, the organizations collaborated on how an EU market-based system might be made, but they never declared common political positions. In Germany they participated in all formal hearings: BDEW on behalf of the utilities industry and BDI on behalf of businesses connected to utilities and the manufacturing industry (large energy-intensive industries in particular).

To a considerable extent, these organizations shared views. However, BDEW was keen on green certificates, whereas BDI was not as positive because some members, like the German chemical industry, did not want another trade-based system, having had negative experiences with the EU Emissions Trading System. Rather than allying with BDEW, BDI cooperated informally with the large labour union Mining, Chemical and Energy Industrial Union (*Industriegewerkschaft Bergbau, Chemie, Energie, IG BCE*), which organizes employees in the utilities and the energy-intensive chemical industry. BDI and IG BCE prepared a common position paper to show that employers as well as employees in the utilities and energy-intensive industries were affected and shared views (IG BCE, 2008; interview BDI, 2011).

Since the German government supported feed-in tariffs, by-passing the German government by focusing lobbying efforts on the EU level might be an advantageous strategy for the utilities industry (see Baumgartner and Jones, 1991). However, representatives of BDEW (interview, 2011b) and BDI (interview, 2011) denied that this was the case. Their Brussels offices were important for lobbying EU decisionmakers and Commission bureaucrats together with staff from the mother organizations. At the EU level, BDEW and BDI primarily lobbied the unit in charge in DG TREN in the Commission, the ITRE Committee in the European Parliament, and members of the European Parliament (MEPs)

known to be sympathetic to their views (interviews BDEW, 2011b and BDI, 2011). BDEW had one person in Berlin and one in Brussels working on the Renewables Directive, albeit not full time. In addition, people in different committees worked on the Directive (interview BDEW, 2011b). As a large member of EURELECTRIC, BDEW is important in formulating their policies (interview EURELECTRIC, 2011); BDI is a member of Confederation of European Business (BUSINESSEUROPE). BUSINESSEUROPE and BDI largely shared viewpoints this case (BDI, 2008; BUSINESSEUROPE, 2008; interview BDI, 2011). Due to constraints of time and personnel resources, BDEW and BDI concentrated on lobbying friendly-minded German politicians in the European Parliament and ITRE, and the most central individuals, like the rapporteur Claude Turmes (interviews BDI, 2011; BDEW, 2011b). According to BDI, Germany made a major impact on the final outcome of the Renewables Directive:

It is first and foremost due to Germany's influence that we have quite different support mechanisms in Europe... and we argue that the support mechanisms should be harmonized, or at least enable trade with renewable energy (interview BDI, 2011).

German renewables interest organizations¹⁰

The German renewables interest organizations shared views on all major issues and lobbied through several different routes. The main target was the German government, but they also worked to promote the industry's interests directly to EU institutions. They coordinated their activities and political positions in the committee *Arbeitsgruppe Europa* (AG Europa) of the umbrella organization German Renewable Energies Federation (interview BEE, 2011). There, they produced joint information such as political positions and press statements. These

¹⁰ Table 1 gives an overview of the coalition of the renewables interest organizations and the other groups that shared their views.

organizations have good contacts in the Federal Ministry for the Environment, Nature Conservation and Nuclear Safety (*Bundesministerium für Umwelt, Naturschutz und Reaktorsicherheit*, BMU) in particular, which is the ministry in charge of renewable energy. The organizations also drew on contacts within all the political parties, liaising with party staff specializing in renewable energy issues (interviews BEE, BWE, 2011).

In addition to directly lobbying the Ministry for the Environment and the Federal Ministry of Economics and Technology (*Bundesministerium für Wirtschaft und Technologie*, BMWi), they used two indirect lobbying channels to exert pressure on the German government: first, through finding ‘friendly’ politicians, particularly within the two ruling parties, the Social Democratic Party of Germany (*Sozialdemokratische Partei Deutschlands*, SPD) and the Christian Democratic Union of Germany and Christian Democratic Union of Bavaria (*Christlich Demokratische Union Deutschlands*, *Christlich-Soziale Union Bayern*, CDU/CSU), but also other parties.¹¹ Second, they created an informal alliance with environmental organizations, Greenpeace Germany in particular, but also others like Friends of the Earth Germany (BUND). These in turn actively lobbied the government on renewables policy because of these technologies’ contribution to mitigating greenhouse gas emissions (interviews BEE, BBE and BWE, 2011). Some types of bioenergy were harshly criticized by the environmental organizations (see e.g. WWF Germany *et al.*, 2007). To get the support of the environmental organizations and create a better policy, the renewables industry’s interest organizations agreed to include sustainability criteria in their proposals (interviews BBE and BEE, 2011).

Through collaborating with other renewables interest organizations, each organization

¹¹ The Greens (*Bündnis 90/Die Grünen*) and the Left (*Die Linke*) generally support expansion of renewable energies.

gained new political contacts as well as better access to existing ones. BEE sought to build as broad a base of support as possible, also among the general public, so that the politicians would know that, if they made laws that would worsen conditions for the renewables industry, they would also be going against public opinion (interview BEE, 2011). A majority in the German Parliament, the *Bundestag*, shares and shared their views. Therefore, it adopted a resolution stating that member-states should determine support mechanisms themselves, and that there should be no Europe-wide trade in certificates (Dagger, 2009, p. 99).

At the EU level, the organizations focused on lobbying friendly-minded MEPs and the unit in charge in DG Transport and Energy (DG TREN). Germany's renewables interest organizations are founding members of, *inter alia*, the European Renewable Energies Federation (EREF) and the European Photovoltaic Industry Association (EPIA). They participated in meetings, exchanged information and coordinated positions and strategies with them to ensure that the whole European renewables industry would speak with one voice. These European associations constituted important indirect lobbying routes. In addition, they worked closely with EREC and created a network of national associations (BEE, 2011; interview BEE, 2011). Some staff members held positions in interest organizations at both the national and the EU levels, as in BWE and in EWEA, which facilitated coordination of viewpoints and actions targeted at politicians at both political levels. Some renewables interest organizations furthermore increased their leverage by cooperating with private companies.

BWE also coordinated with wind energy companies (manufacturers, project operators etc.) and these also took the opportunity to approach politicians/ MEPs/ Commission etc. so that we were able to do task sharing and multiply our actions (interview BWE, 2011b).

On most issues concerning the drafting process, the renewables industry's interest organizations argued in a low-key, technical way with Commission experts. However, when it

came to the debate about national support schemes versus harmonized European mechanisms, they were quite sharp and outspoken towards the Commission. If it proposed a harmonized certificate trading system instead of leaving the decision about support mechanisms to the member-states, the Commission was bluntly criticized (interview BEE, 2011).

Confrontation was sought only when it was absolutely necessary, and that was the question about a harmonized certificate trade, which would have destroyed all successful support systems for renewables in Europe. At this point, we did seek confrontation, we found it and we won. Differences about all other points could be seriously discussed and solutions found in general agreement (interview BEE, 2011).

To some extent, the heated debates in the negotiations leading to the Renewables Directive were a continuation of the lengthy conflicts that had taken place in Germany on many of the same issues a couple of decades, with coalitions on the issue of how to support renewable energy in Germany, as shown in Table 1. These informal coalitions have included actors ranging from ministries, political parties, business organizations and civil society to individual companies. Renewable energy has always enjoyed broad popular legitimacy, and the informal ‘ecological coalition’ has included members like major unions such as the German Engineering Federation (*Verband Deutscher Maschinen und Anlagenbau e.V.*, VDMA), German Farmer’s Association (*Deutscher Bauernverband e.V.*, DBV) and German Metalworkers’ Union (*Industriegewerkschaft Metall*, IG Metall), as well as a broad group of civil society organizations. As several of the organizations below are umbrella organizations for other organizations, Table 1 also shows that the coalitions had support from organizations operating at the other governmental levels within Germany: the states (*Länder*) and the municipalities.

Table 1: Coalitions on renewable energy in Germany

	The ‘economic coalition’: supports market-based system	The ‘ecologic coalition’: supports feed-in tariffs
Ministries	Federal Ministry of Economics and Technology (BMWi)	Federal Ministry for the Environment, Nature Conservation and Nuclear Safety (BMU) Ministry of Food, Agriculture and Consumer Protection <i>(Bundesministerium für Ernährung, Landwirtschaft und Verbraucherschutz, BMELV)</i>
Political parties	The Liberals (FDP)	The Greens The Social Democrats (SDP) The Left A large faction of CDU/CSU
Business organizations	German Association of Energy and Water Industries (BDEW) Federation of German Industries (BDI) Association of the Industrial Energy and Power Industry (<i>Verband der Industriellen Energie und Kraftwirtschaft, VIK</i>) Mining, Chemical and Energy Industrial Union (IG BCE)	German Renewable Energy Federation (BEE) BEE members, e.g. the German Wind Energy Association <i>(Bundesverband WindEnergie, BWE)</i> German Engineering Association (VDMA) German Metalworkers' Federation (IG Metall) German Farmers' Association (DBV)

Other organizations		Environmental organizations, Greenpeace in particular, civic interest organizations for renewable energy, municipalities
Companies	The four utilities giants: RWE, E.ON, EnBW and Vattenfall	Manufacturers of renewable technologies, affiliated businesses

Sources: Lauber and Mez (2004), Jacobsson and Lauber (2006), Dagger (2009 quoting Reiche (2004), Hirschl (2008) and Evert (2005), interviews BDEW (2011a) and (2011b), interviews BEE, BBE, BWE (2011).

The European utility umbrella organization: EURELECTRIC¹²

The umbrella organization EURELECTRIC participated in all formal meetings during the negotiations leading to the Renewables Directive, viewing this as a top priority. At the critical stages, EURELECTRIC had two or three people working on it full-time. The Working Group Energy Policy and Working Group Renewables and Distributing Generation were in charge of formulating EURELECTRIC's political positions. Their efforts were mainly targeted at the EU institutions – like various parts of the Commission, DG TREN, DG Environment, DG Climate and DG Enterprise – as well as rapporteurs and party leaders in the European Parliament. In addition, the organization arranged personal meetings with parliamentarians (MEPs) and others regarded as influential, and individuals expected to be positive to their views (interview EURELECTRIC, 2011). As a large and well-organized organization representing a major sector, EURELECTRIC might have been expected to achieve its aims: but in the end, no certificate trade system was formulated in the Directive.

¹² EURELECTRIC and the rest of the coalition in favour of a European certificate trading system are further described in Table 2.

We didn't have a lot of support in the Parliament because they were voting along country lines. The clear message that came to all of them was: 'we will have national support schemes' (interview EURELECTRIC, 2011).

EURELECTRIC left it to the members to lobby their national governments. The only close ally in lobbying the issue about support mechanisms at the EU level was the Renewable Energy Certificate System (RECS). The two collaborated intensely, according to EURELECTRIC's activity report (2008a). In 2007, EURELECTRIC issued a joint press release with RECS and the European Forum for Electricity Traders (EFET), an indication of their common interests (EURELECTRIC, 2007; interview EURELECTRIC, 2011).

European renewables interest organizations¹³

At the EU level, renewables interest organizations cooperated and coordinated their political strategies and positions through the European Renewable Energy Council (EREC), the umbrella organization to which they all belong. EREC as a coalition leader issued common press releases for the entire European renewables industry. The Renewables Directive was their top priority, and represented a historic opportunity to improve investment conditions in many EU countries.

I think our engagement in this directive was total, was a hundred per cent. It is one of the most far-reaching pieces of legislation about renewable energy in the world, with all its defects and limits and nonetheless, you won't find this anywhere else in the world (interview EWEA, 2011).

They lobbied the relevant bodies within the Commission, the committee in charge in the European Parliament, the Committee on Industry, Transport and Energy (ITRE), and the Council, meeting with key governments and their permanent representations (interviews

¹³ See Table 2 for further descriptions.

EWEA, EPIA and EREF, 2011). The interest organizations followed the political processes closely and arranged meetings with people at various political levels, ranging from Commission President José Manuel Barroso to the officials who drafted the proposals for the Directive (interviews BEE, EREF, EPIA and EWEA, 2011). A staunch supporter was the European Forum for Renewable Energy Sources (EURFORES) – a cross-party organization consisting of members of the European Parliament and of national parliamentarians, EURFORES was located in the Renewable Energy House in Brussels, as were most of the renewables interest organizations, which probably further facilitated cooperation and communication. Both the first rapporteur, Mechtild Rothe (Germany), and the second rapporteur on the Directive, Claude Turmes (Luxembourg), were very active members there. Otherwise these EU-level organizations depended on their national members to lobby their respective governments.

Similar to the German interest organizations' good contacts with the German government, the European interest organizations gave the impression of having long-established ties to decisionmakers and officials in the EU. Also when lobbying the EU, they formed an informal alliance with environmental organizations, above all Greenpeace EU. For some years Greenpeace EU has promoted renewable energy, *inter alia* by commissioning and publishing scientific reports with future scenarios for renewable energy (see Greenpeace European Union, 2007; 2008). The renewables industry's organizations at the EU level and at national levels made a joint effort to persuade certain governments and MEPs to oppose an EU-wide green certificate scheme as a harmonized support mechanism (interview EREF, 2011). At the EU level, these interest organizations also managed to create a broad informal coalition that included major member-state governments:

We also managed to get the German and Spanish governments to write a letter to the Commission that

the Commission was not allowed, or should not come up with a harmonized green certificate scheme, but that it should be up to the member-states (interview EREF, 2011).

Although the renewables industry is far smaller than the utilities industry in Europe, our data indicate that they, together with partners in the environmental movement and key member-states like Germany and Spain in the Council, managed to get the Commission to amend the directive proposal of December 2007. The directive was subject to the co-decision procedure. After various amendments in 2008, the member-states were allowed to decide support mechanisms themselves. These amendments were finally accepted by the European Parliament and the Council, and became law in spring 2009.

The key actors in the debates on each side are summarized in Table 2, showing how contentious the issue was. Even subunits of major companies and environmental organizations disagreed with the opinions of their leadership, and some member-states changed stance during the negotiations.

Table 2: Coalitions and their affiliates at the European level

	Pro a European certificate trading system	Pro national choice of support mechanisms
Commission Directorates General (DGs)	DG Enterprise DG Environment Heads of DG Transport and Energy	Other sections of DG Transport and Energy, DG Environment and DG Climate

Countries	The UK, Finland and Belgium (initially), Denmark, Italy, Luxembourg, and Sweden	The UK, Finland and Belgium (in the end), Germany, Spain, Slovenia, Latvia, Poland, France
European Parliament	European Conservatives and Reformists Group (ECR), parts of European People's Party (EPP)	The Greens/European Free Alliance (Greens/EFA), members of European Forum for Renewable Energy Sources (EUFORES), Socialist Group (today: Progressive Alliance of Socialists and Democrats, S&D)
Business organizations	<p>Union of the Electricity Industry (EURELECTRIC)</p> <p>European Federation of Energy Traders (EFET)</p> <p>Renewable Energy Certificate System (RECS)</p> <p>Association of Issuing Bodies (AIB)</p> <p>Confederation of European Business (BUSINESSEUROPE)</p>	<p>European Renewable Energy Council (EREC)</p> <p>European Wind Energy Association (EWEA)</p> <p>European Photovoltaic Industry Association (EPIA)</p> <p>European Renewable Energies Federation (EREF)</p> <p>European Biomass Association (AEBIOM)</p> <p>The other industry associations that are EREC members</p> <p>Confederation of European Paper Industries (CEPI)</p>
Other organizations	Subunits of some of the environmental organizations	Environmental organizations like Greenpeace EU, Friends of the Earth Europe (FoE Europe), Climate Action Network (CAN), World

		Future Council (WFC), World Wildlife Fund for Nature (WWF EU), and European Environment Bureau (EEB)
Companies	German utilities companies, including RWE, E.ON, EnBW and Vattenfall, most other utilities in Europe, companies manufacturing equipment for conventional power production	The largest Spanish utility Iberdrola, major manufacturers of equipment for production of renewable energy, subunits of the large utilities companies that advocated GECs

Sources: Greenpeace European Union (2007), BUSINESSEUROPE (2008), EURELECTRIC (2008b), Toke (2008), WWF EU (2008), Nilsson *et al.* (2009), Boasson and Wettestad (2010), interviews EURELECTRIC, EREF, EWEA, EPIA, BEE (2011) and BWE (2011b).

Arguments in the debates showed quite different worldviews in terms of the best type of support mechanisms and how a more sustainable Europe should be built, as show in Table 3. These arguments were frequently used by the coalitions, for instance in press releases, position papers, annual reports and elsewhere, with the phrasing adjusted to suit the audience in question. The renewables organizations and the rest of the environmental coalition were aided by the EU energy policy framing, as pointed out by Nilsson *et al.* (2009). In particular, unstable Russian energy policies contributed to making security of supply a central political issue in many member-states. The EU had declared that innovation was the key for achieving targets such as future economic growth. Increased national generation of renewable energy would enhance domestic energy security by reducing the need for imported fossil fuels, while also leading to prospects of job creation and new industries with bright future prospects.

Table 3: Main arguments in the German and European debates on feed-in tariffs vs.

green certificates

Category	The utilities industry and the rest of the 'economic coalition' arguments for green certificates	The renewables industry and the rest of the 'environmental coalition' arguments for feed-in tariffs
Costs	GECs are more cost-efficient for society: green certificates give the desired amount of electricity at the lowest price.	FITs are the most efficient and least costly way of developing renewable energy production. Conventional energy production suffers from market failure; the real costs of non-renewable energy production, such as the price of pollution, are not included in the price.
Allocation	GECs will lead to allocation where the potential for renewable energy production is greatest in Europe, rather than where the subsidies are highest.	GECs will often lead to energy production located far away from people and from where the demand for energy is.
Fairness	It is unfair for renewable energy to have preferential grid access, and for it to receive so much in indirect subsidies based on taxing the grid owners. ¹⁴	The utilities have good access to the grid because there used to be monopolies where the power producers also owned the grids. Historically, the utilities have received enormous amounts in subsidies. Renewable technologies are developing rapidly and should continue be supported until they are mature.
The future and innovation	Conventional energy production is important for Germany's/EUs energy security, should not be overlooked and cannot be phased out easily without major negative consequences.	In the future, Germany and Europe should run 100 per cent on renewable energy. Continuation of feed-in systems will lead to higher renewables market shares because the support systems promote investments in production capacity, which stimulates investments in innovation. This

¹⁴ Feed-in systems are normally coupled with laws that ensure renewable energy producers the right to export their excess capacity to the grid regardless of how much other power is produced simultaneously.

		leads to declining prices for renewables technologies and enhanced investment in capacity.
Employment	Higher production of renewable energy will mean increased costs for industrial consumers, in turn threatening the competitiveness of German/European industries.	The renewables industry is expected to expand massively, employing more and more people directly and indirectly giving Europe a competitive advantage.
Security of supply	Germany/Europe need continuity of supply, which only conventional energy sources can deliver, since wind and sun are intermittent energy sources that cannot produce electricity continually.	Increased renewables production leads to increased energy security, as demand for import of fossil fuels declines. The government must invest in technologies and innovation for efficient storage of energy and expand the grid system.
Investments	FiTs do not stimulate investments in new and improved equipment for generation because installation owners are ensured income for years, even though the technologies are improving.	A European certificate system would threaten the national FiT-systems. Market actors would invest in certificates where the tariffs are the higher rather than where for example wind power is produced most cheaply, e.g. in Germany.

Sources: BDEW (2008a) and (2008b), BEE (2008a), BDI (2008), BWE (2008b), EURELECTRIC (2008b), Greenpeace European Union (2008), IG BCE (2008), BEE (2011a), interviews BDI, BEE, BBE, EURELECTRIC, EWEA, EPIA and EREF 2011, interviews BDEW 2011a and 2011b).

Discussion

To what extent do the data match the competing propositions derived from the theories of Liberal Intergovernmentalism and Multi-level Governance?

Research expectation (LI): The energy industries' national and European interest organizations lobbied the German government, but paid little attention to influencing policymakers in the EU, such as members of the European Parliament or the Commission.

Research expectation (MLG): The industries' national and European interest organizations lobbied the

Commission, the European Parliament, the European Council and the German government intensively.

Some observations clearly support the LI theory. For example the national-level interest organizations studied here focused their main lobbying efforts on political institutions in Germany, doing their utmost to influence the government's political position. This is only natural, as all interest organizations normally focus on the political level where they have their primary affiliation. There they also enjoy the greatest legitimacy in representing the constituency to which decisionmakers must relate (see Eising, 2007a; Mahoney, 2007). Germany's political positions and actions in the EU negotiations were very much in line with viewpoints held by the renewable energy industry. Moreover, the German government knew that it was essentially backed by large sectors of the population – including political parties, the environmental movement, and a majority in the *Bundestag* (Dagger, 2009, p. 99). The approach to the Directive taken by the organizations as well as the government is in line with Moravcsik's LI argumentation: to remain in office, governments in democratic societies must have support from 'a coalition of domestic voters, parties, interest groups and bureaucracies' (1993, pp. 483–484). Moreover, the outcome of the Directive, national choice of support mechanisms, was essentially in line with LI in maintaining national sovereignty.

Still, LI seemingly cannot explain the full extent of lobbying behaviour. Our findings indicate that the German interest organizations placed high priority on lobbying also at the EU level, reflecting the key importance and salience of the issues at stake. These organizations conducted multi-level lobbying regardless of their size and resource base in terms of funding and staff, and whether or not they had their own EU office (interviews BDI, BBE, BEE and BWE, 2011; BDEW 2011a and b). This stands somewhat in contrast to earlier studies, which have argued that multi-level lobbying is normally feasible only for large and wealthy

businesses and their interest organizations (see e.g. Eising, 2007c). Our results support the views of Beyers and Kerremans (2012, p. 279), who argue that issue characteristics such as potential cost and salience enhance the likelihood of national interest organizations to engage in multi-level lobbying, in contrast to LI expectations.

What, then, of MLG? Our main observations that support MLG expectations can be summed up as following: First, the German interest organizations all lobbied the EU institutions directly and/or together with other national interest organizations. Using fellow nationals as ‘door openers’ to the EU system is a frequent finding in political research (see e.g. Michelmann, 1978), and is also seen here. Second, all German interest organizations lobbied EU institutions indirectly through their own EU-level interest organizations (interviews BBE, BEE, BWE, BDI, 2011; interview BDEW, 2011a). This is how national interest organizations typically defend their political positions at the EU level (see e.g. Eising, 2007a). Third, the interest organizations coordinated their political positions at the national *and* at the EU levels. Additionally, at both political levels, the renewables interest organizations also coordinated their political positions with informal long-time coalition partners – Greenpeace Germany and Greenpeace EU in particular (interviews BEE, BBE, BWE, EPIA, EWEA and EREF, 2011).

Such shared positions signal to decision makers that some political positions have broad support, which increases their credibility. Cooperation is also a way of pooling resources for more efficient application (Mahoney, 2007). All interviewees explained that they had limited resources. The strategy of creating and sustaining complex multilevel advocacy coalitions helped to boost their political leverage, akin to what Sabatier (1998) describes with his Advocacy Coalition Framework (ACF). The renewables industry gradually constructed an extensive network which included environmental organizations, other national renewables interest organizations and private renewables enterprises. In connection with the Renewables

Directive, they also established new contacts and improved existing ones, at the EU as well as national levels (interviews BEE and BWE, 2011b). However, in contradiction to Coen's (2005, p. 205) descriptions of coalitions as 'short-life issue networks' typical of public and business interest organizations, our findings indicate that the coalitions were rather long-term. Not all interest organizations were equally active, however: the data show that the larger organizations, such as BDI, BDEW and BEE lobbied EU institutions more frequently than the small organization in the sample, BBE. The German Renewable Energies Federation, BEE, acted as a leader for the whole German renewable industry. BDEW and BDI had similar roles with regard to the German utilities industry and the German energy-intensive industry.

As expected, the European-level interest organizations lobbied the EU institutions intensively (see e.g. Coen, 2007). The Commission and the European Parliament were the institutions most frequently targeted by all interest organizations in the sample. Relations to these institutions were far from new: these organizations had become typical *insiders*, which facilitated their access to the political processes. EUFORES' long-time support was probably especially crucial in this context. In contrast to some earlier lobbying studies that have indicated that the Commission was the single major target (see e.g. Lehmann, 2009, p. 39), we find that the interest organizations here also lobbied the European Parliament intensely. That probably reflects the Parliament's increased powers, as well as the fact that it has traditionally been seen as the EU's 'greenest institution'. These multi-venue lobbying strategies and their implementation reveal good insights into the EU's political processes, similar to what Coen and Richardson (2009) describe as typical of industrial lobbyists in the European Union.

Also at the EU level, the organizations lobbied according to their resources. The largest renewables interest organization in terms of staff, EWEA, followed the political processes very closely and met with more people than did, for example, the smaller EPIA.

While EPIA concentrated on like-minded individuals within the European Parliament and elsewhere, EWEA lobbied both ‘friends and foes’. In addition, EWEA was the only organization to conduct a political campaign specifically aimed at decision makers (interviews EWEA, EPIA, EREF and EURELECTRIC, 2011). Thus, EWEA, with of its sizeable resources, could function as a leader and broker on behalf of the whole European renewable energy industry, together with EREC, the umbrella organization.

These observations of the EU-level interest organizations also support the hypothesis based on the MLG theory. MLG outlines not only possible ‘uploading’ of influence and targeted lobbying behaviour at different political levels, but also ‘downloading’ to lower levels of governance (Hooghe and Marks, 2001). For example, the Commission may use national-level interest organizations to introduce and legitimize policies within the member-states (see e.g. Eikeland, 2011). Our observations indicate such ‘downloading’ in three cases. First, the European interest organizations lobbied at the national level by meeting with governments and permanent representations they regarded as particularly important, like those of Germany, Spain and France (interviews EURELECTRIC, EPIA, EWEA and EREF, 2011). Second, the European Wind Energy Association (EWEA) assisted the Bundesverband WindEnergie (BWE) through knowledge transfer (interview EWEA, 2011). Third, EURELECTRIC depended on its members to disseminate the common political positions agreed upon within its committees (interview EURELECTRIC, 2011).

Therefore, expectations derived from Hooghe and Mark’s version of MLG would seem to fit well with the lobbying behaviour observed. That confirms the explanatory potential of this theory when applied to industrial lobbying on EU energy policy: interest organizations *do* ‘shop’ lobbying venues at multiple levels. Our observations meet MLG expectations regarding the lobbying behaviour of the national interest organizations and EU-level interest organizations as well. Clearly, both sets of organizations do perceive – and,

more importantly – relate to the European Union as a genuinely multilevel system.

In line with the arguments of Eising (2007b) and Beyers and Kerreman (2012), we see that the national interest organizations lobbied EU institutions in cases where the EU legislation was of high relevance to them. Still, the findings do not give support to Klüver's (2013, p.152) claim that national and European interest organizations are equally active in lobbying EU institutions. We find that national organizations focused their primary efforts on the national level, and European organizations on the EU level.

In this context, two observations can be offered concerning phenomena that have been little commented upon in the literature on EU lobbying: First, national interest organizations can create networks with each other to enhance political leverage and mutual trust; such networks should be further explored in future research. Second, at least one of the national interest organizations collaborated with private companies in order to share tasks and improve lobbying strength. Also this kind of cooperation offers possibilities for further exploration, since recent findings indicate that companies conduct considerable lobbying of the EU system, and that it might be the 'aggregated information supply, citizen support and economic power of coalitions' that matters for influence (Klüver 2013, p.141 and p. 200).

Thus, we have seen that the lobbying efforts of interest organizations were genuinely multilevel because the EU institutions were deemed important for the outcome of the negotiations. Liberal Intergovernmentalism fails to explain important aspects of this lobbying behaviour, rendering LI less useful as a tool for understanding lobbying in EU energy policy. Future studies should take into account the role of cooperation between lobbying at different levels of government. This kind of coordination and cooperation should also be investigated when studying causal processes, such as why legislation like the Renewables Directive ended up in its present form. Still, the fact that multi-level lobbying did take place is in itself not

enough to discredit LI as an analytical tool for understanding political processes in the EU.

Conclusions

Using two theories – Liberal Intergovernmentalism and Multi-Level Governance – this study has addressed the following research questions:

- 1) What lobbying strategies did the interest organizations of Germany's energy industries use to influence the formulation of the EU Renewables Directive?
- 2) What do these strategies tell about perceptions of where the real decision making power in the EU is situated? Is it located at the national level, or at the national and EU levels?

The LI theory was supported by only some of the findings. While the accumulation of interest on the national level can account for some of the lobbying behaviour of interest organizations, it cannot explain the full extent of the lobbying (and accompanying coordination) that these organizations conducted in order to influence EU decisions. Altogether, LI seems inadequate for explaining the actual lobbying behaviour of interest organizations as well as their understanding of EU decision making processes. Our findings indicate that they regard decision making in the EU as something significantly different from (and more complex than) mere decisions based on negotiations by sovereign states in the Council of Ministers or the European Council. When EU decisions are particularly important for them, interest organizations conduct multi-level venue shopping (Baumgartner and Jones, 1991) within the EU's multi-level governance system. Otherwise, it would be rational to lobby only decision makers at the national level, or the intergovernmental EU bodies. These findings are in line with earlier research, such as that of Eising (2004, p. 212), who argues that 'the concept of

multi-level governance captures the essence of interest intermediation in EU best'. Further, similar to Dür and Mateo (2012) and Beyers and Kerremans (2012, p. 276), this study finds that the national business associations studied frequently lobby EU legislation on salient issues. This seems to be an increasing trend. On the other hand, this study has also shown that all organizations in the sample, also the smallest ones, participated in such lobbying, which appears to be a rather uncommon finding.

Even in one of the most national of all policy domains – energy policy – Liberal Intergovernmentalism has proven inadequate for explaining the perceptions and actual lobbying behaviour of key interests. The limited leverage of LI can be illustrated by three examples: First, all the German interest organizations lobbied institutions at both the national and at the EU levels. Second, national and European interest organizations – the renewables industry in particular – participated in informal multi-level political coalitions, where they coordinated their political positions, pooled resources, shared information and developed common strategies. Third, all the EU-level interest organizations lobbied both the core EU institutions and key national governments. This outcome shows that the interest organizations are able to exploit the multi-level dynamics of the EU, including allying with other interest organizations at different levels, in order to enhance their impact. Further, today's Euro-associations for the energy industries are relatively large, well-endowed and enjoying insider status. This means that their presence can contribute to better-informed EU policies in a political system increasingly characterized by multi-level governance. LI cannot account for these phenomena. Given the 'most likely' character of the policy field, this indicates serious shortcomings in the explanatory leverage of LI theory in relation to EU lobbying.

We find support for MLG theory in the majority of the empirical findings. Future studies on industrial lobbying should take this into account, enquiring into *multi-level*

lobbying strategies where it is reasonable to expect interest organizations to lobby at multiple levels, rather than focusing solely on the national or the international level. With the EU steadily increasing in depth and scope, research attention should focus on coordinated lobbying, as interest organizations appear to lobby across political levels to an increasing extent. Finally, we note that lobbying by complex multi-level advocacy coalitions may be decisive for political outcomes in the EU, which testifies to the substantial importance of coordinated lobbying behaviour and coalition formation across levels.

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Appendix

Respondents, by affiliation

Germany

Bundesverband Erneuerbare Energie (BEE)

Bundesverband BioEnergie (BBE)

Bundesverband WindEnergie (BWE) (2 interviewees)

Bundesverband der Deutschen Industrie (BDI)

Bundesverband der Energie und Wasserwirtschaft (BDEW) (2 interviewees)

The EU-level

European Photovoltaic Industry Association (EPIA)

European Renewable Energies Federation (EREF)

European Wind Energy Association (EWEA)

Union of the Electricity Industry (EURELECTRIC)

Acronyms and abbreviations

Table 9.3

AEBIOM	European Biomass Association
AIB	Association of Issuing Bodies
BBE	Bundesverband BioEnergie e. V. (German Bioenergy Association)
BDEW	Bundesverband der Energie- und Wasserwirtschaft e. V. (German Association of Energy and Water Industries)
BDI	Bundesverband der Deutschen Industrie e. V. (Federation of German Industry)
BEE	Bundesverband Erneuerbare Energie e. V. (German Renewable Energy Federation)
BMU	Bundesministerium für Umwelt, Naturschutz und Reaktorsicherheit (Federal Ministry for the Environment, Nature Conservation and Nuclear Safety)
BMELV	Bundesministerium für Ernährung, Landwirtschaft und Verbraucherschutz (Federal Ministry of Food, Agriculture and Consumer Protection)
BMWi	Bundesministerium für Wirtschaft und Technologie (Federal Ministry of Economics and Technology)
BSW	Bundesverband Solarwirtschaft e. V. (German Solar Industry Association)
BUND	Bund für Umwelt und Naturschutz Deutschland e. V. (Friends of the Earth Germany)
BUSINESSEUROPE	The Confederation of European Business
BWE	Bundesverband WindEnergie e. V. (German Wind Energy Association)
CDU/CSU	Christlich Demokratische Union Deutschlands, Christlich-Soziale Union e. V. in Bayern (Christian Democratic Union of Germany and the Christian Democratic Union of Bavaria)
CEPI	Confederation of European Paper Industries
CAN	Climate Action Network
DBV	Deutscher Bauernverband e.V (German Farmer's Association)
DG TREN	Directorates General for Energy and Transport, today DG Energy
ECR	European Conservative and Reformist Group

EEB	European Environment Bureau
EFET	European Federation of Energy Traders
EPIA	European Photovoltaic Industry Association
EPP	European People's Party
EREC	European Renewable Energy Council
EREF	European Renewable Energies Federation asbl.
EU ETS	EU Emissions Trading System
EUFORES	European Forum for Renewable Energy Sources
EURELECTRIC	Union of the Electricity Industry
EWEA	European Wind Energy Association
FiT	Feed-in tariff
FDP	Freie Demokratische Partei (Free Democratic Party)
FoE Europe	Friends of the Earth Europe
IG BCE	Industriegewerkschaft Bergbau, Chemie und Energie (Mining, Chemical and Energy Industrial Union)
GEC	Green electricity certificate
IG Metall	Industriegewerkschaft Metall (German Metalworkers' Federation)
ITRE	Committee on Industry, Research and Energy
LI	Liberal intergovernmentalism
MEP	Member of the European Parliament
MLG	Multi-level Governance
RECS	Renewable Energy Certificate System
SPD	Sozialdemokratische Partei Deutschlands (Social Democratic Party of Germany)
VDMA	Verband Deutscher Maschinen und Anlagenbau e.V. (German Engineering Federation)
VIK	Verband der Industriellen Energie und Kraftwirtschaft (Association of the Industrial Energy and Power Industry)
WFC	World Future Council
WWF EU	World Wildlife Fund for Nature Europe

References

- Baumgartner, F.R. and Jones, B.D. (1991) Agenda dynamics and policy subsystems. *Journal of Politics* 53(4): 1044–1074.
- BDEW. (2011) Energieerzeugung/Gasspezifische Fragen. Internet article, available at: http://www.bdew.de/internet.nsf/id/8DGCCB-DE_Ueberblick, accessed 3 June 2011.
- BDI. (2008) Stellungnahme. Richtlinienvorschlag der EU-Kommission zur Förderung der Nutzung von Energie aus erneuerbaren Quellen – KOM(2008) 19. entg. vom 23. Januar 2008. BDI position paper, 13 March 2008.
- BEE. (2011). Europa und Erneuerbaren Energien. Internet article, available at: <http://www.bee-ev.de/Energiepolitik/Europa/index.php>, accessed 28 April 2011.
- Beyers, J. and Kerremans, B. (2012) Domestic embeddedness and the dynamics of multilevel venue shopping in four EU member states. *Governance* 25(2): 263–290.
- Boasson, E.L. and Wettestad, J. (2010) *Understanding the Differing Governance of EU Emissions Trading and Renewables*. FNI Report 2/2010. Lysaker, Norway: Fridtjof Nansen Institute.
- Boasson, E.L. and Wettestad, J. (2013) *EU Climate Policy – Industry, Policy Interaction and External Environment*. Aldershot: Ashgate.
- BMU. (2011) Kurzinfo Energiewende. October 2011. Available at: <http://www.bmu.de/themen/klima-energie/energiewende/kurzinfo/>
- BUSINESSEUROPE. (2008) BUSINESSEUROPE voting recommendations for Directive 2008/0019 on the promotion of the use of energy from renewable sources. BUSINESSEUROPE position paper, 9 September 2008.
- Bouwen, P. (2004) Exchanging access goods for access: A comparative study of business lobbying in the European Union institutions. *European Journal of Political Research* 43: 337–369.
- Coen, D. (2005) Environmental and business lobbying alliances in Europe: Learning from Washington. In D.L.

- Levy and P. Newell (eds), *The Business of Global Environmental Governance*. Cambridge, MA: MIT Press.
- Coen, D. (2007) Empirical and theoretical studies in EU lobbying. *Journal of European Public Policy* 14(3): 333–345.
- Coen, D. and Richardson, J. (eds) (2009) *Lobbying the European Union: Institutions, Actors and Issues*. Oxford: Oxford University Press.
- Dagger, S.B. (2009) *Energiepolitik & Lobbying. Die Novellierung des Erneubare-Energien-Gesetzes (EEG) 2009*. PhD dissertation. Berlin: Freie Universität Berlin. Stuttgart: Ibidem Verlag.
- Dür, A. (2008) Interest Groups in the European Union: How Powerful Are They? *West European Politics* 31(6): 1212–1230.
- Dür, A. and Mateo, G. (2012) Who lobbies the European Union? National interest groups in a multilevel polity. *Journal of European Public Policy* 19(7): 969–987.
- Eckstein, H. (1975) Case study and theory in political science. In F. Greenstein and N. Polsby (eds), *Handbook of Political Science*. Reading, MA: Addison-Wesley, pp. 99–137.
- Egeberg, M. (ed.) (2006) *Multilevel Union Administration: The Transformation of Executive Politics in Europe*. New York: Palgrave Macmillan.
- Eikeland, P.O. (2011) The Third Internal Energy Market Package: New power relations among member states, EU institutions and non-state actors? *Journal of Common Market Studies* 49(2): 243–263.
- Eising, R. (2004) Multi-level governance and business interests in the European Union. *Governance: An International Journal of Policy, Administration, and Institutions* 17(2): 211–245.
- Eising, R. (2007a) Interest groups and the European Union. In M. Cini (ed.): *European Union Politics*, 2nd edn. Oxford: Oxford University Press.
- Eising, R. (2007b) The access of business interests to EU institutions: towards élite pluralism? *Journal of European Public Policy* 14(3): 384–403.
- Eising, R. (2007c) Institutional context, organizational resources and strategic choices: explaining interest group

- access in the European Union. *European Union Politics* 8(3): 329–362.
- EURELECTRIC. (2007) Incentives for renewable energy must fit within the European market framework. Press release with RECS and EFET, 7 November 2007.
- EURELECTRIC. (2008a) EURELECTRIC activity report 2008.
- EURELECTRIC. (2008b) EURELECTRIC welcomes adoption of the energy-climate package but warns of potential for distortion of competition. Press release 23 December 2008.
- European Commission. (2009) DIRECTIVE 2009/28/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL 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. Available at: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2009:140:0016:0062:EN:PDF>
- European Commission. (2010) *Energy 2020. A Strategy for Competitive, Sustainable and Secure Energy*. COM (2010) 639. Brussels: European Commission. Available at: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2010:0639:FIN:EN:PDF>
- Franchino, F. (2005) The study of EU public policy: a survey. *European Union Politics* 6(2): 243–252.
- George, A.L. and Bennett, A. (2005) *Case Studies and Theory Development in the Social Sciences*. Cambridge, MA: MIT Press.
- Gerring, J. (2007) *Case Study Research: Principles and Practices*. Cambridge: Cambridge University Press.
- Greenpeace European Union. (2007) Investor confidence in renewable energy at risk from EU-policy U-turn. Press release 14 February 2007. Available at: <http://www.greenpeace.org/eu-unit/en/News/2009-and-earlier/investor-confidence-in-renewab/>
- Greenpeace European Union. (2008) Landmark agreement on EU law to boost renewable energy. Press release 8 December 2008. Available at: <http://www.greenpeace.org/eu-unit/en/News/2009-and-earlier/EU-law-to-boost-clean-energy/>
- Hooghe, L. and Marks, G. (2001) *Multi-Level Governance and European Integration*. Oxford: Rowman and

Littlefield.

IG BCE. (2008) IG BCE und BDI zum Klima-Paket. IG BCE and BDI position paper published 5 June 2008.

Available at: <http://www.igbce.de/presse/pressearchiv/560/xii-27-05-06-2008-ig-bce-bdi>

Jacobsson, S. and Lauber, V. (2006) The politics and policy of energy system transformation – explaining the German diffusion of renewable energy technology. *Energy Policy* 34(3): 256–276.

Klüver, H. (2010) Europeanization of lobbying activities: when national interest groups spill over to the European level. *Journal of European Integration* 32(2): 175–191.

Klüver, H. (2013) *Lobbying in the European Union. Interest Groups, Lobbying Coalitions, and Policy Change*. Oxford: Oxford University Press.

Lauber V. and Mez L. (2004) Three decades of renewable electricity policies in Germany. *Energy & Environment* 15(4): 599–623.

Lehmann, W. (2009) The European Parliament. In D. Coen and J. Richardson (eds) (2009) *Lobbying the European Union: Institutions, Actors and Issues*. Oxford: Oxford University Press, pp. 39–69.

Mahoney, C. (2007) Networking vs. allying: the decision of interest groups to join coalitions in the US and the EU. *Journal of European Public Policy* 14(3): 366–383.

Mez, L. (2007) *Green Power Markets: Support Schemes, Case Studies and Perspectives*. Brentwood: Multi-science Publishing.

Michelmann, H.J. (1978) Multinational staffing and organizational functioning in the Commission of the European Communities. *International Organization* 32(2): 477–496.

Moravcsik, A. (1993) Preferences and power in the European Community: a Liberal Intergovernmentalism approach. *Journal of Common Market Studies* 31(4): 473–524.

Moravcsik, A. (1998) *The Choice for Europe*. Ithaca, NY: Cornell University Press.

Moravcsik, A. and Schimmelpfennig, F. (2009) Liberal Intergovernmentalism. In A. Wiener and T. Diez (eds) *European Integration Theory*. Oxford: Oxford University Press, pp. 66–87.

Nilsson, M., Nilsson, L.J. and Ericsson, K. (2009) The rise and fall of GO trading in European renewable energy

- policy: The role of advocacy and policy framing. *Energy Policy* 37(11): 4454–4462.
- Sabatier, P.A. (1998) The advocacy coalition framework: revisions and relevance for Europe. *Journal of European Public Policy* 5(1): 98–130.
- Sverdrup, U. (1999) Precedents and present events in the European Union: An institutional perspective on treaty reform. In K. H. Neunreither and A. Wiener (eds) *European Integration. Institutional Dynamics and Prospects for Democracy after Amsterdam*. Oxford: Oxford University Press, pp. 241–265.
- Toke, D. (2008) The EU Renewables Directive – What is the fuss about trading? *Energy Policy* 36(8): 3001–3008.
- Verbruggen, A. and Lauber, V. (2012) Assessing the performance of renewable electricity support instruments. *Energy Policy* (45): 635–644.
- WWF EU. (2008) WWF summary position paper on the EU Climate & Energy Package proposals. Position paper published April 2008. Available at: http://awsassets.panda.org/downloads/summary_position.pdf
- WWF Germany, Deutsche Umwelthilfe, Öko-Institut and Arrhenius Institut für Energie- und Klimapolitik. (2007) Klimaschutz und Stromwirtschaft 2020/2030, research report, June 2007. Available at: http://www.wwf.de/fileadmin/fm-wwf/pdf_neu/Klimaschutz_und_Stromwirtschaft_2020-2030.pdf
- Ydersbond, I. (2011) Multi-level lobbying in the EU. The case of the Renewables Directive and the German energy industry. Master thesis. Oslo: University of Oslo.
- Yin, R.K. (2009) *Case Study Research: Design and Methods*. 4th edn. Los Angeles, CA: Sage.