

# Börner Rechtsanwalt

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## Working Translation:

### Legal publications

1. The latest judicial development of Art. 9  
Uniform Commercial Code (US)  
Diss. Bonn 1979  
cxlvii + 415 + 18 p.
2. (in English)  
Breach of Sale Contract and its Consequences Under German Law  
(Paper presented at the Seminar on German Law of Sales at the  
Law Institute of Victoria on 22nd February 1980)  
Law Institute of Victoria, Melbourne 1980  
20 pp.
3. Compensation for banks in case of seizure or assistance in sovereign procedures  
against third parties, especially revenue investigations  
Der Betrieb, Düsseldorf vol. 1981, no. 33, 1655 - 1659
4. For introduction: Budgetary law  
Juristische Schulung, München vol. 1982, pp. 805 - 810
5. Calculation of housing rents by the landlord after his investments to save heating  
energy - preconditions for rent increases in freely financed and in social housing  
Der Betrieb, Düsseldorf 1983, separate issue 7, 12 pp.
6. Local supply concepts in the energy sector  
Energiewirtschaftliche Tagesfragen, Essen vol. 1983, no. 7, pp. 474 - 482
7. On the tension between law and technical development  
Der Betrieb, Düsseldorf vol. 1984, no. 15, pp. 812 - 815
8. The DVGW-code of standards and the energy law (Anniversary Volume 125 years  
German Association of Gas and Water Technicians)  
gwf - Das Gas- und Wasserfach, vol. 125 (Eschborn 1984), no. 6  
(= Sonderausgabe 125 Jahre Deutscher Verein des Gas- und Wasserfachs),  
pp. 262 - 267

9. The procedures under Art. 4, 11 German Law for the Energy Sector, especially the rights to information and to confidentiality  
Recht der Elektrizitätswirtschaft vol 46 (Essen 1985), no. 10, pp. 182 - 189
10. Book review: Helmut Neeb, Insurance Regulation in the US, Karlsruhe 1987  
Zeitschrift für Versicherungswissenschaft, Frankfurt/Main vol. 1988, no. 1, pp. 117 - 122
11. Connecting a share capital increase from internally generated funds and a share capital increase against cash contributions in German Stock Companies  
Der Betrieb, Düsseldorf vol. 1988, no. 24, pp. 1254 - 1259
12. (with P.-L. Hubert) Grace Period for the extraordinary termination of a sales agent?  
Betriebsberater, Heidelberg vol. 1989, pp. 1633 - 1634
13. Contribution,  
in: J.F. Baur (ed.), Reform of the Energy Law - An Analysis of the Modification Proposals  
Veröffentlichungen des Instituts für Energierecht an der Universität zu Köln, vol. 64  
(Baden-Baden 1991), pp. 122 - 124
14. (with Bodo Börner): The Licence for Restituted Municipal Public Utilities under the German Energy Law  
Beiträge zur Kommunalen Versorgungswirtschaft, no. 75 (Cologne 1991), 99 pp.  
(review by G. Kühne, 1993 RdE 250)
15. Asset Protection for the Newly Acquired Stock Corporation,  
in: Baur, Müller-Graff, Zuleeg (eds.), Europarecht-Energierecht-Wirtschaftsrecht,  
Festschrift für Bodo Börner, Cologne 1992, pp. 673 - 699
16. Contribution,  
in: J.F. Baur (ed.), The Law of the European Communities and the Law of Grid-transported Energy  
Veröffentlichungen des Instituts für Energierecht an der Universität zu Köln, vol. 69  
(Baden-Baden 1993), pp. 154 - 156
17. (with Ralf Oehmke): Arbitration Clauses in Still Valid German-German Business Contracts  
Der Betrieb, Düsseldorf vol. 1993, no. 44, pp. 2217 - 2220
18. Energy and Resources Law - Germany  
International Financial Law Review, Special Supplement, October 1994 (London),  
pp. 25 - 27
19. Captive Insurance Companies as Risk Management Tools for Product Liability  
PHI - Produkt- und Umwelthaftpflicht international, Cologne vol. 1995, no. 1, pp. 2 - 13
20. Contribution,  
in: J.F. Baur (ed.), Current Problems of Energy Law  
Veröffentlichungen des Instituts für Energierecht an der Universität zu Köln, vol. 75  
(Baden-Baden 1995), pp. 128 - 129

21. (in English)  
Kuwaiti Damage Claims against Iraq and Reconstruction of Economic Life in Kuwait from the Perspective of National and International Law, With Special Reference to the German Experience  
in: Centre of the Gulf and Arabian Peninsula Studies and Kuwait University (editors), The International Conference On The Effects Of The Iraqi Aggression On The State of Kuwait, April 2-6, 1994, Kuwait, vol 1. Political and Economical Implications, Kuwait 1996, pp. 221 - 297
22. Contribution,  
in: J.F. Baur (ed.), Energy Law and Politics of Today,  
Veröffentlichungen des Instituts für Energierecht an der Universität zu Köln, vol. 78 (Baden-Baden 1995), p. 45 (cf. "green" taxes), pp. 152 seq. (cf. liberalization)
23. Book review: Jürgen Pfeifer, Power Wheeling under German, European and American Law, Heidelberg 1996  
Zeitschrift für öffentliche und gemeinwirtschaftliche Unternehmen (Journal for Public and Nonprofit Services) vol. 19 (Baden-Baden 1996), pp. 496 - 500
24. The energy market and the closed areas of supply of the power and gas industries in transition to competitive markets  
Zeitschrift für öffentliche und gemeinwirtschaftliche Unternehmen (Journal for Public and Nonprofit Services) Special Issue 20, Baden - Baden 1996, 118 pp.
25. (in English)  
Recent Developments in German Energy Law and Policy,  
Oil & Gas Law and Taxation Review, vol. 4, London 1997, issue 4, pp. 117 - 127 and issue 5, pp. 153 - 159
26. On the Consequences of the EC-Directives for the Internal Markets for Electricity and for Gas Before Their Transformation Into National Law,  
Recht der Internationalen Wirtschaft, Heidelberg vol. 1997, issue 6, pp. 475 - 482, 505 - 507
27. Book Review: Reimer Schmidt / Erich R. Prölss (eds.) - German Insurance Supervision Law with EC Law and State Law, 11th edition Munich 1997,  
Betriebsberater, Heidelberg vol 1997, no 26, pp. VI, X
28. Only Competition as the Aim of EC-Legislation for the Internal Market?  
Recht der Internationalen Wirtschaft, Heidelberg 1997, no. 8,  
pp. 773 - 775
29. Book Review: Bodo J. Herrmann, Problems to Apply the Law on the Take-in of Electricity, Cologne 1996  
Deutsche Zeitschrift für Wirtschaftsrecht, Berlin 1997, pp. 439 - 440

30. Power Wheeling: Incentives from US regulation  
Kölner Miscellen zum Energierecht, No. 6, Baden-Baden 1998, 133 pp.
31. No Duty to tender procedures for municipal utilities buying natural gas  
Der Betrieb 1998, no. 12 of March 20, 1998, pp. 610 - 612
32. The development of the EC Treaty: New parameters for the Euro?  
Deutsche Zeitschrift für Wirtschaftsrecht 1998, no. 6, pp. 251 - 259
33. Power wheeling contract under § 6 EnWG (negotiated third party access) - Key words for important clauses  
Recht der Energiewirtschaft 1998, No. 6, pp. XXV - XXVI
34. Contributions  
In: A. Lohse, Discussion Report of the Fourth Symposium on Antitrust and Energy Law in Honour of Professor Dr. Kurt Markert,  
Die Aktiengesellschaft 1998, pp. 578, 582f
36. (in English)  
Book Review: Jeffrey Go, European Air Transport Law and Competition  
International Business Lawyer 1999, no 1, pp. 43-46
37. Negotiated third party access to electricity networks and antitrust law  
Versorgungswirtschaft 1999, no. 4, pp. 77-85
38. On the voidness of an electricity purchase contract between a regional transmitter and a township  
Energiewirtschaftliche Tagesfragen 1999, no. 6, pp.. 405-411
39. Legal and commercial aspects of contracting agreements for block-type thermal power plants  
in: VDI Gesellschaft Energietechnik (Hrsg.), Block-type thermal power plants '99  
VDI-Berichte 1485, pp. 9-24 = Versorgungswirtschaft 1999, pp. 201-205
40. Contributions,  
in: J.F. Baur (Hrsg.), Energy industry - The new framework of energy and antitrust laws  
Veröffentlichungen des Instituts für Energierecht an der Universität zu Köln, Bd. 91 (1999), pp. 72, 150
39. The electricity and gas utilities in the XI<sup>nd</sup> Main Opinion of the Monopolies Commission  
Zeitschrift für öffentliche und gemeinwirtschaftliche Unternehmen (Journal for Public and Nonprofit Services) vol. 22 (Baden-Baden 1999), no 3, pp. 231-255

41. Third party access to networks as a fundamental legal problem - An eye on the USA  
in: J. Schwartze (Hrsg.), The third party access in commercial law, Baden-Baden 1999,  
pp. 137 et seq. = DAJV-Newsletter 1999, 73-85
42. Power wheeling to private customers - Agreements in a liberalized market for private  
and commercial customers  
Versorgungswirtschaft 1999, no.10, pp. 225-232
43. (in English)  
The German gas industry in a changing environment  
in: M. Crisell (ed.), International Oil & Gas Finance Review 2000,  
London (Euromoney) 1999
44. Contributions,  
in: P. Franke/D. Schulte-Janson/V. Riechmann, Practical effects of the liberalisation of  
the energy markets - Effects for the supervision of energy and for energy politics,  
Kölner Miscellen zum Energierecht, No. 8, Baden-Baden (Dec.) 1999, pp. 48 (term of  
public supply), 65-66 (demand bundling and concession fees, power price control and  
credit financing)
45. Contributions,  
in: J.F. Baur (ed.), Environmental Protection and Energy Supply in the national and  
international law  
Veröffentlichungen des Instituts für Energierecht an der Universität zu Köln, vol. 95  
(Baden-Baden 2000), p. 62 (cycles and dumping)
46. First considerations on the private standards for power wheeling: logical cohesion and  
antitrust law  
Recht der Energiewirtschaft 2000, pp. 55-61 and 94-101
47. Contributions,  
in: J.F. Baur (ed.), Ways of European and national industrial and employment policies  
under European subsidy law  
Kölner Arbeitspaieere zum Wirtschaftsrecht in Europa, Bd. 1 (Baden-Baden 2000),  
pp. 16 (subsidy control, reimbursement), 67-69 (subsidy and turn-around, subsidy funds)
48. Contributions,  
in: J.F. Baur (ed.), The energy industry in revolution  
Veröffentlichungen des Instituts für Energierecht an der Universität zu Köln, vol. 96  
(Baden-Baden 2000), pp. 53 (admission to power exchanges), 103 (tariff customers and  
equality of treatment)

49. Legal Aspects of Engaging at a Power Exchange  
Versorgungswirtschaft 2000, pp. 245-251
50. Contribution,  
in: T. von Danwitz (ed.), Legal aspect of European Control of Subsidies,  
Bochumer Beiträge zum Berg- und Energierecht, Bd. 34 (Stuttgart 2000), pp. 91-93  
(Application of Art. 86 EC in the Internal Market)
51. Competition rulings of the European Court of Justice for the energy industry  
in: H. Brede (Hrsg.), Competition and the fulfillment of public tasks,  
Baden-Baden (Nomos) 2001, pp. 101-109
52. Routes for the multilateral balancing of interests  
in: F. Nicklisch (Hrsg.), Heidelberg Colloquium on Technology and Law 1999, Networks  
of complex long-term contracts, Heidelberg (C.F. Müller) 2001, pp. 53-65
53. (in English)  
Country Report: Germany  
in: D. Gerading (ed.), The Liberalisation of the Electricity and Natural Gas Markets  
in the European Union,  
Amsterdam (Kluwer) 2001, pp. 155-167
54. The Preliminary Cogeneration Act in the legal structure: The framework of the Energy  
Industry Act, the Law Against Restraints in Competition, the Basic Law and the EC law  
in: A. Klemm/B. Herrmann (ed.), Problems of Application of the Cogeneration Law  
Kölner Miscellen zum Energierecht, no. 12, Baden-Baden 2001, pp. 19-58
55. Contractual Aspects of Third Party Access  
Versorgungswirtschaft 2001, no. 9, pp. 197-205
56. No way back to kindergarten (TPA regulation)  
Zeitung für kommunale Wirtschaft, Munich, Nov. 2001, p. 4
57. Power Wheeling: Clean Separation of Models  
Zeitung für kommunale Wirtschaft, Munich, Dec. 2001, p. 14
58. The single buyer system  
in: M. Bartsch/A. Röhling/P. Salje/U. Scholz (eds.), Power Industry -  
A Practice Handbook, Cologne (Carl Heymanns) 2002; pp. 517-583
59. (in English)  
Negotiated Third Party Access in Germany: Electricity and Gas  
Journal of Energy and Natural Resources Law, London 2001 vol 19, no 4, pp: 27-39

60. Book review: Karl-Peter Horstmann, Network Access in the power industry  
Recht der Energiewirtschaft 2002, p. 112
61. Service public and public services in Europe - Thoughts on the given occasion of  
the dissertation by Fabian Löwenberg  
Zeitschrift für öffentliche und gemeinwirtschaftliche Unternehmen (Journal for Public and  
Nonprofit Services) vol. 25 (Baden-Baden) 2002, no. 2, pp. 188-199
62. Contribution,  
in: J.F. Baur (ed.), Regulated Competition in the energy industry, Veröffentlichungen des  
Instituts für Energierecht an der Universität zu Köln, vol. 100 (Baden-Baden 2002),  
pp. 39 (vertical restraints), p. 62 (reciprocity)
63. Rules in EC law for the opening of the "internal gas market"  
in: G. Kühne/U. Büdenbender (eds.), Festschrift/Liber amicorum for  
Professor Dr. F. J. Baur  
Cologne (Heymanns) 2002, pp. 71-98
64. The modeling of power and gas wheeling  
Part I. Generalities, Power  
Versorgungswirtschaft 2002, pp. 269-277  
  
Part II. Gas, Property, Outlook  
Versorgungswirtschaft 2003, pp. 5-9
65. Risk to the detriment of network operators - Theses on the Adjustment of Liability  
Limitations in the General Tariff  
Zeitung für kommunale Wirtschaft, February 2003, p. 14
66. Via Liberalization to Crisis of Meaning? Uwe Steckert's Disputation requests "Air to  
Breathe" for the municipal enterprises  
Zeitung für kommunale Wirtschaft, April 2003, p. 14
67. The new commentary by Büdenbender/Rosin on the Law for the Expansion of Cogenera-  
tion and the Conformity of Cogeneration Subsidies With Constitutional and EC Law  
Versorgungswirtschaft 2003, pp. 80-81
68. (in English)  
(with Gordon MacKerron and Enese Lieb-Doczy):  
Who secures the security of supply? Model and incentives for security of supply  
in a competitive energy market  
Elektrizitätswirtschaft 102 (2003), no. 14/15, pp. 44-47 and no 16, pp. 20-27
69. The Third Gulf War from the Perspektive of International Law, Reader's contribution  
Zeitschrift für Rechtspolitik 2003, p. 298

70. Nobody has any free give-away - Ten theses on natural gas pricing  
Zeitung für kommunale Wirtschaft September 2003, p. 34 =  
Gas Wärme International vol. 53 (2004), No. 1, pp. 1 and 2
71. Contribution,  
in: J.F. Baur (ed.), Actual developments in German and European Energy Law  
Veröffentlichungen des Instituts für Energierecht an der Universität zu Köln, vol. 108  
(Baden-Baden 2003), pp. 156-157 (sector efficiency, association agreements and  
antitrust law, third party access and efficiency gains)
72. (in English)  
(with Gordon MacKerron and Enese Lieb-Doczy):  
Who secures the security of supply? European Perspectives on Security, Competition  
and Liability  
The Electricity Journal Dec. 2003, pp. 10-19
73. Legal, Economic and Political Thoughts on Today's Perspectives of Power Wheeling  
Zeitschrift für öffentliche und gemeinwirtschaftliche Unternehmen (Journal for Public and  
Nonprofit Services) vol. 26 (Baden-Baden 2003), no. 4, pp. 395-410
74. The Acceleration Directives 2003/34 (Electricity) und 2003/35 (Natural Gas) and  
their Transposition  
Versorgungswirtschaft 2003, pp. 269-276
75. Continuity and Confidence - Reaching over Generations  
in: B. Gallus, The juridical lector as a middleman between author and reader -  
In memoriam Klaus W. Frohn  
Cologne 2003, S. 21-23
76. (in English)  
Thinking through German Electricity and Gas Liberalisation Laws  
OGEL - Oil Gas & Energy Law Intelligence) vol 1, no. 5, Dundee (GB) Dec. 2003  
([www.gasandoil.com/ogel](http://www.gasandoil.com/ogel)), 7 pp.
77. Remunicipalization by in-house-tenders  
Kölner Miszellen zum Energierecht no. 13, Baden-Baden (Nomos) 2004, 56 pp.
78. Contribution  
in: G. Kühne (ed.), Mining and energy law in the twist of European regulation tendencies,  
Veröffentlichungen des Instituts für Energierecht an der Universität zu Köln vol. 112,  
Baden-Baden (Nomos) 2004, p. 133 (accounting for waste and asset in the periodical  
statement)
79. "Company Limited by Shares" is no general recipe - Inheritance tax: Not all saving  
models are recommendable  
Mallorca-Magazin 10/2004 of March 5, 2004, p. 61



80. Book review: Wolfgang Hermann, Specific planning law effects of the railway privatisation  
Zeitschrift für öffentliche und gemeinwirtschaftliche Unternehmen, vol. 27, Baden-Baden  
2004, pp. 212-214
81. Book review: Tilmann Hosius, Network access and reciprocity in cross-border gas  
deliveries in Europe, Cologn 2004  
Recht der Energiewirtschaft 2004, pp. 206-208
82. Estate in Spain  
IfW-Forum (Institut für Wirtschaftsberatung, Meinerzhagen) no. 14 (Juli 2004), pp. 30-31
83. Decrease of tax burdens for Spanish vacation homes by use of holding corporations?  
Zeitschrift für Erbrecht und Vermögensnachfolge 2004, pp. 268-370
84. Minority holdings in municipal utilities no set-back in competition, at the same time a  
review of Klau/Schwintowski, Strategic minority holdings in the German energy sector  
Versorgungswirtschaft 2004, pp. 249-251
85. Contribution  
in: J.F. Baur (Ed.), The Energy Sector in Regulation  
Veröffentlichungen des Instituts für Energierecht an der Universität zu Köln, vol. 114,  
Baden-Baden 2004, pp. 76-77 (EU requirements on regulation intensity)
86. Gas tariffs - No duty to disclose  
Zeitschrift für kommunale Wirtschaft (Munich) March 2005, p. 11
87. Book Review: Nina Nolte, Deregulation of monopolies and services of public economic  
interest - On the importance of Art. 86 para 2 EU-Treaty, Frankfurt 2004  
Zeitschrift für öffentliche und gemeinwirtschaftliche Unternehmen (Journal for Public and  
Nonprofit Services) vol. 28 (Baden-Baden 2005), pp. 73-76
88. Use of a German postmortal power of attorney in Spain ?  
Zeitschrift für Erbrecht und Vermögensnachfolge (Munich) 2005, pp. 146-148
89. Long-term gas supply contracts  
Versorgungswirtschaft (Munich) 2005, pp. 101-103
90. Short Compilation on the development of the EC Energy Law  
Recht der Energiewirtschaft (Cologne) 2005, pp. 181-191
91. Contributions  
in: U. Ehrlicke (Hrsg.), The new law for the energy sector  
Veröffentlichungen des Instituts für Energierecht an der Universität zu Köln Bd. 120,  
Baden-Baden (Nomos) 2005, pp. 56-57 (illegal jurisdiction in the new Energy Law ?),  
pp. 103-104 (promotion of new entrants no state task, shut-off of balancing energy closes  
power market)

92. Book review: Pierrick LeGoff, The contractual penalty in international contracts on the construction of industrial plants, Berlin 2005  
Recht der internationalen Wirtschaft (Heidelberg) 2005 No 9, pp. IV - V
93. Book review: Christian Wurzbacher, The security of supply in the German natural gas market from a constitutional perspective, Berlin 2005  
Deutsches Verwaltungsblatt 2005, pp. 1187-1188
94. Some theses on price controls for power and gas networks  
Versorgungswirtschaft (Munich) 2005, pp. 221-226
95. Contributions  
in: U. Ehrlicke (Hrsg.), Expectations for the new energy law in the national and European context  
Veröffentlichungen des Instituts für Energierecht an der Universität zu Köln Bd. 125, Baden-Baden (Nomos) 2006, p. 63 (third party effects of EC Directives), p. 93 (inconclusive mathematical formulas of the Federal Regulatory Agency)
96. Comment on the judgment of March 20, 2006 of the High Court of Düsseldorf (VI-3 Kart 150/06) on disclosure orders of the Federal Regulatory Agency  
Recht der Energiewirtschaft (Cologne) 2006, pp. 166-167
97. Book review: Joachim Essig, Contractual and legal rules for the re-adjustment of power supply and network access contracts in the light of the liberalisations of the power market and the actual legislative developments in the energy industry, Baden-Baden 2006  
Recht der Energiewirtschaft (Cologne) 2006, pp. 251-252
98. Efficiency, out-put benefits and the limitations of regulation  
in: D. Bräunig/D.Greiling (eds.), Festschrift für Prof. Dr. Dr. h.c. mult. Peter Eichhorn, Berlin (Wissenschaftsverlag) 2007, pp. 111-118  
and Versorgungswirtschaft (Munich) 2006, pp. 149-151
99. (with P. Pohl)  
The easements of way for power lines and gas pipelines in the unbundling process  
Versorgungswirtschaft (Munich) 2006, pp. 221-225
100. Book Review: P. Salje, German Law of the Energy Sector, Cologne 2007  
Recht der Energiewirtschaft 2007, No. 3, p. 96
101. Nuclear consensus, Nuclear law, and Transfer of Power Generation Volumes  
Europäische Zeitschrift für Wirtschaftsrecht 2007, pp. 133-135
102. Spain - The Tax Reform 2007 and its implications for German-held real estate  
Internationales Steuerrecht 2007, No. 4, pp. 5-6

103. The changing legal framework for cogeneration: From investment protection to climate protection to supply security  
Zeitschrift für öffentliche und gemeinwirtschaftliche Unternehmen (Journal for Public and Nonprofit Services) vol. 30, Baden-Baden (2007), pp. 3-30
104. Spain - Country Report: Spanish Real Estate in the Estate Planning after the Tax Reform of 2007  
Zeitschrift für Erbrecht und Vermögensnachfolge 2007, no. 5, p. 223
105. On the unbundling of power and gas networks and services  
Versorgungswirtschaft 2007, No. 7, pp. 125 - 131 =  
Gesellschaft für öffentliche Wirtschaft (ed.), Globalization Effects on Public Banks - Separation of Infrastructure and Services  
Beiträge zur öffentlichen Wirtschaft 26 (Berlin 2008), pp. 91-109
106. New Developments in the European and German Energy Law  
Energiewirtschaftliche Tagesfragen 2007, no. 8, pp. 58-60
107. Operating Agreements in the Energy Sector  
in: F. Nicklisch (ed.), Heidelberg Colloquium on Technology and Law 2006: Operating models - BOT/PPP-Projects at home and abroad,  
Technologie und Recht vol. 25 (Munich 2007), pp. 65-89.
109. Inheritance from Germans resident in Switzerland  
IfW-Forum (Institut für Wirtschaftsberatung Informationsdienst) no. 17 (Meinerzhagen Sept. 2007), pp. 37-38
110. Pros and Cons of the Federal High Court decision on gas prices, remarks on the judgment of June 13, 2007  
Versorgungswirtschaft 2007, pp. 209-211
111. Energy for the medium-sized business  
Business & Law, Rheinland 2007 (Heidelberg 2007), pp. 46-48
112. Contributions:  
in: U. Ehrlicke (Hrsg.), Development tendencies in the Energy Law after Enactment of the Energy Economy Act,  
Veröffentlichungen des Instituts für Energierecht an der Universität zu Köln, vol. 131,  
Baden-Baden (Nomos) 2007, pp. 37-38 (on regulation as a means of steering competition), pp. 83-84 (claim for reimbursement of calculatory cost)
113. Liberalisation to complex, too costly?  
Zeitung für kommunale Wirtschaft 2008 of April 10, 2008, p. 8

114. The abuse control for electricity and gas prices and its tightening  
Versorgungswirtschaft 2008, no. 4, pp. 77-85
115. Direct Lines and Area Networks,  
in: M. Bartsch/A. Röhling/P. Salje/U. Scholz (eds.): The Power Sector,  
a practice handbook,  
2. ed. Cologne 2008, pp. 858-911
116. Book review: M. Wissmann/J. Dreyer/J. Witting,  
Antitrust and regulatory investigations in the enterprise and risk management,  
Cologne 2008  
Recht der Energiewirtschaft, Köln 2008, p. 187-188
117. Remarks on the Decision of European Court of Justice concerning the area network  
Leipzig-Halle Airport  
Versorgungswirtschaft (Munich) 2008, pp. 188-192
118. The global financial and economic crises – the simple version, 17 pp  
available under [www.boernerlaw.de](http://www.boernerlaw.de)
119. On price adjustments for natural gas deliveries to users - Remarks on the Partial  
Decision of the Federal High Court KZR 2/07 of April 29, 2008 (Enso)  
Versorgungswirtschaft (Munich) 2008, pp. 207-209
120. For a new approach in climate protection legislation (cf. Eckardt, ZRP 2008, 159)  
Zeitschrift für Rechtspolitik (Munich) 2009, p. 28
121. The 2nd Strategic Energy Report of the EU commission  
Energiewirtschaftliche Tagesfragen (Essen) 2009, pp. 34-38
122. (in English)  
Some legal aspects of investment in Iraq, 11 pp.  
available at [www.boernerlaw.de](http://www.boernerlaw.de), also distributed via “Arabien-Ticker” of the Chamber of  
Industry and Commerce in Bielefeld
123. New decisions of the Federal High Court on gas pricing  
Versorgungswirtschaft 2009, pp. 57-61
124. Comment on Private Law Aspects of the Baltic Sea Pipeline  
in: The Nord Stream Pipeline: Legal, Economic and Environmental Issues, Conference of  
the Carl Albrechts University at Kiel, April 2009, 9 pp. + 21 pp.  
available at [www.internat-recht.uni-kiel.de/veranstaltungen/pipeline-conference](http://www.internat-recht.uni-kiel.de/veranstaltungen/pipeline-conference)  
German Yearbook of International Law vol. 52 (2009), Berlin 2010: pp. 355-366
125. Jersey as a new partner for taxations agreements  
Recht der internationalen Wirtschaft 2009, pp. 227-230

126. How Germany puts structural brakes in its way to economic recovery, 12 pp.  
available at [www.boernerlaw.de](http://www.boernerlaw.de)
127. Alternatives to state jurisdiction  
Deutsches Ärzteblatt, addition Praxis 3/2009 (Aug. 2009), pp. 16-19  
available at [www.aerzteblatt.de/v4/archiv/artikel.asp?id=66177](http://www.aerzteblatt.de/v4/archiv/artikel.asp?id=66177)
128. Taking over a network: Do we need the lease agreement?  
Versorgungswirtschaft 2009, pp. 201-203
129. A Critical evaluation of the New Proposal for an EC Gas Supply Security Regulation  
Oil, Gas and Energy Law Intelligence, vol 7, issue 4 (Dec. 2009), Art. 6, 30 pp.  
available at [www.ogel.org](http://www.ogel.org) since Sept. 2009
130. Israel, Palestine and the EU as economic partners  
in: F.J. Baur/O.Sandrock/B. Scholtka/A. Shapira (eds.), Festschrift für Gunther Kühne,  
Frankfurt/Main 2009, pp. 957-970
131. (in English)  
A German Perspective on Russian and the European Security of Natural Gas Supply  
Oil, Gas and Energy Law Intelligence, vol 7, issue 4 (Dec. 2009), Art. 7, 20 pp.  
available at [www.ogel.org](http://www.ogel.org)
132. (in English)  
(with Peter Hohaus) Gas Security proposal undercuts European gas market  
European Energy Review Dec. 4, 2009, 2 pp.  
available at [www.europeanenergyreview.eu](http://www.europeanenergyreview.eu)
133. Annotation to the Federal High Court judgements on HEL-pricing of natural gas deliveries  
Versorgungswirtschaft 2010, S. 165-169
134. Book Review: Hatem Elliesie (ed.), Contributions to Islamic Law VII – Islam and Human  
Rights , Frankfurt 2010  
Deutsches Verwaltungsblatt 2010: 1557-1558
135. Desertec: Sonnenstrom aus der Wüste – Versuch einer ganzheitlichen Betrachtung  
available at [www.wwk-ev.de](http://www.wwk-ev.de) und [www.boernerlaw.de](http://www.boernerlaw.de)
136. The EU energy strategy: Energy infrastructure priorities for 2050  
Energiewirtschaftliche Tagesfragen 2011, no. 1/2, pp. 34-39
137. On the change of the holder of the concession for electricity and gas networks  
Versorgungswirtschaft 2011, pp. 62-65
138. Security concepts for events of communities and community enterprises  
Kommunalwirtschaft 2011, no. 4, pp. 232-233

139. Price adjustments for natural gas deliveries to big standard customers: The line of decisions of the Federal High Court and its judgment (VIII ZR 1246/08) of July 14, 2010  
Versorgungswirtschaft 2011, pp. 113-118
140. International projects, especially energy and climate projects, as a motor for the legal development in Egypt  
in: Martin Haeckel (ed.), Legal Transfer – Contributions to Islamic Law VIII,  
Leipziger Beiträge zur Orientforschung vol 29, Frankfurt 2011, pp. 147-166
141. Renewable Energies in the present EU energy policy  
Energiewirtschaftliche Tagesfragen 2011, no. 11, pp. 93-98
142. Europe and the Euro, to be rescued with the „Six-pack“?, 30 pp.  
download available at [www.boemerlaw.de/aktuelles](http://www.boemerlaw.de/aktuelles)
143. Permanent topic: The change of the concessionary, here: Community conflict of interest  
Versorgungswirtschaft 2012, pp. 43-44
144. The EU Energy Road Map 2050  
EW (Das Magazin für die Energiewirtschaft) vol. 111 (2012), no. 6, pp. 20-23
145. Note on the Federal Grid Agency Report on the situation in the electricity grid in winter 2011/2012  
Versorgungswirtschaft 2012, pp. 142-143
146. Note on the Decision of the Federal High Court of March 14, 2012 on the consequences of ineffective price adjustments in natural gas contracts with non-tariff clients  
Versorgungswirtschaft 2012, pp. 154-155
147. (in English)  
Arab Spring: Restructuring an Economy under the Rule of Law  
GAT – German Arab Trade (Cairo) vol. 63 no. 3 (May/June 2012), pp. 106-109  
Arab Spring: The Challenge of Restructuring an Economy under the Rule of Law  
in: Thilo Mauruhn / Hattem Elliesie (eds), Legal Transformation in Northern Africa and South Sudan, Den Haag 2015, pp. 93-97
148. Parallel wording to basic supply contracts does not relieve from abuse control of the price review mechanism in individual contracts, Remarks on the EUCJ decision of March 21, 2013 – C 92/11  
Versorgungswirtschaft 2013, 131-133
149. (in English)  
Another Simplistic View from Germany on the Monetary and Economic Crises in Europe – Simultaneously Some Remarks on Thilo Sarrazin's Book "Germany does not need the Euro", 15 pp.  
download available at [www.boernerlaw.de/news](http://www.boernerlaw.de/news)
150. Book review of Rainer Grote and Tilman J. Röder (eds.), Constitutionalism in Islamic Countries, Oxford 2012  
GAIR-Mitteilungen 2013, 21-27  
Abbreviated English version: IBA Arab Regional Forum News (London) vol. 6 no 2 (August 2014), 23-24

151. Local Energy Distribution: Where the journey takes us  
Kommunalwirtschaft 2013, 747-748
152. The new constitution of Tunisia – An introduction  
Constitution of the Republic of Tunisia of January 26, 2014  
early: [www.gair.de](http://www.gair.de), 45 pp.  
GAIR-Mitteilungen 2015, 55-64, 65-99
153. Remarks on the Federal High Court decisions of December 12, 2013 on the award of  
energy network concessions (KZR 65/12 und KZR 66/12)  
Versorgungswirtschaft 2014, 133 – 134
154. EU Energy Supply Security and Duty of Solidarity  
Recht der Energiewirtschaft 2014, 367-372
155. Conference Report: 16. Frankfurt Euro Finance Week, Frankfurt:  
MENA Finance Conference – Hub to the MENA region, Frankfurt/Main 21.11.2013  
GAIR-Mitteilungen 2014, 41-45
156. The problem of capacity reservations in the green book of the Federal Minister of  
Economics „An electricity market for the energy transition“  
Versorgungswirtschaft 2015, 17-19
157. Trust with two independent trustors? What is still possible?  
Anwaltsblatt 2015/2, M 38
158. Investment Law and Energy  
in: Mark Bungenberg, Jörn Griebel, Stephan Hobe, August Reinisch (eds.),  
International Investment Law, Baden-Baden (Nomos) 2015, pp. 1644-1676
159. Spanish coal subsidy for electricity generation and network stability  
EW – Elektrizitätswirtschaft (Frankfurt) 4/2015, 34-38
160. Readers' Reaction: On the contribution „Urban Legend Check I: Lawyers are the worse  
jurists“  
Anwaltsblatt 2015/6, S. M 164
161. Book review: Peter Salje, EEG 2014, 7th ed. Cologne 2015  
Recht der Energiewirtschaft 2015, 272
162. Is policy on the way to new mistakes in the power sector ?  
Kommunalwirtschaft 2015, no. 5-6, pp. 16-18

163. The observance of the Qur'an in the modern laws for entrepreneurial activities in the Arab area  
in: Hans-Georg Ebert (ed.), Contributions to Islamic Law X in Honour of Hilmar Krüger  
Leipziger Beiträge zur Orientforschung, Bd. 33, Frankfurt (Peter Lang) 2015, pp. 31-57
164. Pars pro toto: The Republic of Tunisia and the EU  
in: Cordula Stumpf / Friedemann Kainer / Christian Baldus (eds.):  
Private Law, Commercial Law, Constitutional Law: Private initiative and the horizons of  
the common weal in the European integration – Liber amicorum for Peter-Christian Müller  
Graff, Baden-Baden (Nomos) 2015, S. 806-819
165. Book review: Uwe Blaurock (ed.), The influence of Islam on Banking and Finance,  
Schriften der Ernst von Caemmerer-Stiftung, Bd. 8, Baden-Baden 2014  
GAIR-Mitteilungen (Leipzig) 2015, 75-77
166. (with Manhel Sebai), Country Report – Tunisia, Aspects of Energy in Tunisia,  
Renewable Energy Law and Policy 2015/3, 228-235
167. Decommissioning, restoration, and liability  
Recht der Elektrizitätswirtschaft 2016, 60-65
168. The legal relations between the EU and Morocco: Changes in the law of succession für  
Moroccan residents in the EU (in German) –  
Les relations juridiques entre l'Union Européenne et le Maroc: Un nouveau droit de  
succession pour les Marocains résidents dans l'Union Européenne  
Bilatéral (AHK Casablanca) 58 (2016), 51-54
169. Simple Truths on the Right to Regulate and the Duty to Pay  
Zeitschrift für Schiedsgerichtswesen 2017, No. 1, 2-11
170. What is the Impact of the Judgment of the German Constitutional Court of December 6,  
2106 on the exit from nuclear energy on investment protection?  
Recht der Energiewirtschaft 2017, 119-128
171. Reimbursement for Avoided Electrical Network Charges  
Versorgungswirtschaft 2107, 129-133
172. Thoughts on so-called tenants' electric power  
Kommunalwirtschaft (Wuppertal) 2017, 6/7, 348-351
173. News on the competence-competence of arbitral tribunals under German law  
(at BGH 9.8.2016 – I ZB 1/15, below p. 614, No. 46)  
Praxis des internationalen Privat- und Verfahrensrechts (IPrax) 2017, 568-570
174. Electricity Storage and the Internal Market  
in: Peter Nagel & Jörg Böttcher (eds.), Battery Storage, Berlin (de Gruyter) 2018,  
pp. 408-434



- 175. The legal framework for energy and other proportional contracts  
Recht der Energiewirtschaft 2018, 178-184
- 176. Legal Aspects from Smart contracts to Cryptocurrencies  
Versorgungswirtschaft 2018, 111-115

To be published soon:

- 177. (with Azza Ben-Sedrine) The new necessity to make a declaration of succession for the nationals of the Arabian states with a habitual residence in Europe  
(in English and Arabian)  
German-Arab Trade (AHK Kairo) 2015, pp. ...
- 178. Book Review: Philipp Stompfe, The Drafting and the Safeguards for International Investor-State-Contracts in the Arab World, with reference to Libya and Qatar  
ZIR/GAIR 2017