

INTERVIEW WITH ANNA A. EFIMOVA, DEPUTY MANAGING DIRECTOR, DIRECTOR FOR LEGAL ISSUES OF MOSENERGO, PJSC, LECTURER OF THE ENERGY LAW DEPARTMENT OF THE KUTAFIN MOSCOW STATE LAW UNIVERSITY (MSAL)



— Anna, you are the head of the legal section of Mosenergo, PJSC, the largest generating company, and became a lecturer of the Energy Law Department from the moment of establishment of the department. First of all, let me congratulate you with the first small anniversary of the department. In your opinion, how have the first five years passed, what plans have you managed to implement?

— Five years flew by unnoticed. It is obvious for practicing lawyers that the energy law in the Russian Federation needs to be developed. I am referring to the branch of law, the norms of

which regulate legal relations in the key branch of the economy. The department has a lot of tasks since the establishment: building of the team, preparation of the first educational publications which did not exist at all, arrangements for practical training of specialized lawyers for the energy industry, performance of scientific research, and holding of scientific and practical events. At this point, we can say that we have managed to do many things. The department employs well-known practicing lawyers — heads of legal sections of the major energy companies, textbooks on energy law have been prepared and published, both in Russian and in English, Energy Law Forum scientific journal is published, monographs have been published, scientific events are held with the participation of well-known scientists and practitioners, competitions are held for students and young lawyers in the energy sector. It is very important that we managed to build a good team. And, of course, I would like to note the great merit of Viktoriya V. Romanova, the head of our department, Doctor of Law, her great organizational skills, amazing performance, sociability, kind-heartedness. She bears the main scientific burden, works on systematization, and interacts with millions of people from different companies, state bodies, representatives of the scientific community since the department deals with problems of legal regulation in various branches of energy: electric power, heat supply, nuclear power, gas, oil, and coal industry. In this work, it is very important to closely interact with the legal sections of core companies and regulating authorities, and to constantly “keep one’s eye on the ball”.

The first five years were quite successful, but a lot still needs to be done.

— Anna, could you please tell us about the legal section of Mosenergo, PJSC, its tasks and functions, whether the personnel policy of the company has changed after the establishment of the Energy Law Department at the Kutafin Moscow State Law University (MSAL)?

— Mosenergo, PJSC (hereinafter referred to as the Company) is the largest territorial generating company of Russia and the major heat supplier in the world. The Company pays special attention to selection of qualified personnel including the staff for the legal section ensuring legal support for the activities of Mosenergo, PJSC.

As a part of its functions, the legal section of Mosenergo, PJSC solves the following main tasks:

1. Active use of legal means to ensure efficient conduct of business by the Company, use of the Company's competitive advantages, and improvement of economic performance indicators.

2. Legal support of activities including those related to preparation, conclusion, performance and control of the proper performance of various kinds of transactions settled by the company including agreements (contracts, arrangements), and settlement of claims and lawsuits, legal support for inspections performed by state regulatory authorities, etc.

3. Assistance in active introduction and use of legal methods and means to achieve the Company's statutory goals, and ensuring legality of the Company's activities.

4. Active participation in improvement of the legal awareness of the Company's employees.

Legal support for the activities of Mosenergo, PJSC is ensured in the following areas:

- Contractual work;
- Settlement of claims and lawsuits;
- General legal support;
- Corporate work;
- Property management.

The dynamic development of legislation in the energy sector places most companies in a dilemma of a difficult choice of solutions for the recruitment issues.

While settling issues related to recruitment, most energy companies give preference to job seekers who have experience of work with energy companies in the prejudice of graduates of the higher educational institutions who often have stronger theoretical base.

Until recently, this trend was also traced in Mosenergo, PJSC.

For Mosenergo, PJSC as for the majority of large energy companies, the problem of shortage of qualified lawyers with special knowledge in the field of energy law is acute. The Company considers engagement of specialized, promising, purposeful and at the same time ambitious graduates of specialized law schools as one of the factors that makes the legal section more efficient.

Mosenergo, PJSC, undoubtedly, welcomes the establishment of the Department of Energy Law at the Kutafin Moscow State Law University training unique qualified specialists in this field.

For me, as for the head of the legal section of the largest territorial generating company in Russia, the opportunity to teach at the Department of Energy Law at the Kutafin Moscow State Law University made it possible to solve the problem of staff shortages in a big way.

Now the skilled employees are selected not only in the labor market, but also at the stage of training of young professionals through formation of an industry-related theoretical base and training in methods and skills of its application in the context of the Company's practical activities.

The Company organized practical training for students of the Department of Energy Law of the Kutafin Moscow State Law University. Students who have successfully passed the practice are invited to open positions in the legal section of the Company.

In Mosenergo, PJSC, already 30% of the employees of the legal section is currently represented by graduates of the Kutafin Moscow State Law University, half of whom are graduates of the Department of Energy Law.

Distinctive features of these employees are:

1. Strong industry-related theoretical basis;
2. Application of the theoretical basis, methods and skills obtained during the training at the Department of Energy Law and making it possible to overcome the barriers that arise between the lawyers and the specialists of the technical section;
3. Operational mindset, which makes it possible to analyze and study large amounts of information while highlighting significant points, and make efficient for the Company decisions.

And I, as the head of the legal section, and the department are very pleased that Yuri Lipin, a graduate of the *Lawyer in the Field of Energy* course of the Kutafin Moscow State Law



*In the photo: Anna A. Efimova, Lecturer of the Department of Energy Law, Deputy Director General for Legal Issues of Mosenergo, PJSC;
Yury V. Lipin, Chief Specialist in General Legal Support, Department of Legal Issues;
Nadezhda V. Koropets, Chief Specialist in Contractual Work, Department of Legal Issues*

University (MSAL), employee of Mosenergo, PJSC, became a laureate of the *Young Lawyer in the Field of Energy* contest held within the framework of the Russian Energy Week 2017.

— **Anna, what are the main requirements to the employees of the legal section of Mosenergo, PJSC?**

— Taking into account the specific nature of work of Mosenergo, PJSC as well as the successful experience of engaging students of the Energy Law Department, the Company has set the following requirements imposed on candidates for open vacancies in the legal section:

1. Knowledge of the main branches of substantive and procedural law as well as their interpretation and application in the context of the Company practical activities;

2. Knowledge of the specific features of the industry including laws in the field of electric power, heat supply, safety of the facilities of fuel and energy complex, industrial safety of hazardous production

facilities as well as their interpretation and application in the context of the Company practical activities;

3. Basic skills in the preparation of all types of legal documents (procedural documents, legal opinions, business letters) and legal due diligence of documents;

4. Basic skills of interaction with executive and judicial authorities;

5. Such personal properties as: interest, initiative, responsibility, attention to detail, stress resistance while working in a multitask mode, non-standard thinking, ability to clearly and logically express their thoughts.

— **What educational techniques do you apply during practical classes?**

— In order to improve training of young professionals who will be able to meet the requirements imposed by energy companies on candidates for positions of employees in the legal section, as a

lecturer of the Energy Law Department I apply the following methods while holding classes:

1. An increase in the number of practical/seminar sessions aimed at interactive involvement of student with the possibility of applying theoretical skills in conditions as close to the real ones as possible (game cases, judicial and administrative processes, simulated event related to inspections by regulatory bodies) including those with due account for such specific directions typical for energy companies as antimonopoly regulation including the peculiarities of procurement activities, antiterrorism security of the facilities of fuel and energy complex;

2. Holding seminars on the fundamentals of preparation of legal documents during the training;

3. Holding practical classes on the organization and functioning of the main process equipment involved in production processes in the energy sector by arranging for student visits to the production facilities of Mosenergo, PJSC.

— **Anna, what would you like to wish to future lawyers in the energy sector?**

— Despite the fact that they are now talking about attempts to substitute the work of a lawyer with new technologies and smart machines, in my opinion, qualified, highly educated, general specialists with an unconventional approach to solving the problems faced by them, with developed logical and systematic thinking that can clearly and comprehensibly state their position will always be in demand.

— **What would you like to wish to young specialized lawyers in the energy sector?**

— Do not be confused by the authorities, always be aware of the latest changes in laws and appreciate what has been achieved.

— **Anna, energy laws are developing very actively, and this concerns the legal regulation of various energy sectors. What legislative changes would you like to pay special attention to?**

— The following trends can be currently traced in the laws on heat supply:

1. Leveling of tariffs for heat energy in different regions.

Federal Law No. 279-Φ3 dd. July 29, 2017 *On Amendments to the Federal Law on Heat Supply and*

Certain Legislative Acts of the Russian Federation on Improvement of the System of Relations in the Sphere of Heat Supply provides for the transition to state regulation of only the ceiling levels of tariffs for heat supply. This ceiling price is determined by the price of supply of heat energy from an “alternative boiler house”.

2. More detailed regulation of legal relations concerning technological connection to heat supply systems.

Resolutions of the Government of the Russian Federation No. 1089 dd. September 9, 2017 *On Amendments to Certain Acts of the Government of the Russian Federation as Related to Optimization of the Procedure for Connection to Heat Supply Systems* and No. 448 dd. April 12, 2018 *On Amendments to Certain Acts of the Government of the Russian Federation* specify the procedure for conclusion of a contract for technological connection to heat supply systems, and requirements to disclosure of information relating to technological connection to heat supply systems have been set.

3. Transition to a new system of contractual relations between consumers of public services and resource supplying organizations.

In April 2018, Federal Law No. 59-Φ3 dd. April 3, 2018 *On Amendments to the Housing Code of the Russian Federation* (hereinafter referred to as Law 59-Φ3) came into force. It provides for the possibility of conclusion between resource supplying organizations and owners of premises in apartment blocks of “direct contracts” containing conditions for provision of public services including cases when the owners of premises in an apartment block make a decision to enter into contracts that include provisions for rendering public services with a resource supplying organization.

— **Thank you very much for the interview, for the help and support of the project! We hope for further development of the cooperation!**

— Thank you for your help and support in all our events, especially for publishing a memorable album about the department! I hope for the same! ■

The interview was conducted by

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Yurist Publishing Group