

Press release

ERSE fines ENI PLENITUDE to 548 thousand euros for unilateral change of price conditions and failure to comply with information obligations

ERSE - Entidade Reguladora dos Serviços Energéticos (Energy Services Regulatory Authority) sentenced Eni Plenitude Iberia, S.L.U. - Sucursal em Portugal (formerly Aldro Energia y Soluciones, S.L.U. - Sucursal em Portugal) to a fine of 548 thousand euros. At issue is the unilateral alteration of the price conditions contracted during the loyalty period, without the agreement, interest or compensation of customers and the violation of duties to provide information on its website, in pre-contractual documentation and in invoices issued to customers.

The administrative offence procedure, which had been opened following ERSE's carrying out of a verification action in June 2021 on the provision of information to customers via the internet, incorporated more than a hundred complaints from companies, received by ERSE between July and October 2022, stating that Eni Plenitude had unilaterally changed the prices contracted during the loyalty period of the energy supply contract

Additionally, in March 2023, Entidade Nacional para o Setor Energético, E.P.E. (ENSE) sent ERSE a report of evidence of infractions by Eni Plenitude, gathered as part of an inspection of the activity of a market energy supplier.

ERSE carried out several investigations and found that Eni Plenitude had committed seven administrative offences. In May 2023, a Statement of Objections was filed against the defendant, charging it, in an effective competition, with one intentional offence for unilaterally changing the price conditions contracted during the loyalty period, without the agreement, interest or compensation of customers, and six negligent offences for violating information duties.

A statement of objections was filed in September 2023, witness evidence was heard and ERSE carried out additional tests to obtain further clarification of the facts.

After weighing up all the facts and the applicable law, ERSE decided in November 2024 to adopt a final decision, condemning Eni Plenitude and imposing a single fine of 548,000 (five hundred and forty-eight thousand) euros, for the commission of seven administrative offences as part of its activities as a market-based electricity and natural gas supplier.

ERSE's decision took particular account:

- (i) the violation by the defendant of consumers' right to have their contracts honoured and not subject to unilateral changes, particularly in terms of price, during loyalty periods, especially during a period of volatility in the energy market, which in practice prevented the companies affected from accessing contracts with other suppliers at competitive prices, causing significant losses;
- (ii) the target's position in the market, whose client portfolio has grown significantly since 2021;
- (iii) Eni Plenitude's economic situation;
- (iv) the information that the defendant has provided in the case file regarding the conclusion of out-of-court settlements (of a civil nature); and
- (v) the behaviour of the defendant after the detection of the infringements, making the missing information available and trying to reach an agreement with the injured.

The defendant did not challenge ERSE's decision and paid the fine on 15 January 2025.

[Access Case no. 7/2022](#)

Lisbon, 23 January 2025