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# Energy commoning: a review of current experiences

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... everyone should have the right and the duty to know what makes their existence possible: the sun as the engine of life, forests as the lungs of the planet and as libraries of diversity, photosynthesis as the central 'technology' of existence, bacteria (...) Self-organisation and cooperation as strategies for adaptation and survival, the cyclic network functioning of all living things, the existence of limits, care work as a vital issue requiring co-responsibility. To face the ecological and social crisis, we must overcome the illusion of individuality and stimulate an imagination rooted in the earth, in bodies and their needs. (Yayo Herrero, 2021, *translated by the authors*).

## 1. Introduction

One of the hallmarks of modernity is the rapid increase in specialised professionalisation and expert power in both the market (private) and the state (public) sectors. This growth, as is well known, reaches its climax in the context of the so-called post-industrial society, the knowledge society (Bell, 2001).

If we intersect this trend with the urgent demands imposed by the escalating ecological crisis, we arrive at a point already noted by André Gorz: in the context of industrialism and market logic, "taking ecological obligations into account translates into an extension of techno-bureaucratic power." However, according to Gorz: "this is an approach that stems from a pre-modern outlook which typically is anti-political. It abolishes the autonomy of the political in favour of the expertocracy, by appointing the state and its experts to assess the content of the general interest and devise ways of subjecting individuals to it. The universal is separated from the particular, the higher interests of humanity are separated from the individual's freedom and capacity for autonomous judgement" (Gorz, 1993).

This displacement of politics, this dispossession, is at the heart of the eco-social crisis we are facing. Thus, fighting anti-politics becomes inexcusable. The most common approach is still the one that places the relationship between public and private in a zero-sum logic. From this point of view, the autonomy of politics must be regained through the return to

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the state of part of the decision-making capacity which the market has usurped. This can be done by regulating the market but also by decommodifying. In addition, lately another axis has (re-)appeared strongly in this debate: the commons.

Acknowledging the breadth and complexity of this debate,<sup>1</sup> we begin with Méndez de Andés (2023, p.45) straightforward definition of the political hypothesis of the commons as practices of collectively managing resources that enable principles of cooperation, exchange and exploitation outside the market.

Meanwhile, Casassas states that "the commons—or more precisely, commoning<sup>2</sup>, that is, active participation within well-structured communities, in the self-management of diverse resources —sociopolitically prepare us to affirm the need of becoming, all of us, authors of any type of 'bundle of rights' or 'swarm of norms and regulations' that can govern any type of social institution, including state or market entities" (Casassas 2023, p.19, translated by the authors).

The starting point of the hypothesis - and practice - of the commons is that, broadly speaking, we have long witnessed a dual appropriation, both private and public. This is the enclosure, the dispossession of the commons. Such expropriation may result from its privatisation and commodification, but also from its public control, especially when the public sphere follows a delegative-representative logic with little intermediate control. This framework undermines a minimally democratic nature of management by

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<sup>1</sup> Academic literature on commons comprises different approaches. Some of them crystallise in the dichotomy between a neo-institutionalist and a neo-Marxist approach (Huron, 2017). The neo-institutionalist approach focuses its analysis on shared resources. This analysis builds on the classical economic distinction by types of goods, and focuses on the institutional rules defining the use of the resource (Ostrom, 2015), and not so much in the community involved. As opposed to this vision, the neo-Marxist approach stresses the link between commons, social mobilisation and the communities that embody them. In terms of so called 'urban commons', the city appears then as a site of social conflict, where urban commons are the object of private and public 'new enclosures' (Midnight Note Collective, 1990; Chatterton, 2010) and a form of resistance towards the process of "dispossession by accumulation" (Harvey, 2012). From this perspective, urban commons are not considered a type of good but a social relationship (Stavrides, 2016). This perspective connects with De Angelis (2017) proposal to consider commons as systems of social organization and with E.P. Thompson (1991) analysis on the generation of social relations and common rules by social groups that define and self-constitute themselves.

<sup>2</sup> Commoning or communalisation, commoning, creation of commons. The term was proposed by Peter Linebaugh (2008) and emphasises the act of sharing itself and the bonds of solidarity that are created in the process.

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distancing or preventing citizen participation and control through hierarchical, bureaucratized and technocratic relationships.<sup>3</sup>

The commons should therefore not be seen as a complementary third category, and even less as a self-referential phenomenon. Rather, it should be seen as a vector of interference, a contaminating force capable of driving processes of communalisation that are gradually gaining ground that is being lost by both the market and the state. However, this loss of ground is also a gain for other ways of understanding the public sphere - with more social control, with more co-decision or co-governance, with more participation and social control. It also implies alternative ways in which the market can meet collective needs under more public control.

As a process, commons do not lie on top of narrow categories, but rather open up to varying, evolving and highly subjective intensities. One of the clearest factors modulating these intensities is how the commons relate to the public sector. On the one hand, there is the degree of collective autonomy with respect to the public sector, i.e. the ability of the public institution to condition or define the scope of common practices. On the other hand, and this is our focus, beyond certain self-referential experiences, commons intersect with public institutional frameworks that function to meet individual and collective needs. As a result, these two forms or institutional frameworks are destined to interact with each other and, according to our hypothesis, to transform each other.

In this context, "rather than an overlap of the public and the social as two separate realms, the co-creation of common norms aims at a subversion of the public by the commons, an intertwining of governabilities. Municipal legal regulations play a key role in these communalisation processes, through the articulation of the public becoming common and the social becoming institutionalised" (Méndez de Andés et al., 2021, p.39).

It's crucial to emphasise that operating within dichotomous logics is neither analytically nor politically useful. If we agree with these premises, we'll also accept that commons debates and practices are currently one of the key arenas for challenging despair and reclaiming the political. The depth of the eco-social challenge that we are facing demands that we find answers and, more importantly, that we implement them.

With this in mind, the aim of this text is to offer some reflections on a specific experience. Throughout this text, we will analyse Barcelona Energia (BE) in the context of the energy sector. From the beginning, we are aware that the example of BE has some inherent

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<sup>3</sup> Polanyi warned that the state-market binary depends on the weakness of peer cooperation (Polanyi, 1989). In this same line, Laval and Dardot stress how the state has been an active agent in building markets (Laval and Dardot, 2015).

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constraints, as we will point out later, but at the same time we argue that, in a non-dichotomous logic, it represents relevant progress in a key sector towards the incorporation of the logics of the commons.

## **2. Energy commoning: what has been said?**

The current transformations in the energy sector, mainly driven by the urgency of an energy transition to renewable sources, have grown significantly in recent years. First and foremost, access to energy and its services has become integral to maintaining modern lifestyles, and meeting basic needs and is closely linked to basic human rights (Hesselman et al., 2019). What's more, there is an urgent need to transform our energy systems toward renewable sources and reduce carbon emissions. This shift underscores the importance of energy infrastructure such as power grids, renewable energy generation facilities, and energy management systems.

This evolution has unfolded alongside the intensification of neoliberal trends in the energy and electricity sector over the past three decades (Varo, 2023). The rise of community-driven initiatives and practices rooted in commoning in the energy sector (Kishimoto et al. 2020) has been catalysed and influenced by two key factors. First, there's a growing trend of grassroots resistance projects, often associated with radical municipalist movements. Second, the urgent need for decarbonisation and an energy transition has opened new windows of opportunity towards decentralised and more flexible electricity generation (Melville et al. 2017).

Despite the blooming of energy transition research, its inclusion in commons' studies is a fairly recent phenomenon (Baker, 2017; Becker et al., 2017). However, this growing literature, taken as a whole, has not been specifically aligned with any particular school of thought within commons studies. On the contrary, it has mostly attracted external researchers not previously involved within this framework, who have found in the commons' literature an attractive perspective for understanding and transitioning to more open and democratic forms of energy production and consumption.

For instance, there is a wealth of research on energy communities (Hoicka and MacArthur, 2018; McHarg, 2015; Seyfang et al., 2013) and the concept of energy democracy (Becker and Naumann, 2017; Burke and Stephens, 2017; Stephens, 2019; Van Veelen, 2018), which provides valuable perspectives and deepens our comprehension in this field. There is also a line of research on property and commoning experiences, exploring the topic from a legal institutional framework (Agrawal, 2001; Cotarelo & Riutort, 2023).

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Within community-centred forms of energy governance and management, which include different types and levels of co-production and co-government, we can distinguish different models according to existing research. First, we can identify municipalization and remunicipalisation processes in the energy sector (usually energy suppliers, but not only) with different levels of shared government (Becker et al., 2017, Angel, 2021). A second type would be energy communities with different compositions and legal forms, ranging from renewable energy cooperatives created by citizens (Riutort, 2015) to energy communities with the participation of other private organisations or public administrations (Varo, XXXX). We can also consider other community-based initiatives, including activism in defence of basic needs (Atutxa et al, 2020).

We ground our theoretical framework on a political and emancipatory conceptualization of the commons. Here, we align with other authors who have applied this vision in the energy research field (Atutxa et al. 2020, Becker et al. 2017). Despite acknowledging the variety of forms of commoning initiatives, as well as the necessary interaction between very different types of commons, in this paper we focus on a very specific form of energy commoning: the creation of a public supplier within a more general common-oriented municipal government in the city of Barcelona.

### **3. Methods and Analytical Framework**

The methodological approach of this research is primarily qualitative, focusing on an exploration of the dynamics within the public energy supplier BE. Primary data sources include policy documents, corporate statutes of the governing bodies, the minutes of the General Assemblies of the Users Council of Barcelona and the meetings of the Permanent Commission. These documents provide insights into the decision-making processes, stakeholder interactions, and operational challenges faced by the public operator.

In addition, semi-structured qualitative interviews were conducted with key members of social movements and former executives of BE in several moments of the supplier life, that is over the last five years. These interviews, except for the most recent ones, were part of previous research projects that included the creation of the public supplier as a case study (see Varo et al., 2023). The interviews aimed to capture different perspectives on the functioning of the public utility. To complement these primary data sources, the research has also included a tracking of the evolution of BE through public and media documents that shed light on the supplier's evolution, challenges, and achievements. This multifaceted approach allows for a comprehensive understanding of the dynamics at play in the local energy company.

The study adopts a conceptualization of 'the common' beyond the public-private binary, aligning with an open, transformative political principle. This vision is in line with an open

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conceptualization that accepts the common as a continuum of actions (Bianchi, 2022) of different natures and intensities in their transformative capacity. We utilise an analytical framework derived from Ferreri et al. (2020), Roth et al. (2023), Méndez de Andes et al. (2021), and Atutxa et al. (2020), to assess the diversity of factors, intensities and directions in energy commons.

The analysis is oriented by six main elements: 1) Economic reorganisation, examining tensions with commodified models and potential synergies; 2) Decision-making and democratisation, focusing on governance decentralisation and co-government; 3) Feminisation of politics, which includes not only gender-sensitive visions but also a challenge to a hierarchical, male-dominated structures; 4) Universality, addressing resource redistribution and access equity; 5) Ecological transformation, incorporating energy and climate justice principles; and, 6) an integrative dimension of the transformative aim, which indicates to what extent the initiatives seek to foster long-term socio-environmental change and promote alternative democratic models.

Finally, using our definition of the political hypothesis of the commons, the extent of the transformation should be also measured in terms of how much ground is gained from the market and the state (the bureaucratic, expertocratic state).

#### **4. The case: Barcelona Energia**

Since the 1st of July 2018, Barcelona has had the largest fully public company for the commercialisation of energy in Spain. According to the "Atles pel Canvi" [in english: Atlas for Change] it is presented as "a key tool for the ecological transition that the city needs to move towards an urban model independent of the electricity oligopolies and that gains energy sovereignty". To which it adds the following: "Reclaiming politics and putting it at the service of the people also means regaining democratic control over collective resources for responsible and transparent public management"<sup>4</sup>.

The creation of BE takes place in a context of urban and municipal transformation in Barcelona, particularly influenced by the victory of the citizens-led platform 'Barcelona en Comú' in the 2015 municipal elections. This phenomenon is part of a European and global wave of reaction and resistance to neoliberal policies and the effects of the 2008 financial crisis, including processes of remunicipalisation of basic services such as water or energy.

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<sup>4</sup> The 'Atles pel Canvi' is a repository of transformative and radical policies implemented from 2015 to 2019 by the so-called 'Cities of Change' in Spain. This new municipalism cycle refers to the wave of citizen-led electoral platforms that won the 2015 municipal elections in cities across the country (Roth et al., 2019).

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In the case of Barcelona, the creation of BE, announced as a flagship policy of the new Barcelona en Comú government and later claimed as an emblematic achievement (Angel, 2021), represents this challenge to existing political and economic structures, betting on the reclaiming of spaces and infrastructures to meet basic needs.

Beyond the political conditions of the closer context, the city of Barcelona and the municipal sphere, an immediate background to consider is the Spanish energy sector and energy model. As widely analysed in other studies, the Spanish energy model is characterised by an oligopolistic structure, meaning that most of the main stages of the energy cycle are controlled and owned by a literal handful of private companies (Varo, 2023; Palazuelos, 2019). As denounced by social movements and organisations, this mercantilist conception of energy provision has not only influenced the development of price-increasing consequences such as the rise of energy poverty (Weghmann, 2019), but has also highlighted the lack of public control over private interests in an energy transition scenario.

The creation of BE was announced by the city government in April 2017. However, the project to create a municipal operator was already a legacy of the previous right-wing mayor but the new proposal improved the previous proposal expanding the scope of the operator activities, including citizens' and small businesses energy provision.<sup>5</sup> The creation of the public operator was presented as an important step in transforming the city's energy system towards a low-emission and renewable model, and as a stepping stone towards energy sovereignty,<sup>6</sup> a concept advocated by social movements in the territory (Xse, 2013; Xse, 2018). Thus, the BE project is not only part of a larger wave of (re)municipalizations (Kishimoto et al., 2020) as a challenge to a centralised and neoliberal energy model, but also advocates the opening of spaces for co-government and democratisation.

The public operator began its activities in 2018, supplying electricity to municipal facilities. It was not until 2019 that it opened its activities to the general public, offering the commercialisation of energy and, later, the management of self-produced energy in the electricity market. However, despite being presented as a new company, BE was not

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<sup>5</sup> Nevertheless, BE's main supply activity is directed towards public institutions and buildings in the metropolitan area. The supply activity to citizens and small companies is limited by law to 20% of the total activity of the public operator.

<sup>6</sup> Energy sovereignty was defined by the *Xarxa per la Soberania Energètica (XSE)* as "the right of conscious individuals, communities and peoples to make their own decisions on energy generation, distribution and consumption in a way that is appropriate within their ecological, social, economic and cultural circumstances, provided that these do not affect others negatively" (Xse, 2014).

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created as an independent local public utility company, but as a line of activity of TERSA Group, a pre-existing municipal company dedicated to waste management and the generation of energy from the incineration of non-recyclable waste. BE supplies 100% certified renewable energy, sells the energy generated in Barcelona (photovoltaic panels, biogas and incinerator) on the electricity market, and provides services for the installation and management of self-production and self-consumption systems.

#### *4.1. Economic reorganisation and model alternatives*

According to the latest data from 2023, the public utility company ranks eighth in terms of market share both at the level of the city of Barcelona and the Barcelona metropolitan area.<sup>7</sup> Since its creation in 2018, it has doubled its activity (an increase of 205%), supplying energy to 12.269 connections (5.857 municipal and 6.412 private). Despite its rapid growth, BE is still far from the five major energy companies that dominate the market, both in Barcelona and in Spain.<sup>8</sup> This situation of disadvantage vis-à-vis the large oligopolistic companies is even more evident when we consider BE's role in the energy sector as a whole. As we have seen, BE intervenes mainly in the supply phase of the electricity cycle, but with no role in the distribution phase (since the electricity network in Barcelona and most of the metropolitan area is owned and managed by the private DSO E-Distribution, a subsidiary of the Endesa group) and a still symbolic position in the generation activity, mainly acting as a representative in the market to sell the self-produced electricity surplus. As already pointed out, concerning the transformation potential, the key to the current energy system in terms of control and information lies in the distribution activity, which has become essential in the energy transition scenario (Klitkou et al., 2022).

Regarding the distribution of value in the community, although one of the tasks of the user council is to propose potential investments, it is TERSA and its board of directors who decide where to invest or not. This makes it very difficult to track investments and their return to the community or other projects related to energy transition. It is worth mentioning that, as it stands, the budget of BE is integrated into TERSA's, and this last company has been denounced (currently in court) for polluting the surroundings by neighbours' associations.

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<sup>7</sup> Data released in the 5th General Assembly of the Users Council of BE in July 2023.

<sup>8</sup> Data from the last available Report on the monitoring of the retail gas and electricity markets. Outlook for 2021 and 2022 of the Spanish National Markets and Competition Commission (Accessed 4 Jan. 2024, <https://www.cnmec.es/expedientes/isde02722>).



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A key aspect in any commons-oriented experience that seeks an alternative paradigm is inalienability, which refers to how the ownership structure, including the legal or regulatory framework, may (or not) safeguard resources from privatisation. In this case, the supplier is a branch of a larger public company composed of several other public companies and entities. This network of public entities might provide a safeguard against privatisation. Nevertheless, as mentioned before, TERSA is regulated by commercial law, meaning that it can be sold and traded like any other private company.

Finally, the capacity of the local supplier to disseminate, share and distribute knowledge and experience that can be replicated and adapted to other contexts needs to be analysed in terms of the transformative scope of BE. One of the main objectives in the creation of BE was to acquire know-how and expertise in the electricity and energy sector, which has traditionally been in private hands, outside the ambit of public administrations, especially in Spain. As the largest public operator in Spain, BE connects and interacts with other public utilities and also with municipalities that do not have a similar structure and are exploring possible ways to create their public operators. In the same way, it potentially opens up the possibility of knowledge transfer to feed or stimulate cooperative models, or public-community projects. During 2023, BE led a network of public suppliers with similar values, including the public suppliers of the cities of Reus and Palma de Mallorca, among others.<sup>9</sup> A key objective of this network is to share regulatory and policy strategies to overcome the structural barriers to public and citizen control posed by a regulatory framework focused on protecting free market rules.

#### *4.2. Democratising energy at the municipal level*

Apart from the significant effects on the energy supply sector, challenging major private distributors, it is crucial to emphasise that the aim of BE goes further than just creating a public supplier. The goal is to "reassert democratic control over collective resources" This approach transcends the simple binary of public versus private, addressing a third domain: the commons. As such, it necessitates opening up decision-making processes to community-based control and participation, engaging a range of organisations and groups.

It is from this first objective that the institutional design of BE was conceived, which, as mentioned above, is necessarily linked to the company in which it is integrated, TERSA. At this point, it is relevant to pause for a moment on a detail that should be taken into account. The fact that BE was created as a branch of TERSA and not as an independent

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<sup>9</sup> Minutes of the 5th General Assembly of the BE Users Council.

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entity has relevant implications. At the time of BE's creation, Barcelona - like any other municipality in Spain - was subject to the 'Ley Montoro' and other *austericidal* measures,<sup>10</sup> which imposed strict controls on public spending, debt levels and the autonomy of local administrations. One of the many rules imposed by these regulations was the prohibition of the creation of new public companies by municipalities, thus limiting their competences and political power. As a result, the only way to create a new utility was to incorporate it into an existing public company.

In terms of governance, BE is directly managed by TERSA, which means that it doesn't have its own decision-making bodies, but functions as one of the branches of this larger company. The legal form of TERSA is a public limited company, operating under Spanish commercial law. TERSA is managed by a Board of Directors with representatives from all the companies and entities that are part of the group. Parallel to this body, there is an administrative and technical structure, headed by a management that coordinates all the sectors, including BE.

During the process of setting up BE, there was a debate about the model of governance and citizen participation. On the one hand, there was a choice between an observatory model along the lines of the Water Observatory in Paris or Terrassa<sup>11</sup>, which could operate in parallel and be linked to the supplier's governance structures, and on the other hand, a model for a users' participation space more inspired by the cooperative model of a members' assembly. The latter was the model chosen. In any case, none of the formulations allowed the participation space to be binding. This limitation is that since BE

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<sup>10</sup> The "Ley Montoro" (Cristóbal Montoro, in those days Minister of Finance) officially known as the "Ley Orgánica de Estabilidad Presupuestaria y Sostenibilidad Financiera" (Organic Law of Budgetary Stability and Financial Sustainability), is a significant piece of legislation in Spain. Named after Cristóbal Montoro, the former Minister of Finance and Public Administration, this law was enacted in 2012. This law was also complemented by the LRSAL, or "Ley de Racionalización y Sostenibilidad de la Administración Local" (Law on Rationalization and Sustainability of Local Administration), enacted in 2013. These two regulations are examples of the so-called *austericidal* measures after the crisis of 2008. The laws' strict fiscal controls led to reductions in public spending, municipal political autonomy and affected public services and welfare systems.

<sup>11</sup> By way of contrast, we can mention the case of the city of Terrassa (a medium-sized city about 30 km from Barcelona) in its process of remunicipalising the water service, which, in addition to regaining public control, involved the creation of a management body with the direct participation of civil society through the "Terrassa Water Observatory". Without ignoring its limitations, the Terrassa case is an emblematic example (see Bague, 2020).

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is integrated into TERSA, an existing company, the regulation does not allow delegating decisions to third parties other than the legally recognised board.<sup>12</sup>

To this end, the Users' Council<sup>13</sup> was created, an advisory body composed by users who volunteer to participate. The Users' Council works mainly online, through the digital platform *Decidim*, and holds a regular general assembly every year in a hybrid format. The duties of the Users' Council are proposing BE's orientations and priorities; helping to define awareness and education policies on renewable energy and responsible consumption; and participating in the definition of the proposals for the tariffs and the investments of the company. In addition, there is a Permanent Commission made up of members of the Users' Council. The main task of the Commission is to prepare new proposals to be presented, discussed and approved at the General Assembly, in addition to other tasks assigned to it by the Users' Council. It is also responsible for coordinating all communications with the members of the Users' Council.

It seems clear that the governance model is far from being a democratising force with a transformative character, and even farther from being a decisive step towards a public-community model that ensures a high level of social participation and challenges expertocratic models. Notably, social organisations and movements, such as the *Xarxa per la Sobirania Energètica*, participated in the process of creating it and proposed changes to the way in which this body operates. The two most important demands were that the participation space should be open to all citizens (whether or not they were direct consumers of BE) and that this decision-making space should be binding.

However, when examining the final configuration of the Users' Council, we find that these demands have not been met.<sup>14</sup> On the one hand, only direct customers can be members of the council. This significantly limits the potential membership profile, as vulnerable families, for example, cannot participate because they are forced to switch to a reference

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<sup>12</sup> This limitation comes from anti-corruption laws in Spain, which establishes that decisions in public companies must be made within the framework of the board of directors (or formal channels) to ensure transparency and accountability.

<sup>13</sup> More information on the participatory body can be accessed via the Users Council webpage (<https://decidim.barcelonaenergia.cat/assemblies/consell-de-persones-usuaries>, last access 04 Jan 2024) and the Users' Council Rules of Procedure.

<sup>14</sup> It is worth noting that although participation in the Council is limited to users, the participation of social and neighbourhood organisations has been agreed. In addition to the users, two social organisations, the *Aliança contra la Pobresa Energètica* and the *Xarxa per la Sobirania Energètica*, are currently members of the Council with voice but without vote.

supplier in order to access social tariffs.<sup>15</sup> On the other hand, restricting participation to customers tends to limit debates to the immediate interests of consumers, to the exclusion of other crucial issues related to energy transition and transformation.

These limitations are exacerbated by the fact that the User Council is a consultative body where proposals can be made, but decisions are ultimately made within TERSA. For example, since the creation of BE, one of the long-standing demands of the Users' Council has been the creation of a social tariff. However, after several years, this proposal was rejected at the 2023 General Assembly, with the company citing legal and technical complications.

From the perspective of the feminisation of politics, this dimension analyses the inclusion of feminist principles in the organisation's operational practices. In this respect, we can focus on two main axes: the formal incorporation of the gender perspective and diversity, but also the introduction of political feminist practices defying the traditional masculinised and hierarchical power structures. Using Roth et al. (2023) words, that would mean “a more collaborative and distributed form of leadership widely shared and conditioned by democratic dissensus”.

With regard to the gender perspective, BE does not have a specific strategy or plan. In this context, it is worth mentioning the company TERSA, which has a gender equality plan<sup>16</sup> that complies with the requirements and parameters set by Spanish legislation. However, it is important to note that this equality plan does not mention BE or its participative bodies. Concerning other aspects of diversity, BE does not have any specific tools or criteria to ensure internal diversity in its participatory bodies. Returning to the feminist critique of hierarchical decision-making structures, as mentioned in the previous section, the current participatory bodies of BE work in parallel and unconnected to the actual decision-making bodies in TERSA. At the same time, the board of directors in TERSA follows a traditional composition of members, who - in most cases - are elected representatives (in the case of the municipalities) or directors and managers of the different entities that constitute TERSA.<sup>17</sup>

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<sup>15</sup> In Spain, potential beneficiaries must be customers of one of the reference distributors to be eligible for the bono social de electricidad, the main measure to combat energy poverty, which consists of a reduction in the electricity bill. These distributors are the four largest private energy companies in the country.

<sup>16</sup> Equality Plan of TERSA for the period 2021-2024. Access: <https://www.teresa.cat/media/3127/pla-igualtat-teresa.pdf> (accessed 4th January 2024).

<sup>17</sup> Access to the current list of members of the Management Board of TERSA: <https://www.teresa.cat/media/3311/consellers-grup-teresa.pdf> (accessed 4th January 2024).

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**4.3. Ecological transformation: the ecosocial transition as a window of opportunity**

As we have pointed out, the energy dimension emerges as one of the major arenas for action. The energy sector accounts for over 70% of carbon dioxide emissions, which are the primary contributors to climate change and other environmental impacts that collectively represent the biophysical limits of the planet. Therefore, the energy transition and the shift away from fossil fuels have become one of the significant goals of this century. This transition has also emerged as a new battlefield, where the tensions between neoliberal onslaught with its eagerness to monetize any sphere and the commons as spaces of resistance and challenge are evident.

The ecological transformation dimension is a fundamental axis of analysis in the case of BE. The commitment to generating and marketing renewable energy was one of the main objectives for its creation and is, in turn, one of its hallmark features. In this regard, the energy marketed by the operator is 100% renewable. Furthermore, this same public company provides services for advising and installing self-production and shared consumption technologies in community settings. Similarly, BE has focused efforts on promoting and creating energy communities in the city of Barcelona.

From an environmental and energy justice perspective, there have been criticisms - especially from citizens and social movements - about the relationship between BE and TERSA. TERSA, a company established in the 1980s and developed in the 1990s, focuses its activities (although not limited to these) on generating energy from the combustion of non-recyclable waste. The TERSA incineration plant is located in the Besos area, on the border between the cities of Sant Adrià del Besòs and Barcelona. In recent years, TERSA has faced severe criticism from neighbourhood movements due to the environmental impacts of its activities. With the creation of BE in 2017, the Platform *Aire Net*<sup>18</sup> also emerged, which from the outset denounced the creation of the public operator as a strategy to whitewash TERSA's polluting activities. Faced with these tensions, BE quickly took measures to clarify that - despite the institutional relationship between both companies - BE's activities and the energy supplied were entirely independent of TERSA.

The emergence of neighbourhood mobilizations during this period introduced tensions and pressures that led to significant changes in TERSA. In this sense, in addition to

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<sup>18</sup> *Aire Net* ("Clean Air" in catalan) is a metropolitan neighbourhood coordinator, formed by associations from the municipalities of Barcelona, Sant Adrià de Besòs and Badalona. It was created in 2017 with the aim of increasing awareness about environmental pollution caused by industries and infrastructures located near inhabited areas, especially along the Barcelona coast.

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increasing scrutiny and control of polluting activities by the authorities, the mobilizations enabled the creation of the 'Litoral-Besòs Environmental Observatory' composed of various public administrations involved (local and regional governments), as well as universities and the *Aire Net* organisation. The governance of the Observatory is articulated through a Monitoring Commission composed of these same actors. Therefore, we can see that citizen pressure and involvement in management are key to transforming institutions and, in this case, a public company anchored in classic and rigid structures.

Similarly, the creation of BE and its integration in TERSA, was a way and an instrument of transformation and evolution of TERSA. This process can be explained from a number of different perspectives, such as the introduction of different principles and values, the opening up to the citizens, but also the generational change, with the incorporation of a whole new and young technical staff into a structure with a very different professional and generational profile.

Finally, the role that BE could play in a future renewable infrastructure network is crucial from an energy transition perspective that takes into account the entire Catalan territory, beyond the boundaries of the Barcelona metropolitan area. In 2022, L'Energètica, a regional public company dedicated to producing energy, was created. For now, its activities are limited to the production and supply of energy to public institutions, but it has been suggested that a potential synergy between L'energètica and BE could make it possible to open up supply to citizens as well. This would be a historic step towards energy sovereignty in Catalonia.

## **5. Concluding notes: transforming the energy scene in Barcelona?**

The current state of eco-social emergency should force us to frame any analysis of the scope of commons in terms of their practical viability and their concrete implementation. In this regard, we adopt a cautious scepticism towards expecting drastic and immediate solutions, such as the concept of revolution "as the elimination of an entire history and as the absolute beginning of a new one" (Echeverría, 2011, p.46).

Therefore, in contrast to highly democratically radical common practices that may not be replicable or scalable, we emphasise the importance of experiences that, while perhaps less disruptive, contain elements that can stimulate transformative synergies at different scales and intensities. We believe that this approach justifies the analysis we have just undertaken, and leads us to the following considerations.

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Based on the results, we conclude identifying some opportunities and obstacles in the process of creating the public supplier, which is aligned with the conclusions of previous research (i.e. Angel, 2021; Varo et al., 2023). In terms of potential, the creation of the public supplier fits in well with the energy transition strategy proposed by the progressive municipal government, which was committed to the supply of renewable energy, the democratisation of access and taking back the control of energy under a public service paradigm. However, from the point of view of commoning, using a traditional public service paradigm underlines again the constant tension between the desire to democratise energy and, at the same time, a tendency to close down the government of basic services under the classic public service paradigm, which once again places citizens outside the sphere of decision-making.

Nevertheless, BE's experience should be understood as a practice that can be included in a non-dichotomous understanding of commoning. It represents a defiance of the commodified energy model that prevails in Europe and, while still playing by the same rules (market rules), it has been able to introduce principles such as social justice, citizen participation and ecological transformation into a hard sector. BE's potential, as we've already said, is not limited to its own supply activity, but to the possible synergies with other actors, such as the other branches of the TERSA Group or the new regional public production company, *'Energètica'*, which offer new horizons for its replicability and scalability.

In other words, the driving force behind our hypothesis of the commons, also within the energy field, is the need to find transformative solutions. We believe that the practice of the commons should deliberately aim to reconfigure the public sector, to promote a 'public that becomes common' (Méndez de Andés, 2015). At stake is the scope, scale, replicability and universality of the commons. This means committing to a kind of constitutive pluralism - legal and institutional - in which practising the commons should contain the seeds for transforming public institutions. This transformation, in turn, influences the constitutive processes of the commons itself.

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