

24th October 2025

Digital Fairness Act (DFA)

Finnish Energy represents approximately 270 companies that produce, acquire, transmit and sell electricity, gas, district heat and district cooling and offer related services in Finland.

In general, Finnish Energy supports the objective of Digital Fairness Act to ensure a fair digital environment for both consumers and businesses. However, we emphasize that there is no need for new EU-level regulations to ensure consumer protection online. The existing horizontal EU legislation—such as the Consumer Rights Directive (CRD), General Data Protection Regulation (GDPR), Digital Services Act (DSA), and the EU AI Act—already includes comprehensive and sufficient consumer protection measures addressing possible unfair practices occurring in digital environment.

The main challenge is not a lack of regulation, but rather the insufficient enforcement and missing guidance on existing rules. Finnish Energy sees that focus should be on the effective enforcement of current regulations, and it is essential to ensure that consumer enforcement authorities have sufficient resources and capabilities to effectively address clear and serious cases of misconduct. Instead of concentrating on minor or technical issues, enforcement efforts should be directed towards addressing the most significant and harmful violations of consumer protection to ensure meaningful impact and maintain trust of consumers.

Instead of any new legislative measures, clarifying guidance for market actors regarding the application of existing regulation in digital environments would be welcomed. Any new regulatory initiative must be based on a clear legislative need, robust impact assessments, and a thorough evaluation of the effectiveness and sufficiency of current legislation.

While considering consumer protection in the energy sector, it is important to recognize that the nature of energy delivery as a service differs in key ways from other sectors. Energy markets are still national, and consumers can only purchase energy from suppliers operating within their area. Therefore, certain rules designed for EU-wide digital environment are not suitable for energy markets and energy trade should be left to be regulated nationally, as these rules do not fit the characteristics of a sector operating on national markets.

Unfair personalization practices

Finnish Energy emphasizes that it is important to recognize that not all forms of personalization are problematic—provided that they are implemented in a way that genuinely serves the

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customer's best interest. Within the energy sector, both customers and other stakeholder groups have specifically expressed a wish that companies would provide personalized recommendations or suggestions based on the customer's consumption profile regarding which pricing model would be most advantageous. Customers have also called for the availability of various calculators that would allow them to compare different pricing options against their own consumption.

Simplification measures

Finnish Energy strongly supports simplification of legislation and the reduction of complex information requirements that overwhelm both consumers and businesses. Overload of information is not beneficial to consumers and overly detailed content, and excessive volume only confuses the consumer.

For example, the requirements related to the written confirmation of the contract under Article 8(6) and (7) of the CRD, as well as the detailed provisions on strong customer authentication under the PSD2 Directive, should be streamlined. Also, the methods for receiving the withdrawal form under the CRD should be simplified to align with practical realities and improve efficiency without compromising consumer rights

In addition, the need for sector-specific legislation concerning consumer protection should be carefully assessed, especially when it leads to regulatory inconsistencies and interpretative challenges. For example, the Electricity Market Directive (EU) 2019/944 includes too detailed requirements regarding complex billing information and summaries of the key contractual conditions, which have proven difficult to implement in practice and may create confusion for both consumers and businesses.

Yours sincerely,

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