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# Market Structure of the Nuclear Power Industry in Korea and Incentives of Major Firms

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#### Market Structure of the Nuclear Power Industry in Korea and

#### **Incentives of Major Firms**

#### **Ilchong Nam**

#### 1. Introduction

The first nuclear power plant in Korea started operation in 1978. It was built by a turnkey contract between a U.S. vendor, Combustion Engineering, and the Korean government as Korea had no firm that had any experience with nuclear power generation. In the next 35 years, Korea built and operated a large nuclear fleet that produces around 40% of all electricity generated along with the network of a large number of firms that supply goods and services in the upstream and downstream of nuclear power generation. The successful development of the nuclear power industry in Korea culminated in the export of 4 nuclear power plants in United Arab Emirates in 2009.

What happened in the nuclear power industry in Korea since 2009 contrasts drastically with the success it had boasted. A seemingly endless string of procurement scandals broke out to reveal that the industry has suffered from a total failure in its system of testing and certifying parts and equipment used in nuclear reactors as a result of widespread corruption. The failure in the procurement system of Korea Hydro and Nuclear Corporation (henceforth KHNC) raised concerns about not only safety but efficiency as well. One possible explanation is the monopsony of KHNC in the market for goods and services that are used as inputs by nuclear generators. In other words, because KHNC is the only firm in Korea that owns and operates nuclear power plants, its managers were able and had incentives to procure goods and services through uncompetitive processes.

However, this theory is not convincing when we consider the fact that in most countries and regions that have nuclear power plants, there is only one generation company that owns and operates nuclear power plants but they have not been involved in procurement failures of the magnitude that have been found in Korea. This theory becomes less convincing

when we consider the fact that KHNC operates in a competitive wholesale electricity market.

KHNC operates in only the nuclear power generation stage in the vertical structure of the nuclear power industry. Other stages are reactor design, construction, manufacturing of parts, equipment, and software used by nuclear power plants, and front and back ends of the fuel cycle. In order to understand the factors that led to the total failure of the procurement market of KHNC, one needs to understand competition in each horizontal stage as well as the relationship between different horizontal stages.

In this paper, we ask a much broader and more important question about the effectiveness of competition in the entire nuclear power industry. Nuclear power industry in Korea is characterized by the monopoly in most stages and an ownership and control structure of key players that are quite unique in Korea. KHNC is owned 100% by Korea Electric Power Corporation (KEPCO henceforth), which is also the dominant shareholder of KEPCO E&C in the reactor design market, and KEPCO Fuel that operates in the front end of the fuel cycle<sup>1</sup>. KEPCO also owns 5 major generation companies that compete with KHNC in the wholesale market along with hundreds of smaller firms, most of which are privately owned. In addition, KEPCO is the monopsonist in the wholesale market as it is the only firm in the retail market.

To make matters more complicated, KEPCO does not control KHNC and 5 other firms in the generation stage it owns as the government prohibited KEPCO from exercising control rights of its subsidiaries in the generation stage. A consequence of this is that the vertical integration of KEPCO, KHNC, KEPCO E&C, and KEPCO Fuel is fundamentally different from vertical integrations of privately owned firms. In particular, the motive behind the vertical integration of KEPCO and its subsidiaries in the nuclear power and electricity

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<sup>&</sup>lt;sup>1</sup> One needs to distinguish between Old KEPCO and KEPCO. Old KEPCO is the SOE that had existed before 2001 that monopolized each of the generation, transmission, distribution, and retail stages. It also was the holding company of its subsidiaries such as KEPCO E&C and KEPCO Fuel. Restructuring of the electricity industry in 2001 resulted in the break-up of the Old KEPCO into 8 units, KHNC, 5 other generation companies, and KEPCO. KEPCO operates only in transmission, distribution, and retail stages and is not in the generation stage. KEPCO is also the holding company of the 6 generation companies created by the break-up of Old KEPCO as well as other subsidiaries.

markets may not be the maximization of the joint profit.

The objective of this paper is to analyze the structure of the nuclear power industry and the ownership and governance of major players in Korea as a first step to understand the factors that hinder effective competition and to develop policy measures that can increase competition and improve the efficiency in the industry. This paper is the first such attempt as there is no paper or report that studied the structure of the nuclear power industry or the ownership and governance structure of major firms in Korea. In this paper, we describe the structure of the nuclear power industry of Korea as well as the ownership and governance of major firms based on the data we collected from the government, SOE, and other sources including Korea Atomic Industry Forum. We also analyze the effect of the current structure of the market and the governance of major firms on the effectiveness of competition and the efficiency of the market outcome.

Studies on the structure of the markets for goods and services relevant to nuclear power generation in other countries are also rare. Most previous work on nuclear power industry was on the costs of nuclear power plants or comparison between nuclear power generation with generation using fossil fuel or renewable resources<sup>2</sup>. There also are studies that investigated the effects of restructuring on the production efficiency of nuclear power generation<sup>3</sup>. However, they generally focus on the effects of competition in the wholesale electricity market and the size of nuclear generation capacity on the costs of nuclear power generation.

There is only one previous work that is publicly available on the whole structure of the

<sup>&</sup>lt;sup>2</sup> There is a huge and growing literature on the cost of nuclear power generation. For instance, Joscow and Parsons (2008) and Du and Parsons (2009) estimated the costs of nuclear power generation and compared it with the costs of coal-fired and gas-fired generation. There are other studies that compare the costs of nuclear power generation with other forms of generation when the cost of carbon emission is included. Serious efforts at estimating the costs of treating and storing radioactive wastes and of decommissioning and decontamination recently started.

<sup>&</sup>lt;sup>3</sup> For instance, Davis and Wolfram (2009) estimated the effects of restructuring and the subsequent consolidation of nuclear power plants on the costs of nuclear power generation.

nuclear power industry, from the reactor design to the decommissioning which includes the stage of nuclear power generation as one of several stages that constitute the vertical structure of the nuclear power industry. OECD-NEA (2008) estimated the market share distribution of each of the horizontal stages that constitute the world nuclear power industry, calculated HHI, and assessed the degree of competition.

However, it does not provide information on the structure of the nuclear power industry in Korea or other countries. Nor does it discuss the governance of major firms and the implication of the difference in the governance of firms in the nuclear power industry. The structure of the nuclear power industry in some countries, including Korea, France, China, Russia, and possibly Japan, are heavily influenced by the policies of the national governments on the nuclear and electricity industries that suppress competition from abroad and sometimes domestically too. As a result, many stages of the nuclear power industry in Korea that are not integrated into the world market, making the Korean market a distinct one separate from the world market. Ownership and governance of firms also plays an important role in Korea as most of the major firms in the nuclear power industry are SOEs and as they are run based on a principle that deviates from profit maximization in a fundamental way.

This paper proceeds as follows.

In chapter 2, we briefly summarize the market structure of the world markets for the goods and services related to nuclear power generation and describe the main economic issues in the world nuclear power industry, focusing on competition and allocative efficiency. In chapter 3, we analyze the market structure of the nuclear power industry in Korea, and in chapter 3, we analyze the governance of major firms in the nuclear power industry in Korea. Chapter 5 analyzes the effectiveness of competition in the nuclear power industry, and chapter 6 draws conclusion.

#### 2. Competition in the world nuclear power industry

The world nuclear power industry consists roughly of the following stages; reactor design,

reactor construction, supply of parts, equipment, software, and services used by nuclear power plants, nuclear fuel supply, nuclear waste treatment, decommissioning, and decontamination. The world nuclear power industry is characterized by a small number of large firms that are vertically integrated in several stages.

At the top of the vertical structure is the market for reactor design<sup>4</sup>. This market is a tight oligopoly in which a small number of firms from a handful of countries compete. After a series of mergers and acquisitions that have gone on in the last couple of decades, there emerged 3 dominant firms in the world market, Areva NP, GE Energy, and Westinghouse-Toshiba. Atomenergoprom of Russia and AECL of Canada have sold reactors based on the technologies they developed. In addition, there are a small number of firms that sold reactors in both domestic and international markets based on licensed technologies or technologies they developed further from licensed technologies. KEPCO E&C, Mitsubishi Heavy Industry, and the Chinese state nuclear company are the most visible ones.

The world market for new nuclear reactors is divided into two groups, protected markets and markets open for competition. Protected markets are the markets in the countries that have strong domestic vendors listed in the above, except China, which has been purchasing some reactors from foreign vendors while at the same time purchased reactors manufactured by its state monopoly over nuclear industry. The rest of the world market for new nuclear reactors is open for competition. 34 countries currently constitute the open market<sup>5</sup>. Vietnam and Turkey recently joined the open market<sup>6</sup>.

While concentration in the historical market that spans half a century is not high, concentration in the current market appears to be quite higher than in the historical market.

<sup>&</sup>lt;sup>4</sup> Following explanation on the state of competition in the world nuclear power industry is a summary of OECD-NEA (2008), which is the only study that analyzes competition in the world nuclear power industry to this day. No update of the study has been done since 2008. But the landscape of the industry has not changed greatly from the one described by OECD-NEA (2008).

<sup>&</sup>lt;sup>5</sup> There are 8 countries other than France that operate nuclear power plants in Western Europe, 3 in Asia other than Japan, Korea, China, India, and Pakistan, 4 in former Soviet Union other than Russia, 7 in Eastern Europe, 3 in Latin America, 2 in Africa, and 5 in Middle East.

<sup>&</sup>lt;sup>6</sup> U.K. also announced a plan to build new nuclear power plants using a generation 3 model developed by Areva.

In the global market for generation 3 reactors, Areva NP and Westinghouse-Toshiba appear to be dominant, although Atomenergoprom, Mitsubishi, and KEPCO – KEPCO E&C are active too<sup>7</sup>.

The market for parts, equipment, and services demanded by nuclear power plants is by and large fairly competitive.

The market for manufacturing nuclear fuel consists mainly of mining, conversion, enrichment, and fabrication stages. Of the four stages, mining is fairly competitive, and entry barrier is low while the other stages are significantly less competitive. Conversion and enrichment are allowed in only a small number of countries. In fuel fabrication stage, there are quite a few firms in the world that provide the fuel fabrication services. However, they are mostly vertically integrated by the firms in nuclear power generation or the vendors. As a result, competition in this stage seems weaker than is apparent from the market share distribution.

Vertical integration is wide-spread in the industry. All vendors of reactors operate in some stages of fuel supply. Some vendors are integrated with firms in nuclear power generation. Firms in nuclear power generation are also responsible for treating and storing nuclear wastes, decommissioning, and decontamination and are involved in these activities quite heavily.

The ultimate question about the nuclear power industry is whether there exists sufficient competition that would eventually lead to lower costs of generation of electricity. An efficient outcome means the following;

- Reactors that are more efficient than others are chosen.
- Prices of reactors purchased are reasonably close to the costs of designing and building them.

<sup>&</sup>lt;sup>7</sup> For detailed information on all of the vendors and the reactors they sell, see for instance Korea Atomic Industrial Forum (2013A).

- Firms producing parts, equipment, software, and services needed for building and
  operating nuclear reactors more efficiently are selected to supply them at prices that are
  reasonably close to their production costs.
- Costs of production in each of the stages constituting the fuel supply stage are minimized, and the prices of various services are reasonably close to the costs of providing them.
- Costs of providing services in each of the back end of the fuel cycle are close to the level
  that are potentially achievable, and the prices of the services are reasonably close to their
  costs.
- In each stage constituting the vertical structure of the nuclear power industry, necessary standards on safety and quality are met.

The performance of the nuclear power industry depends on the degree of actual and potential competition in each stage. There are reasons to believe that the outcome in the world nuclear power industry has significant room for improvement in efficiency as follows;

- A large part of the world market for reactor design and construction is protected from competition by the policies of the governments of the countries that have strong domestic vendors. They are U.S., France, Japan, Korea, and Russia. Also, Chinese market for reactors is not completely open to international competition.
- The rest of the world market for reactor design is an open market in which all vendors can participate. However, there is a high entry barrier to this market in that designing and building reactors requires the acquisition of sophisticated technology, vast experience in design and construction over a long period of time, continued R&D and construction of reactors not interrupted by long hiatuses, large capital, and exposure to high risks.
- There are entry barriers to conversion and enrichment stages due to non-proliferation.

- Fuel fabrication often has reactor specific characteristics that give the original vendor an advantage.
- There is entry barrier to the market for the treatment of spent fuel services due to nonproliferation.

As a result of the above factors, competition in the markets for reactor design and construction, conversion, enrichment, fuel fabrication, and treatment of spent fuel can be limited. Further, the widespread vertical integration can work as an additional entry barrier to each of the stages by a potential entrant, which may find it difficult to sell its goods or services to customers unless it enters in other stages as well. The foreclosure effect of vertical integration could lead to higher prices in downstream markets.

Nuclear power generation, one of the two stages that are central to the nuclear power industry along with reactor design and construction, underwent a fundamental change in the last two decades in many countries that have nuclear power plants as a result of liberalization of the electricity industry. Competition in the wholesale and retail markets and privatization of former SOEs increased the risks of investment in generation capacities overall significantly. Risks from the exposure to competition and change in the ownership are larger for nuclear power plants than other types of generators as nuclear power plants required a larger amount of capital to be invested and a longer payback period.

The risks involving investment in nuclear power generation capacities increased further due to increased safety standards imposed by many countries that entailed a significant increase in costs of building and operating nuclear power plants.

Competition in the world nuclear power industry is further complicated by the heavy intervention of the government in many parts of the industry.

In Russia and China, all key activities in the industry are performed by the state. In other words, all major firms in nuclear power generation, reactor design and construction, and in every stage in the front and back ends of the fuel cycle are owned and run by the state.

Their domestic markets are monopolized by the relevant state agency, which obviously

operate not based on profit incent.

In France, nuclear power generation and the rest of the nuclear power industry are each monopolized by different SOEs, EDF and Areva NP. While the French government is the dominant shareholder of both EDF and Areva NP, the ownership and governance structures of the two SOEs are different form the state monopolies in China or Russia and allow a much stronger profit incentives. EDF also operates in the competitive wholesale market in France and other countries in Europe, unlike the state generation companies in China or Russia. Still, EDF and Areva NP are believed to operate in their markets based in part on the industrial policies of the French government, which can conflict with the profit maximization of each of the two firms.

Korea presents yet another different model of ownership and governance as well as the industrial policies of the government. The government's ownership in KEPCO and its subsidiaries is smaller than in the case of EDF and Areva in France as KEPCO. However, the government uses KEPCO and its subsidiaries in nuclear power industry as direct policy instruments and does not acknowledge their profit incentives. One consequence of the industrial policy of the Korean government is the emergence of Doosan Heavy, a privately owned firm, as the increasingly dominant firm in the design and construction of reactor design and construction and manufacturing of generators. Korean government has also intervened freely in the wholesale electricity market to manipulate the market price of electricity and capacity and used the resources of KHNC in achieving its policy objectives in the electricity market.

In Japan, nuclear power and electricity industries are both private, and there is no statutory entry barrier to them. However, Japanese government appears to have pursued an industrial policy of promoting domestic nuclear power industry and promoting exports of nuclear power plants of Japanese vendors in foreign markets.

Competition in the nuclear power industry is significantly affected by the strong presence of the governments of countries listed in the above and their intervention in their domestic markets as well as in the world market. It is not clear how the interaction between a small number of firms, which have diverse ownership and governance structures and face

different degree of government intervention, affect the equilibrium in each of the markets belonging to the nuclear industry. The crucial question is whether the industrial policy of the governments of some countries aimed at promoting domestic vendor industry will have an effect similar to that of predatory pricing in the world nuclear industry in the long run.

Another important issue that can affect competition and the efficiency of the outcome in the industry is standardization. One of the conspicuous characteristics of the nuclear power industry is the low degree of standardization for various reasons. Lack or low degree of standardization increases the costs of producing intermediate goods and services and hamper competition in the markets for intermediate goods and services.

Safety standards are another important factor that can potentially affect competition in various related markets. It is important to set safety standards that ensure a given level of safety that is deemed desirable and enforce them vigorously. But excessively demanding standards will limit competition and lead to an inefficient outcome in relevant markets. Thus, setting standards that allows as much competition as possible while meeting the desired level of safety is crucial.

Enforcement of safety standards is complicated as it needs to be done at the firm level. In many cases, it is done as a part of the procurement process of nuclear power plants operators or vendors. It was revealed that KHNC failed seriously in the enforcement of safety standards in its procurement process even though it is subject to laws governing procurement of the government agencies and SOEs in Korea, which led to the stopping of the operation of several nuclear power plants and huge costs.

#### 3. Market structure in Korea<sup>8</sup>

In the upstream, the market for the design of nuclear reactors in Korea is monopolized by KEPCO E&C, which is 74.9% owned by KEPCO. The monopoly at this stage is a result of the policy of the Korean government. There are a handful of firms in the world countries that

<sup>8</sup> Much of the facts about the nuclear power industry included in this section have been borrowed from Korea Atomic Industrial Forum (2012, 2013A, 2013B).

can design and build nuclear reactors. It is the industrial policy of the Korean government of promoting a national champion in the reactor design stage of the industry that led to the monopoly of KEPCO E&C in this stage. Korean government also made a decision to establish the national champion in this market as an SOE, more specifically as a subsidiary of KEPCO. The government also forced Old KEPCO before the restructuring and KHNC after the restructuring, to purchase the reactors designed by KEPCO E&C.

Construction management of nuclear power plants, including nuclear islands, is an oligopoly. Several large construction and engineering firms participate in this market as well as many smaller firms that participate as subcontractors.

The market for parts, equipment, software, and services needed to build and operate nuclear power plants is huge and complex. The most important part of this market is the market for parts and equipment that can be produced only by a small number of firms that have high level of technical skills, experience, and large capital, such as specialized equipment used in building nuclear islands and large generators customized for nuclear power plants. This part of the Korean market is monopolized by Doosan Heavy Industry. Again, it is a result of the industrial policy of the Korean government of promoting a national champion in this market. Doosan is a privately owned firm now but had been a subsidiary of KEPCO for a long period of time before being privatized in the early 2000s. There is no other firm in Korea that has the technology and experience sufficient to compete effectively with Doosan. However, Hyundai Heavy Industry has been trying to enter this market, exposing Doosan to potential competition.

KHNC imports some of the parts and equipment from the world market. Korean government has pursued the industrial policy of promoting domestic firms in this market. Domestic industry producing relevant goods and services developed rapidly partly as a result of the expansion in the nuclear power generation capacity and partly due to the industrial policy of the Korean government. The following [Table 3-1] summarizes the revenues of the domestic

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<sup>&</sup>lt;sup>9</sup> Note that quite a few construction companies participate in the market for building nuclear power plants. But Doosan is the only firm that has been given the role of the main contractor that oversees the construction processes.

manufacturers of parts and equipment used by nuclear power plants in Korea since restructuring.

[Table 3-1 Data on parts and equipment manufacturing industry in Korea]

Manufacturing of parts
and equipment
4,812
4,981
5,066
3,930
5,716
6,415
16,429
11,852
15,596
18,618

The market for nuclear fuel in Korea is monopolized by a subsidiary of KEPCO Fuel, which imports enriched uranium to fabricate the fuel for use by KHNC. In other words, KEPCO Fuel is not in mining, extraction, conversion, or enrichment stages and provides only the fuel fabrication services <sup>10</sup>. KEPCO Fuel is 96.4% owned while KHNC is 100% owned by KEPCO. Thus, while there are quite a few competitors in the world market for uranium fuel, they are excluded from competition in the Korean market, and KEPCO Fuel is in a monopsonistic position in purchasing inputs it uses to fabricate fuel. It too faces a monopsonist in the domestic market as KHNC is the only firm that operates a nuclear power

provides conversion or enrichment services currently. KAERI built and operated a conversion facility for fuel to be used by heavy water reactors in the late 1980s but stopped operation in the early 1990s due to high costs compared to those of foreign competitors.

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 $<sup>^{10}</sup>$  KEPCO Fuel purchases around 5,000 tons of uranium concentrate ( $U_3O_3$ ) from foreign suppliers. KEPCO Fuel hires foreign firms that will provide conversion and enrichment services as there is no domestic firm that

plant and demands uranium fuel in Korea.

KHNC can easily break the monopoly of KEPCO Fuel by resorting to other sources of fuel in the international market if it wants. Thus, KHNC can limit the ability of KEPCO Fuel to charge a high price for the fuel by taking advantage of the potential competition between KEPCO Fuel and its competitors in the international market. It should be noted that KEPCO Fuel and KHNC are not under a unified control by a single party that uses them as instruments in maximizing its profit as a consequence of the governance structures Korean government installed in them<sup>11</sup>. It is not clear what determines the terms of transactions between KEPCO Fuel and KHNC in the bilateral monopoly situation.

Disposal and treatment of radioactive wastes that are created during nuclear power generation had been handled exclusively by KHNC before 2008. Act on the Management of Radioactive Wastes of 2008 made it possible for other entities to provide the services. Korea Nuclear Safety Corporation (KNSC) was created to handle medium and low level radioactive wastes. Disposal and treatment of spent fuel is still handled by KHNC. There also emerged a fairly large private industry that operates as subcontractors of KHNC, KNSC, and other public institutions in the markets for nuclear waste management and disposal. The following [Table 3-2] summarizes the revenues of the firms in this market and the breakdowns according to their ownership.

[Table 3-2 Revenues of firms various services in the domestic nuclear power industry]

year	section	design	construction	operation & maintenance of NPPs	safety
2002	SOE	1,781	-	2,067	502
2002	private firms	32	5,584	506	189
2003	SOE	1,775	-	2,487	541
	private firms	189	594	370	444
2004	SOE	1,324	-	2,224	764

<sup>&</sup>lt;sup>11</sup> More detailed information on the governance structures of KEPCO and its subsidiaries is given in the next section.

	private firms	724	5,183	1,409	406
2005	SOE	1,577	-	2,314	914
2003	private firms	690	3,330	1,712	414
2006	SOE	2,156	-	2,614	1,089
2000	private firms	343	3,520	1,201	258
2007	SOE	2,090	16	3,117	864
2007	private firms	201	3,724	1,750	131
2008	SOE	2,416	-	3,332	1,010
2000	private firms	513	6,084	1,187	215
2009	SOE	3,039	-	3,343	2,090
2003	private firms	489	8,517	1,941	217
2010	SOE	4,542	0	3,462	3,179
2010	private firms	590	8,668	2,630	781
2011	SOE (%)	4,658 (88.3)	0	3,929 (58.0)	3,351 (79.4)
2011	private firms	619	12,025	2,847	869

The market for decommissioning and decontamination has not emerged yet as no nuclear reactor has been decommissioned thus far<sup>12</sup>.

To sum up, among the stages that constitute the vertical structure of the nuclear power industry, nuclear power generation, reactor design, reactor construction, fuel fabrication, treatment of radioactive wastes are all monopolies. Successive monopolies are not an outcome of market forces but are results of the industrial policy of the Korean government in the last 40 years or so. Markets for of parts, equipment, and services needed to build and operated nuclear power plants are generally competitive as the relevant Korean markets are

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<sup>&</sup>lt;sup>12</sup> We did not include the markets for nuclear power plants operation and maintenance, services related to managing safety of radioactive material, and certification services in this paper due to the difficulties with obtaining reliable data.

parts of the world markets. However, for some of the parts and equipment, competition is severely limited as a result of the industrial policy of promoting domestic firms.

In the nuclear power generation stage, KHNC is the monopolist due to the policy of the government to maintain an SOE monopoly in nuclear power generation. There is no law that prohibits private firms or other SOES from building operating nuclear power plants. But the government has maintained the policy of not allowing any other firm to build a nuclear power plant. The official instrument of the government to implement the policy is the licensing procedure for new power plants to be built that the line ministry controls <sup>13</sup>. KHNC's share in the total capacity in the wholesale market is around 25%, and its share in the electricity generated is around 30% in 2012 <sup>14</sup>. Its market share in terms of the revenue is difficult to calculate and is not available for 2012 <sup>15</sup>.

Monopoly of KEPCO E&C in the reactor design stage is probably inevitable as long as the Korean government maintains the industrial policy of promoting domestic vendor industry as it is extremely difficult for other Korean firms to enter this market profitably.

Monopoly of Doosan Heavy in the construction engineering and manufacturing generators for nuclear power plants is due partly to its efficiency but also partly to its past relationship with the Old KEPCO and to the industrial policy of the Korean government of promoting a

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<sup>&</sup>lt;sup>13</sup> Korea has maintained the Supply and Demand Plan for the Electricity Industry even after the restructuring. The nature of the Plan is very unclear as the restructuring was supposed to allow free entry into the generation stage. A generation company needs to get its plan to build a new generator included in the Demand and Supply Plan that the government announces every 2 years in order to build a new power plant. At least one private firm showed a strong interest in obtaining a license to build and operate a nuclear power plant while the government was preparing for the 6<sup>th</sup> Supply and Demand Plan for the Electricity Industry announced in 2013, but dropped its plan after it became clear that the government was not willing to allow a private firm to build and operate a nuclear power plant.

<sup>&</sup>lt;sup>14</sup> See Korea Power Exchange (2012).

Data on revenue that KHNC received from the wholesale market in 2012 is available, but it reflects a large discount of the price KHNC receives for the electricity it sells forced by an ad hoc intervention of the government in the wholesale market and does not provide good information about true market share of KHNC. See Nam (2012) for a detailed account of the ad hoc intervention and how it affects competition in the wholesale electricity market in Korea.

national champion in the industries of manufacturing of generators and construction engineering for nuclear power plants <sup>16</sup>. Its monopoly will not be challenged seriously in the short and medium term as the other firms do not possess the technology and experience necessary for them to compete effectively with it. However, if Korean government decides to build a substantially large number of new nuclear power plants in the next 10 ~ 20 years, Hyundai Heavy Industry can emerge as a competitor.

The bilateral monopoly between KHNC and Doosan Heavy is different from the bilateral monopoly between subsidiaries of KEPCO in some stages in that Doosan operates based on profit incentives while KHNC does not. It is not clear why KHNC deals exclusively with Doosan, what determines the terms of transactions between KHNC and Doosan, and how the pressure of potential competition from foreign competitors affects the terms of transactions.

The relationship among the subsidiaries of KEPCO and between KEPCO and them is extremely complex and difficult to understand clearly. While KEPCO E&C, KEPCO Fuel, and KHNC are owned by KEPCO and are vertically integrated in ownership, they are not tightly controlled by KEPCO. Further, KEPCO does not try to maximize the sum of the profits from the relevant stages and is not allowed to maximize profit. Thus, traditional economic theory on vertical integration does not apply, and one needs to look into the governance of KEPCO and its subsidiaries and the industrial policy of the Korean government in order to understand the performance of KEPCO's subsidiaries in those stages.

#### 4. Governance of major players

The major players in the nuclear power industry are KEPCO, KHNC, KEPCO Engineering, KEPCO Fuel, and Doosan Heavy Industry. KEPCO is owned by a large number of shareholders that include the Korean government, SOEs, and private investors. The Korean government controls more than 50% of shares of KEPCO as it and other SOEs under its

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<sup>&</sup>lt;sup>16</sup> Doosan Heavy had been a subsidiary of the Old KEPCO before being privatized in the aftermath of the financial crisis in the late 1990s. One can see that the KEPCO group was both the monopolistic vendor as well as the monopolistic service provider before the restructuring.

control collectively own 51.1% based on which it controls KEPCO quite freely. The government also controls all subsidiaries of KEPCO through its control over KEPCO even though it owns no or few shares of them. Thus it can control KEPCO E&C, KEPCO Fuel, and KHNC.

KEPCO is a listed joint stock company that has a large number of private shareholders from Korea and abroad and is subject to the company law and securities related laws, which generally require that directors make decisions that are in line with the maximization of the economic value of shareholders. However, the Act on the Management of Public Institutions allows the government to intervene in the management of KEPCO and its subsidiaries quite freely in order to pursue a wide range of policy objectives, many of which conflict with the firm value maximization of KEPCO. Consequently, the government has been able to force KEPCO and its subsidiaries to take actions that it wants even if they entail losses to KEPCO or its subsidiaries.

The law has also been used by the government to deprive KEPCO of its control rights over the 6 generation companies it owns and to exercise control rights itself instead. Thus KEPCO has been prohibited from making key decisions of the 6 generation companies and as a result has been unable to run them in ways that are consistent with the maximization of the sum of the profits of KEPCO and the generation companies. The 6 generation companies have weak profit incentives as their holding company. While the government exercises control over the 6 generation companies and KEPCO, it lacks the expertise or resources to run them efficiently. Further, it appears that managerial efficiency or efficiency of investment are given a low priority by the government which cares mostly about achieving the objectives that are set based on policy or political considerations. Under such an environment, it is reasonable to expect the executives and managers of KHNC to make decisions that promote their interests while meeting the demands of the bureaucrats and politicians.

The Act on the Management of Public Institutions officially allows KEPCO to exercise the control right over KEPCO E&C and KEPCO Fuel. However, unofficially, the dominant role of the government in the governance of KEPCO allows the government to intervene in the management of KEPCO E&C and KEPCO Fuel in an arbitrary way. It is not clear whether KEPCO exercises control of them or if it does what objective it tries to achieve in making

key decisions of the two subsidiaries. It is clear that it is not simple profit maximization of KEPCO Fuel or KEPCO E&C as it means excessively high prices for the services they sell to KHNC. It does not appear to be the profit maximization of KHNC or maximization of the joint profits of KHNC, KEPCO E&C, and KEPCO Fuel as none of them have strong profit incentives and as KEPCO has a weak profit incentive and is unable to coordinate the actions of the four subsidiaries because it is prohibited from making key decisions of KHNC.

On the other hand, it is reasonable to expect Doosan Heavy, affiliated with a *chaebol* group, to make decisions based primarily on profit incentives in most cases. But it is subject to the common problem that plagues all *chaebol* affiliated firms in Korea, namely investment decisions that are optimal for the dominant shareholder but are sub-optimal to other shareholders.

#### 5. Efficiency of the outcome under the market structure and governance structure

Current structure of the nuclear power industry in Korea has been heavily influenced by the policies of the past and current administrations on the nuclear power and electricity industries and is a legacy of the old system that had prevailed before the restructuring of the electricity industry in 2001. Successive monopoly in reactor design, fuel fabrication, nuclear generation, and waste management and disposal is unusual in several respects.

First, KEPCO owns the subsidiaries in the nuclear power industry but are not control them effectively due to the governance structure imposed by the Act on the Management of Public Institutions and the intervention of the government in its management. In particular, KHNC is run by a management that is independent of KEPCO.

Second, KEPCO has a very low profit incentive and is not allowed to seek profit even though it is nearly 50% owned by private shareholders. KEPCO's subsidiaries also lack proper profit incentives and are not allowed to seek profit.

Third, KEPCO's objective behind its dealings with the subsidiaries is unclear.

Fourth, the objectives of the government behind its intervention in KEPCO and its

subsidiaries are not unclearly known.

Fifth, the objectives of the government in its intervention in the electricity and nuclear industries are also unclear.

Domestic market for reactor design seems to be a natural monopoly, given the economies of scale and absence of other firms that can possibly compete effectively with KEPCO E&C. But it's not clear whether keeping it as a subsidiary of KEPCO is the most efficient way considering the above listed facts. The loss of internal efficiency of KEPCO E&C due to the inefficient governance structure can be substantial in the long run. Bilateral monopoly between KHNC and KEPCO E&C, both suffering from low profit incentives, can also lead to inefficiency in this market.

Domestic market for fuel fabrication may not be a natural monopoly even if we take for granted the industrial policy of forcing KHNC to purchase fuel from domestic suppliers. In addition, transactions between KHNC and KEPCO Fuel are less transparent compared to the situation in which KHNC and fuel suppliers each seek their respective profits.

Nuclear power generation is not a natural monopoly. While KHNC has the largest market share of around 25 ~ 30%, it is not in a dominant position that can affect competition adversely as concentration in the market is relatively moderate. However, there are reasons to be concerned about the internal efficiency of KHNC.

First, inefficiency within KHNC appears to be very large as revealed by a string of incidents that occurred in the last several years. It became clear that it is extremely difficult to even obtain information needed to regulate KHNC properly as there are few outside of KHNC who have the expertise, information, and incentives to find relevant facts about the operation of KHNC and to use them to improve the efficiency and the safety of the operation of KHNC.

Second, the link between the efficient operation of KHNC and its financial performance is very weak. KHNC can earn profits that significantly higher than normal profits easily due to the entry barrier to the nuclear generation stage set by the Korean government if the Korean government does not implement the market rules in the wholesale market properly. Alternatively, Korean government can intervene in the wholesale market in an ad hoc way to

transfer the money that KHNC could earn as its normal profit to other participants in the wholesale market.

Third, it is possible that the government abuses its control over KHNC to cross subsidize the firms in the front and back ends of the fuel cycle in a way that adversely affects the total welfare of the consumers and tax payers in Korea.

In short, current monopoly of KHNC in the nuclear generation stage and its opaque governance structure are likely to lead to large inefficiency.

#### 6. Conclusion

This paper analyzes the nuclear power industry of Korea from the perspective of competition. It is first such attempt as all previous works on the economics of nuclear power industry in Korea have been focused exclusively on the comparison of total costs of generating electricity of nuclear power plants and other fuel types. We found out that nuclear power industry in Korea is characterized by successive monopolies, dominance of KEPCO in terms of the ownership of major firms, and low degree of accountability and transparency in the management of SOEs. We also found out that the government, in particular the line ministry of the nuclear and electricity industries, plays a crucial role in determining the market structure and governance of firms and hence the outcome of competition in the market.

Vertical integration of the monopolies in fuel fabrication, nuclear power generation, and waste treatment and disposal are likely to work as an entry barrier to each of the three horizontal markets and reduce competition in the long run. Vertical integration of these subsidiaries of KEPCO coupled with the unusual governance structure imposed on them by the government are also likely to lower efficiency in the relevant markets. The fact that KEPCO is the monopsonist in the retail stage of the electricity industry makes it more difficult to induce effective competition in each of the horizontal stages that constitute the nuclear power industry.

It is too early to draw a definite conclusion about the concrete form of the market structure and the ownership and governance structure of KEPCO and its subsidiaries that will induce an efficient outcome. However, based on the findings of this paper, it is clear that a change in the policy of the Korean government that unbundles various horizontal stages, lowers of entry barriers, and strengthens the profit incentives of SOEs as well as transparency and accountability of them will improve the efficiency of the industry and ultimately increase welfare of consumers of electricity in Korea.

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