



**COUNCIL OF
THE EUROPEAN UNION**

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ADDENDUM TO THE "I/A" ITEM NOTE

from : General Secretariat of the Council

to : COREPER / COUNCIL

No. Cion prop.: 15813/11 ENER 330 CADREFIN 103 CODEC 1749

Subject : Proposal for a Regulation of the European Parliament and of the Council on guidelines for trans-European energy infrastructure and repealing Decision No 1364/2006/EC and amending Regulations (EC) No 713/2009, 714/2009 and 715/2009 (**first reading**)

- Adoption of the legislative act (**LA + S**)

= Statements

COMMON GUIDELINES

Consultation deadline: 20.3.2013

Statement by the European Commission

as regards the eligibility of projects of common interest for EU financial assistance in the context of trans-European energy infrastructures (Chapter V of Regulation xxx on Guidelines for trans-European energy infrastructure and repealing Decision No 1364/2006/EC).

The Commission underlines that it considers important that the support from EU and national sources extends to grants for works to enable the implementation of projects of common interest enhancing the diversification of energy supply sources, routes and counterparts. The Commission reserves the right to make proposals in this direction based on the experience gained from the monitoring of the implementation of projects of common interest in the context of the report foreseen in Article 17 of the Regulation on guidelines for trans-European energy infrastructures (No XXX).

Joint statement by Austria, Bulgaria and Romania

The above-mentioned Member States, firmly convinced that hydropower and pumped storage play an important role in meeting the EU renewables target, express their regret for the exclusion of the hydro- pumped electricity storage projects from the projects eligible for EU financial assistance in the form of grants for works, as provided by the Proposal for a Regulation of the European Parliament and of the Council on guidelines for trans-European energy infrastructure.

Austria, Bulgaria and Romania recall the acknowledgement, in the Commission's Communication *Renewable Energy: a major player in the European energy market*, that the renewables energy goal is 'a headline target of the Europe 2020 strategy for smart, sustainable and inclusive growth'. At the same time, Austria, Bulgaria and Romania refer to the Energy Roadmap 2050, which indicates that renewable energy sources are an essential part of the three no-regret options to achieve the decarbonisation of the European energy system in the most cost-effective and sustainable way. In addition, the need for major investments, including for speeding up the integration of storage, is also underlined in the last Commission's Communication related to the Internal Energy Market and in the Council conclusions on "Renewables Energy: a major player in the European energy market", adopted today.

Furthermore, considering that hydropower is a major renewables source, with still available potential to be expanded, the development of grid, including storage, is a must for meeting the challenge of infrastructure needs. Therefore, hydro- pumped electricity storage investments fit very well this goal, being of vital importance for both EU energy transition and a well- functioning European electricity market.

In conclusion, recognising the need of this Regulation and in the spirit of overall compromise, we will not object its adoption, but considering the need of financial assistance to make a pump and storage investment economically feasible, we emphasize our preference for the inclusion of the hydro- pumped electricity storage projects in the category of projects eligible for EU financial assistance for works under supplementary criteria.

Statements by Germany

Erklärung Deutschlands zu Art. 15 und Erwägungsgrund 30:

Deutschland geht davon aus, dass bei der Bewertung der Förderungswürdigkeit von Projekten von gemeinsamem Interesse nach Artikel 15 der in Erwägungsgrund (30) beschriebene 3-Stufen-Ansatz konsequent zur Anwendung kommt. Danach ist die Finanzierung primär Aufgabe des Marktes und einer adäquaten Regulierung in den Mitgliedstaaten. Erst als letztes Mittel kann öffentliche Mitfinanzierung durch EU-Mittel der Connecting Europe Facility in Betracht gezogen werden. Daher ist für jedes Projekt vor der Entscheidung über öffentliche Unterstützung zu untersuchen, ob regulatorische Investitionshindernisse vorliegen. Soweit gemäß dieser Untersuchung der Finanzbedarf eines Projektes auch durch Anpassung des Regulierungsrahmens gedeckt werden kann, sollten EU-Finanzhilfen ausscheiden.

Erklärung Deutschlands zu Art. 18 b:

Deutschland weist darauf hin, dass mit Blick auf die Systemsicherheit und die Vertraulichkeit von Geschäftsdaten dafür Sorge zu tragen ist, dass Informationen über den Netzbetrieb nur an vertrauenswürdige Stellen übermittelt werden, welche die Anforderungen des für Übertragungsnetzbetreiber geltenden Binnenmarktrechts erfüllen. Deutschland geht deshalb davon aus, dass es sich bei der in Artikel 8 (3) (a) (iii) der Verordnung (EG) Nr. 714/2009 (neu) vorgesehenen beauftragten Einrichtungen („any entity duly mandated“) um von den Übertragungsnetzbetreibern beauftragte Einrichtungen entsprechend der bereits existierenden Kooperationen (TSC, SSC, Coreso) handelt.
