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COVER NOTE

from:	Secretary-General of the European Commission, signed by Mr Jordi AYET PUIGARNAU, Director
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to:	Mr Uwe CORSEPIUS, Secretary-General of the Council of the European Union

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Subject:	Commission Staff Working Document Energy Markets in the European Union in 2011 <i>Accompanying the document</i> Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions - Making the internal energy market work

Delegations will find attached Commission document SWD(2012) 368 final VOLUME III.

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Part III

COMMISSION STAFF WORKING DOCUMENT

Energy Markets in the European Union in 2011

Accompanying the document

**COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN
PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL
COMMITTEE AND THE COMMITTEE OF THE REGIONS**

Making the internal energy market work

{COM(2012) 663 final}
{SWD(2012) 367 final}

PART IV: INFRINGEMENT PROCEDURES ON THE 2ND AND 3RD ENERGY PACKAGE

Infringement procedures on the 2nd and 3rd Energy Package¹

	2 nd energy package		3 rd energy package	
	Electricity ²	Gas ³	Electricity ⁴	Gas ⁵
Austria	Cases closed	Case closed	Non-transposition case closed*	Non- transposition case closed*
Belgium	Cases closed	Cases closed	Non-transposition case closed*	Non- transposition case closed*
Bulgaria	Cases closed	One case pending	Non-transposition case pending**	Non- transposition case pending**
Cyprus	No case	No case	Non-transposition case pending**	Non- transposition case pending**
Czech Republic	Cases closed	Cases closed	No case*	No case*
Denmark	Case closed	Case closed	Non-transposition	Non- transposition case closed*

¹ The table reflects the situation on 29th October 2012. As regards the transposition of the 3rd Package, the Commission has not opened (or, respectively, not pursued further) infringement proceedings against the Member States, which had declared full transposition of the Directives and *prima facie* examination of the measures had indicated that the transposition is complete. However, this is without prejudice of the right of the Commission to pursue at a later stage a failure to transpose certain provisions, should shortcomings be identified at a later stage, e.g. in the context of a non-conformity check (all received notifications of national transposition measures are subject to examination as to conformity with EU law).

In the table, the asterisks have the following meaning:

* The Member State has declared full transposition in its notification of transposition measures.

** The Member State has declared partial transposition in its notification of transposition measures.

² Directive 2003/54/EC of the European Parliament and of the Council of 26 June 2003 concerning common rules for the internal market in electricity and repealing Directive 96/92/EC (*OJ L 176, 15.7.2003, p. 37-53*) and/or Regulation (EC) No 1228/2003 of the European Parliament and of the Council of 26 June 2003 on conditions for access to the network for cross-border exchanges in electricity (*OJ L 176, 15.7.2003, p. 1-19*)

³ Directive 2003/55/EC of the European Parliament and of the Council of 26 June 2003 concerning common rules for the internal market in natural gas and repealing Directive 98/30/EC (*OJ L 176, 15.7.2003, p. 57-78*) and/or Regulation (EC) No 1775/2005 of the European Parliament and of the Council of 28 September 2005 on conditions for access to the natural gas transmission networks (*OJ L 289, 3.11.2005, p. 1-13*)

⁴ Directive 2009/72/EC of the European Parliament and of the Council of 13 July 2009 concerning common rules for the internal market in electricity and repealing Directive 2003/54/EC (*OJ L 211, 14.8.2009, p. 55-93*)

⁵ Directive 2009/73/EC of the European Parliament and of the Council of 13 July 2009 concerning common rules for the internal market in natural gas and repealing Directive 2003/55/EC (*OJ L 211, 14.8.2009, p. 94-136*)

			case closed*	
Estonia	Cases closed	Case closed	Non-transposition case pending*	Non- transposition case pending*
Finland	Cases closed	Cases closed	Non-transposition case pending**	Non- transposition case pending**
France	Cases closed	One case pending	Non-transposition case closed*	Non- transposition case closed*
Germany	One case pending	Cases closed	No case*	No case*
Greece	One case pending	One case pending	No case*	No case*
Hungary	Cases closed	Cases closed	No case*	No case*
Ireland	One case pending	One case pending	Non-transposition case pending*	Non- transposition case pending*
Italy	One case pending	Cases closed	No case*	No case*
Latvia	Cases closed	Cases closed	No case*	No case*
Lithuania	Cases closed	Cases closed	Non-transposition case pending*	Non- transposition case pending**
Luxembourg	Cases closed	Cases closed	Non-transposition case pending*	Non- transposition case pending*
Malta	Case closed	No case	No case*	No case*
Netherlands	Case closed	Case closed	Non-transposition case closed*	Non- transposition case closed*
Poland	One case pending	Two cases pending	Non-transposition case pending*	Non- transposition case pending*
Portugal	Cases closed	Cases closed	No case*	No case*
Romania	Cases closed	One case pending	Non-transposition case pending*	Non- transposition case pending*

Slovakia	Cases closed	Cases closed	Non-transposition case pending*	Non- transposition case pending*
Slovenia	Cases closed	Case closed	Non-transposition case pending**	Non- transposition case pending**
Spain	Cases closed	Cases closed	Non-transposition case closed*	Non- transposition case closed*
Sweden	One case pending	Cases closed	Non-transposition case pending*	Non- transposition case pending*
United Kingdom	One case pending	One case pending	Non-transposition case pending**	Non- transposition case pending**

Glossary

Total primary energy supply – shows the share of energy sources in the energy mix. It is the quantity of energy consumed within the borders of a country. It is calculated using the formula: primary production + recovered products + imports + stock changes - exports - bunkers (i.e. quantities supplied to sea-going ships).

Total final consumption – (Mtoe) – is the energy finally consumed in the transport, industrial, commercial, agricultural, public and household sectors. It excludes deliveries to the energy conversion sector and to the energy industries themselves.

Electricity mix – represents the share of the various energy sources used for electricity generation.

Electricity generation – (TWh) – is the quantity of electricity produced within the borders of a country.

Indigenous production – shows the share of energy sources extracted and used from domestic natural sources. The precise definition depends on the particular fuel involved.

Coal – quantities of fuels extracted or produced, calculated after any operation to remove inert matter. In general, production includes the quantities consumed by the producer during the production process (e.g. for heating or operation of equipment and auxiliaries) plus any quantities supplied to other on-site producers of energy for conversion or other uses.

Crude oil – quantities of fuels extracted or produced within national boundaries, including offshore production. Production includes only marketable production and excludes any quantities returned to formation. Production includes all crude oil, natural gas liquids (NGL), condensates and oil from shale and tar sands, etc.

Natural gas – quantities of dry gas, measured after purification and extraction of natural gas liquids and sulphur. Production includes only marketable production, and excludes any quantities that are re-injected, vented and flared, and any extraction losses. Production includes all quantities used within the natural gas industry, in gas extraction, pipeline systems and processing plants.

Nuclear – quantities of heat produced in a reactor. Production is the actual heat produced or the heat calculated on the basis of the gross electricity generated and the thermal efficiency of the nuclear plant. All nuclear production is set as fully indigenous.

Geothermal – quantities of heat extracted from geothermal fluids. Production is calculated on the basis of the difference between the enthalpy of the fluid produced in the production borehole and that of the fluid disposed of via the re-injection borehole.

Biomass/Waste – in the case of municipal solid wastes (MSW), wood, wood wastes and other solid wastes, production is the heat produced after combustion and corresponds to the

heat content (NCV) of the fuel. In the case of anaerobic digestion of wet wastes, production is the heat content (NCV) of the biogases produced. Production includes all quantities of gas consumed in the installation for the fermentation processes, and excludes all quantities of flared gases. In the case of biofuels, production is the heat content (NCV) of the fuel.

Hydro – electricity generated by hydro power plant includes small hydro. Tide, wave and ocean power plants are also included.

Wind – electricity generated by onshore and offshore wind power plants. Figures relate to the end of 2004, although there was a significant increase in the number of new installed Wind Power Plants in 2005.

Net imports by fuels (Mtoe) – share of all energy sources imported, excluding all nuclear, which is set as indigenous by Eurostat. Net electricity imports are included.

Imports of crude oil – imported crude oil divided by countries of origin, EU-27 is counted without imports inside the EU.

Imports of natural gas – imported natural gas divided by countries of origin, EU-27 is counted without imports inside the EU.

Imports of hard coal – imported hard coal divided by countries of origin, EU-27 is counted without imports inside the EU.

Final energy intensity – is calculated as final energy demand divided by value added at basic prices. For some industrial sectors, such as the iron and steel industry, the non-ferrous metals industry and the engineering industry, it was not possible to calculate energy intensity values, because the value added at basic prices is not given for these definitions of sectors in the national accounts data from Eurostat. In contrast to primary energy intensity, final energy intensity does not consider the efficiency of the energy transformation sector.

CO₂ emissions per capita – are calculated as total CO₂ emissions divided by total population.

CO₂ intensity – is calculated by dividing total CO₂ emissions by the gross inland energy consumption. It is an indicator for the carbon intensity of the energy system.

Import dependency – net imports of a country or region divided by the sum of the gross inland consumption and bunkers of that energy carrier. 'All Fuels' shows the import dependency for oil, gas, solid fuels, electricity and renewable energy sources in total. The aggregate 'renewables' considers all forms of renewable energy carriers, such as electricity from wind or hydro power, as well as biofuels and biomass in general. A negative import dependency has to be interpreted as net exports.

Industry – the sector is defined according to the following NACE Rev. 2 codes: B (Mining and quarrying) C (Manufacturing) + D (Electricity, gas, steam and air conditioning supply).

Services - the sector is defined according to the following NACE Rev. 2 codes: from G to S.

Transport – the sector covers all types of transport (NACE Rev. 2 H 49-52). In order to calculate energy intensity, the final energy consumption in transport was divided by the value added at basic prices of the whole economy.

Abbreviations

API degree – American Petroleum Institute (API) degree

bcm – billion cubic metres

Cap – capita

CIF Price – cost, insurance and freight price

Dutch TTF – Dutch Title Transfer Facility

EUR – euro

EUR/bbl – euro per barrel

GDP – Gross Domestic Product

GWh – gigawatt hour

IEA – International Energy Agency

KWh: kilowatt hour

LNG – Liquefied Natural Gas

Mb/d – million barrels per day

Mbbl – million barrels

MMBtu – million British Thermal Units

Mt – million tonnes

Mtoe – million tonnes of oil equivalent

MWh – megawatt hour

N/A - Not available or not applicable

NBP – National Balancing Point (UK)

OECD – Organisation for Economic Cooperation and Development

OPEC – Organisation of the Petroleum Exporting Countries

Platts PEP – Platts Pan European Power index

pp – percentage point

TJ – terajoules

Toe – ton of oil equivalent

TSO – Transmission System Operator

TWh – terawatt hour

USD – US dollar