



**COUNCIL OF
THE EUROPEAN UNION**

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INFORMATION NOTE

from: General Secretariat of the Council

to: Delegations

Subject: Proposal for a Regulation of the European Parliament and of the Council concerning the notification to the Commission of investment projects in energy infrastructure with the European Union and replacing Council Regulation (EU, Euratom) No 617/2010 (First reading)
- Information from the Presidency

Delegations will find attached the abovementioned information note.

Procedure

On 23 October 2013, the Council's Permanent Representatives Committee confirmed the first-reading agreement reached at the informal trilogue with the European Parliament on 16 October on the Regulation concerning the notification to the Commission of investment projects in energy infrastructure within the EU.

The Regulation replaces Council regulation No 617/2010, which was annulled by the European Court of Justice in September 2012 (but whose effects are maintained until the present regulation enters into force), and repeals Council regulation No 736/96.

The text is awaiting formal approval by the Parliament, whose vote in plenary is expected to take place in early 2014, and thereafter by the Council.

Substance

Obtaining an overall picture of the development of investment in energy infrastructure in the Union is essential for the development of European energy policy. The availability of regular and up-to-date data and information will enable the Commission to make comparisons and evaluations, or to propose relevant measures, in particular concerning the future energy supply/demand balance. In this way, greater attention will be paid to investment in energy infrastructure in the Union, in particular with a view to anticipating problems, promoting best practices and establishing greater transparency in the future development of the Union's energy system.

The Regulation establishes a common framework for the notification to the Commission of data and information on investment projects in energy infrastructure in the sectors of oil, natural gas, electricity (including electricity from renewable sources, electricity from coal and lignite, and cogeneration of electricity and useful heat) as well as on investment projects related to bio-fuel production and the capture, transport and storage of carbon dioxide produced by these sectors. The Commission will be notified of investment projects on which construction or decommissioning work has started or on which a final investment decision has been taken. Member states or their delegates entities will notify the data and relevant project information every two years.