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"I/A" ITEM NOTE

From: General Secretariat of the Council
To: Permanent Representatives Committee/Council

Subject: European Court of Auditor's Special Report No 16/2015 "Improving the security of energy supply by developing the internal energy market: more efforts needed"
- *Adoption of Council conclusions*

Following the tasking by the Permanent Representatives Committee¹, the Working Party on Energy (ENERGY) discussed the European Court of Auditors' Special Report 16/2015² entitled "Improving the security of energy supply by developing the internal energy market: more efforts needed", at its meeting of 2 February 2016.

In light of these discussions, ENERGY Chair drew up draft Council conclusions which were examined by ENERGY at its meeting of 9 February 2016, and subsequently agreed as revised taking into consideration the written and oral comments.³

In accordance with Council conclusions of 8 May 2000 on improving the examination of special reports drawn up by the Court of Auditors⁴, the Permanent Representatives Committee is therefore invited to suggest to the Council to adopt, under the "A" items of a forthcoming session, the Council conclusions as set out in the Annex.

¹ 5188/16.

² http://www.eca.europa.eu/Lists/ECADocuments/SR15_16/SR_ENERGY_SECURITY-EN.pdf

³ 5614/1/16 REV 1

⁴ 7515/00 + COR 1.

Council conclusions on European Court of Auditor's Special Report No 16/2015 "Improving the security of energy supply by developing the internal energy market: more efforts needed"

THE COUNCIL OF THE EUROPEAN UNION:

1. Thanks the European Court of Auditors for the Special Report No 16/2015 entitled: "Improving the security of energy supply by developing the internal energy market: more efforts needed".
2. UNDERLINES the focus of the Special Report on the completion of the internal energy market and the implementation and enforcement of the EU regulatory framework, in particular the third energy package.
3. REITERATES in this context, the European Council conclusions of October 2014 where the European Council noted the fundamental importance of a fully functioning and connected internal energy market and stressed that all efforts must be mobilised to achieve this objective as a matter of urgency.
4. TAKES note of the conclusions and recommendations in the Special Report.

In particular:

5. UNDERLINES the Court's recommendations that the Member States should make sure that in line with the provisions of the EU regulatory framework the NRAs (National Regulatory Authorities) are independent and do not face restrictions to the scope of their tasks.
6. NOTES the Court's recommendations to the Commission to:
 - a) assure that ACER has the necessary powers to obtain the information it needs to carry out the tasks assigned to it,
 - b) promote widespread development of transparent trading mechanisms for gas and electricity,

- c) continue to progress the comitology process, with a view to securing approval of the electricity network codes,
- d) assess EU's energy infrastructure needs, including interconnections, in a comprehensive manner as well as refine planning procedures for projects of common interest.

7. ENCOURAGES the Member States and the Commission to consider the Court's recommendations in future work on the implementation of the Energy Union.
