

Documenten lijst A

[REDACTED]

Van: [REDACTED] (VNCI) <[REDACTED]@vncl.nl>
Verzonden: donderdag 6 oktober 2016 9:39
Aan: [REDACTED] ([REDACTED])
CC: [REDACTED] (VNCI)
Onderwerp: 24 oktober bijeenkomst compensatie indirecte kosten

Beste [REDACTED] en [REDACTED]

Even ter voorbereiding van de 24^e over 'compensatie indirecte kosten voor nieuwkomers binnen een bestaande inrichting'. Weten jullie al wie er vanuit jullie kant aanschuiven, komen er ook mensen vanuit RVO? Vanuit onze kant komt in ieder geval [REDACTED] en ikzelf, maar de CEO van [REDACTED] zou wellicht zelf ook willen komen om zijn probleem toe te lichten.

Om het zo effectief mogelijk te laten zijn ([REDACTED] had de indruk vanuit RVO dat de situatie nog ongewijzigd was), is het denk ik handig om zoals ik [REDACTED] gisteren al suggereerde ook RVO alvast mogelijke oplossingsrichtingen te laten voorbereiden. Wij zullen vanuit onze kant ook hierover verder nadenken.

In ieder geval tot de 24^e!

Groeten [REDACTED]

Met vriendelijke groet,

[REDACTED]
Hoofd Energie en Klimaat

Vereniging van de Nederlandse Chemische Industrie | www.vncl.nl
[REDACTED]@vncl.nl | T 070 [REDACTED] | F 070 [REDACTED] | M 06 [REDACTED]
Loire 150, 2491 AK Den Haag | Postbus 443, 2260 AK Leidschendam



[REDACTED]

Van: [REDACTED] (VNCI) <[REDACTED]@vnici.nl>
Verzonden: vrijdag 24 juni 2016 16:09
Aan: [REDACTED]; [REDACTED]
CC: [REDACTED]
Onderwerp: benutting van ETS indirecte compensatie budget

Beste [REDACTED] en [REDACTED]

Even een geheel andere vraag dan wat we normaliter bespreken in het pijler 5 overleg. Hebben jullie een beeld van hoeveel er afgelopen jaren benut is van de reserveringen voor de compensatie indirecte kosten tot 2020. Mijn beeld is dat er 7*78 mln euro gereserveerd staat en dat er afgelopen jaren het volgende besteed is:

In 2013 is van deze 77M€ 53M€ uitgekeerd

In 2014 is van deze 77M€ 33M€ uitgekeerd

Voor 2015 is er 60M€ budget gereserveerd

 Kunnen jullie dat beeld bevestigen? Alvast dank voor jullie hulp

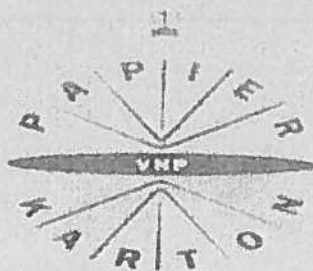
Groeten [REDACTED]

Met vriendelijke groet,

[REDACTED]
[REDACTED]

Vereniging van de Nederlandse Chemische Industrie | www.vnici.nl
[REDACTED]@vnici.nl | T 070 [REDACTED] | F 070 [REDACTED] | M 06 [REDACTED]
Loire 150, 2491 AK Den Haag | Postbus 443, 2260 AK Leidschendam





Ministerie van Economische Zaken, Landbouw en Innovatie
Zijne Excellentie, Minister drs. M.J.M. Verhagen
Postbus 20401
2500 EK DEN HAAG

Hoofddorp, 16 april 2012
Ref: HvH/GJK/EF/VNP

Onderwerp: Urgentie compensatie indirecte kosten ETS

Excellentie,

De Nederlandse papierindustrie, verenigd binnen de Koninklijke VNP, vraagt uw steun bij het beperken van de negatieve effecten van ETS op het concurrentievermogen van de sector. De Europese Commissie werkt aan guidelines over toegestane compensatie van indirecte (elektriciteit) kosten als gevolg van invoering van het EU ETS. In deze guidelines wordt de papierindustrie specifiek als sector genoemd.

De Nederlandse papierindustrie heeft energiebesparing en CO₂-reductie hoog op haar agenda staan en heeft grote stappen voorwaarts gezet op dat terrein. Zij neemt binnen de Nederlandse industrie hier een koploperspositie in. Met een voortrekkersrol binnen de BBE willen wij deze ingeslagen weg voortzetten.

Het is van cruciaal belang voor de Nederlandse papierindustrie dat zij de ruimte krijgt om deze ingeslagen weg van innovatie voort te zetten. Door opgezaaid te worden met de genoemde extra kosten komt dit in gevaar. Inmiddels hebben Duitsland en Engeland al aangegeven gebruik te maken van de compensatie mogelijkheden. Het niet doorvoeren van teruggaaf van deze kosten zou financieel gelijk staan aan de invoering van een grootverbruikersheffing (energiebelasting) voor de industrie. Dit verstoort het level-playing field van de Nederlandse bedrijven. In het verleden is dit juist nooit ingevoerd om vertrek van de industrie uit Nederland te voorkomen en om nieuwe investeringen in Nederland aan te moedigen.

Met nadruk wijzen wij erop dat het hier gaat over een teruggave van de extra kosten die de industrie op indirecte wijze via de energierekening aan de staat betaalt en dus niet om subsidie/steun van de industrie.

Uitgaande van de voorlopige toewijzing van emissierechten en rekeninghoudend met de indirecte (elektriciteit) kosten als gevolg van invoering EU ETS loopt het tekort voor de sector op tot [REDACTED] voor sommige bedrijven kan dit zelfs een tekort van [REDACTED] inhouden. Het zal u duidelijk zijn dat zonder compensatie het level-playing-field ten opzichte van buiten Europa maar ook landen binnen Europa ernstig wordt geschaad!

Wij zijn meer dan bereid om onze ideeën hierover aan u verder toe te lichten.

Met vriendelijke groet,

[REDACTED]

[REDACTED]

cc: [REDACTED]



Ministerie Economische Zaken, Landbouw en Innovatie
T.a.v. de Minister H.G.J. Kamp
Postbus 20401
2500 EK DEN HAAG

Sup adues/
reactie

 78%

Kenmerk:
B-12-238

Doorkiesnummer:
+31 (0)70

E-mail: @vnci.nl

Den Haag,
07 november 2012

Onderwerp: Urgentie compensatie indirecte kosten ETS

Excellentie

De Nederlandse chemische industrie, verenigd in de VNCI, vraagt uw steun voor het realiseren van financiële compensatie van de indirecte kosten van CO₂-emissies zonder enige Nederlandse beperkingen maar conform de Europese 'state aid guidelines'.

Indien dit niet gebeurt raakt dit niet alleen de individuele bedrijven maar juist ook het concurrentievermogen van het gehele chemiecluster omdat de betreffende bedrijven veelal het begin van de keten vormen. Financiële compensatie is dus van groot belang voor de gehele sector. Dit vormt een belangrijk onderdeel van pakket D van de agenda van de Topsector chemie

Toelichting financiële compensatie voor indirecte kosten – level playing field

De Europese Commissie heeft een richtlijn gepubliceerd over toegestane compensatie van indirecte (elektriciteit)kosten als gevolg van invoering van het Europese emissiehandelssysteem (ETS). Nederland heeft hier destijds als lidstaat de basis voor gelegd.

Het is van cruciaal belang dat Nederland de mogelijkheden voor compensatie ten volle benut. Duitsland, Frankrijk en Engeland hebben al aangegeven dit te zullen doen. Zonder compensatie wordt het level playing field voor Nederlandse bedrijven ten opzichte van bedrijven buiten maar ook binnen Europa ernstig geschaad!

Met nadruk wijst de VNCI erop dat het hier gaat over een teruggave van – niet vermijdbare- kosten die de industrie op indirecte wijze via de energierekening aan de staat betaalt en niet om een subsidie van de industrie.

Om het belang te onderstrepen brengt de VNCI graag een aantal conclusies van een onderzoek onder haar leden onder uw aandacht:



- Deze cijfers staven het belang en de omvang van de impact van het ETS op onze industrie. De prijs per EUA is momenteel fors lager dan 30€/ton, maar ook bij de huidige prijzen is er sprake van significante additionele kosten en de onzekerheid rondom investeringsbeslissingen. Bovendien zet de Europese Commissie er fors op in om de prijs de komende jaren te verhogen.

Het vorig kabinet heeft, omdat zij ten tijde van besluitvorming reeds demissionair was, geen besluit genomen en vooralsnog geen reservering op de begroting hiervoor gemaakt. Het gaat voor de industrie in totaal om ruwweg een kwart van de veilingopbrengsten van de Nederlandse overheid; onafhankelijk van de hoogte van de prijs per EUA. Daarmee resteert nog 75% van deze inkomstenstroom voor inzet op versterking van bijvoorbeeld duurzame innovatie van de betreffende industrie.

Met vriendelijke groet,

Een gelijkkluidende brief is gestuurd aan staatssecretaris Infrastructuur en Milieu (I&M) mevrouw W.J. Mansveld





Vereniging van de Nederlandse Chemische Industrie

2011-12

LEIDSCHENDAM

07.11.12

POSTBUS 443
2260 AK

TNT ⁹⁹⁰post

Port Payé
Pays-Bas
€ 00088 ct

RN 814464
Nederland

T.a.v. de Minister H.G.J. Kamp
Postbus 20401
2500 EK DEN HAAG

Mm

Van: [redacted]
Verzonden: vrijdag 27 oktober 2017 10:19
Aan: [redacted]@minez.nl; [redacted] ([redacted])
Onderwerp: Electric Glass Fiber (EGF), ETS

Geachte heer [redacted], geachte mevrouw [redacted],

Uw namen zijn via [redacted] verkregen, en de reden van contact is het volgende:

NFIA is betrokken bij een groot uitbreidingsproject van het bedrijf Electric Glass Fiber BV (EGF) in de provincie Groningen.

[redacted]

[redacted]

KPMG heeft EGF gewezen op de ETS en vragen zich af of er op dit gebied mogelijkheden zijn. Wij hebben contact opgenomen met [redacted] voor aanvullende info en die heeft ons, zoals uit hieronder kan worden geconcludeerd, jullie namen gegeven.

Jullie input omtrent de (on)mogelijkheden voor de ETS in deze wordt bijzonder op prijs gesteld, alvast veel dank daarvoor.

Met vriendelijke groet,

[redacted]

Verstuurd vanaf mijn iPad

E [@nfia.nl](mailto: @nfia.nl) O +31 [+31](tel: +31) M [+31](tel: +31)
[Invest in Holland](#) | [Twitter](#) | [LinkedIn](#) | [NFIA on LinkedIn](#)



Begin doorgestuurd bericht:

Van: [@nfia.nl](mailto: @nfia.nl))" <[@rvo.nl](mailto: @rvo.nl)>
Datum: 27 oktober 2017 09:34:46 CEST
Aan: " [@nfia.nl](mailto: @nfia.nl)" <[@nfia.nl](mailto: @nfia.nl)>
Onderwerp: Doorst.: EGF: concept VSO Innovatiebox

Kan jij hier achteraan? EGF heeft er spoed mee

With kind regards

Director Investment Projects
NFIA

[@nfia.nl](mailto: @nfia.nl) <[@nfia.nl](mailto: @nfia.nl)>

Verstuurd vanaf mijn iPhone

Begin doorgestuurd bericht:

Van: " [@minez.nl](mailto: @minez.nl)" <[@minez.nl](mailto: @minez.nl)>
Datum: 27 oktober 2017 om 09:30:24 CEST
Aan: " [@rvo.nl](mailto: @rvo.nl)" <[@rvo.nl](mailto: @rvo.nl)>, [@minez.nl](mailto: @minez.nl)>
" [@minez.nl](mailto: @minez.nl)" <[@minez.nl](mailto: @minez.nl)>
Kopie: " [@minez.nl](mailto: @minez.nl)" <[@minez.nl](mailto: @minez.nl)>
Onderwerp: Antw.: EGF: concept VSO Innovatiebox

ETS (subsidiekosten indirecte emissiekosten) betreft een achteraf compensatie voor hogere elektriciteitskosten voor grootverbruikers.

“ETS (Emissions Trading Scheme) moet oneerlijke concurrentie met buurlanden voorkomen. Daar gelden geen hogere elektriciteitsprijzen door CO2-kosten. Nederlandse elektriciteitsgrootverbruikers kunnen deze extra kosten niet doorberekenen in hun productprijzen zonder aanzienlijk verlies van marktaandeel. De regeling valt onder de Regeling nationale EZ-subsidies (RNES).”

Zie <https://www.rvo.nl/subsidies-regelingen/subsidieregeling-indirecte-emissiekosten-ets> voor budget, voorwaarden, enz.

Bij EZ weten [@rvo.nl](mailto: @rvo.nl) en [@minez.nl](mailto: @minez.nl) er alles van. RVO voert de regeling uit, dus daar zou je ook kunnen zoeken.

Groeten

Van: [@rvo.nl](mailto: @rvo.nl))
Verzonden: donderdag 26 oktober 2017 21:55
Aan: [@minez.nl](mailto: @minez.nl))

CC: [redacted]; [redacted]

Onderwerp: Re: EGF: concept VSO Innovatiebox

Go/no go 30 oktober, dus er is enige haast mee.

With kind regards

Director Investment Projects

NFIA

[redacted]@nfia.nl<mailto:[redacted]@nfia.nl>

Verstuurd vanaf mijn iPhone

Op 26 okt. 2017 om 19:50 heeft [redacted]

<[redacted]@minez.nl<mailto:[redacted]@minez.nl>> het volgende geschreven:

Kan jij je licht hier over laten schijnen

Verstuurd vanaf mijn iPad

Begin doorgestuurd bericht:

Van: [redacted]" <[redacted]@rvo.nl<mailto:[redacted]@rvo.nl>>

Datum: 26 oktober 2017 om 16:07:45 CEST

Aan: [redacted]" <[redacted]@minez.nl<mailto:[redacted]@minez.nl>>, '[redacted]

[redacted]" <[redacted]@minez.nl<mailto:[redacted]@minez.nl>>

Kopie: [redacted]"

<[redacted]@rvo.nl<mailto:[redacted]@rvo.nl>>

Onderwerp: Doorst.: EGF: concept VSO Innovatiebox

[redacted] gaat over ETS. Wie is daar vanuit EZ bij betrokken geweest?

With kind regards

Director Investment Projects

Netherlands Foreign Investment Agency

+316 [redacted]

Begin doorgestuurd bericht:

Van: [redacted] <[redacted]@negeurope.com<mailto:[redacted]@negeurope.com>>

Datum: 26 oktober 2017 15:59:54 CEST

Aan: [redacted] <[redacted]@rvo.nl<mailto:[redacted]@rvo.nl>>

Kopie: [redacted]"

<[redacted]@rvo.nl<mailto:[redacted]@rvo.nl>>

Onderwerp: FW: EGF: concept VSO Innovatiebox

[redacted] ik hoop dat er wel iets overblijft...

From: [redacted] [mailto:[redacted]@kpmg.com]

Sent: donderdag 26 oktober 2017 15:04

To: [redacted] <[redacted]@negeurope.com<mailto:[redacted]@negeurope.com>>

Cc: [redacted] <[redacted]@negeurope.com<mailto:[redacted]@negeurope.com>>

Subject: FW: EGF: concept VSO Innovatiebox

Goedemiddag [redacted]

Ik zag zojuist berichtgeving omtrent een subsidie aan [redacted] Is het wellicht een idee om ministerie van Economische Zaken te benaderen via bijvoorbeeld [redacted]

<https://fd.nl/ondernemen/1224249/faillet-aldel-kreeg-van-ez-ruim-4-mln-energiesubsidie>

Met vriendelijke groet,
Namens Meijburg & Co

[REDACTED]
Partner | Tax

Tel: +31 (0)88 [REDACTED]

Mobile: +31 (0)6 [REDACTED]

Email: [REDACTED]@kpmg.com<mailto:[REDACTED]@kpmg.com>

<https://meijburg.nl/pagina/corporate-clients-nl?preview=true>
[http://nl.linkedin.com/in/\[REDACTED\]](http://nl.linkedin.com/in/[REDACTED])

This email is confidential and intended for the sole use of the addressee. Access to this email by anyone else is unauthorized. The advice is based on the specific facts and circumstances and the scope of Meijburg & Co's engagement and is not intended to be relied upon by any other person. If you are not the intended recipient, you are hereby notified that any form of disclosure, review, retransmission, distribution, copying or any action taken or refrained from in reliance on it, is prohibited and may be unlawful. Please notify the sender immediately and destroy the message and, if any, delete all copies and attachments.

All activities performed and all services rendered by Meijburg & Co are subject to its general terms and conditions, which provide for a limitation of liability. These terms and conditions are filed with the Dutch Chamber of Commerce and are available on our website:
<http://www.meijburg.com/termsandconditions>. A copy will be sent on request.

Meijburg & Co, Tax Lawyers, is an association of limited liability companies under Dutch law, registered under Chamber of Commerce registration number 53753348 and is a member of KPMG International Cooperative ("KPMG International"), a Swiss entity.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]







Van: [redacted]
Verzonden: dinsdag 10 oktober 2017 22:17
Aan: [redacted]; [redacted]
CC: [redacted]
Onderwerp: FW: reacties VNCI op concept rapport evaluatie subsidieregeling indirecte kosten ES
Bijlagen: Rapport Evaluatie subsidieregeling indirecte kosten ETS 3 oktober VERTRO....pdf

Hoi [redacted] en [redacted]
 Ik heb de opmerkingen van [redacted] op het concept rapport over de subsidieregeling ETS nog doorgestuurd naar SEO. Zie bijgevoegde reactie hierop van SEO. Hebben jullie naar aanleiding hiervan nog aanvullende [redacted] Kunnen jullie mij hier donderdag over berichten? Dan wil ik [redacted] van SEO bellen, [redacted]

Van: [redacted] [mailto:[redacted]@seo.nl]
Verzonden: dinsdag 10 oktober 2017 15:25
Aan: [redacted]
Onderwerp: RE: reacties VNCI op concept rapport evaluatie subsidieregeling indirecte kosten ES

Dag [redacted]
 Ik probeer je net te bellen, maar krijg geen gehoor. Punt 2 uit de reactie van [redacted] heb ik verwerkt. Wil je nog bellen over de andere punten?
 Groet [redacted]

Van: [redacted] [mailto:[redacted]@minez.nl]
Verzonden: vrijdag 6 oktober 2017 14:58
Aan: [redacted] [mailto:[redacted]@seo.nl]
Onderwerp: FW: reacties VNCI op concept rapport evaluatie subsidieregeling indirecte kosten ES

Hallo [redacted]
 Zie bijgevoegde reactie van [redacted], mogelijk volgen er nog meer (kan nog tot 17 uur). Ik verwacht niet dat het storm gaat lopen (overigens dat doet het nu wel in Groningen..).
 Ik ben benieuwd wat jij van de feitelijkheden vindt. [redacted]

T.a.v. de aanvullende adviezen; de eerste twee adviezen hebben wij eerder meegegeven (1^e advies expliciet en 2^e advies hadden we ook gezegd dat deze constatering niet uit de data volgt maar alleen uit de interviews) en ik kan me dus indenken dat [redacted]

Ik stel voor dat we maandag even bellen om de laatste punten te bespreken.
 Mvg [redacted]

Van: [redacted] (VNCI) [mailto:[redacted]@vncl.nl]
Verzonden: donderdag 5 oktober 2017 15:24

Aan: [redacted]
CC: [redacted]; [redacted]@tatasteel.com; [redacted]; [redacted]; [redacted] - DGMI; [redacted]

Onderwerp: reacties VNCI op concept rapport evaluatie subsidieregeling indirecte kosten ES
 Beste [redacted]

Dank voor hoe jullie ons in Pijler 5 mee hebben laten kijken/denken in de evaluatie en nu de mogelijkheid nog even mee te kunnen lezen/reageren, heel fijn! Zoals vanochtend ook in pijler 5 overleg aangegeven zouden we graag ook meekijken naar de aanbiedingsbrief vanuit EZ, waarbij het absoluut duidelijk is dat jullie de afzender zijn maar we graag meedenken in wat dat betekent qua boodschap die je de TK meegeeft.

Als ik onze reactie onderverdeel in feitelijkheden en (ongevraagde ☺ maar wel gemeente) aanvullende adviezen: Feitelijkheden:

- P.27, ik had die vraag ook gesteld in de vergadering van 20 september, hoe weet je nu dat je geen Unilever achtige bedrijven of een autofabrikant in je referentiebestand heb zitten, als er ook een inhoudelijke check gedaan is zou ik dat ook opschrijven

- Op blz 28 wordt gesteld dat de steun in Spanje net als in Nederland gebaseerd is op het daadwerkelijk energiegebruik maar in NL is de steun gebaseerd op de referentie waarde en wordt alleen aangepast als daadwerkelijk gebruik < 50% referentie waarde
- In het rapport wordt meerdere malen genoemd dat de indirecte kosten regeling het resultaat is van het energieakkoord. "De Nederlandse regeling komt voort uit afspraken uit het Energieakkoord voor duurzame groei (2013)." Feitelijk is het zo dat we de compensatieregeling al ugeschreven hadden toen ten tijde van het Energieakkoord de TK 'gevraagd' (geëist) heeft om een voorwaarde te stellen aan het kunnen krijgen van compensatie, namelijk deelname aan MJA3 of MEE convenant. Dat is toen in het energieakkoord vastgelegd.

Aanvullende adviezen:

- De econometrische analyse vind ik lastig maar ik kan me wel vinden in de eindconclusie. Als de analyse dat ondersteunt is dat goed
- Tav de observatie dat de koppeling nauwelijks heeft geleid tot extra deelnemers aan de convenanten vraag ik me af hoe groot de groep is die voor de compensatie in aanmerking komt en nog geen deelnemer was aan het convenant
- Tav de verwachting dat het energieverbruik zou stijgen bij de gebruikers tgv gestegen omzet maar dit in de praktijk niet zo is maar dat er te weinig data is om te concluderen dat de energie efficiëntie is verbeterd... Het lijkt me dat hier obv de monitoring rapportage iets over te zeggen moet zijn. Overigens is verbruik en energiekosten niet gelijk, het is niet duidelijk wat de invloed is van verandering in kosten (prijs) van energie
- Tav de aanbeveling om de regeling dynamischer te maken en compensatie te verstrekken voor productie groei.... Dit is in principe positief maar verhoogt ook voor bedrijven de admin lasten. Voor producten waarvoor geen benchmark waarde is en de compensatie gebaseerd wordt op het daadwerkelijk elektriciteitsverbruik is wel de vraag hoe dan omgegaan wordt met een verminderd verbruik t.g.v. verhoogde efficiëntie. Verder zal bij toenemende elektrificatie van processen een verschuiving kunnen optreden van allocatie van vrije rechten naar financiële compensatie (tgv correctiefactor PBM voor elektriciteitsgebruik). Die moet dan wel gelijke tred houden, betekent ook dat er liefst dezelfde jaren gebruikt moeten worden voor dynamische allocatie. Ook van belang om in geval van een minimum CO2 prijs deze prijs te hanteren voor compensatie
- Tav aanbeveling om bedrijfstoets in te voeren voor vaststellen carbon leakage risico individueel bedrijf.... Naast dat dit de admin lasten verhoogt en de regeling minder voorspelbaar maakt (wat op zich al risico op CL verhoogt) is ook de vraag of de toets op bedrijfsniveau of op productniveau binnen bedrijf wordt gedaan. Indien op bedrijfsniveau wordt resultaat beïnvloed door product portfolio. Dat laatste lijkt me niet de bedoeling....

Groeten

Met vriendelijke groet,

Hoofd Energie en Klimaat

Vereniging van de Nederlandse Chemische Industrie | www.vnci.nl

[@vnci.nl](mailto:info@vnci.nl) | T 070 | F 070 | M 06

Loire 150, 2491 AK Den Haag | Postbus 443, 2260 AK Leidschendam



Responsible Care

25 jaar in Nederland

Dit bericht kan informatie bevatten die niet voor u is bestemd. Indien u niet de geadresseerde bent of dit bericht abusievelijk aan u is gezonden, wordt u verzocht dat aan de afzender te melden en het bericht te verwijderen.

De Staat aanvaardt geen aansprakelijkheid voor schade, van welke aard ook, die verband houdt met risico's verbonden aan het elektronisch verzenden van berichten.

This message may contain information that is not intended for you. If you are not the addressee or if this message was sent to you by mistake, you are requested to inform the sender and delete the message.

The State accepts no liability for damage of any kind resulting from the risks inherent in the electronic transmission of messages.

Van: [redacted] (VNCI) <[redacted]@vnici.nl>
Verzonden: woensdag 21 september 2016 19:15
Aan: [redacted]@minienm.nl
CC: [redacted]; [redacted] - DGMI; [redacted] (VNCI); [redacted] DGMI; [redacted] (VNCI)
Onderwerp: gesprek over financiële compensatie regeling
Urgentie: Hoog

Beste [redacted]

We zouden graag een gesprek met I&M en EZ willen hebben over de kaders voor de subsidieregeling financiële compensatie voor indirecte kosten ETS. In de praktijk lopen we tegen een knelpunt aan dat we graag bij jullie onder de aandacht brengen om samen te zoeken naar een (beleidsmatige) oplossing.

Hieronder is een korte toelichting van het probleem omschreven dat we graag verder met jullie willen bespreken. Het raakt aan een oud punt waarover we in het verleden ook met vereende krachten een oplossing voor gevonden hebben (namelijk het begrip installatie vs inrichtingen).

Ik heb in deze mail ook de mensen gekopieerd die vanuit EZ en I&M deelnemen aan het zogenaamde Pijler 5 overleg zodat zij ook op de hoogte zijn van ons verzoek voor een gesprek.

Praktisch gezien zouden vanuit onze kant in ieder geval [redacted] (USG) en ikzelf aanwezig zijn, mogelijk dat er nog iemand aan wil schuiven. Verder is het denk ik ook goed om met het oog op de staatscourant publicatie van de regeling voor 2017 het gesprek ergens in de komende weken proberen te plannen.

Ik hoor graag of je akkoord gaat met het opzetten van een gesprek en of je via jouw secretariaat een aantal datumvoorstellen kunt laten doen.

Groeten [redacted]

Met vriendelijke groet,

[redacted]
 Hoofd Energie en Klimaat

Vereniging van de Nederlandse Chemische Industrie | www.vneci.nl
 [redacted]@vneci.nl | T 070 [redacted] | F 070 [redacted] | M 06 [redacted]
 Loire 150, 2491 AK Den Haag | Postbus 443, 2260 AK Leidschendam



----- Introductie

Chemelot is een geïntegreerde site van meerdere verschillende bedrijven/fabrieken. Energie/grondstoffen kunnen maximaal worden benut door gebruik te maken van elkaars reststromen. Het vestigen van nieuwe bedrijven op de site heeft het voordeel dat bestaande en nieuwe bedrijven kunnen profiteren van deze synergie. Als zulke bedrijven op zichzelf staan, dan is deze synergie er niet en is energie/grondstof efficiëntie lager.

Als een nieuw bedrijf zich vestigt op de industriesite zoals Chemelot, dan valt deze onder de bestaande koepelmilieuvergunning en EEP/MEE convenant van site als geheel. Dit nieuwe bedrijf kan producten gaan produceren die al wel/niet op de site door ander bedrijf worden geproduceerd.

Beperkte toepasbaarheid regeling voor financiële compensatie

Op Chemelot heeft een nieuwe onderneming zich gevestigd, namelijk het recyclebedrijf [REDACTED]. Dit is een verwerker van kunststof restafval (plastic-hero) die daar weer nieuw PE/PP product van maakt. PE en PP worden ook al gemaakt door bestaande fabrieken op de Chemelot site.

Echter, in de Nederlandse financiële compensatie regeling is geen rekening gehouden met uitbreidingen (zie annex).

1. In geval van uitbreiding met nieuwe producten die nog niet geproduceerd worden op de site:
Dit betekent dat de nieuwe producten niet zijn opgestart in de al gekozen referentieperiode van de bestaande site; daardoor krijgen ze geen compensatie.
2. Uitbreiding met producten die al wel geproduceerd worden op de site:
Uitbreiding van de bestaande installatie is uitgesloten in de Nederlandse regeling (echter niet in de Europese regeling (zie annex)).

In de brief van 30 juni 2016 heeft RVO afwijzend gereageerd op het verzoek voor financiële compensatie van [REDACTED] deel, met als rede dat de [REDACTED] productie geen onderdeel is van de referentie periode van de inrichting Chemelot en daarmee niet in aanmerking komt voor financiële compensatie.

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Van: [redacted] <[redacted]@vemw.nl>
Verzonden: vrijdag 21 oktober 2016 14:41
Aan: [redacted] - DGMI; [redacted] (VNCI); [redacted];
 [redacted] ([redacted] - DGMI; [redacted] [redacted] [redacted]
 [redacted]); [redacted] ([redacted]@vnoncw-mkb.nl)
Onderwerp: RE: Agenda pijler 5-overleg, maandag 24 oktober, 13.00

Beste mensen,
 Ik zal er helaas niet bij kunnen zijn.
 Met vriendelijke groet,

[redacted]
 [redacted]



[redacted]
 @ [redacted]

VEMW | Houttuinlaan 12 | 3447 GM Woerden

Op dit bericht is de disclaimer van VEMW van toepassing. U kunt deze vinden op www.vemw.nl

Van: [redacted] - DGMI [[mailto:\[redacted\]@minienm.nl](mailto:[redacted]@minienm.nl)]
Verzonden: vrijdag 21 oktober 2016 14:32
Aan: [redacted] (VNCI); [redacted]; [redacted] - DGMI; [redacted]; [redacted]
 [redacted] [redacted] [redacted]; [redacted] [redacted] ([redacted]@vnoncw-mkb.nl)
Onderwerp: Agenda pijler 5-overleg, maandag 24 oktober, 13.00

Beste collega's,
 Maandag komen wij weer bij elkaar, om 13.00 uur, bij VNO-NCW.
 Naast de opening, de rondvraag en de sluiting, 4 agendapunten:

- 1) Ruwe schets verdere proces (toelichting VNO-NCW)
- 2) Stand van zaken EP(toelichting VNO-NCW)
- 3) Hogere CL-drempel (toelichting EZ/lenM)
- 4) Terugkoppeling/visies SER-bijeenkomst 30 september 2016 (toelichting EZ)

Alvast een prettig weekend gewenst en tot maandag.

Met vriendelijke groet,

[redacted]
 Ministerie van Infrastructuur en Milieu
 Plesmanweg 1 - 6, Postbus 20901
 2500 EX Den Haag
 telefoon 070- [redacted]

Dit bericht kan informatie bevatten die niet voor u is bestemd. Indien u niet de geadresseerde bent of dit bericht abusievelijk aan u is toegezonden, wordt u verzocht dat aan de afzender te melden en het bericht te verwijderen. De Staat aanvaardt geen aansprakelijkheid voor schade, van welke aard ook, die verband houdt met risico's verbonden aan het elektronisch verzenden van berichten.

This message may contain information that is not intended for you. If you are not the addressee or if this message

was sent to you by mistake, you are requested to inform the sender and delete the message. The State accepts no liability for damage of any kind resulting from the risks inherent in the electronic transmission of messages.

Van: [redacted] <[redacted]@vnoncw-mkb.nl>
Verzonden: maandag 20 maart 2017 15:26
Aan: [redacted]
CC: [redacted]; '[redacted]' - DGMI'
Onderwerp: RE: compensatie indirecte kosten toelichting

Dag [redacted]

Dank voor je mailtje.

Dat is spijtig! Wij hebben pas over wat langere tijd weer een projectgroep ETS (met onze bredere achterban) gepland staan en aangezien het vaak ook om mensen uit de bedrijven gaat (die allerlei andere verantwoordelijkheden hebben en moeten reizen) is het niet opportuun om op korte termijn een nieuw overleg met de projectgroep te plannen. Daarnaast speelt mee dat ik momenteel bezig ben met mijn laatste week, dus dat t niet zo gemakkelijk is om te veel verschillende dingen over mijn vertrek heen dingen te plannen ☺.

Graag zou ik de volgende opties tegen jullie aanhouden:

- Een eerste bespreking in Pijler V en daarna een keer een korte presentatie in de Projectgroep ETS
- Woensdag slechts een korte procesmatige toelichting van wat jullie gaan doen, waarbij we dan aankondigen dat we het in de Pijler 5 groep (want compensatie indirect is onderdeel EA) nog eens terug laten komen.

Groet!

[redacted]

[redacted]

VNO-NCW MKB-Nederland

E: [redacted]@vnoncw-mkb.nl
 T: +31 (0)70 [redacted]
 M: +31 6 [redacted]

Website: www.vno-ncw.nl - www.mkb.nl

Van: [redacted] [[mailto:\[redacted\]@minez.nl](mailto:[redacted]@minez.nl)]
Verzonden: maandag 20 maart 2017 15:05
Aan: [redacted]
CC: We: [redacted]; '[redacted]' - DGMI'
Onderwerp: compensatie indirecte kosten toelichting

Hoi [redacted]

Dank voor je telefoontje van zonet. Ik heb even overlegd met [redacted] (projectleider evaluatie) en hij kan deze woensdag niet. Lijkt ons wel handig om dit samen te doen, dus helaas gaat het hem niet worden. Wel lichten we dus graag dit toe in overleg i.k.v. Pijler-5 (of een vervolg van het overleg van woe samenstelling bv.). Zie jij dan nog een andere mogelijkheid ergens deze maand?

Groet, [redacted]

[redacted]
Beleidsmedewerker

.....
Ministerie van Economische Zaken
Directie Energiemarkt en Innovatie
 Bezuidenhoutseweg 73| 2594AC| Den Haag
 Postbus 20401| 2500 EK| Den Haag

.....
 [t] T +31 (0)70 [redacted]
 [m] +31 (0)6 [redacted]
 [redacted]@minez.nl

Dit bericht kan informatie bevatten die niet voor u is bestemd. Indien u niet de geadresseerde bent of dit bericht abusievelijk aan u is gezonden, wordt u verzocht dat aan de afzender te melden en het bericht te verwijderen.

De Staat aanvaardt geen aansprakelijkheid voor schade, van welke aard ook, die verband houdt met risico's verbonden aan het elektronisch verzenden van berichten.

This message may contain information that is not intended for you. If you are not the addressee or if this message was sent to you by mistake, you are requested to inform the sender and delete the message.

The State accepts no liability for damage of any kind resulting from the risks inherent in the electronic transmission of messages.

Van: [redacted]
Verzonden: vrijdag 27 oktober 2017 12:19
Aan: [redacted]
CC: [redacted]
Onderwerp: Re: Electric Glass Fiber (EGF), ETS

Beste [redacted]
 Dank voor je snelle reactie, fijn dat [redacted] het oppakt, bijzonder gewaardeerd!

Beste [redacted]
 Als er meer informatie nodig is, dan kan er met mij contact opgenomen worden (hoewel ik zeker niet alle specifieke info voorhanden heb). Bij voorbaat dank voor je medewerking, zoals hierboven al geschreven: bijzonder gewaardeerd! (snelheid is helaas nodig in verband met een aanstaande boardmeeting in Japan).

Nogmaals dank,

Groet,

Verstuurd vanaf mijn iPad

[redacted]
 Senior Project Manager
NETHERLANDS FOREIGN INVESTMENT AGENCY
 Prinses Beatrixlaan 2 | [2595 AL The Hague](#) | Netherlands
[@nfia.nl](#) O +31 [redacted] M +31 [redacted]
[Invest in Holland](#) | [Twitter](#) | [LinkedIn](#) | [NFIA on LinkedIn](#)



Op 27 okt. 2017 om 11:58 heeft [redacted] ([redacted] <[redacted]@minez.nl>) het volgende geschreven:

Dank [redacted] je bericht is aangekomen!
 Ik heb gevraagd of [redacted] dit kan oppakken want zelf werk ik niet aan compensatie voor indirecte ETS-kosten.

Groeten,

[redacted]
 Senior Beleidsmedewerker

.....
Directie Energiemarkt en Innovatie
Directoraat-Generaal Energie, Telecom en Markten
Ministerie van Economische Zaken
 Bezuidenhoutseweg 73 | 2594 AC | Den Haag
 Postbus 20401 | 2500 EK | Den Haag

.....
T 06

[\[redacted\]@minez.nl](mailto:[redacted]@minez.nl)

Van: [redacted]

Verzonden: vrijdag 27 oktober 2017 10:52

Aan: [redacted]

Onderwerp: Fwd: Electric Glass Fiber (EGF), ETS

Geachte heer [redacted]

Omdat bleek dat het e mail adres niet juist was, stuur ik het bericht over EGF en ETS nogmaals.

Bij voorbaat dank voor uw medewerking,

Met vriendelijke groet,

Verstuurd vanaf mijn iPad

[redacted]
Senior Project Manager

NETHERLANDS FOREIGN INVESTMENT AGENCY

Prinses Beatrixlaan 2 | [2595 AL The Hague](https://www.2595.nl) | Netherlands

E [\[redacted\]@nfia.nl](mailto:[redacted]@nfia.nl) O +31 88 [redacted] M +31 [redacted]

[Invest in Holland](#) | [Twitter](#) | [LinkedIn](#) | [NFIA on LinkedIn](#)

Begin doorgestuurd bericht:

Van: "[redacted] <[\[redacted\]@rvo.nl](mailto:[redacted]@rvo.nl)>"

Datum: 27 oktober 2017 10:18:41 CEST

Aan: "[redacted] <[\[redacted\]@minez.nl](mailto:[redacted]@minez.nl)>" <[\[redacted\]@minez.nl](mailto:[redacted]@minez.nl)>, "[redacted] <[\[redacted\]@minez.nl](mailto:[redacted]@minez.nl)>"

Onderwerp: Electric Glass Fiber (EGF), ETS

Geachte heer [redacted] geachte mevrouw [redacted]

Uw namen zijn via [redacted] verkregen, en de reden van contact is het volgende:

NFIA is betrokken bij een groot uitbreidingsproject van het bedrijf Electric Glass Fiber BV (EGF) in de provincie Groningen.

Jullie input omtrent de (on)mogelijkheden voor de ETS in deze wordt
bijzonder op prijs gesteld, alvast veel dank daarvoor.
Met vriendelijke groet,

[redacted]@minez.nl<mailto:[redacted]@minez.nl>>

Datum: 27 oktober 2017 om 09:30:24 CEST

Aan: "[redacted]"

<[redacted]@rvo.nl<mailto:[redacted]@rvo.nl>>,"

[redacted]
[redacted]@minez.nl<mailto:[redacted]@minez.nl>>

Kopie: [redacted]"

<[redacted]@minez.nl<mailto:[redacted]@minez.nl>>

Onderwerp: Antw.: EGF: concept VSO Innovatiebox

[redacted] ETS (subsidiekosten indirecte emissiekosten) betreft een achteraf compensatie voor hogere elektriciteitskosten voor grootverbruikers.

"ETS (Emissions Trading Scheme) moet oneerlijke concurrentie met buurlanden voorkomen. Daar gelden geen hogere elektriciteitsprijzen door CO2-kosten. Nederlandse elektriciteitsgrootverbruikers kunnen deze extra kosten niet doorberekenen in hun productprijzen zonder aanzienlijk verlies van marktaandeel. De regeling valt onder de Regeling nationale EZ-subsidies (RNES)."

Zie <https://www.rvo.nl/subsidies-regelingen/subsidieregeling-indirecte-emissiekosten-ets> voor budget, voorwaarden, enz.

Bij EZ weten [redacted] en [redacted] er alles van. RVO voert de regeling uit, dus daar zou je ook kunnen zoeken.

Groeten [redacted]

Van: [redacted]

Verzonden: donderdag 26 oktober 2017 21:55

Aan: [redacted]

CC: [redacted]; [redacted]

Onderwerp: Re: EGF: concept VSO Innovatiebox

Go/no go 30 oktober, dus er is enige haast mee.

With kind regards

[redacted]

Director Investment Projects

NFIA

[redacted]@nfia.nl<mailto:[redacted]@nfia.nl>

Verstuurd vanaf mijn iPhone

Op 26 okt. 2017 om 19:50 heeft [redacted]

<[redacted]@minez.nl<mailto:[redacted]@minez.nl>> het volgende geschreven:

[redacted] Kan jij je licht hier over laten schijnen

Verstuurd vanaf mijn iPad

Begin doorgestuurd bericht:

Van: "[redacted]"

[redacted]@rvo.nl<mailto:[redacted]@rvo.nl>>

Datum: 26 oktober 2017 om 16:07:45 CEST

Aan: [redacted]"

<[redacted]@minez.nl<mailto:[redacted]@minez.nl>>, "[redacted]

[redacted]"

<[redacted]@minez.nl<mailto:[redacted]@minez.nl>>

Kopie: "[redacted]"

<[redacted]@rvo.nl<mailto:[redacted]@rvo.nl>>

Onderwerp: Doorst.: EGF: concept VSO Innovatiebox
[redacted] gaat over ETS. Wie is daar vanuit EZ bij betrokken geweest?

With kind regards

[redacted]

Director Investment Projects

Netherlands Foreign Investment Agency

+ [redacted]

Begin doorgestuurd bericht:

Van: [redacted]

<[redacted]@negeurope.com<mailto:[redacted]@negeurope.com>

>

Datum: 26 oktober 2017 15:59:54 CEST

Aan: "[redacted]"

<[redacted]@rvo.nl<mailto:[redacted]@rvo.nl>>

Kopie: "[redacted]"

<[redacted]@rvo.nl<mailto:[redacted]@rvo.nl>>

Onderwerp: FW: EGF: concept VSO Innovatiebox
[redacted] ik hoop dat er wel iets overblijft...

[Large redacted block]

[Redacted block]

[REDACTED]

[REDACTED]

>

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

>

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] a

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Van: [redacted] (VNCI) <[redacted]@vnci.nl>
Verzonden: donderdag 22 september 2016 19:23
Aan: [redacted]; [redacted] (VNCI)
CC: [redacted] - DGMI; [redacted] (VNCI); [redacted]
 ([redacted]) - DGMI; [redacted] (VNCI);
 [redacted]@minienm.nl; [redacted]; [redacted]
 ([redacted])
Onderwerp: Re: gesprek over financiële compensatie regeling
Bijlagen: image004.png; image005.png; image006.png; image007.png

Beste [redacted]

ik zit deze dagen op springtij en kijk dus zeer beperkt in mijn email. laten we een afspraak inplannen conform [redacted] zijn voorstel.
alvast dank hiervoor!

groeten [redacted] vanaf Terschelling

Verzonden vanaf mijn Samsung Galaxy-smartphone.

----- Oorspronkelijk bericht -----

Van: "[redacted]" <[redacted]@minez.nl>
Datum: 22-09-16 11:09 (GMT+01:00)
Aan: "[redacted]" <[redacted]@usg.company>, "[redacted] (VNCI)"
 <[redacted]@vnci.nl>
Cc: "[redacted] - DGMI" <[redacted]@minienm.nl>, "[redacted] (VNCI)"
 <[redacted]@vnci.nl>, [redacted]@vnoncw-mkb.nl>, "[redacted]"
 <[redacted]@minez.nl>, "[redacted] - DGMI" <[redacted]@minienm.nl>, "[redacted]"
 (VNCI)" <[redacted]@vnci.nl>, [redacted]@minienm.nl, "[redacted]"
 <[redacted]@rvo.nl>, "[redacted]" <[redacted]@rvo.nl>, "[redacted]"
 [redacted]@minez.nl>, "[redacted]@minez.nl>, "[redacted]"
 [redacted]@minez.nl>

Onderwerp: RE: gesprek over financiële compensatie regeling

Beste [redacted]

Zoals ik nu begrijp weten we half oktober meer. Ik stel voor dat ik een overleg inplan voor de week van 17 oktober. Wat mij betreft kan dat ook bij RVO in Utrecht (naast centraal station) als dat voor jullie handiger is dan Den Haag. Dat hoor ik graag.
 Ik zal mijn collega's van I&M op de hoogte houden. Deze regeling, die is afgesproken in het Energieakkoord, is echter primair een EZ-dossier.

Groet,

Van: [redacted] [mailto:[redacted]@usg.company]
Verzonden: donderdag 22 september 2016 10:16
Aan: [redacted]; [redacted] (VNCI)
CC: [redacted] - DGMI; [redacted] (VNCI); [redacted]; [redacted]
 ([redacted] - DGMI; [redacted] (VNCI); [redacted]@minienm.nl; [redacted]); [redacted]

Onderwerp: RE: gesprek over financiële compensatie regeling

Beste [REDACTED]

[REDACTED] heeft op mijn verzoek alvast een bespreking proberen in te plannen om de regeling te bespreken. Vorige week heeft [REDACTED] bij een bezoek aan Chemelot in kader van 1-op-1 afspraken aangegeven dat het belangrijk is om tijdig in gesprek te gaan over de fin comp regeling. Dit zou te maken hebben met interne procedures en eventuele publicatie.

Op 7 September hebben we een vergadering gehad bij RVO over de fin comp regeling. Deze week heb ik nog gesproken met [REDACTED] over het onderzoek bij RVO. Zij gaf aan dat zij nog aan het studeren zijn op de mogelijkheden van de regeling voor [REDACTED] maar dat het wel duidelijk lijkt dat de situatie van Chemelot/[REDACTED] niet is voorzien.

Ook met haar heb ik afgesproken om alvast gesprekken met EZ/I&M in te gaan plannen. Als RVO met een oplossing zou komen dan zouden de afspraken kunnen komen te vallen.

[REDACTED] wanneer verwacht je het resultaat van RVO en wanneer zouden we eventueel de regeling kunnen bespreken?

Hartelijk dank,

Senior Advisor Climate and Energy Policies



Kampstraat 101, 6163 HE Geleen

+31 6 [REDACTED]
[REDACTED]@usg.company

Utility Support Group B.V. Heerlen
Trade register Limburg: 14071112

From: [REDACTED] ([REDACTED]@minez.nl)

Sent: 22 September 2016 09:25

To: '[REDACTED] (VNCI)'

Cc: [REDACTED] - DGMI; [REDACTED] (VNCI); [REDACTED];
[REDACTED] - DGMI; [REDACTED] (VNCI); [REDACTED]@minienm.nl; [REDACTED];
[REDACTED]; [REDACTED]; [REDACTED]

Subject: RE: gesprek over financiële compensatie regeling

Beste [REDACTED]

Ik wil toch even ingrijpen. De regeling waarop jij doelt is een regeling die onder EZ valt en door RVO wordt uitgevoerd. De door jou ingebrachte casus is door Chemelot eerder al onder onze aandacht gebracht. Daarop heb ik geregeld dat men een gesprek met RVO zou hebben om de casus te bespreken.

Dat gesprek is op 7 september jl. gevoerd. Hierbij was Chemelot o.a. vertegenwoordigd door [REDACTED]. Vanuit RVO waren [REDACTED] (jurist) en [REDACTED] aanwezig. Zij hebben in het gesprek afgesproken dat RVO zou onderzoeken of het binnen de huidige regeling mogelijk is dat [REDACTED] (het nieuwe bedrijf op Chemelot) een afzonderlijke aanvraag voor compensatie indient. De afdeling juridische zaken van RVO is daar nu druk mee bezig.

Ik stel voor dat we eerst de uitkomst van het onderzoek door RVO afwachten en dan een nieuw overleg inplannen als daaraan behoefte is. Het lijkt me dat dit gesprek dan in eerste instantie met EZ plaatsvindt. Ik zal daarvoor dan het initiatief nemen.

Kan jij je daarin vinden? Eventueel verder overleg beter telefonisch voeren.

Groet,

Ministerie van Economische Zaken
Directoraat-generaal Energie, Telecom en Mededinging
Directie Energiemarkt & Innovatie
Bezuidenhoutseweg 73 | 2594 AC | Den Haag
Postbus 20401 | 2500 EK | Den Haag
T 070 [redacted]
M 06 [redacted] minez.nl
werkdagen: vrijdag vrij

Van: [redacted] (VNCI) [[mailto:\[redacted\]@vncl.nl](mailto:[redacted]@vncl.nl)]

Verzonden: woensdag 21 september 2016 19:15

Aan: [redacted] [@minienm.nl](mailto:[redacted]@minienm.nl)

CC: [redacted]; [redacted] - DGMI; [redacted] (VNCI); [redacted] - DGMI; [redacted] (VNCI)

Onderwerp: gesprek over financiële compensatie regeling

Urgentie: Hoog

Beste [redacted]

We zouden graag een gesprek met I&M en EZ willen hebben over de kaders voor de subsidieregeling financiële compensatie voor indirecte kosten ETS. In de praktijk lopen we tegen een knelpunt aan dat we graag bij jullie onder de aandacht brengen om samen te zoeken naar een (beleidsmatige) oplossing.

Hieronder is een korte toelichting van het probleem omschreven dat we graag verder met jullie willen bespreken. Het raakt aan een oud punt waarover we in het verleden ook met vereende krachten een oplossing voor gevonden hebben (namelijk het begrip installatie vs inrichtingen).

Ik heb in deze mail ook de mensen gekopieerd die vanuit EZ en I&M deelnemen aan het zogenaamde Pijler 5 overleg zodat zij ook op de hoogte zijn van ons verzoek voor een gesprek.

Praktisch gezien zouden vanuit onze kant in ieder geval [redacted] (USG) en ikzelf aanwezig zijn, mogelijk dat er nog iemand aan wil schuiven. Verder is het denk ik ook goed om met het oog op de staatscourant publicatie van de regeling voor 2017 het gesprek ergens in de komende weken proberen te plannen.

Ik hoor graag of je akkoord gaat met het opzetten van een gesprek en of je via jouw secretariaat een aantal datumvoorstellen kunt laten doen.

Groeten [redacted]

Met vriendelijke groet,

[redacted]
Hoofd Energie en Klimaat

Vereniging van de Nederlandse Chemische Industrie | www.vncl.nl
[redacted] [@vncl.nl](mailto:[redacted]@vncl.nl) | T 070 [redacted] | F 070 [redacted] | M 06 [redacted]
Loire 150, 2491 AK Den Haag | Postbus 443, 2260 AK Leidschendam



Introductie

Chemelot is een geïntegreerde site van meerdere verschillende bedrijven/fabrieken. Energie/grondstoffen kunnen maximaal worden benut door gebruik te maken van elkaars reststromen. Het vestigen van nieuwe bedrijven op de site heeft het voordeel dat bestaande en nieuwe bedrijven kunnen profiteren van deze synergie. Als zulke bedrijven op zichzelf staan, dan is deze synergie er niet en is energie/grondstof efficiëntie lager.

Als een nieuw bedrijf zich vestigt op de industriesite zoals Chemelot, dan valt deze onder de bestaande koepelmilieuvergunning en EEP/MEE convenant van site als geheel. Dit nieuwe bedrijf kan producten gaan produceren die al wel/niet op de site door ander bedrijf worden geproduceerd.

Beperkte toepasbaarheid regeling voor financiële compensatie

Op Chemelot heeft een nieuwe onderneming zich gevestigd, namelijk het recyclebedrijf [REDACTED]. Dit is een verwerker van kunststof restafval (plastic-hero) die daar weer nieuw PE/PP product van maakt. PE en PP worden ook al gemaakt door bestaande fabrieken op de Chemelot site.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Dit bericht kan informatie bevatten die niet voor u is bestemd. Indien u niet de geadresseerde bent of dit bericht abusievelijk aan u is gezonden, wordt u verzocht dat aan de afzender te melden en het bericht te verwijderen.

De Staat aanvaardt geen aansprakelijkheid voor schade, van welke aard ook, die verband houdt met risico's verbonden aan het elektronisch verzenden van berichten.

This message may contain information that is not intended for you. If you are not the addressee or if this message was sent to you by mistake, you are requested to inform the sender and delete the message.

The State accepts no liability for damage of any kind resulting from the risks inherent in the electronic transmission of messages.

Dit bericht kan informatie bevatten die niet voor u is bestemd. Indien u niet de geadresseerde bent of dit bericht abusievelijk aan u is gezonden, wordt u verzocht dat aan de afzender te melden en het bericht te verwijderen.

De Staat aanvaardt geen aansprakelijkheid voor schade, van welke aard ook, die verband houdt met risico's verbonden aan het elektronisch verzenden van berichten.

This message may contain information that is not intended for you. If you are not the addressee or if this message was sent to you by mistake, you are requested to inform the sender and delete the message.

The State accepts no liability for damage of any kind resulting from the risks inherent in the electronic transmission of messages.

Van: [redacted] <[redacted]@vnoncw-mkb.nl>
Verzonden: maandag 13 februari 2017 11:06
Aan: [redacted] - DGMI; [redacted] - DGMI
CC: [redacted]
Onderwerp: RE: Pijler V ?
Bijlagen: 2017-02-08 BusinessEurope key positions EU ETS reform ahead of Environme....pdf

Dag [redacted]

Korte termijn is inderdaad lastig ☺, maar laten we het gewoon proberen. Volgens mij is er genoeg te bespreken. Mocht het niet lukken om als groep om tafel te gaan, is het wellicht handig om bilateraal even bij te praten? Bijgesloten tref je de brief die vanuit BusinessEurope aan het Maltees voorzitterschap is gestuurd. Zoals jullie weten is voor onze achterban het beschikbaar komen van voldoende rechten voor vrije toewijzing – in lijn met DAM – van groot belang. Wij zijn voorstander van een shift in de ratio zoals die door een aantal landen (waaronder [redacted] wordt voorgestaan. Morgen wordt daarover in Berlijn gesproken tussen een aantal lidstaten; is Nederland daar ook bij aanwezig?

Vorige week is in het debat in de Kamer vrij uitvoerig gesproken over het ETS, onder meer over een mogelijke 'regionale aleingang' van 8 NW-Europese lidstaten. Daarnaast kwam ook de compensatie indirect aan bod. Als ik me niet vergis heeft de minister van EZ toegezegd om eea aan de Kamer toe te zenden. Lijkt me ook goed om daar eens bij stil te staan met elkaar. Ik heb [redacted] daarom voor de volledigheid ook even in de CC van deze e-mail meegenomen.

Met vriendelijke groet,

[redacted]
 [redacted]
 Secretaris Energie & Klimaat

VNO-NCW MKB-Nederland

E: [redacted]@vnoncw-mkb.nl

T: +31 (0)70 [redacted]

M: +31 6 [redacted]

Website: www.vno-ncw.nl – www.mkb.nl

Van: [redacted] - DGMI [mailto:[redacted]@minienm.nl]

Verzonden: woensdag 8 februari 2017 09:09

Aan: [redacted]; [redacted] - DGMI

Onderwerp: RE: Pijler V ?

Hallo [redacted]

Ik zal proberen een pijler 5 overleg te plannen. Korte termijn blijkt altijd lastig.

[redacted] vroeg er ook al naar. Ik heb het wel eens toegelicht in een pijler 5 overleg. Het voorstel is gebaseerd op een motie die breed gesteund werd in de Tweede Kamer (Motie Dijkstra/Van Veldhoven, 21 501-08, nr 639). De indieners gaven daarbij aan dat het om rond de tien sectoren zou moeten gaan.

We hebben gekeken welke sectoren dan tenminste beschermd moeten worden. Dat bleken vooral basisproducten te zijn. Volgens mij kwamen we op max 15. [redacted]

Van: [redacted] [mailto:[redacted]@vnoncw-mkb.nl]

Verzonden: dinsdag 7 februari 2017 16:50

Aan: [redacted] - DGMI

CC: [redacted] - DGMI

Onderwerp: RE: Pijler V ?

Urgentie: Laag

Dag [redacted]

Hier gaat alles prima! Hopelijk bij jullie ook?

Je e-mail is even blijven liggen. De afgelopen weken stonden nogal in het thema van de ENVI stemming, maar met de Milieuraad in aantocht lijkt het me nuttig om te kijken of we op korte termijn bij elkaar kunnen komen. Ik begrijp dat onder andere gesproken wordt over het voorstel van de Voorzitterschap om een 1% flexibiliteit in de ratio aan te brengen, en over cl-criteria. Naar ik verneem zouden met de verhoging van de CL-criteria die door Nederland worden voorgestaan nog slechts 15 sectoren kwalificeren voor de lijst. Klopt dat?

Hartelijke groet,

Secretaris Energie & Klimaat
VNO-NCW MKB-Nederland

E: [redacted]@vnoncw-mkb.nl

T: +31 (0)70 [redacted]

M: +31 6 [redacted]

Website: www.vno-ncw.nl – www.mkb.nl

Van: [redacted] - DGMI [mailto:[redacted]@minienm.nl]

Verzonden: dinsdag 17 januari 2017 11:53

Aan: [redacted] <[redacted]@vnoncw-mkb.nl>

CC: [redacted] - DGMI [redacted]@minienm.nl>

Onderwerp: Pijler V ?

Dag [redacted]

Ik hoop dat alles goed is !

Vraagje: van onze kant is er op dit moment weinig aanleiding voor een pijler V-bijeenkomst. De onderhandelingen kabbelen voort ;) Neemt niet weg dat er bij jou of jullie achterban wellicht behoefte is. Als dat zo is, dan plan ik ergens voor de komende weken een pijler V-overleg.

Laat maar weten !

Groeten, mede namens [redacted]

Met vriendelijke groet,

[redacted]
Ministerie van Infrastructuur en Milieu
Plesmanweg 1 - 6, Postbus 20901
2500 EX Den Haag
telefoon 070- [redacted]

Dit bericht kan informatie bevatten die niet voor u is bestemd. Indien u niet de geadresseerde bent of dit bericht abusievelijk aan u is toegezonden, wordt u verzocht dat aan de afzender te melden en het bericht te verwijderen. De Staat aanvaardt geen aansprakelijkheid voor schade, van welke aard ook, die verband houdt met risico's verbonden aan het elektronisch verzenden van berichten.

This message may contain information that is not intended for you. If you are not the addressee or if this message was sent to you by mistake, you are requested to inform the sender and delete the message. The State accepts no liability for damage of any kind resulting from the risks inherent in the electronic transmission of messages.

Van: [redacted]
Verzonden: maandag 10 oktober 2016 14:44
Aan: [redacted]
CC: [redacted]; '[redacted]' - DGMI'
Onderwerp: RE: Plannen Pijler 5 overleg: 12 of 13 oktober

Hoi [redacted]

Je mag het gebruiken hoor, als je maar wel goed communiceert richting projectgroepleden dat dit niet een officiële positie van ons is o.i.d. (met name het punt over inzet ongebruikte rechten).

Groet, [redacted]

Van: [redacted] [mailto:[redacted]@vnoncw-mkb.nl]
Verzonden: maandag 10 oktober 2016 9:45
Aan: [redacted]
CC: [redacted]
Onderwerp: RE: Plannen Pijler 5 overleg: 12 of 13 oktober

Hoi [redacted]

Voor de zekerheid; kan ik dit document als non-paper circuleren in onze interne projectgroep ETS tbv de discussie over het innovatiefonds dat we tijdens de vergadering van aanstaande woensdag hebben?

Met vriendelijke groet,

[redacted]

VNO-NCW MKB-Nederland

E: [redacted]@vnoncw-mkb.nl
 T: +31 (0)70 [redacted]
 M: +31 6 [redacted]

Website: www.vno-ncw.nl - www.mkb.nl

Van: [redacted] [mailto:[redacted]@minez.nl]
Verzonden: woensdag 5 oktober 2016 13:34
Aan: '[redacted]' - DGMI' <[redacted]@minienm.nl>; '[redacted]' <[redacted]@tatasteel.com>; '[redacted]' (VNCI)' <[redacted]@vnci.nl>; '[redacted]' <[redacted]@energie-nederland.nl>; [redacted] <[redacted]@minez.nl>; [redacted] <[redacted]@vemw.nl>; [redacted] <[redacted]@vnoncw-mkb.nl>; [redacted] - DGMI
 <[redacted]@minienm.nl>

Onderwerp: RE: Plannen Pijler 5 overleg: 12 of 13 oktober

Beste allen,

Voor [redacted] en anderen, de notitie van RVO over de NER300 en de input voor de NER400 in de onderhandelingen over de ETS richtlijn op basis van deze notitie,

Groet, [redacted]

Van: [redacted] - DGMI [mailto:[redacted]@minienm.nl]

Verzonden: donderdag 15 september 2016 11:26

Aan: 'I [redacted]; ' (VNCI); ' [redacted]; ' [redacted]; ' [redacted]; ' [redacted] ([redacted]@vnoncw-mkb.nl); ' [redacted] - DGMI

Onderwerp: Plannen Pijler 5 overleg: 12 of 13 oktober

Mijn excuus voor het gedoe,

De data die ik eerder voorstelde, hebben niet geleid tot een datum waarop veel mensen aanwezig kunnen zijn. Daarom een nieuwe poging: ik heb 12 en 13 oktober als opties toegevoegd.

<https://datumprikker.nl/pvxbxds8sw3pkf86>

Van: [redacted] - DGMI

Verzonden: maandag 5 september 2016 13:35

Aan: 'I [redacted]; ' (VNCI); ' [redacted]; ' [redacted]; ' [redacted]; ' [redacted] ([redacted]@vnoncw-mkb.nl); ' [redacted] - DGMI

Onderwerp: Plannen Pijler 5 overleg

Beste mensen,

Volgens mij hebben we nog geen datum geprikt voor een nieuw pijler 5 overleg. Ik wil jullie vragen om via deze link jullie beschikbaarheid aan te geven.

<https://datumprikker.nl/pvxbxds8sw3pkf86>

Ik hoop dat we wederom bij VNO kunnen vergaderen.

Voor de agenda stel ik me in ieder geval voor:

1. Stand van zaken in Europa (Raad, EP en bedrijven)
2. Plan en planning voor vervolgtactiviteiten dit najaar (actie [redacted])

Als je agendapunten wilt toevoegen, hoor ik het graag.

Dit bericht kan informatie bevatten die niet voor u is bestemd. Indien u niet de geadresseerde bent of dit bericht abusievelijk aan u is toegezonden, wordt u verzocht dat aan de afzender te melden en het bericht te verwijderen. De Staat aanvaardt geen aansprakelijkheid voor schade, van welke aard ook, die verband houdt met risico's verbonden aan het elektronisch verzenden van berichten.

This message may contain information that is not intended for you. If you are not the addressee or if this message was sent to you by mistake, you are requested to inform the sender and delete the message. The State accepts no liability for damage of any kind resulting from the risks inherent in the electronic transmission of messages.

Dit bericht kan informatie bevatten die niet voor u is bestemd. Indien u niet de geadresseerde bent of dit bericht abusievelijk aan u is gezonden, wordt u verzocht dat aan de afzender te melden en het bericht te verwijderen.

De Staat aanvaardt geen aansprakelijkheid voor schade, van welke aard ook, die verband houdt met risico's verbonden aan het elektronisch verzenden van berichten.

This message may contain information that is not intended for you. If you are not the addressee or if this message was sent to you by mistake, you are requested to inform the sender and delete the message.

The State accepts no liability for damage of any kind resulting from the risks inherent in the electronic transmission of messages.

Van: [redacted] <[redacted]@vnoncw-mkb.nl>
Verzonden: woensdag 22 februari 2017 12:01
Aan: [redacted] - DGMI; [redacted];
 [redacted] (VNCI); [redacted]
CC: [redacted] - DGMI; [redacted]
Onderwerp: RE: Plannen volgend Pijler 5 overleg: do 23-3 14:00

Dear all,

We zitten morgen in zaal 6.10.

Met vriendelijke groet,

[redacted]
 [redacted]
 VNO-NCW MKB-Nederland

E: [redacted]@vnoncw-mkb.nl
 T: +31 (0)70 [redacted]
 M: +31 6 [redacted]

Website: www.vno-ncw.nl – www.mkb.nl

Van: [redacted] [mailto:[redacted]@energie-nederland.nl]
Verzonden: dinsdag 21 februari 2017 17:47
Aan: [redacted] - DGMI; [redacted]; [redacted] (VNCI); [redacted]
 ([redacted])
CC: [redacted] - DGMI; [redacted]
Onderwerp: Re: Plannen volgend Pijler 5 overleg: do 23-3 14:00

Ook ik ben verhinderd helaas :-(

Van: "[redacted]" <[redacted]@tatasteel.com>
Datum: dinsdag 21 februari 2017 10:26
Aan: "[redacted] - DGMI" <[redacted]@minienm.nl>, [redacted]@vemw.nl, [redacted]
 <[redacted]@vnci.nl>, "[redacted]" <[redacted]@minez.nl>, [redacted] <[redacted]@vnoncw-mkb.nl>
CC: [redacted]@energie-nederland.nl, [redacted] - DGMI"
 <[redacted]@minienm.nl>, "[redacted]@tatasteel.com>
Onderwerp: RE: Plannen volgend Pijler 5 overleg: do 23-3 14:00

Ik ben helaas verhinderd. [redacted] (cc)t zal mij vervangen.

Met vriendelijke groet / Kind regards,

From: [REDACTED] - DGMI [mailto:[REDACTED]@minienm.nl]
Sent: Monday, February 20, 2017 4:24 PM
To: '[REDACTED]' <[REDACTED]@vemw.nl>; '[REDACTED] (VNCI)' <[REDACTED]@vncl.nl>; '[REDACTED]' <[REDACTED]@minez.nl>; '[REDACTED]' <[REDACTED]@vnoncw-mkb.nl>
Cc: [REDACTED] <[REDACTED]@tatasteel.com>; '[REDACTED]' <[REDACTED]@energie-nederland.nl>; [REDACTED] <[REDACTED]@minienm.nl>
Subject: RE: Plannen volgend Pijler 5 overleg: do 23-3 14:00

Dank voor het invullen van de datumprikkers.

Ik kom uit op **donderdag 23 februari om 14.00u** als datum waarop de meeste mensen kunnen. Het is ook nog net voor de Milieuraad. -> Kan het bij jullie, [REDACTED]

Op de agenda: herziening ETS richtlijn, benchmarks, mogelijkheden voor Europese kopgroep ETS en indirect kostencompensatie.

[REDACTED]

Van: [REDACTED] - DGMI
Verzonden: maandag 13 februari 2017 14:42
Aan: [REDACTED]; [REDACTED] (VNCI); [REDACTED]; [REDACTED]@tatasteel.com; '[REDACTED]' <[REDACTED]@minienm.nl>
Onderwerp: Plannen volgend Pijler 5 overleg

Beste allen,

Samen met [REDACTED] probeer ik op redelijk korte termijn nog een pijler 5 overleg te plannen. Wil je ons helpen door via onderstaande link jouw beschikbaarheid weer te geven?

<https://datumprikker.nl/pkx8vi9piz99this>

Naast herziening ETS in EP en Raad, ook op de agenda: mogelijkheden voor Europese kopgroep ETS en indirect kostencompensatie.

[REDACTED]

Dit bericht kan informatie bevatten die niet voor u is bestemd. Indien u niet de geadresseerde bent of dit bericht abusievelijk aan u is toegezonden, wordt u verzocht dat aan de afzender te melden en het bericht te verwijderen. De Staat aanvaardt geen aansprakelijkheid voor schade, van welke aard ook, die verband houdt met risico's verbonden aan het elektronisch verzenden van berichten.

This message may contain information that is not intended for you. If you are not the addressee or if this message was sent to you by mistake, you are requested to inform the sender and delete the message. The State accepts no liability for damage of any kind resulting from the risks inherent in the electronic transmission of messages.

This transmission is confidential and must not be used or disclosed by anyone other than the intended recipient. Neither Tata Steel Europe Limited nor any of its subsidiaries can accept any responsibility for any use or misuse of the transmission by anyone.

For address and company registration details of certain entities within the Tata Steel Europe group of companies, please visit <http://www.tatasteeleurope.com/entities>

Van: [redacted] <[redacted]@vnoncw-mkb.nl>

Verzonden: woensdag 15 februari 2017 9:14

Aan: [redacted] (VNCI); [redacted] - DGMI; [redacted]; [redacted]
[redacted]@tatasteel.com; [redacted]

Onderwerp: RE: Plannen volgend Pijler 5 overleg

Dear all,

De datumprikker schetst nog niet een erg eenduidig beeld van wat een goed moment zou zijn om bij elkaar te komen.

Desalniettemin heb ik wel behoefte aan overleg, mede gezien de aanstaande Milieuraad en de inspanningen van (o.a. het voorzitterschap) om op een aantal punten toch tot een *general approach* te komen. (@ [redacted] verwacht je obv het overleg in Berlijn van gisteren dat dit gaat lukken) Daarnaast is er natuurlijk ook nog de stemming in het EP.

Mocht het niet mogelijk zijn om fysiek bij elkaar te komen, is een telefonisch overleg wat mij betreft ook een optie.

Met vriendelijke groet,

[redacted]
[redacted]
Secretaris Energie & Klimaat
VNO-NCW MKB-Nederland

E: [redacted]@vnoncw-mkb.nl

T: +31 (0)70 [redacted]

M: +31 6 [redacted]

Website: www.vno-ncw.nl – www.mkb.nl

Van: [redacted] (VNCI) [mailto:[redacted]@vnci.nl]

Verzonden: dinsdag 14 februari 2017 08:36

Aan: [redacted] - DGMI; [redacted]; [redacted]; [redacted]@tatasteel.com; [redacted]
[redacted]; [redacted]

Onderwerp: RE: Plannen volgend Pijler 5 overleg

Hoi [redacted] ik wil graag ook praten over de Heatbenchmarks waar obv renewables een forse korting op gedaan wordt.

Het voorstel van de EC voor heat benchmark nu is blijkbaar dat deze met 1.5% per jaar tussen 2008 en 2023 resp. 2028 wordt gereduceerd. Dit op basis van gebruik biomassa. Dit komt neer op een reductie van 22.5% voor periode 2021-2025 en 30% voor periode 2026-2030.

Daarnaast is de vraag wat er met het activity level gebeurt. Omdat de heat consumption de basis vormt voor het vaststellen van de HAL zou een verlaagde warmte inname (bij gelijkblijvende productie) tgv efficiëntere operatie kunnen betekenen dat de allocatie hierdoor nog verder verlaagd wordt (overigens was dat volgens de guidelines onder de huidige directive niet de bedoeling maar vraag is hoe hier rekening mee wordt gehouden voor volgende periode).

De aanscherping van de benchmark met 1.5% per jaar is in onze ogen zeer fors en een van de vragen is of er voldoende biomassa is om de CO2 uitstoot voor warmte opwekking met dit percentage te verlagen in heel Europa.

Groeten [redacted]

Met vriendelijke groet,

[redacted]
[redacted]

Vereniging van de Nederlandse Chemische Industrie | www.vnci.nl

[redacted]@vnci.nl | T 070 [redacted] | F 070 [redacted] | M 06 [redacted]

Loire 150, 2491 AK Den Haag | Postbus 443, 2260 AK Leidschendam



Van: [redacted] - DGMI [[mailto:\[redacted\]@minienm.nl](mailto:[redacted]@minienm.nl)]

Verzonden: maandag 13 februari 2017 14:42

Aan: [redacted]@vemw.nl>; [redacted] (VNCI) [redacted]@vnci.nl>; [redacted]
[redacted]@energie-nederland.nl>; [redacted]@tatasteel.com; '[redacted]'
[redacted]@minez.nl>; [redacted] <[redacted]@vnoncw-mkb.nl>

Onderwerp: Plannen volgend Pijler 5 overleg

Beste allen,

Samen met [redacted] probeer ik op redelijk korte termijn nog een pijler 5 overleg te plannen.
Wil je ons helpen door via onderstaande link jouw beschikbaarheid weer te geven?

<https://datumprikker.nl/pkx8vi9pjz99this>

Naast herziening ETS in EP en Raad, ook op de agenda: mogelijkheden voor Europese kopgroep ETS en indirect kostencompensatie.

[redacted]

Dit bericht kan informatie bevatten die niet voor u is bestemd. Indien u niet de geadresseerde bent of dit bericht abusievelijk aan u is toegezonden, wordt u verzocht dat aan de afzender te melden en het bericht te verwijderen. De Staat aanvaardt geen aansprakelijkheid voor schade, van welke aard ook, die verband houdt met risico's verbonden aan het elektronisch verzenden van berichten.

This message may contain information that is not intended for you. If you are not the addressee or if this message was sent to you by mistake, you are requested to inform the sender and delete the message. The State accepts no liability for damage of any kind resulting from the risks inherent in the electronic transmission of messages.

Van: [redacted]
Verzonden: vrijdag 13 oktober 2017 15:11
Aan: [redacted]; [redacted]
CC: [redacted]
Onderwerp: RE: reacties VNCI op concept rapport evaluatie subsidieregeling indirecte kosten ES

Hoi [redacted]

Zie hieronder de reactie van SEO op de feitelijkheden. Dit wordt in rapport nog aangepast. Punt over monitoring zal ik nog met SEO bespreken.

mvg

Dag [redacted]

Een korte reactie:

Eerste punt: Waarom Unilever als voorbeeld? Ik heb in de presentatie gezegd dat de bron van de controlegroep goed beschreven is het CBS/NEA project Datakoppeling ETS-bedrijven. Dit rapport is hier in te zien <https://www.cbs.nl/nl-nl/achtergrond/2016/49/datakoppeling-ets-bedrijven> Wellicht kunnen we [redacted] daar nog op wijzen.

Vervolgens zijn we zelf nog aan de slag gegaan om branchevreemde bedrijven uit de controlegroep te halen. Blijft over een set industriële bedrijven die gemiddeld genomen goed vergelijkbaar is. Of Unilever daar tussen zit is niet interessant. (Indien wel: dan heeft Unilever een ETS vergunning en een hoog energieverbruik en is de vergelijking met de treatment groep relevant).

Tweede punt: Opmerking lijkt me terecht, dat moet ik controleren en eventueel aanpassen.

Derde punt: eens met jouw conclusie.

Maandag bellen is prima. Ik ben de hele dag goed bereikbaar.

Prettig weekend!

Groet [redacted]

Van: [redacted]
Verzonden: donderdag 12 oktober 2017 17:11
Aan: [redacted]; [redacted]
CC: [redacted]
Onderwerp: RE: reacties VNCI op concept rapport evaluatie subsidieregeling indirecte kosten ES

Hoi [redacted]

De nieuwe versie van het rapport even gecheckt en het klopt dat ze alleen punt 2 van de aanvullende adviezen hebben verwerkt en punt 3 van de feitelijkheden lijkt nu wat ruimer opgeschreven, dus wel handig als ze even toelichten waarom ze de andere punten niet hebben verwerkt. Ik zou in ieder geval wel een toelichting vragen op de eerste 2 feitelijkheden. Ook vraag ik me af wat hun toelichting is op punt 3 onder aanvullende adviezen. Pijler 5 deed de suggesties dat hier obv de monitoring rapportage iets over te zeggen moet zijn. Ik weet niet op welke monitoring rapportage wordt gedoeld maar zou ze wel vragen of ze dit gedaan hebben zo nee, waarom dit niet lukt. Dan kunnen we dit in ieder geval terugkoppelen aan pijler 5.

Dank vast!

Groet,

Van: [redacted]

Verzonden: dinsdag 10 oktober 2017 22:17

Aan: [redacted]; [redacted]

CC: [redacted]

Onderwerp: FW: reacties VNCI op concept rapport evaluatie subsidieregeling indirecte kosten ES

Hoi [redacted] en [redacted]

Ik heb de opmerkingen van [redacted] op het concept rapport over de subsidieregeling ETS nog doorgestuurd naar SEO. Zie bijgevoegde reactie hierop van SEO. Hebben jullie naar aanleiding hiervan nog aanvullende punten die SEO [redacted] Kunnen jullie mij hier donderdag over berichten? Dan wil ik [redacted] van SEO bellen, [redacted]

Van: [redacted] [mailto:[redacted]@seo.nl]

Verzonden: dinsdag 10 oktober 2017 15:25

Aan: [redacted]

Onderwerp: RE: reacties VNCI op concept rapport evaluatie subsidieregeling indirecte kosten ES

Dag [redacted]

Ik probeer je net te bellen, maar krijg geen gehoor. Punt 2 uit de reactie van [redacted] heb ik verwerkt. Wil je nog bellen over de andere punten?

Groet [redacted]

Van: [redacted] [mailto:[redacted]@minez.nl]

Verzonden: vrijdag 6 oktober 2017 14:58

Aan: [redacted] [mailto:[redacted]@seo.nl]>

Onderwerp: FW: reacties VNCI op concept rapport evaluatie subsidieregeling indirecte kosten ES

Hallo [redacted]

Zie bijgevoegde reactie van [redacted], mogelijk volgen er nog meer (kan nog tot 17 uur). Ik verwacht niet dat het storm gaat lopen (overigens dat doet het nu wel in Groningen..).

Ik ben benieuwd wat jij van de feitelijkheden vindt. [redacted]

T.a.v. de aanvullende adviezen; de eerste twee adviezen hebben wij eerder meegegeven (1^e advies expliciet en 2^e advies hadden we ook gezegd dat deze constatering niet uit de data volgt maar alleen uit de interviews) en ik kan me dus indenken dat [redacted]

Ik stel voor dat we maandag even bellen om de laatste punten te bespreken.

Mvg

Van: (VNCI) [mailto: @vnci.nl]

Verzonden: donderdag 5 oktober 2017 15:24

Aan:)

CC:); " "; @tatasteel.com"; " "; " "; " "; " - DGMI"; " "; " "; " "

Onderwerp: reacties VNCI op concept rapport evaluatie subsidieregeling indirecte kosten ES

Beste)

Dank voor hoe jullie ons in Pijler 5 mee hebben laten kijken/denken in de evaluatie en nu de mogelijkheid nog even mee te kunnen lezen/reageren, heel fijn! Zoals vanochtend ook in pijler 5 overleg aangegeven zouden we graag ook meekijken naar de aanbiedingsbrief vanuit EZ, waarbij het absoluut duidelijk is dat jullie de afzender zijn maar we graag meedenken in wat dat betekent qua boodschap die je de TK meegeeft.

Als ik onze reactie onderverdeel in feitelijkheden en (ongevraagde ☺ maar wel gemeente) aanvullende adviezen:

Feitelijkheden:

- P.27, ik had die vraag ook gesteld in de vergadering van 20 september, hoe weet je nu dat je geen Unilever achtige bedrijven of een autofabrikant in je referentiebestand heb zitten, als er ook een inhoudelijke check gedaan is zou ik dat ook opschrijven
- Op blz 28 wordt gesteld dat de steun in Spanje net als in Nederland gebaseerd is op het daadwerkelijk energiegebruik maar in NL is de steun gebaseerd op de referentie waarde en wordt alleen aangepast als daadwerkelijk gebruik < 50% referentie waarde
- In het rapport wordt meerdere malen genoemd dat de indirecte kosten regeling het resultaat is van het energieakkoord. "De Nederlandse regeling komt voort uit afspraken uit het Energieakkoord voor duurzame groei (2013)." Feitelijk is het zo dat we de compensatieregeling al ugeschreven hadden toen ten tijde van het Energieakkoord de TK 'gevraagd' (geëist) heeft om een voorwaarde te stellen aan het kunnen krijgen van compensatie, namelijk deelname aan MJA3 of MEE convenant. Dat is toen in het energieakkoord vastgelegd.

Aanvullende adviezen:

- De econometrische analyse vind ik lastig maar ik kan me wel vinden in de eindconclusie. Als de analyse dat ondersteunt is dat goed
- Tav de observatie dat de koppeling nauwelijks heeft geleid tot extra deelnemers aan de convenanten vraag ik me af hoe groot de groep is die voor de compensatie in aanmerking komt en nog geen deelnemer was aan het convenant
- Tav de verwachting dat het energieverbruik zou stijgen bij de gebruikers tgv gestegen omzet maar dit in de praktijk niet zo is maar dat er te weinig data is om te concluderen dat de energie efficiëntie is verbeterd... Het lijkt me dat hier obv de monitoring rapportage iets over te zeggen moet zijn. Overigens is verbruik en energiekosten niet gelijk, het is niet duidelijk wat de invloed is van verandering in kosten (prijs) van energie
- Tav de aanbeveling om de regeling dynamischer te maken en compensatie te verstrekken voor productie groei.... Dit is in principe positief maar verhoogt ook voor bedrijven de admin lasten. Voor producten waarvoor geen benchmark waarde is en de compensatie gebaseerd wordt op het daadwerkelijk elektriciteitsverbruik is wel de vraag hoe dan omgegaan wordt met een verminderd verbruik t.g.v. verhoogde efficiëntie. Verder zal bij toenemende elektrificatie van processen een verschuiving kunnen optreden van allocatie van vrije rechten naar financiële compensatie (tgv correctiefactor PBM voor elektriciteitsgebruik). Die moet dan wel gelijke tred houden, betekent ook dat er liefst dezelfde jaren gebruikt moeten worden voor dynamische allocatie. Ook van belang om in geval van een minimum CO2 prijs deze prijs te hanteren voor compensatie
- Tav aanbeveling om bedrijfstoets in te voeren voor vaststellen carbon leakage risico individueel bedrijf.... Naast dat dit de admin lasten verhoogt en de regeling minder voorspelbaar maakt (wat op zich al risico op CL verhoogt) is ook de vraag of de toets op bedrijfsniveau of op productniveau binnen bedrijf wordt gedaan. Indien op bedrijfsniveau wordt resultaat beïnvloed door product portfolio. Dat laatste lijkt me niet de bedoeling....

Groeten [redacted]

Met vriendelijke groet,

[redacted]
Hoofd Energie en Klimaat

Vereniging van de Nederlandse Chemische Industrie | www.vnci.nl

[redacted]@vnci.nl | T 070 [redacted] | F 070 [redacted] | M 06 [redacted]

Loire 150, 2491 AK Den Haag | Postbus 443, 2260 AK Leidschendam



Responsible Care

25 jaar in Nederland

Dit bericht kan informatie bevatten die niet voor u is bestemd. Indien u niet de geadresseerde bent of dit bericht abusievelijk aan u is gezonden, wordt u verzocht dat aan de afzender te melden en het bericht te verwijderen.

De Staat aanvaardt geen aansprakelijkheid voor schade, van welke aard ook, die verband houdt met risico's verbonden aan het elektronisch verzenden van berichten.

This message may contain information that is not intended for you. If you are not the addressee or if this message was sent to you by mistake, you are requested to inform the sender and delete the message.

The State accepts no liability for damage of any kind resulting from the risks inherent in the electronic transmission of messages.

[REDACTED]

Van: [REDACTED] <[REDACTED]@vnoncw-mkb.nl>
Verzonden: donderdag 2 februari 2017 13:55
Aan: [REDACTED]
CC: [REDACTED]
Onderwerp: RE: Tweede Kamer en indirecte kosten ETS

Dag [REDACTED]

Dat is een goede vraag; dat heb ik niet scherp op het netvlies. Volgens mij is er nog niets gepland.

Ik heb [REDACTED] van EZ in de CC van deze e-mail opgenomen. [REDACTED] heb jij hier wellicht zicht op?

Hartelijke groet,

[REDACTED]
[REDACTED]
Secretaris Energie & Klimaat
VNO-NCW MKB-Nederland

E: [REDACTED]@vnoncw-mkb.nl

T: +31 (0)70 [REDACTED]

M: +31 6 [REDACTED]

Website: www.vno-ncw.nl – www.mkb.nl

Van: [REDACTED] [mailto:[REDACTED]@akzonobel.com]

Verzonden: donderdag 2 februari 2017 09:15

Aan: [REDACTED]

Onderwerp: Tweede Kamer en indirecte kosten ETS

Hoi [REDACTED]

Gisteren stuurde je die brief van [REDACTED] toe die o.a. ingaat op de indirecte kosten ETS. Uit de brief maak ik op dat de TK zich er ook over kan uitlaten. Heb jij inzicht wanneer een overleg is gepland met de TK waar dit ter sprake komt?

Groet, [REDACTED]

Van: [REDACTED] (VNCI) <[REDACTED]@vnci.nl>

Verzonden: donderdag 5 oktober 2017 15:24

Aan: [REDACTED]

CC: [REDACTED]; [REDACTED]; [REDACTED]@tatasteel.com'; [REDACTED]
[REDACTED]; [REDACTED] - DGMI; [REDACTED]

Onderwerp: reacties VNCI op concept rapport evaluatie subsidieregeling indirecte kosten ES

Beste [REDACTED]

Dank voor hoe jullie ons in Pijler 5 mee hebben laten kijken/denken in de evaluatie en nu de mogelijkheid nog even mee te kunnen lezen/reageren, heel fijn! Zoals vanochtend ook in pijler 5 overleg aangegeven zouden we graag ook meekijken naar de aanbiedingsbrief vanuit EZ, waarbij het absoluut duidelijk is dat jullie de afzender zijn maar we graag meedenken in wat dat betekent qua boodschap die je de TK meegeeft.

Als ik onze reactie onderverdeel in feitelijkheden en (ongevraagde ☺ maar wel gemeente) aanvullende adviezen:

Feitelijkheden:

- P.27, ik had die vraag ook gesteld in de vergadering van 20 september, hoe weet je nu dat je geen Unilever achtige bedrijven of een autofabrikant in je referentiebestand heb zitten, als er ook een inhoudelijke check gedaan is zou ik dat ook opschrijven
- Op blz 28 wordt gesteld dat de steun in Spanje net als in Nederland gebaseerd is op het daadwerkelijk energiegebruik maar in NL is de steun gebaseerd op de referentie waarde en wordt alleen aangepast als daadwerkelijk gebruik < 50% referentie waarde
- In het rapport wordt meerdere malen genoemd dat de indirecte kosten regeling het resultaat is van het energieakkoord. "De Nederlandse regeling komt voort uit afspraken uit het Energieakkoord voor duurzame groei (2013)." Feitelijk is het zo dat we de compensatieregeling al ugeschreven hadden toen ten tijde van het Energieakkoord de TK 'gevraagd' (geëist) heeft om een voorwaarde te stellen aan het kunnen krijgen van compensatie, namelijk deelname aan MJA3 of MEE convenant. Dat is toen in het energieakkoord vastgelegd.

Aanvullende adviezen:

- De econometrische analyse vind ik lastig maar ik kan me wel vinden in de eindconclusie. Als de analyse dat ondersteunt is dat goed
- Tav de observatie dat de koppeling nauwelijks heeft geleid tot extra deelnemers aan de convenanten vraag ik me af hoe groot de groep is die voor de compensatie in aanmerking komt en nog geen deelnemer was aan het convenant
- Tav de verwachting dat het energieverbruik zou stijgen bij de gebruikers tgv gestegen omzet maar dit in de praktijk niet zo is maar dat er te weinig data is om te concluderen dat de energie efficiëntie is verbeterd... Het lijkt me dat hier obv de monitoring rapportage iets over te zeggen moet zijn. Overigens is verbruik en energiekosten niet gelijk, het is niet duidelijk wat de invloed is van verandering in kosten (prijs) van energie
- Tav de aanbeveling om de regeling dynamischer te maken en compensatie te verstrekken voor productie groei.... Dit is in principe positief maar verhoogt ook voor bedrijven de admin lasten. Voor producten waarvoor geen benchmark waarde is en de compensatie gebaseerd wordt op het daadwerkelijk elektriciteitsverbruik is wel de vraag hoe dan omgegaan wordt met een verminderd verbruik t.g.v. verhoogde efficiëntie. Verder zal bij toenemende elektrificatie van processen een verschuiving kunnen optreden van allocatie van vrije rechten naar financiële compensatie (tgv correctiefactor PBM voor elektriciteitsgebruik). Die moet dan wel gelijke tred houden, betekent ook dat er liefst dezelfde jaren gebruikt moeten worden voor dynamische allocatie. Ook van belang om in geval van een minimum CO2 prijs deze prijs te hanteren voor compensatie
- Tav aanbeveling om bedrijfstoets in te voeren voor vaststellen carbon leakage risico individueel bedrijf..... Naast dat dit de admin lasten verhoogt en de regeling minder voorspelbaar maakt (wat op zich al risico op CL verhoogt) is ook de vraag of de toets op bedrijfsniveau of op productniveau binnen bedrijf wordt gedaan.

Indien op bedrijfsniveau wordt resultaat beïnvloed door product portfolio. Dat laatste lijkt me niet de bedoeling.....

Groeten [redacted]

Met vriendelijke groet,

[redacted]

Hoofd Energie en Klimaat

Vereniging van de Nederlandse Chemische Industrie | www.vnci.nl

[redacted]@vnci.nl | T 070 [redacted] | F 070 [redacted] | M 06 [redacted]

Loire 150, 2491 AK Den Haag | Postbus 443, 2260 AK Leidschendam



Van: [redacted] (VNCI) <[redacted]@vnci.nl>

Verzonden: donderdag 6 oktober 2016 9:24

Aan: [redacted]; 'I [redacted] - DGMI'; 'I [redacted]; 'I [redacted]
[redacted] 'I [redacted] 'I [redacted]
(I [redacted]@vnncw-mkb.nl); [redacted] - DGMI

Onderwerp: ter info, bijeenkomst Duitsland

Beste pijler 5 collega's,

Ter informatie de bijeenkomst waar ik via mijn Duitse collega's over geïnformeerd ben. [redacted] staat in ieder geval op het podium en kan ons structureel verbeterpakket daar voor de bühne brengen en ons terugkoppelen.

Groeten [redacted]

Met vriendelijke groet,

[redacted]
Hoofd Energie en Klimaat

Vereniging van de Nederlandse Chemische Industrie | www.vnci.nl

[redacted]@vnci.nl | T 070 [redacted] | F 070 [redacted] | M 06 [redacted]

Loire 150, 2491 AK Den Haag | Postbus 443, 2260 AK Leidschendam



Von: Embassy of the Kingdom of the Netherlands, Berlin [[mailto:\[redacted\]@minbuza.nl](mailto:[redacted]@minbuza.nl)]

Gesendet: Mittwoch, 21. September 2016 10:47

An: [redacted]

Betreff: Einladung zu Diskussionsveranstaltung zur EU-ETS-Reform in der Niederländischen Botschaft



Sehr geehrter Herr [REDACTED]
die Botschaft des Königreichs der Niederlande und der Verband der Industriellen Energie- und Kraftwirtschaft e.V. (VIK) laden Sie herzlich ein zu der Veranstaltung

„Der reformierte Emissionshandel – zwischen Ambition und Wachstum“

am **Mittwoch, dem 12. Oktober 2016** von **15:00 bis 17:30 Uhr**
in der Botschaft des Königreichs der Niederlande (Klosterstraße 50, 10179 Berlin).

Anlass für die Veranstaltung ist die Reform des ‚EU Emission Trading System‘ (ETS), die derzeit in Brüssel für die Zeit nach 2020 verhandelt wird. Dem ETS wird eine zentrale Rolle bei der Reduzierung von CO₂-Emissionen zugeschrieben. Sowohl Deutschland („Klimaschutzplan 2050“) als auch die Niederlande („Energieakkoord“) entwickeln darüber hinaus auf nationaler Ebene Strategien, die einen substanziellen Beitrag zur Umsetzung des europäischen Reduktionsziels von 80-95% bis 2050 liefern sollen.

Der reformierte europäische Emissionshandel wird großen Einfluss auf die Wirtschaft haben. Das legen auch die Ergebnisse der im August vom VIK veröffentlichten Studie „Kostenbelastungen für die Industrie durch die Reform des EU-Emissionshandels – anlagenspezifische Fallbeispiele“ nahe, auf die der VIK während der Veranstaltung unter anderem eingehen wird.

Welche Maßnahmen sind erforderlich, um das bestehende ETS effizient und effektiv auszugestalten? Wie kann das ETS Innovationen zur Reduzierung des CO₂-Ausstoßes stimulieren? Welchen Beitrag kann und muss die Industrie hierbei leisten? Wie kann dabei die Wettbewerbsfähigkeit der unter das ETS fallenden Branchen, Sektoren und Teilsektoren erhalten werden? Kann und sollte das europäische System verknüpft werden mit anderen Emissionshandelssystemen? Diese und weitere Fragen möchten wir mit Ihnen und unseren Gesprächspartnern diskutieren.

Wir bitten um Ihre [Anmeldung über diesen Link](#)* bis zum 7. Oktober und würden uns freuen, Sie am 12. Oktober 2016 in der niederländischen Botschaft begrüßen zu dürfen.

Mit freundlichen Grüßen



Botschafterin
des Königreichs der Niederlande



Geschäftsführerin
Verband der Industriellen Energie- und
Kraftwirtschaft e.V.



Königreich der Niederlande



Energie für die Industrie

**Die Teilnehmerzahl ist begrenzt. Etwa eine Woche vor der Veranstaltung erhalten Sie eine Anmeldebestätigung. Ohne vorherige Anmeldung ist eine Teilnahme leider nicht möglich.*

Bei Rückfragen wenden Sie sich bitte an das Sekretariat der Wirtschaftsabteilung:

T: 030 20956-214

E: bln-event@minbuza.nl

Programm:

- | | |
|-------|--|
| 15:00 | Einlass und Registrierung |
| 15:30 | Begrüßung |
| | [REDACTED] Botschafterin des Königreichs der Niederlande |
| | Vortrag |
| | Frau [REDACTED], Geschäftsführerin VIK |
| | Vortrag |
| | Herr [REDACTED], Vereniging voor Energie, Milieu en Water (VEMW) |

Podiumsdiskussion mit

- [REDACTED], VIK
- [REDACTED] VEMW
- n.n. Bundesministerium für Umwelt
- [REDACTED], FutureCamp

Moderation: [REDACTED], Handelsblatt

17:30

Buffet/Empfang/Drinks

This message may contain information that is not intended for you. If you are not the addressee or if this message was sent to you by mistake, you are requested to inform the sender and delete the message. The State accepts no liability for damage of any kind resulting from the risks inherent in the electronic transmission of messages.

Van: [redacted]
Verzonden: vrijdag 27 oktober 2017 12:03
Aan: [redacted]
Onderwerp: RE: Electric Glass Fiber (EGF), ETS

Hoi [redacted] ja, ik zal reageren. Is mij compleet onduidelijk wat ze bedoelen willen, maar komt goed.
Groet, [redacted]

Van: [redacted]
Verzonden: vrijdag 27 oktober 2017 11:56
Aan: [redacted]
Onderwerp: RE: Electric Glass Fiber (EGF), ETS

Hee [redacted]

Dit gaat over compensatie indirect voor ETS, begrijp ik uit de verwijzing onderaan. Pak jij dit op? In tegenstelling tot hun interne mailwisseling, weet ik hier eigenlijk niets van. Zou ook even met [redacted] afstemmen.

Groeten,

Van: [redacted]
Verzonden: vrijdag 27 oktober 2017 10:52
Aan: [redacted]
Onderwerp: Fwd: Electric Glass Fiber (EGF), ETS

Geachte heer [redacted]

Omdat bleek dat het e mail adres niet juist was, stuur ik het bericht over EGF en ETS nogmaals.

Bij voorbaat dank voor uw medewerking,

Met vriendelijke groet,

Verstuurd vanaf mijn iPad

[redacted]
Senior Project Manager

NETHERLANDS FOREIGN INVESTMENT AGENCY

Prinses Beatrixlaan 2 | [2595 AL The Hague](#) | Netherlands

E [\[redacted\]@nfia.nl](#) O +31 [redacted] M +31 6 [redacted]

[Invest in Holland](#) | [Twitter](#) | [LinkedIn](#) | [NFIA on LinkedIn](#)



Begin doorgestuurd bericht:

Van: "[REDACTED]" <[REDACTED]@arvo.nl>

Datum: 27 oktober 2017 10:18:41 CEST

Aan: [REDACTED]@minez.nl" [REDACTED]@minez.nl>, "
<[REDACTED]@minez.nl>

Onderwerp: Electric Glass Fiber (EGF), ETS

Geachte heer geachte mevrouw

Uw namen zijn via [REDACTED] verkregen, en de reden van contact is het volgende:

NFLA is betrokken bij een groot uitbreidingsproject van het bedrijf Electric Glass Fiber BV (EGF) in de provincie Groningen. [REDACTED]

[illegible]

8~

KPMG heeft EGF gewezen op de ETS en vragen zich af of er op dit gebied mogelijkheden zijn. Wij hebben contact opgenomen met [REDACTED] voor aanvullende info en die heeft ons, zoals uit hieronder kan worden geconcludeerd, jullie namen gegeven.

Julie input omtrent de (on)mogelijkheden voor de ETS in deze wordt bijzonder op prijs gesteld, alvast veel dank daarvoor.

Met vriendelijke groet,

Verstuurd vanaf mijn iPad

Senior Project Manager

NETHERLANDS FOREIGN INVESTMENT AGENCY

Prinses Beatrixlaan 2 | [2595 AL The Hague](#) | Netherlands

[@nfia.nl](#) O +31 [M +31](#)

[Invest in Holland](#) | [Twitter](#) | [LinkedIn](#) | [NFIA on LinkedIn](#)



Begin doorgestuurd bericht:

Van: "[redacted]" <[@rvo.nl](#)>

Datum: 27 oktober 2017 09:34:46 CEST

Aan: "[@nfia.nl](#)" <[@nfia.nl](#)>

Onderwerp: Doorst.: EGF: concept VSO Innovatiebox

Kan jij hier achteraan? EGF heeft er spoed mee

With kind regards

Director Investment Projects

NFIA

[@nfia.nl](#) <[mailto: @nfia.nl](#)>

Verstuurd vanaf mijn iPhone

Begin doorgestuurd bericht:

Van: "[redacted]"

<[@minez.nl](#) <[mailto: @minez.nl](#)>>

Datum: 27 oktober 2017 om 09:30:24 CEST

Aan: "[redacted]"

<[@rvo.nl](#) <[mailto: @rvo.nl](#)>>, "[redacted]"

([@minez.nl](#) <[mailto: @minez.nl](#)>>

Kopie: "[redacted]"

<[@minez.nl](#) <[mailto: @minez.nl](#)>>

Onderwerp: Antw.: EGF: concept VSO Innovatiebox

ETS (subsidiekosten indirecte emissiekosten) betreft een achteraf compensatie voor hogere elektriciteitskosten voor grootverbruikers.

“ETS (Emissions Trading Scheme) moet oneerlijke concurrentie met

buurlanden voorkomen. Daar gelden geen hogere elektriciteitsprijzen door CO2-kosten. Nederlandse elektriciteitsgrootverbruikers kunnen deze extra kosten niet doorberekenen in hun productprijzen zonder aanzienlijk verlies van marktaandeel. De regeling valt onder de Regeling nationale EZ-subsidies (RNES)."

Zie <https://www.rvo.nl/subsidies-regelingen/subsidieregeling-indirecte-emissiekosten-ets> voor budget, voorwaarden, enz.

Bij EZ weten [redacted] en [redacted] er alles van. RVO voert de regeling uit, dus daar zou je ook kunnen zoeken.

Groeten [redacted]

Van: [redacted]
Verzonden: donderdag 26 oktober 2017 21:55
Aan: [redacted]
CC: [redacted]; [redacted]
Onderwerp: Re: EGF: concept VSO Innovatiebox

Go/no go 30 oktober, dus er is enige haast mee.

With kind regards

[redacted]
Director Investment Projects
NFIA

[redacted]@nfia.nl<mailto:[redacted]@nfia.nl>

Verstuurd vanaf mijn iPhone

Op 26 okt. 2017 om 19:50 heeft [redacted]
[redacted]@minez.nl<mailto:[redacted]@minez.nl>> het volgende
geschreven:

[redacted] Kan jij je licht hier over laten schijnen

Verstuurd vanaf mijn iPad

Begin doorgestuurd bericht:

Van: "[redacted]"
<[redacted]@rvo.nl<mailto:[redacted]@rvo.nl>>

Datum: 26 oktober 2017 om 16:07:45 CEST

Aan: "[redacted]"
<[redacted]@minez.nl<mailto:[redacted]@minez.nl>>, "[redacted]"
([redacted]@minez.nl<[redacted]@minez.nl>>

Kopie: "[redacted]"
<[redacted]@rvo.nl<mailto:[redacted]@rvo.nl>>

Onderwerp: Doorst.: EGF: concept VSO Innovatiebox
[redacted] gaat over ETS. Wie is daar vanuit EZ bij betrokken geweest?

With kind regards

[redacted]
Director Investment Projects
Netherlands Foreign Investment Agency
+316 [redacted]

Begin doorgestuurd bericht:

Van: [redacted]
<[redacted]@negeurope.com<mailto:[redacted]@negeurope.com>>
Datum: 26 oktober 2017 15:59:54 CEST
Aan: "[redacted]"
<[redacted]@rvo.nl<mailto:[redacted]@rvo.nl>>
Kopie: "[redacted]"
<[redacted]@rvo.nl<mailto:[redacted]@rvo.nl>>
Onderwerp: FW: EGF: concept VSO Innovatiebox
[redacted] ik hoop dat er wel iets overblijft...

From: [redacted] [mailto:[redacted]@kpmg.com]
Sent: donderdag 26 oktober 2017 15:04
To: [redacted]
[redacted]@negeurope.com<mailto:[redacted]@negeurope.com>>
Cc: [redacted]
<[redacted]@negeurope.com<mailto:[redacted]@negeurope.com>>
Subject: FW: EGF: concept VSO Innovatiebox

Goedemiddag [redacted]

[redacted]
[redacted] Ik zag zojuist berichtgeving omtrent een subsidie aan
[redacted] Is het wellicht een idee om ministerie van Economische Zaken te
benaderen via bijvoorbeeld [redacted]?

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

• *Journal of Management Education* 32(10):1039-1050

[illegible]

[illegible]

[REDACTED]

1. *Journal of the American Medical Association*, 2000; 284: 2689-2695.

Age Group	Percentage (%)
18-24	10
25-34	25
35-44	20
45-54	15
55-64	10
65-74	5
75-84	2
85+	1

[illegible]

Country	Year	Value
China	2000	1.00
China	2001	1.00
China	2002	1.00
China	2003	1.00
China	2004	1.00
China	2005	1.00
China	2006	1.00
China	2007	1.00
China	2008	1.00
China	2009	1.00
China	2010	1.00
China	2011	1.00
China	2012	1.00
China	2013	1.00
China	2014	1.00
China	2015	1.00
China	2016	1.00
China	2017	1.00
China	2018	1.00
China	2019	1.00
China	2020	1.00
China	2021	1.00
China	2022	1.00
China	2023	1.00
China	2024	1.00
China	2025	1.00
China	2026	1.00
China	2027	1.00
China	2028	1.00
China	2029	1.00
China	2030	1.00
China	2031	1.00
China	2032	1.00
China	2033	1.00
China	2034	1.00
China	2035	1.00
China	2036	1.00
China	2037	1.00
China	2038	1.00
China	2039	1.00
China	2040	1.00
China	2041	1.00
China	2042	1.00
China	2043	1.00
China	2044	1.00
China	2045	1.00
China	2046	1.00
China	2047	1.00
China	2048	1.00
China	2049	1.00
China	2050	1.00
China	2051	1.00
China	2052	1.00
China	2053	1.00
China	2054	1.00
China	2055	1.00
China	2056	1.00
China	2057	1.00
China	2058	1.00
China	2059	1.00
China	2060	1.00
China	2061	1.00
China	2062	1.00
China	2063	1.00
China	2064	1.00
China	2065	1.00
China	2066	1.00
China	2067	1.00
China	2068	1.00
China	2069	1.00
China	2070	1.00
China	2071	1.00
China	2072	1.00
China	2073	1.00
China	2074	1.00
China	2075	1.00
China	2076	1.00
China	2077	1.00
China	2078	1.00
China	2079	1.00
China	2080	1.00
China	2081	1.00
China	2082	1.00
China	2083	1.00
China	2084	1.00
China	2085	1.00
China	2086	1.00
China	2087	1.00
China	2088	1.00
China	2089	1.00
China	2090	1.00
China	2091	1.00
China	2092	1.00
China	2093	1.00
China	2094	1.00
China	2095	1.00
China	2096	1.00
China	2097	1.00
China	2098	1.00
China	2099	1.00
China	2100	1.00
China	2101	1.00
China	2102	1.00
China	2103	1.00
China	2104	1.00
China	2105	1.00
China	2106	1.00
China	2107	1.00
China	2108	1.00
China	2109	1.00
China	2110	1.00
China	2111	1.00
China	2112	1.00
China	2113	1.00
China	2114	1.00
China	2115	1.00
China	2116	1.00
China	2117	1.00
China	2118	1.00
China		







Van: [redacted] <[redacted]@statkraft.com>
Verzonden: vrijdag 15 december 2017 14:42
Aan: [redacted]
Onderwerp: EFET Comments on CEP for Energy Council of 18 December published
Bijlagen: EFET Briefing CEP_Council version of 13 December.pdf
Urgentie: Hoog

Hallo [redacted]

Met het oog op de bijeenkomst van de Raad van Ministers aanstaande maandag stuur ik je hierbij graag het commentaar van EFET op enkele punten uit de concept recast Electricity Directive en Regulation.

Ik hoop dat je hier nog naar kunt kijken. Uiteraard ben ik bereikbaar voor eventuele vragen.

Met vriendelijke groet

[redacted]
Head Advisor Market Policies & Regulatory Affairs

__ DIRECT +31 (0)20 [redacted]
__ MOBILE +31 (0) [redacted]
__ SWITCHBOARD +31 (0)20 [redacted]
__ FAX+31 (0)20 [redacted]

Statkraft Markets B.V.

Gustav Mahlerplein 100, 1082 MA, Amsterdam, The Netherlands

Chamber of Commerce: 33304386

www.statkraft.com

CONFIDENTIALITY NOTICE

The contents of this email are confidential to the ordinary user of the email address to which it was addressed and may also be privileged. If you are not the addressee of this email you may not copy, forward, disclose or otherwise use it or any part of it in any form whatsoever. If you have received this email in error please email the sender by replying to this message.

VERTRAULICHKEITSHINWEIS

Der Inhalt dieser Email ist vertraulich und ausschließlich für den Besitzer der genannten Email-Adresse bestimmt. Anderen Personen als dem Empfänger ist es nicht erlaubt, diese Email zu kopieren, weiterzuleiten, offenzulegen oder sie in irgendeiner Form oder Teilen zu verwenden. Sollten Sie diese Email irrtümlich erhalten haben, senden Sie diese bitte an den Absender zurück.

[Link zu den Angaben nach § 37a HGB.](#)

Van: [redacted] <[redacted]@vattenfall.com>
Verzonden: maandag 2 oktober 2017 15:27
Aan: [redacted]; [redacted]; [redacted]
CC: [redacted] (KPN)
Onderwerp: Input Vattenfall tav raads werkgroepen E-regulation
Bijlagen: Proposals for amending the Electricity Regulation_Vattenfall AB (June 20....docx; EU Electricity Regulation_Vattenfall position paper (June 2017).pdf

Geachte heren [redacted] en [redacted], beste [redacted], [redacted] en [redacted],

Het is alweer ruim een half jaar geleden dat we met jullie hebben gesproken over het 'Clean Energy Package'. Aangezien er binnenkort raads werkgroepen gepland staan voor de Electricity Regulation (19 en 26 oktober), was ik benieuwd of wij jullie nog van input kunnen voorzien, per e-mail of in de vorm van een gesprek?

Zie in de bijlagen onze eerder met jullie gedeelde positie en onze voorgestelde amendementen.

Met vriendelijke groet,

[redacted]
Senior Regulatory Advisor
Public & Regulatory Affairs - EU

VATTENFALL 

Hoekenrode 8, 1102 BR Amsterdam, the Netherlands

☎ +316 [redacted]

Vattenfall's Proposals for amending the Electricity Regulation

Amendment 1

Proposal for a regulation

Article 4 Paragraph 1

<i>Text proposed by the Commission</i>	<i>Amendment</i>
(1) All market participants <i>shall aim for system balance and shall</i> be financially responsible for imbalances they cause in the system.	(1) All market participants shall be financially responsible for imbalances they cause in the system.

Justification

We welcome the clear reference to that "All market participants shall be financially responsible for imbalances they cause in the system" but wish to clarify that the responsibility should only be an economic one. In principle a market party should not be obliged to aim for system balance, this is the task of a TSO. Therefore that sentence is obsolete and even confusing. Aiming for system balance could be interpreted as if a BRP has to focus more on system balance than on portfolio balance.

Vattenfall's Proposals for amending the Electricity Regulation

Amendment 2

Proposal for a regulation

Article 4 Paragraph 3

<i>Text proposed by the Commission</i>	<i>Amendment</i>
(3) From 1 January 2026, point (b) of paragraph 2 <i>shall apply only to generating installations using renewable energy sources or high-efficiency cogeneration with an installed electricity capacity of less than 250 kW.</i>	(3) From 1 January 2026, point (b) of paragraph 2 <i>should be fully phased out.</i>

Justification

Derogations for balance responsibility should be temporary with fixed deadlines. It could also be a fixed number of years after entry into force.

Vattenfall's Proposals for amending the Electricity Regulation

Amendment 3

Proposal for a regulation

Article 6 Paragraph 2c

<i>Text proposed by the Commission</i>	<i>Amendment</i>
(Day-ahead and intraday markets shall) (2c) maximise the opportunities for market participants to participate in cross- border trade as close as possible to real time across all bidding zones	(Day-ahead and intraday markets shall) (2c) maximise the opportunities for market participants to participate in cross- border trade <i>to adjust their portfolios to facilitate secure operation as early as possible after day ahead gate closure and</i> as close as possible to real time across all bidding zones

Justification

In order to maximize market participants opportunities for trading the regulation must also recognize the gate opening time, as early as possible, not only gate closure time (as late as possible). Otherwise there is a risk that intraday gate opening will be unnecessarily postponed which leads to inefficiencies and further uncertainty. This is especially relevant for the intraday market.

Vattenfall's Proposals for amending the Electricity Regulation

Amendment 4

Proposal for a regulation

Article 7 Paragraph 1

<i>Text proposed by the Commission</i>	<i>Amendment</i>
(1) Market operators shall allow market participants to trade energy as close to real time as possible and at least to the intraday cross-zonal gate closure time determined in accordance with Article 59 of Regulation (EU) 2015/1222.	(1) Market operators shall allow market participants to trade energy as close to real time as possible and at least to the intraday cross-zonal gate closure time determined in accordance with Article 59 of Regulation (EU) 2015/1222 and as early as possible after day ahead gate closure.

Justification

Current proposal overlooks the fact that there might be a gap between D-1 gate closure and the opening of Intraday trading, unless clear target and incentives exist to maximize the time available for trading adjustments to plans. The implementation process of the CACM guidelines, where all TSO have proposed to postpone intraday gate opening time to 22:00 may illustrate the risk of inefficient implementation.

Vattenfall's Proposals for amending the Electricity Regulation

Amendment 5

Proposal for a regulation

Article 8 Paragraph 1 Sentence 2

<i>Text proposed by the Commission</i>	<i>Amendment</i>
(1) In line with regulation (EU) 2016/1719, transmission system operators shall issue long-term transmission rights or have equivalent measures in place to allow for market participants, <i>in particular owners of generation facilities using renewable energies,</i> to hedge price risks across bidding zone borders.	(1) In line with regulation (EU) 2016/1719, transmission system operators shall issue long-term transmission rights or have equivalent measures in place to allow for market participants to hedge <i>and manage</i> price risks across bidding zone borders. <i>System operators should strive to issue transmission rights based on a maximum amount of capacity.</i>

Justification

All market participants should have the same possibilities (level playing field of utmost importance) to hedge price risks across bidding zone borders. In order to maximize hedging opportunities TSOs should issue the biggest amount of capacity possible.

Vattenfall's Proposals for amending the Electricity Regulation

Amendment 6

Proposal for a regulation

Article 12 Paragraph 2

<i>Text proposed by the Commission</i>	<i>Amendment</i>
(2) The resources curtailed or redispatched shall be selected amongst generation or demand facilities submitting offers for curtailment or redispatching using market-based mechanisms and be financially compensated. Non-market-based curtailment or redispatching of generation or redispatching of demand response shall only be used where no market-based alternative is available, where all available market-based resources have been used, <i>or where the number of generation or demand facilities available in the area where suitable generation or demand facilities for the provision of the service are located is too low to ensure effective competition.</i> The provision of market-based resources shall be open to all generation technologies, storage and demand response, including operators located in other Member States unless technically not feasible.	(2) The resources curtailed or redispatched shall be selected amongst generation or demand facilities submitting offers for curtailment or redispatching using market-based mechanisms and be financially compensated. Non-market-based curtailment or redispatching of generation or redispatching of demand response shall only be used <i>when operational security is in danger and</i> where no market-based alternative is available <i>or</i> where all available market-based resources have been used. <i>The respective TSO should disclose to the NRA and the market when this happens.</i> The provision of market-based resources shall be open to all generation technologies, storage and demand response, including operators located in other Member States unless technically not feasible.

Justification

The original text offers too much leeway from solving congestions in an efficient way. TSO should be more transparent about congestions and incentivized to promote competition as can be expected in their market facilitating role.

Vattenfall's Proposals for amending the Electricity Regulation

Amendment 7

Proposal for a regulation

Article 12 Paragraph 3 Sentence 1

<i>Text proposed by the Commission</i>	<i>Amendment</i>
(3) The responsible system operators shall report at least once per year to the competent regulatory authority on curtailment or downward redispatching of generating installations using renewable energies or high-efficiency cogeneration and on measures taken to reduce the need for such curtailment or downward redispatching in the future.	(3) The responsible system operators shall report at least once per year to the competent regulatory authority on curtailment or downward redispatching of generating installations and any use of non-market based methods. The report should include a motivation and outline of measures taken to reduce the need for such curtailment or downward redispatching in the future.

Justification

To increase transparency on measures taken, reporting should be carried out for all generating installations and include a statement for motivation.

Vattenfall's Proposals for amending the Electricity Regulation

Amendment 8

Proposal for a regulation

Article 12 New paragraph

<i>Text proposed by the Commission</i>	<i>Amendment</i>
	<i>(4) In case there have been non-market based curtailments as reported under Article 12 paragraph 3, the NRA should investigate and issue a recommendation how to solve these congestions in the future.</i>

Justification

Recommendations provided by national regulatory authorities (NRAs) supports in accomplishing the objectives of Article 12 paragraphs 1 and 2. It provides transparency on measures taken. It can enable the uptake of market-based mechanisms.

Vattenfall's Proposals for amending the Electricity Regulation

Amendment 9

Proposal for a regulation

Article 12 Paragraph 3 Sentence 2

<i>Text proposed by the Commission</i>	<i>Amendment</i>
(3) Curtailment or redispatching of renewable energies or high-efficiency cogeneration shall be subject to compensation pursuant to paragraph 6.	Delete

Justification

The proposed text by the Commission does not comply with Article 12 paragraph 1 of the proposed Electricity Regulation. All generation should be treated equal and subject to compensation if non-market based curtailment / downward redispatch is applied as outlined in Article 12 paragraph 6.

Vattenfall's Proposals for amending the Electricity Regulation

Amendment 10

Proposal for a regulation

Article 12 Paragraph 4 Subparagraph b

<i>Text proposed by the Commission</i>	<i>Amendment</i>
(4b) take appropriate grid and market- related operational measures in order to minimise the curtailment or downward redispatching of electricity produced from renewable energy sources or high-efficiency generation.	(4b) take appropriate grid and market- related operational measures in order to minimise the curtailment or downward redispatching of electricity generation.

Justification

The proposed text by the Commission does not comply with Article 12 paragraph 1 of the proposed Electricity Regulation. All generation is valuable and curtailment should be minimised whenever possible.

Vattenfall's Proposals for amending the Electricity Regulation

Amendment 11

Proposal for a regulation

Article 12 Paragraph 6

<i>Text proposed by the Commission</i>	<i>Amendment</i>
(6) Where non-market based curtailment or redispatching is used, it shall be subject to financial compensation by the system operator requesting the curtailment or redispatching to the owner of the curtailed or redispatched generation or demand facility. <i>Financial compensation shall at least be equal to the highest of the following elements:</i>	(6) Where non-market based curtailment or redispatching is used, it shall be subject to financial compensation by the system operator requesting the curtailment or redispatching to the owner of the curtailed or redispatched generation or demand facility. <i>The total impact of the curtailment or redispatching and any financial compensation shall result neither in a financial advantage nor disadvantage for the owner of the facility.</i>

<i>Text proposed by the Commission</i>	<i>Amendment</i>
<i>(a) additional operating cost caused by the curtailment or redispatching, such as additional fuel costs in case of upward redispatching, or backup heat provision in case of downward redispatching or curtailment of generating installations using high-efficiency cogeneration;</i>	delete

<i>Text proposed by the Commission</i>	<i>Amendment</i>
<i>(b) 90 % of the net revenues from the sale of electricity on the day-ahead market that the generating or demand facility would have generated without the curtailment or redispatching request. Where financial support is granted to generating or demand facilities based on the electricity volume generated or consumed, lost financial support shall be deemed part of the net revenues.</i>	delete

Justification

That compensation is granted for non-market based curtailment is important. The proposals risk an under-valuing of the loss of output. The motivation for subparagraphs (a) and (b) furthermore is not apparent and would not necessarily lead to better regulation on national level.

Vattenfall's Proposals for amending the Electricity Regulation

Amendment 12

Proposal for a regulation

Article 16 Paragraph 1 Sentence 2

<i>Text proposed by the Commission</i>	<i>Amendment</i>
(1) In particular, they shall be applied in a way which does not discriminate between production connected at the distribution level and production connected at the transmission level, either positively or negatively.	(1) In particular, they shall be applied in a way which does not discriminate between production connected <i>in different member states or</i> at the distribution level and production connected at the transmission level, either positively or negatively.

Justification

Lack of harmonised conditions for access to the internal market is the same as discrimination between different transmission grid users in the internal market.

Vattenfall's Proposals for amending the Electricity Regulation

Amendment 13

Proposal for a regulation

Article 16, Paragraph 2 Sentence 1

<i>Text proposed by the Commission</i>	<i>Amendment</i>
(2) Tariffs shall grant appropriate incentives to transmission and distribution system operators, over both the short and long term, to increase efficiencies, including energy efficiency, foster market integration and security of supply, and support investments and the related research activities.	Tariffs shall grant appropriate incentives to transmission and distribution system operators, over both the short and long term, to increase efficiencies, including energy efficiency, foster market integration and <i>the development of flexibility connected to the transmission grid and</i> security of supply, and support investments and the related research activities.

Justification

The structure of the transmission grid tariff applicable to grid users may have long term implications for investments in large scale flexibility on both the consumption and generation side of the energy system. Thus the transmission tariff structure must avoid a structure that targets the most price elastic grid users.

Vattenfall's Proposals for amending the Electricity Regulation

Amendment 14

Proposal for a regulation

Article 16, Paragraph 4 new subparagraph

<i>Text proposed by the Commission</i>	<i>Amendment</i>
	<i>(c) the impact on the development of flexibility in the supply system</i>

Justification

Charges for use of transmission network may increase the cost of energy transition if the incentive structure provided for adding additional flexibility is not properly taken into account. A concrete example would be capacity subscription fee placed on hydro producers in Sweden. The extra cost of an increased maximum capacity works as a disincentive to invest in extra flexibility with storage.

Vattenfall's Proposals for amending the Electricity Regulation

Amendment 15
Proposal for a regulation
Article 16, Paragraph 8

<i>Text proposed by the Commission</i>	<i>Amendment</i>
Regulatory authorities shall provide incentives to distribution system operators to procure services for the operation and development of their networks and integrate innovative solutions in the distribution systems .	Regulatory authorities shall provide incentives to distribution system operators for innovative solutions in the distribution network .
For that purpose regulatory authorities shall recognise as eligible and include all relevant costs in distribution tariffs and introduce performance targets in order to incentivise distribution system operators to raise efficiencies, including energy efficiency, in their networks.	For that purpose, regulatory authorities recognise all the costs of the distribution system operators for innovative solutions. These include, among others, research and development, pilot project implementation and the launch of new technologies, as well as service contracts, that network operators award for the operation and development of their networks. These costs are taken into account by the distribution network operators in the distribution tariffs.
	The regulatory systems give the distribution network operators incentives to raise efficiencies, including energy efficiency in their networks. The fundamental goal of innovative solutions is to improve efficiencies. In the development phase of innovation, on the other hand, no efficiency requirements apply.

Justification

The need for innovation in the distribution networks is rightly highlighted. Because DSOs are natural monopolies and regulated businesses, they have to develop these innovative concepts under a certain regulatory framework that incentivises them one way or another. Innovative solutions will be successful through the close cooperation between DSOs and service providers; they will not come from service providers or DSOs alone. We believe that DSOs need cost efficient incentives for R&D, piloting and the introduction of new technologies into the operation of the grid.

In order to ensure that DSOs are able to cover the costs for innovation, such proposal should be complemented by an explanation of what it is meant by "relevant costs" incurred by DSOs to achieve those principles. Regulators should acknowledge that innovative grids will necessarily invest in OPEX and CAPEX and that new technologies may not always be successful and fail. A regulation that burdens the risk of failure only on DSOs causes DSOs to avoid the risk of innovation. Therefore it is justified to share the risk of innovation and if needed recognize the costs of failed innovation, because in the end DSOs will also share the benefits of innovation with the customers.

NRAs should be flexible in choosing their regulatory tools as performance targets are only one possibility of many. In fact, most European NRAs already apply regulatory tools with the aim to raise efficiencies.

Vattenfall's Proposals for amending the Electricity Regulation

Amendment 16

Proposal for a regulation

Article 22, Paragraph 4

<i>Text proposed by the Commission</i>	<i>Amendment</i>
(4) The Agency may request changes to the approved proposal at any time. Within six months from the request, the ENTSO for Electricity shall submit to the Agency a draft of the proposed changes. Within a period of three months from the date of receipt of the draft, the Agency shall amend or approve the changes and publish it on its website.	(4) The Agency may request changes to the adopted proposal at any time. Within six months from the request, the ENTSO for Electricity shall submit to the Agency a draft of the proposed changes. Article 22 paragraph 2 shall apply. Within a period of three months from the date of receipt of the draft, the Agency shall amend or approve the changes and publish it on its website.

Justification

Prior to any changes to adopted proposals, the ENTSO for Electricity shall conduct consultation processes involving all relevant stakeholders. This is necessary as methodological changes can lead to significantly different outcomes. Transparency on the motivation for and changes as such is important to anticipate the implications.

Vattenfall's Proposals for amending the Electricity Regulation

Amendment 17

Proposal for a regulation

Article 34 subparagraph 1

<i>Text proposed by the Commission</i>	<i>Amendment</i>
	<i>(r) provide advice on grid projects to include in the regional investment plan</i>

Justification

By formally establishing the proposed task the ROC will be incentivized to develop and form a regional perspective on grid development. The ROC thereby will add a unique regional perspective to the national views of TSOs allowing for a well-informed decision on the regional investment plan.



Vattenfall's views on the proposal for a revised internal electricity market regulation

Vattenfall welcomes the Commission's intentions and proposals for the recast of the Electricity Regulation. The proposals made are sound and allow for further market integration with regional cooperation at its core. As intended markets are made fit for renewables, and renewables made fit for the market.

More focus on regions is the way forward - We welcome and support an increased focus on regional solutions, most notably in the form of:

- Establishment of regional operational centres for transmission networks: To emphasize the importance of regional system planning, Vattenfall proposes that Regional Operational Center's be given a formal advisory role in transmission investment planning for the region concerned (Article 34). The ROC thereby will add a unique regional perspective to the national views of TSOs allowing for a well-informed decision on the regional investment plan.
- Establishment of a regional process to evaluate the reliability of supply from a regional perspective (Article 18, Article 19): Regardless whether you (i) already have, (ii) intend to introduce or (iii) believe to do without a separate remuneration for ensuring security of supply - Vattenfall's vision is that the decision must be based on an objective method and assessment of the regional system's resource adequacy situation. This can be done on a pan-European level (Article 19), however, a regional assessment would also already be an improvement compared to today . In this context, we support that every country should be required to develop a reliability standard and a harmonized calculation methodology is developed. (Article 19,20)

Uphold the market, giving all players the same conditions

- Vattenfall is very positive about the Commission's proposal to limit the number of exemptions that have so far hampered the emergence of a fully functioning market. We welcome the proposed balancing responsibility for all market parties. Vattenfall believes that the Commission proposal should be further strengthened and set clear deadlines for any use of derogations from the general rules. (Article 4 and 12)
- We support the wording of Article 5 on balancing markets, and notably the principles of open and non-discriminatory access of all market participants. It should be safeguarded in the negotiation process.
- We support the key principle of using market-based mechanisms to determine a redispatch / curtailment order. With the option of non-market based measures remaining, transparency is needed on motivation and causes for these. The total impact of the non-market based curtailment or redispatching and any financial compensation shall result neither in a financial advantage nor disadvantage for the owner of the facility. (Article 12)

Trading opportunities need to be maximized - Proposals for the day-ahead and intraday market have a one-sided focus on gate closing times. In order to maximize market participants opportunities for trading the regulation must also recognize the gate opening time, as early as possible, not only gate closure time (as late as possible). Otherwise there is a risk that intraday gate opening will be unnecessarily postponed which leads to inefficiencies and further uncertainty. This is especially relevant for the intraday market. (Article 6, Article 7)

Harmonized transmission grid tariffs are a prerequisite for a common market - Vattenfall gives strong backing to the Commission's proposal to address the lack of sufficiently harmonized transmission grid tariffs and connection costs from which the internal market is still suffering. Vattenfall considers that the Commission's proposal should be supplemented with clear instructions for how to design transmission grid tariffs to maintain and develop flexibility in the supply system. (Article 16)

DSO entity should focus on topics with need for European regulation. Vattenfall welcomes the opportunity to cooperate in the development of new EU rules via a new DSO entity. The DSO entity should be given appropriate decision-making rights for the selection of the topics new network codes and concentrate on issues of paramount importance for the electricity and energy markets which require European regulations. The work and decision-making capacity of the DSO entity may be ensured by means of appropriate representation rules.

Main points that should be improved during the negotiation process

- **Balancing Responsibility (Article 4):** introducing clear end dates for derogations from balancing responsibility
- **Day-ahead & Intraday markets (Article 6, 7):** ensuring gate opening time as early as possible
- **Forward markets (Article 8):** allowing all market participants to hedge price risks and maximizing hedging opportunities
- **Redispatch & Curtailment (Article 12):** increasing transparency on non-market based curtailment / redispatch measures, ensuring same treatment of all generation sources and adequate compensation for non-market based measures
- **Network charges (Article 16):** aiming for harmonization of transmission grid tariffs between member states and developing transmission tariff structure that enables flexibility in the supply system; ensure regulatory framework for innovative solutions in the distribution network
- **Regional operational centres (Article 34):** giving a formal advisory role in transmission investment planning to Regional Operational Centres

Van: [redacted] <[redacted]@energie-nederland.nl>
Verzonden: maandag 9 oktober 2017 11:21
Aan: [redacted]
CC: [redacted]
Onderwerp: opmerkingen EV1
Bijlagen: richtlijn marktdesign RO.docx; ATT00001.htm; Voorstellen aanpassingen Clean Energy Package voor de retailmarkt.docx; ATT00002.htm

Hoi [redacted]

Zoals afgesproken hierbij onze bijdragen. Laat maar weten als je vragen hebt.

[redacted]


Voorstellen aanpassingen Clean Energy Package voor de retailmarkt

6 oktober 2017

Clean Energy Package - Market Design

	Standpunten Lets voorzitterschap voor Council (REV1)	Analyse amendementen Parlement Aanvullend op voorstellen van de rapporteur (ITRE)
Prijsregulering	Afzwakking van voorstel Cie – naar 10 jaar om aan te passen.	Uitfaseren prijsregulering, maar invoeren vangnet voor kwetsbare consumenten en energiearmoede.
Energiearmoede	Verbetering van het voorstel van de Cie – aan de lidstaat om over te besluiten.	Meestal uitbreidingen op het voorstel van de Cie en introductie sociale tarieven en verbod op afsluiten bij koude/hitte.
Dynamische prijzen	Aanpassing aan de feitelijke situatie: een slimme meter aanwezig en geen verplichting voor leverancier.	Geen vertrouwen dat dit in het voordeel is van de consument. Zware randvoorwaarden worden voorgesteld.
Factureren	Een kleine verbetering – duidelijkere definitie van 'informatie', maar onduidelijk wat nu op de nota moet en wat bij informatie hoort.	Veel aanvullende informatie op de energienota, inclusief recht om te switchen, optimale tarieven, etc. De hoeveelheid informatie wordt hiermee onhandelbaar.
Switchen	Geen duidelijke verbetering voor wat betreft het bewijzen van voordeel klant bij in rekening brengen opzegvergoeding.	Switchen in 24 uur (ongeacht slimme meter, verhouding met bedenktijd?).
GvO's	Op de energienota op productniveau; stroometiket leverancier en moedermaatschappij bij aanvullende informatie.	Toevoegen eisen aan informatie over additionaliteit, ook aan het stroometiket.
Datamanagement en dataformat	Verbetering door niet meer te verwijzen naar een Europees dataformat.	Houden grotendeels vast aan een Europees dataformat. Onduidelijke toevoegingen, versnelde of verlengde implementatie periode voor een nationaal of Europees dataformat.
Prijsvergelijkers	Acceptabele aanpassingen.	Extra eisen aan beschikbaar te stellen informatie en ook meenemen produktbundels en flexibiliteit; ook voor mensen zonder internet.

	Standpunten Lets voorzitterschap voor Council (REV1)	Analyse amendementen Parlement Aanvullend op voorstellen van de rapporteur (ITRE)
Contractuele rechten	Acceptabele aanpassingen.	Onhandelbare hoeveelheid toevoegingen. Toevoeging eisen aan aanbiedingen. Verbod op verkoop aan de deur.

Inbreng bij Lets voorzitterschap

Oordeel Energie-Nederland over de belangrijkste retailgerelateerde onderwerpen.

Prijsregulering – Teleurgesteld dat de termijn voor toestaan is opgerekt naar 10 jaar. De genoemde voorwaarden en vereisten zijn een noodzakelijke toevoeging. Zorg dat lidstaten die geen prijsregulering (meer) hebben, niet alsnog kunnen kiezen voor (weer) introduceren prijsregulering.

Energiearmoede – Goed voorstel. Het in rekening brengen van kosten voor herinneringen en wijzen op oplossingen moet mogelijk zijn vanaf de tweede herinnering.

Aggregators - Verbetering – ook verantwoordelijkheid voor balans en kosten. Echter, er blijft een uitzonderingspositie in regelgeving vereist.

Dynamische prijzen - Verbetering. Aanpassing aan de feitelijke situatie: een slimme meter aanwezig en geen verplichting voor leverancier.

Switchen – Voorstel bevat goede elementen. Switchen in 24 uur niet overgenomen (nog altijd onduidelijk of dit in- of exclusief de bedenktijd van 14 dagen is...). Wel blijft het vreemd dat voor het kunnen vragen van een opzegvergoeding er de voorwaarde is om te bewijzen dat de klant een voordeel genoten heeft. Voorgesteld wordt deze voorwaarde te laten vervallen wegens onuitvoerbaarheid. Het verlies zit aan de inkoopkant van de leverancier met wie de overeenkomst vroegtijdig wordt verbroken.

Factureren – Goed dat de definitie van 'billing information', als onderscheidend van 'billing', is opgenomen, echter de consequente uitwerking hiervan in de artikelen is zeer mager. Dat moet verder versterkt worden. De verplichte hoeveelheid informatie – verplaatst van artikel 18 naar Annex II - is nog steeds groot. Het aantal verplichte onderdelen moet verder verminderd worden. Belangrijk dat 'billing information' past bij de uitwerking van het VKO zoals afgesproken binnen het Convenant Energiebesparing in de gebouwde omgeving.

GvO's – Geen complicaties voor de Nederlandse situatie.

Datamanagement en dataformat - Goed voorstel.

Prijsvergelijkers - Acceptabele aanpassingen.

Contractuele rechten - Acceptabele aanpassingen.

Daarnaast heeft Eurelectric de belangrijkste van bovenstaande punten aan het Letse voorzitterschap laten weten via een informele reactie,

Informal EURELECTRIC view on Council REV1 – Electricity Directive

Regulated Prices

EURELECTRIC is in favour of a complete phase out of regulated prices and remains fully supportive of the Commission's initial proposal on this matter. Whilst we understand that several Member States would like to delay a phase out, in the interest of consumers, we think that the Council's proposed 10 years' timeframe is too long and should be reduced. That said, we welcome all the proposed safeguards to limit the impact of public intervention on wholesale market price setting. Last but not least, we would welcome a clarification that Member States which have already phased out regulated prices should not re-regulate them.

Billing / Disclosure of energy sources

Whilst the Council's approach to billing in our view is much better than the original Commission proposal, we think there is still room for improvement. In fact, EU requirements on energy bills are already extensive and often complemented by further, stricter provisions at national level. Because of this, the bill is often overloaded with information and confusing for consumers. We think the best way to improve the existing framework is to make a clearer distinction between the energy bill – which should only contain key information such as consumption and price to pay – and billing information – which should contain all additional information about consumers' profile and rights (many of which are defined in Annex II). Billing information could be provided in many different ways (paper, telephone, apps, webpage, etc.) and frequencies to consumers should depend on individual preferences.

As for disclosure of energy sources, we think it would be much clearer for consumers to receive information about one mix only (and not three as currently proposed). In addition, we think such information should primarily be communicated as billing information and not through the bill itself.

Comparison Tools

We are worried by the Council's proposal according to which Member States may decide not to require verification of private Comparison Tools (CT) if a publicly run CT exists. Private CTs are market parties which need regulatory oversight like any other market player. Indeed, private CTs may rank energy offers/suppliers differently depending on the fees they get from them. If not properly regulated, they can mislead consumers, create distrust in the market and lead to consumer disengagement.

Van: [redacted] <[redacted]@vattenfall.com>
Verzonden: dinsdag 7 november 2017 10:47
Aan: [redacted]; [redacted]
CC: [redacted]
Onderwerp: Raadswerkgroep Energie 09/11 | RED II | input Vattenfall
Bijlagen: 170726 VF AMs Article 7 19 25 RED II.DOCX

Beste [redacted]

Voor de voorbereidingen op de Raadswerkgroep Energie in Brussel op 9 november, deel ik hierbij graag de input van Vattenfall op het REV document van 20 oktober, van de *Renewable Energy Directive* (RED II). Zoals je ziet verwijst de input naar de onderdelen: hernieuwbare elektriciteit, warmte en koude, transport en biomassa. De inbreng is met internationale collega's tot stand gekomen en vandaar in het Engels.

Mochten er vragen over zijn dan staan we uiteraard tot jullie beschikking.

Vriendelijke groet,

[redacted]
Senior Regulatory Advisor

Public & Regulatory Affairs - EU

VATTENFALL 

Hoekenrode 8, 1102 BR Amsterdam, the Netherlands

☎ +316 [redacted]

RED II input Vattenfall to REV doc 20th October

Article 4 (Financial Support)

- We welcome the Council's draft amendments to the European Commission proposal.
- However, we recommend a **concretion of the proposed principles** ("open, transparent, competitive, non-discriminatory, cost-effective") within Article 4, in particular with regard to tender design (yearly updated long-term schedule, reasonable bid preparation and project realization times, non-discriminatory and transparent pre-qualification criteria, basis for awarding support). We therefore support the original joint proposal made by Finland, France, Germany and Italy concerning 'common rulebook' elements in the Renewable Energy Directive.

Article 19 (Guarantees of Origin)

- We have taken note of the Council's current amendment proposal to the European Commission's proposal in the 'REV 2' document (20 October 2017). We are still concerned that the wording, as proposed by the Member States, would lead to a situation where the provision also applies to existing assets and would therefore **negatively impact the existing power purchase agreements**. In order to provide for an appropriate grandfathering provision, our recommendation would be to work on the basis of European Parliament Rapporteur MEP Blanco López's amendment, with a slight addition to also take the situation around the Swedish certificate system into account. Please find enclosed our respective amendment proposal.

Articles 23 and 24 (Heating & Cooling)

- We welcome the wording in the 'REV 2' document (20 October 2017), to set **indicative targets** for increasing the share of renewables in the overall heating sector in Art. 23. Increasing the use of renewable based energy as well as the use of excess ("waste") heat within the heating sector, particularly in District Heating and Cooling (DHC), is key for achieving European decarbonization targets. However, increases have previously been achieved in different Member States through other policy measures than obligations. As situations in heat markets differ to a great extent from one market to the other, Member States should be given **maximum flexibility** to choose appropriate individual instruments to increase renewable energy utilization. We also support the option introduced for Member States with a share of renewable energy in heating and cooling above [60%].
- We support the **deletion of the reference in Art 24 (2) 'to switch to another supplier of heat to the system referred to in paragraph 4'**. This deletion avoids increased administrative costs for the system as a whole, and a technically complex situation with little increase in customer value. We suggest that the collaboration must rather take place under market-based conditions, and based on a bilateral agreement between the actors. The provision needs to take into account the varying characteristics between district heating systems. District heating system improvements thereby directly reach all connected customers, in particular those in the building

stock. Most importantly, the contract with the customers must remain exclusively with the operator of the district heating system.

- Instead, focusing on the transformation of those DHC systems, which are **not efficient in the sense of Art. 2(41) EED** as outlined in Art. 24 (2), is a useful approach to increase the contributions of DHC to the decarbonisation of the built environment. We also support the consistent exemption of already efficient DHC systems and systems that are to become efficient in the sense of the EED, from further regulation by Art. 24 (6a and b). Efficient DHC systems represent an appropriate, cost and environmental effective option to decarbonize in particular the building stock in dense urban areas.
- Article 24(10) introduces exceptions for Member States. As Member States should also be given the maximum flexibility to choose adequate measures (as already indicated by Art. 14 (4) EED - e.g. financing/support schemes, CO2 taxes or other fiscal incentives) to increase renewable energy utilization in DHC systems, we encourage to also offer the option to exempt from paragraphs 2 to 7 of Art. 24 to Member States, that already have efficient district heating/cooling systems, or that have, or plan to introduce, appropriate measures in accordance with Art. 14 (4) EED for efficient DHC.
- 'Disconnection' should always be understood in an administrative sense; terminating the contract within an appropriate time horizon and in both parties' interest, rather than referred to in a technical sense. We suggest to change the wording in Art. 24(2), (3), (7) accordingly, to "termination of the contract".

Article 25 (Transport)

- We welcome the Council's approach to Article 25(1), introducing a 2030 target (and a respective trajectory) for the share of renewable energy supplied for final energy consumption in the transport sector.
- We believe that the renewable energy target for the transport sector should **explicitly reward for the use of renewable electricity in transport** – be it as end-fuel in electric vehicles or as fuel for the 'production' of hydrogen or biofuels. This will also be an additional trigger for renewable electricity capacity. In this context, it must be ensured that renewable electricity used in electric vehicles only counts towards the target for the renewable energy share in transport if the **equivalent amount of guarantees of origin of the electricity used is cancelled**. Unfortunately this provision has been deleted in the Member States' position ('REV 2') on the European Commission proposal (Article 25(3)).

Articles 26-28 (Biomass Sustainability Criteria)

- Vattenfall strongly believes that harmonized EU sustainability criteria will considerably increase the credibility of the bioenergy sector. We applaud the efforts by the Council to improve the wording of single provisions in the European Commission proposals.
- We specifically welcome the **adjustment of the review of the sustainability criteria to 2026** in line with the overall review of the Directive. This allows sufficient time for implementation and gaining experience with the criteria.
- Likewise, we positively acknowledge that in Art. 26 (5b) RED II the **level of where in the value chain the verification and application of mitigation measures takes place is broadened to forest sourcing area**. Whereby we think that further clarification could be required by also including biomass producers (e.g. pellet mill or sawmill level). The goal of the paragraph is that feedstock for biomass production is legally and sustainably harvested. To achieve that goal, it is important that management systems and procedures are in place to ensure that all respective indicators in the forest are at low risk, but it is immaterial at which level in the value chain the verification and mitigation is carried out.
- Demonstrating that management systems are in place at forest holding level (forest sourcing area) – as outlined in Article 26(6) – is one method to prove compliance with requirements. We'd like you to consider that **other, more economical, methods include for example the use of national forestry statistics to demonstrate that standing forest stocks are increasing over time**.

AMENDMENTS

Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL
on the promotion of the use of energy from renewable sources (recast)
2016/0382 (COD)

Guarantees of origin

Amendment 1

Proposal for a Directive
Article 19 - paragraph 2

<i>Text proposed by the Commission</i>	<i>Amendment</i>
<p>(2) To that end, Member States shall ensure that a guarantee of origin is issued in response to a request from a producer of energy from renewable sources. Member States may arrange for guarantees of origin to be issued for non-renewable energy sources. Issuance of guarantees of origin may be made subject to a minimum capacity limit. A guarantee of origin shall be of the standard size of 1 MWh. No more than one guarantee of origin shall be issued in respect of each unit of energy produced.</p> <p>Member States shall ensure that the same unit of energy from renewable sources is taken into account only once.</p> <p>Member States shall ensure that no guarantees of origin are issued to a producer that receives financial support from a support scheme for the same production of energy from renewable sources. Member States shall issue such guarantees of origin and transfer them to the market by auctioning them. The revenues raised as a result of the auctioning shall be used to offset the costs of renewables support.</p> <p>The guarantee of origin shall have no function in terms of a Member State's compliance with Article 3. Transfers of guarantees of origin,</p>	<p>(2) To that end, Member States shall ensure that a guarantee of origin is issued in response to a request from a producer of energy from renewable sources. Member States may arrange for guarantees of origin to be issued for non-renewable energy sources. Issuance of guarantees of origin may be made subject to a minimum capacity limit. A guarantee of origin shall be of the standard size of 1 MWh. No more than one guarantee of origin shall be issued in respect of each unit of energy produced.</p> <p>Member States shall ensure that the same unit of energy from renewable sources is taken into account only once.</p> <p>Member States shall ensure that <i>in the case of new renewable energy installations commissioned after ... [date of the entry into force of this Directive]</i> no guarantees of origin are issued to a producer that receives financial support from a support scheme for the same production of energy from renewable sources, <i>unless double compensation is avoided. It shall be presumed that there is no double compensation where:</i></p> <p><i>(a) financial support is granted by way of a tender procedure or green certificate</i></p>

separately or together with the physical transfer of energy, shall have no effect on the decision of Member States to use statistical transfers, joint projects or joint support schemes for target compliance or on the calculation of the gross final consumption of energy from renewable sources in accordance with Article 7.

system;

- (b) the value of the guarantees of origin is administratively taken into account in the level of financial support; or*
- (c) a purchaser buys the renewable energy from a producer in a competitive setting.*

Where guarantees of origin are not issued to a producer that receives financial support from a support scheme, Member States shall issue such guarantees of origin and transfer them to the market by auctioning them. The revenues raised as a result of the auctioning shall be used to offset the costs of renewables support.

The guarantee of origin shall have no function in terms of a Member State's compliance with Article 3. Transfers of guarantees of origin, separately or together with the physical transfer of energy, shall have no effect on the decision of Member States to use statistical transfers, joint projects or joint support schemes for target compliance or on the calculation of the gross final consumption of energy from renewable sources in accordance with Article 7.

Justification:

Guarantees of Origin (GOs) are an important tool for renewable energy producers and retailers to value the green characteristics of their renewable energy production and offer green products. They represent a market-based income for renewable energy producers that is – other than support schemes – actually reflecting the demand for green energy by final customers. Destroying this direct link and not allowing the issuing of GOs to renewable energy producers that benefit from financial support, entails a number of serious risks and disadvantages. The provision of GOs and financial support to RES producers should not be mutually exclusive. Double compensation should be considered avoided when financial supported is granted in a competitive setting.

Amendment 2

Amendment 25

Proposal for a Directive

Article 7 - paragraph 4 - point a

<i>Text proposed by the Commission</i>	<i>Amendment</i>
(a) The gross final consumption of energy from renewable sources in transport shall be calculated as the sum of all biofuels, biomass fuels and renewable liquid and gaseous transport fuels of non-biological origin consumed in the transport sector. However, renewable liquid and gaseous transport fuels of non-biological origin that are produced from renewable electricity shall only be considered to be part of the calculation pursuant to paragraph 1(a) when calculating the quantity of electricity produced in a Member State from renewable energy sources.	(a) The gross final consumption of energy from renewable sources in transport shall be calculated as the sum of all renewable electricity , biofuels, biomass fuels and renewable liquid and gaseous transport fuels of non-biological origin consumed in the transport sector. However, renewable liquid and gaseous transport fuels of non-biological origin that are produced from renewable electricity shall only be considered to be part of the calculation pursuant to paragraph 1(a) when calculating the quantity of electricity produced in a Member State from renewable energy sources. <i>Renewable electricity used in electric vehicles should only count towards the target for the renewable energy share in transport if the equivalent amount of guarantees of origin of the electricity used is cancelled.</i>

Justification:

The renewable energy target for the transport sector should explicitly reward for the use of renewable electricity in transport – be it as end-fuel in electric vehicles or as fuel for the ‘production’ of hydrogen or biofuels. This will also be an additional trigger for renewable electricity capacity. Renewable electricity used in electric vehicles should count towards the target for the renewable energy share in transport if an equivalent amount of guarantees of origin of the electricity used is cancelled. This is insufficiently clear in the Article text.

Amendment 3

Proposal for a Directive

Article 25 - paragraph 1 - subparagraph 2

<i>Text proposed by the Commission</i>	<i>Amendment</i>
(1) The minimum share shall be at least equal to 1.5% in 2021, increasing up to at least 6.8% in 2030, following the trajectory set out in part B of Annex X. <i>Within this total share, the contribution of advanced biofuels and biogas produced from feedstock listed in part A of Annex IX shall be at least 0.5% of the transport fuels supplied for consumption or use on the market as of 1 January 2021, increasing up to at least 3.6% by 2030, following the trajectory set out in part C of Annex X.</i>	(1) The minimum share shall be at least equal to 1.5% in 2021, increasing up to at least 6.8% in 2030, following the trajectory set out in part B of Annex X.

Justification:

As long as transport fuels fulfil the proposed sustainability criteria, the market should decide about the fuel mix used to meet the desired renewable energy share in transport. No separate targets for specific fuels are needed.

Van: [redacted] <[redacted]@vemw.nl>
Verzonden: woensdag 14 juni 2017 14:16
Aan: [redacted]
CC: [redacted]
Onderwerp: RE: bespreken gvo's in herziening RED
Bijlagen: E17b10 EP GO.PDF

Beste [redacted]

Ter informatie stuur ik je hierbij de brief die we vandaag, namens onze leden, naar de leden van de ITRE en ENVI commissie hebben gestuurd. We vragen in de brief nogmaals aandacht voor de (NL-se) GvO-problematiek en geven een concrete suggesties voor amendering van artikel 19. Met een aantal NL-se parlementariërs hebben we overigens reeds contact ([redacted] [redacted] [redacted] Volgens mij biedt ons voorstel voldoende ruimte om als lidstaat invulling te geven aan de doelen die de Europese Commissie nastreeft. Onze leden zien wel wat in het idee om net als bij de teruggave energiebelasting achteraf opgave te doen van GvO-prijs opdat de SDE+ subsidie gecorrigeerd kan worden.

We hebben ook nog een tweetal oplossingen voor wanneer het EP het artikel ongewijzigd laat. Maar dat is voor later zorg.

Mochten je nog vragen hebben over onze positie en oplossingen dan hoor ik het graag.

Met vriendelijke groet,

[redacted]



[redacted]@vemw.nl
 0348-[redacted]
 06-[redacted]
 @ [redacted]

VEMW | Houttuinlaan 12 | 3447 GM Woerden

Op dit bericht is de disclaimer van VEMW van toepassing. U kunt deze vinden op www.vemw.nl

Van: [redacted] ([mailto:[redacted]@minez.nl])
Verzonden: woensdag 24 mei 2017 9:22
Aan: [redacted]
Onderwerp: bespreken gvo's in herziening RED

Beste [redacted]

Ik begreep uit de terugkoppeling van het gesprek tussen onze directeurs dat een verder gesprek gewenst is over de gvo's in de herziening van de RED.

Heb jij hier volgende week (bijvoorbeeld vrijdag?) tijd voor? Ik hoor het graag!

Groet,

.....
Ministerie van Economische Zaken
Directoraat-Generaal Energie, Telecom en Mededinging
Directie Energiemarkt en Innovatie
Bezuidenhoutseweg 73 | 2594 AC | Den Haag
Postbus 20401 | 2500 EK | Den Haag
.....

T +31 6 [redacted] [redacted]@minez.nl

Dit bericht kan informatie bevatten die niet voor u is bestemd. Indien u niet de geadresseerde bent of dit bericht abusievelijk aan u is gezonden, wordt u verzocht dat aan de afzender te melden en het bericht te verwijderen.

De Staat aanvaardt geen aansprakelijkheid voor schade, van welke aard ook, die verband houdt met risico's verbonden aan het elektronisch verzenden van berichten.

This message may contain information that is not intended for you. If you are not the addressee or if this message was sent to you by mistake, you are requested to inform the sender and delete the message.

The State accepts no liability for damage of any kind resulting from the risks inherent in the electronic transmission of messages.



European Parliament
Members of ITRE and ENVI
Wiertzstraat 60
B-1047 Brussel

Woerden : June 14th, 2017
onze ref. : E17b10
doorkiesnr. : 0348 [redacted]
e-mail : [redacted]@vemw.nl

Subject : Recasted Renewable Energy Directive (COM (2016) 767) - concerns with regard to Guarantees of Origin

Dear madam, Sir,

Last year the European Commission presented a revision of the Directive on the promotion of the use of energy from renewable sources. VEMW, the interest group for Dutch non-domestic energy users, welcomes the revised directive but has major concerns with regard to one specific element in the proposal. We are worried about the negative implications of the proposed changes with regard to the issuing and auctioning of Guarantees of Origin (GO's).

VEMW represents more than 400 large non-domestic energy users in the Netherlands. Many of which are multi-national corporations active in different European Member states. These companies, united within VEMW, are convinced they have a crucial role to play in the energy transition. Using renewable energy is one of the key elements in our shared vision to decarbonise industry. Long term contracts or Power Purchase Agreements (PPA's) for renewable energy combined with guarantees of origin are an important tool to fit energy sourcing with corporate sustainability goals. Guarantees of Origin give consumers the ability to prove that it is consuming carbon-free energy from a specific origin and location.

Commission proposal

In the revised Renewable Energy Directive the European Commission proposes to change the rules regarding Guarantees of Origin. The proposals in article 19 state that Member states shall ensure that no GO's are issued when financial support from a support scheme for the same

Hét kenniscentrum en de belangenbehartiger voor zakelijke energie- en watergebruikers

Houttuinlaan 12
3447 GM WOERDEN

Telefoon 0348 48 43 50
Telefax 0348 48 43 90
E-mail desk@vemw.nl
Internet www.vemw.nl

ABN-AMRO Bank 55 14 08 340
KvK Utrecht 30 14 70 22

production of renewable energy is received. The proposal also states that Member states have to auction the GO's for which financial support is received. With this proposal the European Commission wants to avoid overcompensation, enhance transparency and lower decarbonisation cost for consumers.

Problem

The goals the European Commission tries to achieve are laudable, however we believe the current proposals with regard to GO's will have the opposite effect. The articles with regard to GO's make it very difficult to fit sourcing with corporate sustainability objectives, reduce opportunities for investment in renewable energy and in the end increase the decarbonisation costs for consumers. This is due to:

- Direct participation of end-users in a renewable energy project through a Power Purchase Agreement (PPA) or a long-term contract becomes unattractive when GO are auctioned
- The value of RE investment is decreased because it is not attractive for other market parties to share the investment risk in return for the value of carbon free energy
- The value of developing renewable energy 'on site' is reduced, because proving that you use renewable energy from your own-production-unit becomes impossible once you received a subsidy.
- The proposal creates uncertainty about the consequences for current contracts and investment that are currently considered.

Above that, not issuing GO to producers that receive financial support and the introduction of an obligatory auction decreases the current level of transparency in particular in The Netherlands. Consumers in The Netherlands not only want to know if the energy they use is renewable but also want to know exactly where and how their energy is produced (traceability). They also want to prove that their invest- or procurement stimulates the growth of renewable energy (additionality).

The proposed changes to article 19 RED make it difficult if not impossible to enter into renewable energy supply contracts which comply with the criteria of traceability and additionality. The current proposal is therefore problematic and creates uncertainty for large companies who want to procure and invest in renewable energy and by using their solid financial capabilities contribute towards reducing the investment cost of renewable energy projects.

Solution

VEMW recognizes that enhancing the economic value of GO's may help to bring down the costs of renewables. We also recognize that when GO's have a significant economic value it is important to take this value into account when providing financial support to make sure there is no over-stimulation. Above that we believe that the introduction of an obligatory auction will decrease the level of transparency. The current GO system already provides for full transparency with regard to renewable energy procurement. Therefore we propose the following solution:

- Do not introduce a mandatory auction
- Oblige member states to take the value of GO's into account when providing financial support to a renewable energy producers
- Remove uncertainty for current contracts by providing that the new rules only apply to installations commissioned after the entry into force of the Directive

Our proposed solution makes sure that full transparency is ensured, avoids overcompensation and reduces decarbonisation cost for society. We call on you, members of the European Parliament, to take this suggestion into serious consideration. In annex, you will find the a concrete text proposal for amendment of article 19.2. We are at your disposal to provide more information about the problem and our solution.

Yours sincerely,


Managing Director

Attachment: proposal for amendment of article 19.2

Proposal for amendment of article 19.2 of the revised Renewable Energy Directive

New article 19.2 proposed by VEMW:

To that end, Member States shall ensure that a guarantee of origin is issued in response to a request from a producer of ~~electricity~~ energy from renewable energy sources. Member States may arrange for guarantees of origin to be issued for non-renewable energy sources. ~~in response to a request from producers of heating and cooling from renewable energy sources. Such an arrangement~~ Issuance of guarantees of origin may be made subject to a minimum capacity limit. A guarantee of origin shall be of the standard size of 1 MWh. No more than one guarantee of origin shall be issued in respect of each unit of energy produced. Member States shall ensure that the same unit of energy from renewable sources is taken into account only once.

~~Member States may provide~~ shall ensure that in the case of new renewable energy installations commissioned after ... [date of the entry into force of this Directive] the value of ~~no support be granted~~ guarantees of origin is taken into account when a producer receives financial support from a support scheme ~~a guarantee of origin~~ for the same production of energy from renewable sources.

~~Member States shall issue such guarantees of origin and transfer them to the market by auctioning them. The revenues raised as a result of the auctioning shall be used to offset the costs of renewables support~~

(...)

Van: [redacted] <[redacted]@vemw.nl>
Verzonden: donderdag 23 maart 2017 9:53
Aan: [redacted]
Onderwerp: RE: Contactpersoon Europese Commissie

Super! Bedankt.

Gr. [redacted]

Van: [redacted] [mailto:[redacted]@minez.nl]
Verzonden: donderdag 23 maart 2017 8:59
Aan: [redacted]
Onderwerp: RE: Contactpersoon Europese Commissie

Hi [redacted]
Ja, die mail heb ik gezien en ik meen dat ik er ook op gereageerd heb, maar mogelijk naar mijn collega [redacted]. Hij doet de RED. Ik zou het gesprek aangaan met [redacted]. Zij is Head of Unit en tijdelijk acting director en verantwoordelijk voor de onderhandelingen van de RED. [redacted] is idd met pensioen.
Bijgaand de gegevens met [redacted]
Gr [redacted]

[redacted]@ec.europa.eu
Rue Demot 24
1040 Bruxelles / Brussel
Postal address: building DM24 - 1049 - Bruxelles
Tel: +32 [redacted]

Van: [redacted] [mailto:[redacted]@vemw.nl]
Verzonden: donderdag 23 maart 2017 8:43
Aan: [redacted]
Onderwerp: RE: Contactpersoon Europese Commissie

Hi [redacted]

Had jij onderstaande mail gezien? Ben ik bij jou aan het goede adres?
Hoor graag.

Gr. [redacted]

Van: [redacted]
Verzonden: vrijdag 10 maart 2017 10:41
Aan: [redacted] [redacted]@minez.nl]
Onderwerp: Contactpersoon Europese Commissie

Beste [redacted]

Alweer enige tijd geleden spraken we elkaar over het winterpakket en de zorgen inzake de plannen van de commissie met garanties van oorsprong. Ik heb destijds aangegeven dat er grote zorgen zijn bij onze achterban over deze plannen. Deals zoals de NS, maar ook AkzoNobel, hebben afgesloten voor de inkoop

van groene stroom kunnen als de plannen ongewijzigd doorgevoerd worden geen doorgang vinden. Fijn om die zorgen in de fiche terug te lezen!

We (VEMW en een aantal prominente leden -Phillips/Akzo/DSM/) willen hierover graag met de Europese Commissie in gesprek en de voordelen van het Nederlandse systeem toelichten. Heb jij toevallig een idee met wie we het beste bij de EC contact kunnen opnemen om dit gesprek te entameren? Ik begrijp namelijk dat [REDACTED] met pensioen is/gaat.

Hoop dat je me verder kunt helpen. We gaan natuurlijk ook graag met jullie in gesprek over oplossingen e.d.

Met vriendelijke groet,

[REDACTED]

Dit bericht kan informatie bevatten die niet voor u is bestemd. Indien u niet de geadresseerde bent of dit bericht abusievelijk aan u is gezonden, wordt u verzocht dat aan de afzender te melden en het bericht te verwijderen.

De Staat aanvaardt geen aansprakelijkheid voor schade, van welke aard ook, die verband houdt met risico's verbonden aan het elektronisch verzenden van berichten.

This message may contain information that is not intended for you. If you are not the addressee or if this message was sent to you by mistake, you are requested to inform the sender and delete the message.

The State accepts no liability for damage of any kind resulting from the risks inherent in the electronic transmission of messages.

Van: [REDACTED]@statkraft.com>

Verzonden: donderdag 4 januari 2018 10:39

Aan: [REDACTED]

Onderwerp: RE: Definitieve teksten marktdesign Raadspositie

Beste [REDACTED]

Hartelijk dank voor deze terugkoppeling en alle beste wensen voor 2018!

Groet

From: [REDACTED] (mailto:[REDACTED]@minez.nl)

Sent: 22 December 2017 10:03

To: [REDACTED]; [REDACTED]; ([REDACTED]); [REDACTED] [REDACTED]; [REDACTED]
[REDACTED]; [REDACTED]; [REDACTED]; [REDACTED]; [REDACTED]; [REDACTED]

Cc: [REDACTED]; [REDACTED]; [REDACTED];

Subject: Definitieve teksten marktdesign Raadspositie

Collega's,

Afgelopen maandag hebben we tot middernacht moeten onderhandelen en uiteindelijk zijn zoals jullie weten alle voorstellen in de Raad aangenomen en is een general approach bereikt.

We hebben daarmee een resultaat bereikt dat ik vooraf niet voor mogelijk had gehouden en zullen nu wachten op het EP voordat zij hun stemming zullen hebben. Dit was eerst gepland in december, maar is nu uitgesteld naar februari. Zodra het EP haar positie heeft vastgesteld kunnen de trilogieën beginnen.

Mogelijk dus eind eerste helft of anders onder Oostenrijks voorzitterschap in het tweede helft van het jaar is een deal te verwachten onder normale omstandigheden. Er liggen meerdere wetsvoorstellen die met het EP uitonderhandeld moeten worden en zeker met de voorstellen voor hernieuwbare energie, energie-efficiëntie en governance zijn de verschillen tussen Raad en EP nogal groot, dus lastig in te schatten hoe lang dit gaat duren.

Rapporteur [] heeft in ieder geval een aardig rapport geschreven wat marktgeoriënteerd is. Hetgeen perspectief biedt indien de vele amendementen de EP-positie niet teveel verzwakken.

Over de Raadsposities kunnen we denk ik tevreden zijn. We hebben met jullie steun en input veel van onze punten kunnen binnenhalen. Wetteksten over aggregator, definities, dynamische contracten, energiegemeenschappen.

TSO-DSO samenwerking, DSO-entiteiten, level playing field, inkoop van flexibiliteit en non-frequency ancillary services, etc zijn in onze ogen allen verbeterd. Daar hebben wij een grote rol in kunnen spelen. Het voorzitterschap gaf me achteraf mee dat we een van de Lidstaten waren waarvan de meeste tekstvoorstellen zijn overgenomen – tot ergernis van de Commissie af en toe. Dit had vooral met de kwaliteit van onze voorstellen en onze interventies van doen in de raads werkgroep.

In de laatste week voor de Raad is er waarschijnlijk onder druk van de grote Lidstaten nog eea verwaterd op het terrein van capaciteitsmechanismen en gereguleerde eindverbruikersprijzen. De ambitie die de Commissie in het voorstel had (harde deadline uitfasen gereguleerde prijzen en beslissende rol ACER indien nationale generation adequacy assessments een andere uitkomst hadden dan EU-brede assessments) bleek voor veel Lidstaten een brug te ver. Ze wezen er in de Raad op dat deze maatregelen onderdeel waren van sociaal beleid en om hun voorzieningszekerheid te borgen, wat (deels) nationale competenties zijn. Onze minister heeft nog wel gestreden in om de oude CIE-voorstellen terug te zetten en had steun van met name de meer liberale lidstaten, maar er was geen blokkerende minderheid en de voorzitter wilde graag een deal. De verordening geeft op deze terreinen nog wel een goed raamwerk, maar de rol voor harde toetsing of dergelijk overheidsingrijpen in de markt gerechtvaardigd is, blijft met name bij DG Mededinging. Een ander discussiepunt in de Raad was het meer politieke punt van de CO₂-emissiegrens voor capaciteitsmechanismen. De 550 gr/kWh. Een artikel dat met name effect heeft op Polen en daarnaast Roemenië, Griekenland en Spanje. Genoemde lidstaten wensten meer ruimte om ook kolenproductie langdurig te kunnen blijven subsidiëren. Bestaand en nieuw te bouwen vermogen. Hier is een compromis gevonden dat in de trilogie waarschijnlijk nog wel op de onderhandelingstafel zal komen.

De uiteindelijke Raadspositie is het resultaat van onderhandelingen waar het altijd geven en nemen is, maar al met al hebben we een goed resultaat geboekt en naar omstandigheden het maximale er uitgehaald. Daaraan heeft een

goede voorbereiding met jullie steun en input zeer zeker een grote bijdrage geleverd. Onze vele gesprekken, de workshop georganiseerd door energie-Nederland en de schriftelijke input die jullie ons telkens hebben gestuurd, hebben ons daarbij zeer geholpen en we willen jullie dan ook bedanken voor de prettige samenwerking. We zullen zeker terugkomen zodra de voorbereiding van de trilogie zullen starten. Voor nu wens ik jullie goede feestdagen en tot in het nieuwe jaar.

Groeten,

[REDACTED]
Dit bericht kan informatie bevatten die niet voor u is bestemd. Indien u niet de geadresseerde bent of dit bericht abusievelijk aan u is gezonden, wordt u verzocht dat aan de afzender te melden en het bericht te verwijderen.

De Staat aanvaardt geen aansprakelijkheid voor schade, van welke aard ook, die verband houdt met risico's verbonden aan het elektronisch verzenden van berichten.

This message may contain information that is not intended for you. If you are not the addressee or if this message was sent to you by mistake, you are requested to inform the sender and delete the message.

The State accepts no liability for damage of any kind resulting from the risks inherent in the electronic transmission of messages.

Van: [redacted] <[redacted]@vattenfall.com>
Verzonden: vrijdag 6 oktober 2017 21:02
Aan: [redacted]; [redacted]
CC: [redacted] (KPN)
Onderwerp: RE: Input Vattenfall tav raadswerkgroepen E-regulation
Bijlagen: Comparison Council REV1 Electricity Regulation and VF proposals.docx

Beste [redacted]

Zie onder de input van Vattenfall op het REV3 document. Aangezien ik hier met internationale collega's aan heb gewerkt is de tekst in het Engels.

Vriendelijke groet,
[redacted]

We appreciate the opportunity to give feedback on the Council's revised proposal for a draft Electricity Regulation. In our opinion, the original proposal in its core has already been sound and allows for further market integration. Like the Council, we see room for improvement in single parts. In relation to the Council's revised proposal, we'd like to highlight the following elements:

- We welcome the improved wording in Article 4 paragraph 1 on balancing responsibility, as indeed it is not the task of the market participant to ensure system balance. However, market rules should financially incentivise good behaviour, as is now rightly stated. The term "market participant" is too broad which is not necessary. We propose to use the term "actor that is connected to the grid" instead. The advantage is that there is room for the existence of suppliers that are not balance responsible (something that is not uncommon in NL).
In the same article Vattenfall believes that the Commission proposal should be further strengthened and set clear deadlines for any use of derogations from the general rules. We propose that derogations for balance responsibility should be temporary with fixed deadlines.
- We support the wording of Article 5 on balancing markets, and notably the principles of open and non-discriminatory access of all market participants. The adjustments by the Council ensure even further coherence with the existing balancing guidelines. However, we cannot endorse the sentence that is added to article 5.8 about the reservation of cross border capacity by TSOs, as capacity allocation is most efficient if it's based on a market outcome. We propose to delete the entire sentence.
- In relation to Article 8 on forward markets, we believe a differentiation between different technologies and energy resources is not necessary. All market participants should have the same possibilities (level playing field of utmost importance) to hedge price risks across bidding zone borders. In order to maximize hedging opportunities TSOs should issue the biggest amount of capacity possible. Paragraph one should be adjusted accordingly.
- We think that the current formulation in Article 12 par. 6 on compensation for redispatch risks an undervaluing of the loss of output. The motivation for subparagraphs (a) and (b) furthermore is not apparent and would not necessarily lead to better regulation on national level. The Council document deletes the reference to 90% but doesn't address our other concern. We would like to propose to delete subparagraphs (a) and (b) and reformulate paragraph 6 to ensure that the total impact of the non-market based redispatching and any financial compensation shall result neither in a financial advantage nor disadvantage for the owner of the facility. Details can then be specified on national level.

- Looking at Article 16 on charges for access to networks, we think that paragraph one could benefit from further clarification. Charges should not be applied in a way which discriminates between production connected in different member states. Lack of harmonized conditions for access to the internal market is the same as discrimination between different transmission grid users in the internal market.
- As wholesale markets are increasingly interconnected and coupled, a step-wise regional approach to system operation (i.e. an approach where the goal is to optimise regional welfare) is a prerequisite to achieve the Internal Energy Market. The development of regional security coordination centres as well as much of the ENTSO-E's work sphere represent promising first step in such a development. To emphasize the importance of regional system planning, Vattenfall proposes that Regional Operational/Coordination Center's in Article 34be given a formal advisory role in transmission investment planning for the region concerned. The ROC thereby will add a unique regional perspective to the national views of TSOs allowing for a well-informed decision on the regional investment plan.

Please find our specific suggestions to the Council revised proposal in the enclosed document.

Van: [redacted] ([mailto:[redacted]@minez.nl]

Verzonden: Monday, October 02, 2017 4:08 PM

Aan: [redacted] ([redacted] ; [redacted])

CC: [redacted] ([redacted])

Onderwerp: RE: Input Vattenfall tav raads werkgroepen E-regulation

Beste [redacted]

Bedankt voor je e-mail . Het klopt dat er binnenkort een nieuwe ronde van meetings gepland staan om de nieuwe REV 1 te bespreken. We staan altijd open voor jullie input en ontvangen die dan ook graag op de nieuwe REV1.

Mocht jullie schriftelijke commentaar aanleiding geven voor nadere toelichting, dan kunnen we dat ook doen in een gesprek voor de 17^e oktober, (datum eerste RWG). Graag ontvangen we jullie commentaren wel eerder.

Gr [redacted]
[redacted]

Van: [redacted] ([mailto:[redacted]@vattenfall.com]

Verzonden: maandag 2 oktober 2017 15:27

Aan: [redacted] ([redacted]); [redacted] ; [redacted])

CC: [redacted] ([redacted])



Onderwerp: Input Vattenfall tav raads werkgroepen E-regulation

Geachte heren [redacted] [redacted] en [redacted], beste [redacted] [redacted] en [redacted],

Het is alweer ruim een half jaar geleden dat we met jullie hebben gesproken over het 'Clean Energy Package'. Aangezien er binnenkort raads werkgroepen gepland staan voor de Electricity Regulation (19 en 26 oktober), was ik benieuwd of wij jullie nog van input kunnen voorzien, per e-mail of in de vorm van een gesprek?


Zie in de bijlagen onze eerder met jullie gedeelde positie en onze voorgestelde amendementen.

Met vriendelijke groet,

 
Senior Regulatory Advisor
Public & Regulatory Affairs - EU

VATTENFALL 


Hoekenrode 8, 1102 BR Amsterdam, the Netherlands

☎ +316 

Dit bericht kan informatie bevatten die niet voor u is bestemd. Indien u niet de geadresseerde bent of dit bericht abusievelijk aan u is gezonden, wordt u verzocht dat aan de afzender te melden en het bericht te verwijderen.

De Staat aanvaardt geen aansprakelijkheid voor schade, van welke aard ook, die verband houdt met risico's verbonden aan het elektronisch verzenden van berichten.

This message may contain information that is not intended for you. If you are not the addressee or if this message was sent to you by mistake, you are requested to inform the sender and delete the message.

 The State accepts no liability for damage of any kind resulting from the risks inherent in the electronic transmission of messages.

Proposal for a
REGULATION on the internal market for electricity
(REV1 as of 15/09/17)

29a

Article 4 par. 1 - Balancing responsibility		
Council proposal (REV1)	Vattenfall proposal	Comments
All market participants (shall aim for system balance and) shall be financially responsible for the imbalances they cause in the system. They shall either be balance responsible parties or contractually delegate their responsibility to a balance responsible party of their choice. Market rules shall incentivise all market participants to aim for system balance.	All market participants actors that are connected to the grid (shall aim for system balance and) shall be financially responsible for the imbalances they cause in the system. They shall either be balance responsible parties or contractually delegate their responsibility to a balance responsible party of their choice. Market rules shall incentivise all market participants actors that are connected to the grid to aim for system balance.	The advantage of going for the more narrow definition of 'actor that is connected to the grid' instead of (every) 'market participant' is that you leave room for the existence of suppliers that are not balance responsible (something that is not uncommon in NL).
Article 4 par. 3 - Balancing responsibility		
Council proposal (REV1)	Vattenfall proposal	Comments
For power generating facilities commissioned after 1 January 2026, point (b) of paragraph 2 shall apply only to renewable energy sources or high-efficiency cogeneration with an total installed electricity capacity of less than (250) 50 kW.	From 1 January 2026, point (b) of paragraph 2 should be fully phased out.	Derogations for balance responsibility should be temporary with fixed deadlines. It could also be a fixed number of years after entry into force.
Article 5 par. 8 - Balancing market		
Council proposal (REV1)	Vattenfall proposal	Comments
The procurement of balancing capacity shall be performed by the transmission system operators and facilitated on a regional level in accordance with point 8 of Annex I. The procurement shall be based on a primary market and organised in such a way as to be non-discriminatory between market participants in the prequalification process individually or through aggregation. The allocation of cross-zonal capacity for the exchange of balancing capacity or sharing of reserve shall be limited to 5% of the available capacity for the exchange of energy of the previous relevant calendar year between the respective bidding zones.	The procurement of balancing capacity shall be performed by the transmission system operators and facilitated on a regional level in accordance with point 8 of Annex I. The procurement shall be based on a primary market and organised in such a way as to be non-discriminatory between market participants in the prequalification process individually or through aggregation. The allocation of cross-zonal capacity for the exchange of balancing capacity or sharing of reserve shall be limited to 5% of the available capacity for the exchange of energy of the previous relevant calendar year between the respective bidding zones.	A TSO should never reserve cross-zonal capacity except for security reasons. The most efficient capacity allocation is one based on a market outcome (such as flow based market coupling).
Article 8 par. 1 - Forward markets		
Council proposal (REV1)	Vattenfall proposal	Comments
In line with Regulation (EU) 2016/ 1719 , transmission system	In line with Regulation (EU) 2016/1719, transmission	All market participants should have the same

Proposal for a
REGULATION on the internal market for electricity
(REV1 as of 15/09/17)

<p>operators shall issue long-term transmission rights or have equivalent measures in place to allow for market participants, (in particular) including owners of generation facilities using renewable energy sources, to hedge price risks across bidding zone borders, unless an assessment of the forward market performed by the competent regulatory authorities on the bidding zone borders shows sufficient hedging opportunities in the concerned bidding zones in accordance with Article 30 of Commission Regulation (EU) 2016/1719.</p>	<p>system operators shall issue long-term transmission rights or have equivalent measures in place to allow for market participants, (in particular) including owners of generation facilities using renewable energy sources, to hedge and manage price risks across bidding zone borders. <i>System operators should strive to issue transmission rights based on a maximum amount of capacity.</i></p>	<p>possibilities to hedge price risks across bidding zone borders. In order to maximize hedging opportunities TSOs should issue the biggest amount of capacity possible.</p>
Article 12 par. 6 – Compensation for Redispatch & Curtailment		
Council proposal (REV1)	Vattenfall proposal	Comments
<p>Where non-market based (curtailment or) redispatching is used, it shall be subject to financial compensation by the system operator requesting the (curtailment or) redispatching to the (owner) operator of the (curtailed or) redispatched generation or demand facility except in the case of generators accepting non-firm connections.</p> <p>Financial compensation shall at least be equal to the highest of the following elements:</p> <p>(a) additional operating cost caused by the (curtailment or) redispatching, such as additional fuel costs in case of upward redispatching, or backup heat provision in case of downward redispatching or curtailment of (generating installations) power generating facility using high-efficiency cogeneration;</p> <p>(90 % of the net) Net revenues from the sale of electricity on the day-ahead market that the generating or demand facility would have generated without the (curtailment or) redispatching request. Where financial support is granted to generating or demand facilities based on the electricity volume generated or consumed, lost financial support shall be deemed part of the net revenues.</p>	<p>Where non-market based (curtailment or) redispatching is used, it shall be subject to financial compensation by the system operator requesting the (curtailment or) redispatching to the (owner) operator of the (curtailed or) redispatched generation or demand facility. <i>The total impact of the curtailment or redispatching and any financial compensation shall result neither in a financial advantage nor disadvantage for the owner of the facility.</i></p> <p><i>except in the case of generators accepting non-firm connections;</i></p> <p><i>Financial compensation shall at least be equal to the highest of the following elements:</i></p> <p><i>(a) additional operating cost caused by the (curtailment or) redispatching, such as additional fuel costs in case of upward redispatching, or backup heat provision in case of downward redispatching or curtailment of (generating installations) power generating facility using high-efficiency cogeneration;</i></p> <p><i>(90 % of the net) Net revenues from the sale of electricity on the day-ahead market that the generating or demand facility would have generated without the (curtailment or) redispatching request. Where financial support is granted to generating or demand facilities based on the electricity volume generated or consumed, lost financial support shall be deemed part of the net revenues;</i></p>	<p>That compensation is granted for non-market based curtailment is important. The proposals risk an under-valuing of the loss of output. The motivation for subparagraphs (a) and (b) furthermore is not apparent and would not necessarily lead to better regulation on national level.</p>

Proposal for a
REGULATION on the internal market for electricity
(REV1 as of 15/09/17)

Article 16 par. 1 – Charges for access to networks		
Council proposal (REV1)	Vattenfall proposal	Comments
Without prejudice to Article 15(1) and (6) and the criteria in Annex XI of Directive 2012/27/EU they shall in particular be applied in a way which does not discriminate between production connected at the distribution level and production connected at the transmission level, either positively or negatively.	Without prejudice to Article 15(1) and (6) and the criteria in Annex XI of Directive 2012/27/EU they shall in particular be applied in a way which does not discriminate between production connected in <i>different member states</i> or at the distribution level and production connected at the transmission level, either positively or negatively.	Lack of harmonised conditions for access to the internal market is the same as discrimination between different transmission grid users in the internal market.
Art. 34 par. 1 - Regional coordination centres		
Council proposal (REV1)	Vattenfall proposal	Comments
Each [regional-operational-centre] regional security coordinator shall perform all the following [functions] tasks towards transmission system operators in the system operation region [where established, and Regional Operational Centres shall perform at least the following tasks-functions], set out in more detail in Annex I: [...]	Each [regional-operational-centre] regional security coordinator shall perform all the following [functions] tasks towards transmission system operators in the system operation region [where established, and Regional Operational Centres shall perform at least the following tasks-functions], set out in more detail in Annex I: [...] <i>(r) provide advice on grid projects to include in the regional investment plan</i>	By formally establishing the proposed task the ROC/RCC will be incentivized to develop and form a regional perspective on grid development. The ROC thereby will add a unique regional perspective to the national views of TSOs allowing for a well-informed decision on the regional investment plan.

Van: [redacted] ([redacted]@vattenfall.com>
Verzonden: maandag 2 oktober 2017 16:21
Aan: [redacted]; [redacted]; [redacted]
CC: [redacted] ([redacted]
Onderwerp: RE: Input Vattenfall tav raads werkgroepen E-regulation

Beste [redacted]

Dat is goed. We zijn nog bezig met onze interpretatie van REV1 maar zullen jullie uiterlijk aan het einde van deze week een reactie sturen.

Mvg,

Senior Regulatory Advisor
 Public & Regulatory Affairs - EU

VATTENFALL 
 Hoekenrode 8, 1102 BR Amsterdam, the Netherlands
 ☎ +316 [redacted]

Van: [redacted] ([mailto:[redacted]@minez.nl]
Verzonden: Monday, October 02, 2017 4:08 PM
Aan: [redacted] ([redacted]; [redacted]
CC: [redacted] ([redacted]
Onderwerp: RE: Input Vattenfall tav raads werkgroepen E-regulation

Beste [redacted]

Bedankt voor je e-mail. Het klopt dat er binnenkort een nieuwe ronde van meetings gepland staan om de nieuwe REV 1 te bespreken. We staan altijd open voor jullie input en ontvangen die dan ook graag op de nieuwe REV1.

Mocht jullie schriftelijke commentaar aanleiding geven voor nadere toelichting, dan kunnen we dat ook doen in een gesprek voor de 17^e oktober, (datum eerste RWG). Graag ontvangen we jullie commentaren wel eerder.

Gr
 06 [redacted]


Van: [redacted] ([mailto:[redacted]@vattenfall.com]
Verzonden: maandag 2 oktober 2017 15:27
Aan: [redacted]; [redacted]; [redacted]
CC: [redacted] ([redacted]
Onderwerp: Input Vattenfall tav raads werkgroepen E-regulation

Geachte heren [redacted] en [redacted] beste [redacted] en [redacted],

Het is alweer ruim een half jaar geleden dat we met jullie hebben gesproken over het 'Clean Energy Package'. Aangezien er binnenkort raads werkgroepen gepland staan voor de Electricity Regulation (19 en 26 oktober), was ik benieuwd of wij jullie nog van input kunnen voorzien, per e-mail of in de vorm van een gesprek?

Zie in de bijlagen onze eerder met jullie gedeelde positie en onze voorgestelde amendementen.

Met vriendelijke groet,


Senior Regulatory Advisor
Public & Regulatory Affairs - EU

VATTENFALL 
Hoekenrode 8, 1102 BR Amsterdam, the Netherlands
☎ +316 

Dit bericht kan informatie bevatten die niet voor u is bestemd. Indien u niet de geadresseerde bent of dit bericht abusievelijk aan u is gezonden, wordt u verzocht dat aan de afzender te melden en het bericht te verwijderen.

De Staat aanvaardt geen aansprakelijkheid voor schade, van welke aard ook, die verband houdt met risico's verbonden aan het elektronisch verzenden van berichten.

This message may contain information that is not intended for you. If you are not the addressee or if this message was sent to you by mistake, you are requested to inform the sender and delete the message.

The State accepts no liability for damage of any kind resulting from the risks inherent in the electronic transmission of messages.

Van: [redacted] <[redacted]@vemw.nl>
Verzonden: donderdag 22 juni 2017 9:51
Aan: [redacted]
CC: [redacted]
Onderwerp: RE: market design- input
Bijlagen: 220617- VEMW amendment proposals electricity directive and regulation.docx

Hi [redacted]

Bijgaand onze concrete verbetersuggesties voor het market design pakket.
 Het is een combinatie van IFIEC-punten en VEMW-punten die het IFIEC pakket niet hebben gehaald. Wat betreft die laatste categorie heb ik zoveel als mogelijk proberen aan te sluiten bij TeneT en Energie-Nederland. Daarnaast heb ik geprobeerd om op basis van jouw verzoek een waardering aan de punten te geven.

Het lijkt me nog steeds een goed idee om eens met een aantal marktpartijen en de ACM over deze over het algemeen technische/economische onderwerpen van gedachten te wisselen.

In ieder geval nadat er definitief rapport van het EP ligt aangezien uit de draft rapporten nogal wat risico's voort kunnen komen voor het Nederlandse marktontwerp.

In ieder geval heel veel succes met het voorbereiden van de positie voor de raadsvergaderingen.
 Mochten er vragen zijn dan hoor ik het graag!

Met vriendelijke groet,

[redacted]
 Sr. Beleidsadviseur Energie



[redacted]@vemw.nl

0348 [redacted]

06-3 [redacted]

@ [redacted]

VEMW | Houttuinlaan 12 | 3447 GM Woerden

Op dit bericht is de disclaimer van VEMW van toepassing. U kunt deze vinden op www.vemw.nl

Van: [redacted]) [mailto:[redacted]@minez.nl]
Verzonden: maandag 12 juni 2017 13:16
Aan: [redacted]
CC: [redacted]
Onderwerp: market design- input

Hoi [redacted]

Graag wilde ik je vraag stellen over het markt design pakket. We hebben daarover al een aantal keren van gedachten gewisseld. De laatste keer op de workshop begin mei. Daarin heb je telkens aangegeven dat jullie op

hoofdpijnen tevreden waren over de voorstellen en de marktgeoriënteerde benadering van de Commissie. Ook heb je jullie zorgen geuit over de GVO-voorstellen uit het RED-pakket. Tijdens de workshop kwam je ook met verschillende concrete voorbeelden waar het beter kan (gebrek aan opdracht tot zorgvuldige afweging, voorkeursbehandeling en onvoldoende oppakken van bekende problemen). Wij zouden het op prijs stellen als je jullie belangrijkste (concrete) verbeter suggesties met ons zou kunnen delen. Zou dat lukken voor het einde van deze week?

Alvast bedankt.

Groeten,

Dit bericht kan informatie bevatten die niet voor u is bestemd. Indien u niet de geadresseerde bent of dit bericht abusievelijk aan u is gezonden, wordt u verzocht dat aan de afzender te melden en het bericht te verwijderen.

De Staat aanvaardt geen aansprakelijkheid voor schade, van welke aard ook, die verband houdt met risico's verbonden aan het elektronisch verzenden van berichten.

This message may contain information that is not intended for you. If you are not the addressee or if this message was sent to you by mistake, you are requested to inform the sender and delete the message.

The State accepts no liability for damage of any kind resulting from the risks inherent in the electronic transmission of messages.

VEMW – Amendment proposals to Clean energy package

a. draft Directive on common rules for the internal market in electricity

Article 2 – Dynamic electricity price contract

Art 2. 11. 'dynamic electricity price contract' means an electricity supply contract between a supplier and a final customer that reflects the price at the spot market or at the day ahead market at intervals at least equal to the market settlement frequency;	Art. 2. 11. 'dynamic electricity price contract' means an electricity supply contract between a supplier and a final customer that reflects the price at the spot market or at the day ahead market at intervals at least equal to the market settlement frequency and allows the final customer to respond to price signals;
Justification Without the possibility to respond to a market price signal, a contract does not allow demand response.	
Status: Nice to Have	

Article 2 – definition demand response

Art. 2. 16. 'demand response' means the change of electricity load by final customers from their normal or current consumption patterns in response to market signals, including time-variable electricity prices or incentive payments, or in response to acceptance of the final customer's bid, alone or through aggregation, to sell demand reduction or increase at a price in organised markets as defined in Commission Implementing Regulation (EU) No 1348/2014;	Art. 2. 16. 'demand response' means the voluntary change of electricity load by final customers from their normal or current consumption patterns in response to market signals or in the context of system services , including time-variable electricity prices or incentive payments, or in response to acceptance of the final customer's bid, alone or through aggregation, to sell demand reduction or increase at a price in organised markets as defined in Commission Implementing Regulation (EU) No 1348/2014;
Justification Definition of demand response should include the voluntary character of such an action and not be limited to react to 'market signals'. Demand response is also possible in the balancing market.	
Status: Nice to Have	

Article 3: barriers to market entry & exit

Art. 3. 2. Members States shall ensure that no undue barriers exist for market entry and market	Art. 3.2. Members States shall ensure that no undue barriers exist for market entry and market
---	---

exit of electricity generation and electricity supply undertakings.	exit of electricity generation and electricity supply undertakings consumers and of independent aggregators."
Justification It is preferable to avoid all barriers. Also no barriers for consumers and aggregators	
Status: Nice to Have	

Article 4 – Freedom of choice

Art. 4. Member states shall ensure that all customers are free to purchase electricity from the supplier of their choice.	Art. 4. "Member states shall ensure that every system user is free to arrange any contractual arrangement with one or more parties on their connection for supply or production including arrangements with independent aggregators.
Justification Freedom of choice should be a right for every system user. Not only supply, but also production! Include independent aggregation	
Status: Nice to Have	

Article 6: specific conditions on TPA

Art. 6.2. The transmission or distribution system operator may refuse access where it lacks the necessary capacity. Duly substantiated reasons shall be given for such refusal, in particular having regard to Article 9, and based on objective and technically and economically justified criteria. Member States or, where Member States have so provided, the regulatory authorities shall ensure that those criteria are consistently applied and that the system user who has been refused access can make use of a dispute settlement procedure. The regulatory authorities shall also ensure, where appropriate and when refusal of access takes place, that the transmission or distribution system operator provides relevant information on measures that would be necessary to reinforce the network. Such information shall be provided in all cases when access for recharging points was denied. The party requesting such information may be charged a reasonable fee reflecting the cost of providing such information.	Art. 6.2. The transmission or distribution system operator may refuse access where it lacks the necessary capacity. Duly substantiated reasons shall be given for such refusal, in particular having regard to Article 9, and based on objective and technically and economically justified criteria. Member States or, where Member States have so provided, the regulatory authorities shall ensure that those criteria are consistently applied and that the system user who has been refused access can make use of a dispute settlement procedure. The regulatory authorities shall also ensure, where appropriate and when refusal of access takes place, that the transmission or distribution system operator provides relevant information on measures that would be necessary to reinforce the network. Such information shall be provided in all cases when access for recharging points was denied. The party requesting such information may be charged a reasonable fee reflecting the cost of providing such information.
Justification Addendum 'such information...' specifically for a certain technology weakens TPA for others	
Status: Must Have	

Article 13 – Contract with aggregator

Art. 13. Member States shall ensure that, where a final customer wishes to conclude a contract with an aggregator, such engagement shall not require the consent of the final customer's supplier.	This whole article can be deleted.
Justification Final customers should must indeed be free to opt for being supplied by a supplier and at the same time exploit their flexibility on the market through an independent aggregator. This can be provided for in article 4.	
Status: Must have	

Article 15 – active customers

Art. 15. 1. Member States shall ensure that final customers: (a) are entitled to generate, store, consume and sell self-generated electricity in all organised markets either individually or through aggregators without being subject to disproportionately burdensome procedures and charges that are not cost reflective;	Art. 15.1. Member States shall ensure that final customers: (a) are entitled to generate, store, consume and sell self-generated electricity in all organised markets either individually or through aggregators without being subject to disproportionately burdensome procedures and charges that are not cost reflective;
Justification Should not be restricted to only selling self-generated electricity, this strongly weakens demand response.	
Status: Nice to have	

Article 17 – demand response (aggregator compensation)

Art. 17 sub 3 a+ d Member States shall ensure that their regulatory framework encourages the participation of aggregators in the retail market and that it contains at least the following elements: (a) the right for each aggregator to enter the market without consent from other market participants; (d) aggregators shall not be required to pay compensation to suppliers or generators;	3. Member States shall ensure that their regulatory framework encourages the participation of aggregators in the retail market and that it contains at least the following elements: (a) the right for each aggregator to enter the market without consent from other market participants <u>having the possibility to unreasonably withhold their consent</u> ; (d) aggregators shall not be required to pay <u>reasonable</u> compensation to suppliers or generators;
---	--

Justification

- No compensation too simplistic
- See definition of demand response
- See freedom of choice

Status: Must to Have

Article 32 – Flexibility for congestion management

Art. 32.1. Member States shall provide the necessary regulatory framework to allow and incentivise distribution system operators to procure services in order to improve efficiencies in the operation and development of the distribution system, including local congestion management. In particular, regulatory frameworks shall enable distribution system operators to procure services from resources such as distributed generation, demand response or storage and consider energy efficiency measures, which may supplant the need to upgrade or replace electricity capacity and which support the efficient and secure operation of the distribution system. Distribution system operators shall procure these services according to transparent, non-discriminatory and market based procedures.

Art. 32.1. Member States shall provide the necessary regulatory framework to allow and incentivise distribution system operators to procure services in order to improve efficiencies in the operation and development of the distribution system, including local congestion management. In particular, regulatory frameworks shall enable distribution system operators to procure services from resources such as distributed generation, demand response or storage and consider energy efficiency measures, which may supplant the need to upgrade or replace electricity capacity and which support the efficient and secure operation of the distribution system **when this is proven to be more economically efficient**. Distribution system operators shall procure these services according to transparent, non-discriminatory and market based procedures.

Justification

EU regulation on DSO is completely new. Local congestion management is allowed and incentivized. There **must be an economic assessment** before allowing DSO to manage congestion and procure services. Procuring services for congestion management should only take place when it is economically more efficient than investing in the grid. The DSO needs to prove this!

Status: Must Have

Article 36 – DSO ownership of storage

Article 36.2

By way of derogation from paragraph 1, Member States may allow distribution system operators to own, develop, manage or operate storage facilities only if the following conditions are fulfilled:

(a) other parties, following an open and transparent tendering procedure, have not expressed their interest to own, develop, manage or operate storage facilities;

Article 36.2

By way of derogation from paragraph 1, Member States may allow distribution system operators to own, develop, manage or operate storage facilities only if the following conditions are fulfilled:

(a) **the distribution system operators have performed a cost benefit analysis of the various options available to solve the identified system**

<p>(b) such facilities are necessary for the distribution system operators to fulfil its obligations under this regulation for the efficient, reliable and secure operation of the distribution system; and</p> <p>(c) the regulatory authority has assessed the necessity of such derogation taking into account the conditions under points (a) and (b) of this paragraph and has granted its approval.</p>	<p>need and storage has been identified as the cheapest available option</p> <p>(ab) other parties, following an open, and transparent and non discriminatory tendering procedure, have not expressed their interest to own, develop, manage or operate storage facilities;</p> <p>(bc) such facilities are necessary for the distribution system operators to fulfil its obligations under this regulation for the efficient, reliable and secure operation of the distribution system; and</p> <p>(ed) the regulatory authority has assessed the necessity and cost efficiency compared to other options of such derogation taking into account the conditions under points (a), (b) and (c) of this paragraph and has granted its approval.</p>
<p>Justification</p> <p>The principle of non-ownership and nonoperation by system operators is stated to be subject to exemptions in Article 36.2 and Article 54.2 of the draft recast Directive. In our view, these exemptions should not exist. If they are maintained, the limitations on the exemptions should be significantly strengthened: costefficiency analyses should be performed by the system operators to look at all alternative ways (not only storage) to solve the identified problem; tenders should be open to different types of technologies (not only storage) to respond to their needs; tenders should be established in such a way that the system operators are not the only ones that can fulfil their requirement; and tendering should last long enough to reduce costs for asset operators.</p>	
<p>Status: Must Have</p>	

Article 51 – Investment plans

Art. 51	Art. 51 This article should be moved to chapter V of the regulation!
<p>Justification</p> <p>The current legislation is only applicable to a specific kind of TSO! This is mistake form the 3rd package that came about in the unbundling discussion. Needs to be corrected now. A clear article on the rules with regard to investment plans is needed for all TSO's (not only the ISO-TSO).</p>	
<p>Status: Must have</p>	

Article 54 – ownership storage TSO

<p>Art. 54. 2</p> <p>By way of derogation from paragraph 1, Member States may allow transmission system operators to own, manage or operate storage facilities and provide nonfrequency ancillary services if the following conditions are fulfilled:</p> <p>(a) other parties, following an open and transparent tendering procedure, have not expressed their interest to own, control, manage or operate such facilities offering storage and/or non-frequency ancillary services to the transmission system operator;</p> <p>(b) such facilities or nonfrequency ancillary services are necessary for the transmission system operators to fulfil its obligations under this regulation for the efficient, reliable and secure operation of the transmission system and they are not used to sell electricity to the market; and</p> <p>(c) the regulatory authority has assessed the necessity of such derogation taking into account the conditions under points (a) and (b) of this paragraph and has granted its approval.</p>	<p>Art. 54.2</p> <p>By way of derogation from paragraph 1, Member States may allow transmission system operators to own, manage or operate storage facilities and provide non- frequency ancillary services if the following conditions are fulfilled:</p> <p>(a) the transmission system operators have performed a costbenefit analysis of the various options available to solve the identified system need and storage has been identified as the cheapest available option</p> <p>(ab) other parties, following an open, and transparent and non-discriminatory tendering procedure, have not expressed their interest to own, control, manage or operate such facilities offering storage and/or nonfrequency ancillary services to the transmission system operator;</p> <p>(bc) such facilities or nonfrequency ancillary services are necessary for the transmission system operators to fulfil its obligations under this regulation for the efficient, reliable and secure operation of the transmission system and they are not used to sell electricity to the market; and</p> <p>(ed) the regulatory authority has assessed the necessity and cost efficiency compared to other options of such derogation taking into account the conditions under points (a), (b) and (c) of this paragraph and has granted its approval.</p>
<p>Justification</p> <p>It is unclear why a TSO should use storage. There must be always be an economic assessment (CBA) when storage is used instead of grid reinforcements.</p>	
<p>Status: Must have</p>	

Article 63/67 – delegated acts

Art. 67	Art. 67 [Delete article 63 and references to the adoption of delegated acts in articles 31, 46, 54, 55, 56, and 59]
Justification This realizes a new right for the EC to adopt delegates acts w.r.t. network codes. However, consultation only of a country expert is not in line with principles of good governance. We are very worried by the proposed change in the procedure for adopting network codes – from adoption by implementing acts towards use of delegated acts. These articles are covering quite a number of politically sensitive areas by delegated acts may be problematic, as the procedure of adopting delegated acts can never ensure the same transparency and Member States' involvement in the legislative process as the ordinary legislative procedure. Therefore we believe that these areas shall be tackled either directly in the text of the regulation / directive, or that network codes shall be adopted as implementing acts.	
Status: Nice to Have	

draft Regulation on common rules for the internal market in electricity

Article 2: missing definition Market participant

Art. 2 Missing definition of market participant	Art. 2 'market participant' means any person, including transmission system operators, who enters into transactions, including the placing of orders to trade, in one or more wholesale energy markets;
Justification Market participant needs its own definition in the regulation. Otherwise it is unclear who is meant with BSP and BRP. The same definition as in REMIT can be used. By using the same definition but by not taking over all the REMIT exemptions we ensure that everyone can participate in the market.	
Status: Must Have	

Article 2 – definition structural congestion

Art. 2 (e) 'structural congestion' means congestion in the transmission system that is predictable, is geographically stable over time, and is frequently reoccurring under normal power system conditions;	Art. 2 (e) 'structural congestion' means congestion in the transmission system that is recurrent, predictable , is geographically stable over time, and is frequently reoccurring under normal power system conditions;
Justification We proposes this specification rather than "predictable".	
Status: Nice to have	

Article 4 – balancing responsibility

Art. 4.2. Member States may provide for derogation from balance responsibility in respect of: (a) demonstration projects; (b) generating installations using renewable energy sources or high-efficiency cogeneration with an installed electricity capacity of less than 500 kW; (c) installations benefitting from support approved by the Commission under Union State aid rules pursuant to Articles 107 to 109 TFEU, and commissioned prior to [OP: entry into force]. Member States may, subject to Union state aid rules, incentivize market participants which are fully or partly exempted from balancing responsibility to accept full balancing responsibility against appropriate compensation.	Art. 4. 2. Member States may provide for derogation from balance responsibility in respect of: (a) demonstration projects; (b) generating installations using renewable energy sources or high-efficiency cogeneration with an installed electricity capacity of less than 500 kW; (c) installations benefitting from support approved by the Commission under Union State aid rules pursuant to Articles 107 to 109 TFEU, and commissioned prior to [OP: entry into force]. Member States may, subject to Union state aid rules, incentivize market participants which are fully or partly exempted from balancing responsibility to accept full balancing responsibility against appropriate
--	---

3. From 1 January 2026, point (b) of paragraph 2 shall apply only to generating installations using renewable energy sources or high-efficiency cogeneration with an installed electricity capacity of less than 250 kW.	compensation. 3. From 1 January 2026, point (b) of paragraph 2 shall apply only to generating installations using renewable energy sources or high-efficiency cogeneration with an installed electricity capacity of less than 250 kW.
Justification Balancing responsibilities should be the same for all market participants, without exceptions. In line with the Electricity Balancing Guideline there should be no derogations granted to market part with regards to balancing responsibility. Balancing agents can be determined in case a market party can otherwise not handle the obligations	
Status: Must have (although politicaly difficult)	

Article 8 – long term transmission right

Art. 8.1. In line with regulation (EU) 2016/1719, transmission system operators shall issue long-term transmission rights or have equivalent measures in place to allow for market participants, in particular owners of generation facilities using renewable energies, to hedge price risks across bidding zone borders.	Art. 8.1. In line with regulation (EU) 2016/1719, transmission system operators shall issue long-term transmission rights or have equivalent measures in place to allow for market participants, in particular owners of generation facilities using renewable energies, to hedge price risks across bidding zone borders.
Justification The equivalent measures referred to will not hedge price risk across bidding zones but the difference between area price and system price.....Also industrial consumers need to hedge price risk	
Status: Nice to have	

Article 8 – forward markets

Art. 8.3. Subject to compliance with treaty rules on competition, market operators shall be free to develop forward hedging products including for the long -term to provide market participants, in particular owners of generation facilities using renewable energies, with appropriate possibilities to hedge financial risks from price fluctuations. Member States shall not restrict such hedging activity to trades within a Member State or bidding zone.	Art. 8.3. Subject to compliance with treaty rules on competition, market operators shall be free to develop forward hedging products including for the long -term to provide market participants, in particular owners of generation facilities using renewable energies, with appropriate possibilities to hedge financial risks from price fluctuations. Member States shall not restrict such hedging activity to trades within a Member State or bidding zone.
Justification No need for specific rights needed for RES owners. Weakens rights for others.	
Status: nice to have	

Article 10 - VOLL evaluation

Article 10.2 Member States shall at least every five years.	Article 10.2 Member States shall <i>evaluate their estimates every year and update them whenever a significant change is observed, and</i> at least every five years.
Justification Given the fast evolution of factors influencing generation adequacy, the evaluation period should be brought down to 1 year.	
Status: nice to have	

Article 11: priority dispatch

Article 11.4 <i>Priority dispatch for existing RES installations</i>	Article 11.4: to be deleted
Justification This is exactly the problem and must be solved. Responsibilities should be the same for all system users, no exceptions.	
Status: Must have	

Article 14: redispatch and countertrade

Article 14.3 The maximum capacity of the interconnections and/or the transmission networks affecting cross-border flows shall be made available to market participants, complying with safety standards of secure network operation. ⇨ Counter-trading and redispatch, including cross-border redispatch, shall be used to maximise available capacities unless it is demonstrated that it is not beneficial to economic efficiency at Union level. ⇨	Article 11.4: The maximum capacity of the interconnections and/or the transmission networks affecting cross-border flows shall be made available to market participants, complying with safety standards of secure network operation. ⇨ Counter-trading and redispatch, including cross-border redispatch, to maximise available capacities shall only be used when it is demonstrated that it is not beneficial to economic efficiency at Union level the foreseen related costs are not expected to be higher than social welfare benefits.
Justification Only use redispatch and countertrade when proven to be more economically efficient. Not the other way around. Countertade en redistpatch end-up in the end-user electricity bill. This is potentially huge cost for consumers!	

Article 16 – Grid charges

<p>Art. 16.1. Charges applied by network operators for access to networks , including charges for connection to the networks, charges for use of networks, and, where applicable, charges for related network reinforcements, shall be transparent, take into account the need for network security and flexibility and reflect actual costs incurred insofar as they correspond to those of an efficient and structurally comparable network operator and are applied in a non-discriminatory manner. In particular, they shall be applied in a way which does not discriminate between production connected at the distribution level and production connected at the transmission level, either positively or negatively. They shall not discriminate against energy storage and shall not create disincentives for participation in demand response. Without prejudice to paragraph 3, those charges shall not be distance-related.</p>	<p>Art. 16.1. Charges applied by network operators for access to networks, including charges for connection to the networks, charges for use of networks, and, where applicable, charges for related network reinforcements, shall be transparent, take into account the need for network security and the need for flexibility and reflect actual costs incurred insofar as they correspond to those of an efficient and structurally comparable network operator and are applied in a non-discriminatory manner. In particular, they shall be applied in a way which does not discriminate between production or energy-intensive consumption connected at the distribution level and production connected at the transmission level, either positively or negatively. They shall not discriminate against energy storage and shall not create disincentives for participation in demand response. Without prejudice to paragraph 3, those charges shall not be distance-related. Regulatory authorities shall ensure that there are no cross-subsidies between transmission, distribution, and supply activities.</p>
<p>Justification There should be no cross-subsidies!</p>	
<p>Status: nice to have</p>	

Article 16 – grid charges

Art. 16.2. Tariffs shall grant appropriate incentives to transmission and distribution system operators, over both the short and long term, to increase efficiencies, including energy efficiency, foster market integration and security of supply, and support investments and the related research activities.	Art. 16.2. Tariffs shall grant appropriate incentives to transmission and distribution system operators, over both the short and long term, to increase efficiencies, including energy efficiency , foster market integration and security of supply and global competitiveness , and support investments and the related research activities.
Justification Tariffs should not be incentivising energy efficiency but only efficient use of the grid. Given the importance of grid tariffs for competitiveness, this aspect should also be taken into account.	
Status: Must have	

Article 16 – grid charges reflect large/flex off-take

Art. 16.3. Where appropriate, the level of the tariffs applied to producers and/or consumers shall provide locational signals at Union Community level, and take into account the amount of network losses and congestion caused, and investment costs for infrastructure.	Art. 16.3. Where appropriate, the level of the tariffs applied to producers and/or consumers shall provide locational signals at Union Community level, and take into account the amount of network losses and congestion caused, and investment costs for infrastructure. <i>Tariffs may reflect beneficial services provided to the grid by large, stable, flexible and/or anti-cyclical off-take.</i>
Justification Important to retain services of large, stable and flexible consumption	
Status: Must Have	

Article 16 – grid charges DSO

Art. 16.7/8.	Art. 16.7/8: articles to be deleted. Please leave it to the member states
Justification Must not to be regulated by EU!!!	
Status: Must Have!!!	

Article 17 - congestion income

<p>Art. 17.2. Any revenues resulting from the allocation of interconnection capacity shall be used for the following purposes:</p> <p>(a) guaranteeing the actual availability of the allocated capacity; and/or</p> <p>(b) maintaining or increasing interconnection capacities through network investments, in particular in new interconnectors.</p> <p>If the revenues cannot be efficiently used for the purposes set out in points (a) and/or (b) of the first subparagraph, they shall be placed on a separate internal account line for future use on these purposes</p>	<p>Art. 17.2. Any revenues resulting from the allocation of interconnection capacity shall be used for the following purposes:</p> <p>(a) guaranteeing the actual availability of the allocated capacity; and/or</p> <p>(b) maintaining or increasing interconnection capacities through network investments, in particular in new interconnectors.</p> <p>c) subject to approval by the regulatory authorities of the Member States concerned as income to be taken into account by the regulatory authorities when approving the methodology for calculating network tariffs and/or fixing network tariffs.</p> <p>If the revenues cannot be efficiently used for the purposes set out in points (a), (b) and/or (c) of the first subparagraph, they shall be placed on a separate internal account line until such time as the revenues can be spent on the purposes set out in points (a), (b) and/or (c) of the first subparagraph.</p>
<p>Justification</p> <p>Congestion income must be allowed to be used to reduce grid tariffs if the national TSO does not have sufficient investment projects that are socio-economically beneficial. Proposal to keep original text (current regulation)</p>	
<p>Status: Must Have</p>	

Article 18 – Adequacy assessment

<p>Art. 18.2. Where the European resource adequacy assessment identifies a resource adequacy concern Member States shall identify any regulatory distortions that caused or contributed to the emergence of the concern.</p>	<p>Art. 18.2. Where the European resource adequacy assessment identifies a resource adequacy concern, Member States shall identify any market failures and/or regulatory distortions that caused or contributed to the emergence of the concern.</p>
<p>Justification</p> <p>Adequacy concerns are not only due to regulatory distortions but also to market failures. The latter should also be identified and tackled.</p>	
<p>Status: nice to have</p>	

Article 23 – capacity mechanism

Art. 23.3. Capacity mechanisms shall not create unnecessary market distortions and not limit cross-border trade. The amount of capacity committed in the mechanism shall not go beyond what is necessary to address the concern.	Art. 23.3. Capacity mechanisms shall not create unnecessary market distortions and not limit cross-border trade. The amount of capacity committed in the mechanism shall not go beyond what is necessary to address the concern.
Justification There are no "necessary" market distortions.	
Status: nice to have	

Article 51: tasks DSO

Art. 51.1 The tasks of the EU DSO entity shall be the following: (a) coordinated operation and planning of transmission and distribution networks; (b) integration of renewable energy resources, distributed generation and other resources embedded in the distribution network such as energy storage; (c) development of demand response; (d) digitalisation of distribution networks including deployment of smart grids and intelligent metering systems; (e) data management, cyber security and data protection (f) participation in the elaboration of network codes pursuant to Article 56.	Art. 51.1 The tasks of the EU DSO entity shall be the following: (a) coordinated perform operation and planning of transmission networks; in cooperation with the operation and planning of transmission networks; (b) provide access to distribution networks of renewable energy resources, distributed generation and other resources (c) development of demand response; (c) digitalisation of distribution networks including deployment of smart grids and intelligent metering systems; (d) promotion of data management, cyber security and data protection (e) participation in the elaboration of network codes pursuant to Article 56.
Justification The tasks of the EU DSO entity should be as clear as possible. It should not be responsible for market design. In that respect, the word "integration" (in Article 51.1.b of the draft recast Regulation is too broad and imprecise. DSOs are not responsible for the integration of (renewable) generation in the market. It would be better to rephrase this into providing access to the grid. DSOs are absolutley not responsible for the development of demand side response . Therefore Article 51.1.c of the draft recast Regulation should be removed.	
Status: Must Have	

Article 54: Delegated acts

1. The Commission may, subject to the empowerments in Articles 55 paragraph 2 and 57, adopt delegated acts. Such delegated acts can either be adopted as network codes on the basis of text proposals developed by the ENTSO for Electricity, or, where so decided in the priority list pursuant to Article 55 paragraph 2, by the EU DSO entity and the Agency pursuant to the procedure in Article 55 or as guidelines pursuant to the procedure in Article 57.	1. The Commission may, subject to the empowerments in Articles 55 paragraph 2 and 57, adopt delegated acts. Such delegated acts can either be adopted as network codes on the basis of text proposals developed by the ENTSO for Electricity, or, where so decided in the priority list pursuant to Article 55 paragraph 2, by the EU DSO entity and the Agency pursuant to the procedure in Article 55 or as guidelines pursuant to the procedure in Article 57.
Justification Unclear how to deal with Delegated Acts and what effects for MS they really have compared to the comitology process.	
Status: Must Have	

Article 56: Delegated acts

1. The Commission is empowered to adopt delegated acts in accordance with Article 63 concerning the amendment of network codes following the procedure under Article 55. Amendments can also be proposed by the Agency under the procedure set out in paragraphs 2 to 4 of this article.	1. The Commission is empowered to adopt delegated acts in accordance with Article 63 concerning the amendment of network codes following the procedure under Article 55. Amendments can also be proposed by the Agency under the procedure set out in paragraphs 2 to 4 of this article.
Justification This is not in line with principles of good governance. The procedure to establish network codes involves a proper stakeholder consultation process. Delegated acts do not have such a clear process.	
Status: Must Have	

Article 57: Delegated acts

1. The Commission may adopt binding guidelines in the areas listed below. 2. The Commission may adopt a delegated act as a Guideline in the areas where such acts could also be developed under the network code procedure pursuant to Article 55 (1).	1. The Commission may adopt binding guidelines in the areas listed below. 2. The Commission may adopt a delegated act as a Guideline in the areas where such acts could also be developed under the network code procedure pursuant to Article 55 (1).
Justification	
Status: Must Have	

Van: [redacted] <[redacted]@energie-nederland.nl>
Verzonden: woensdag 4 oktober 2017 16:08
Aan: [redacted]
CC: [redacted]
Onderwerp: Re: REV 1 markt design

Hallo [redacted]

Maandag zal mijn collega [redacted] ook meekomen.

Met vriendelijke groeten,

Sent from my mobile device.

Op 2 okt. 2017 om 14:32 heeft [redacted] <[redacted]@minez.nl> het volgende geschreven:

Merci, Maandagochtend is prima voor mij. Als het hier kan graag, kan ik ook kijken wie evt kan aansluiten.

gr

Van: [redacted] [mailto:[redacted]@energie-nederland.nl]

Verzonden: maandag 2 oktober 2017 14:31

Aan: [redacted]

Onderwerp: Re: REV 1 markt design

Hoi [redacted]

Hartelijk dank. Ik zal dat proberen rond te krijgen bij onze leden. Is maandagochten 9.30 uur een optie voor jou? Ik zou ook even naar jullie toe kunnen komen.

Met vriendelijke groeten,

Manager Market Affairs

Energie-Nederland

t: +31 (0) [redacted]

m: +31 (0) [redacted]

e: [redacted]@energie-nederland.nl

w: www.energie-nederland.nl

Op 2 okt. 2017, om 14:27 heeft [redacted] <[redacted]@minez.nl> het volgende geschreven:
 Beste [redacted]

We hebben van de Esten hun planning voor de komende weken gekregen en ze verwachten van ons dat we uiterlijk 12 oktober met schriftelijk commentaar komen op REV 1. We willen dus zelf graag eind van deze week, uiterlijk maandag inzicht hebben in wat stakeholders van de voorstellen vinden. Ook om evt (telefonisch) nog door te kunnen lopen. Is dat voor jou haalbaar? We

zouden dan bijvoorbeeld maandag 9 oktober –als het je uitkomt- kunnen afspreken om er door heen te lopen.

Hoor graag van je

Van: [redacted]

Verzonden: maandag 18 september 2017 10:48

Aan: [redacted]

Onderwerp: Re: REV 1 markt design

Hoi [redacted]

bedankt.

Ben nu t/m woensdag in tallinn waar LS spreken over market design. Heb dus ruim gelegenheid om met andere LS de wijzigingen te bespreken. Als je Al de mogelijkheid ziet om op hoofdlijnen je eerste reactie te geven op de belangrijkste art (aggregators, reg prices, CRM's) dan is dat handig.

Gr [redacted]

Verstuurd vanaf mijn iPhone

Op 18 sep. 2017 om 11:09 heeft [redacted] <[redacted]@energie-nederland.nl> het volgende geschreven:

[redacted]
We gaan er naar kijken en komen zo snel mogelijk met opmerkingen.
Met vriendelijke groeten,

[redacted]
Manager Market Affairs

Energie-Nederland

t: +31 (0) 70 [redacted]

m: +31 (0) [redacted]

e: [redacted]@energie-nederland.nl

w: www.energie-nederland.nl

Op 15 sep. 2017, om 17:46 heeft [redacted]
([redacted]@minez.nl> het volgende geschreven:

Beste [redacted]

Zojuist is de REV 1 binnengekomen. Ik heb nog geen tijd gehad om het te bekijken, maar hierbij in de bijlage alle documenten.

We zijn natuurlijk benieuwd naar je reacties op de wijzigingen en het lijkt me nuttig om binnenkort een gezamenlijke sessie te organiseren. Mochten je voor die tijd input geven, dan is dat natuurlijk welkom.

Gr [redacted]

Dit bericht kan informatie bevatten die niet voor u is bestemd.

Indien u

niet de geadresseerde bent of dit bericht abusievelijk aan u is gezonden,

wordt u verzocht dat aan de afzender te melden en het bericht te

verwijderen.

De Staat aanvaardt geen aansprakelijkheid voor schade, van

welke aard

ook, die verband houdt met risico's verbonden aan het elektronisch

verzenden van berichten.

This message may contain information that is not intended for you. If you

are not the addressee or if this message was sent to you by mistake, you

are requested to inform the sender and delete the message.

The State accepts no liability for damage of any kind resulting from the

risks inherent in the electronic transmission of messages.

Dit bericht kan informatie bevatten die niet voor u is bestemd. Indien u niet de geadresseerde bent of dit bericht abusievelijk aan u is gezonden, wordt u verzocht dat aan de afzender te melden en het bericht te verwijderen.

De Staat aanvaardt geen aansprakelijkheid voor schade, van welke aard ook, die verband houdt met risico's verbonden aan het elektronisch verzenden van berichten.

This message may contain information that is not intended for you. If you are not the addressee or if this message was sent to you by mistake, you are requested to inform the sender and delete the message.

The State accepts no liability for damage of any kind resulting from the risks inherent in the electronic transmission of messages.

Dit bericht kan informatie bevatten die niet voor u is bestemd. Indien u niet de geadresseerde bent of dit bericht abusievelijk aan u is gezonden, wordt u verzocht dat aan de afzender te melden en het bericht te verwijderen.

De Staat aanvaardt geen aansprakelijkheid voor schade, van welke aard ook, die verband houdt met risico's verbonden aan het elektronisch verzenden van berichten.

This message may contain information that is not intended for you. If you are not the addressee or if this message was sent to you by mistake, you are requested to inform the sender and delete the message.

The State accepts no liability for damage of any kind resulting from the risks inherent in the electronic transmission of messages.

Van: [redacted]@statkraft.com>
Verzonden: vrijdag 19 mei 2017 11:01
Aan: [redacted]
Onderwerp: RE: Statkraft commentaar Clean Energy Package
Bijlagen: Position paper on PEF without logos.pdf; 160513_Fraunhofer Final report on PEF to EC_AnnextoDiscussionPaper_Repor....pdf

Beste [redacted]

In ons gesprek vorige maand, gaf je nog aan behoefte te hebben aan meer achtergrond informatie met betrekking tot de PEF (de Primary Energy Factors). Wij pleiten voor een lagere PEF, terwijl je van andere organisaties (die net als ons een duurzame energievoorziening nastreven) het tegenovergestelde had begrepen.

Daarom voeg ik hierbij in het kort onze positie en het rapport waar onze positie ook op is gebaseerd.

Aarzel niet om nadere vargen te stellen!

Groet

With best regards

[redacted]
Head Advisor Market Policies & Regulatory Affairs

-- DIRECT +31 (0)20 [redacted]

-- MOBILE +31 (0) [redacted]

-- SWITCHBOARD +31 (0)20 [redacted]

-- FAX+31 (0)20 [redacted]

Statkraft Markets B.V.

Gustav Mahlerplein 100, 1082 MA, Amsterdam, The Netherlands

Chamber of Commerce: 33304386

www.statkraft.com

CONFIDENTIALITY NOTICE

The contents of this email are confidential to the ordinary user of the email address to which it was addressed and may also be privileged. If you are not the addressee of this email you may not copy, forward, disclose or otherwise use it or any part of it in any form whatsoever. If you have received this email in error please email the sender by replying to this message.

VERTRAULICHKEITSHINWEIS

Der Inhalt dieser Email ist vertraulich und ausschließlich für den Besitzer der genannten Email-Adresse bestimmt. Anderen Personen als dem Empfänger ist es nicht erlaubt, diese Email zu kopieren, weiterzuleiten, offenzulegen oder sie in irgendeiner Form oder Teilen zu verwenden. Sollten Sie diese Email irrtümlich erhalten haben, senden Sie diese bitte an den Absender zurück.

[Link zu den Angaben nach § 37a HGB.](#)

From: [redacted]
Sent: 12 April 2017 15:40
To: [redacted]
Subject: RE: Statkraft commentaar Clean Energy Package

Beste [redacted]

Ik heb hierbij nog een update van onze voorstellen met amendementen met betrekking tot de markt richtlijn en verordening bijgevoegd.

Maar geen grote verschillen met de versie die ik je eerder stuurde.
Tot morgen

With best regards

[REDACTED]
Head Advisor Market Policies & Regulatory Affairs

-- DIRECT +31 (0)20 [REDACTED]
-- MOBILE +31 (0) [REDACTED]
-- SWITCHBOARD +31 (0)20 [REDACTED]

-- FAX+31 (0)20 [REDACTED]

Statkraft Markets B.V.

Gustav Mahlerplein 100, 1082 MA, Amsterdam, The Netherlands

Chamber of Commerce: 33304386

www.statkraft.com

CONFIDENTIALITY NOTICE

The contents of this email are confidential to the ordinary user of the email address to which it was addressed and may also be privileged. If you are not the addressee of this email you may not copy, forward, disclose or otherwise use it or any part of it in any form whatsoever. If you have received this email in error please email the sender by replying to this message.

VERTRAULICHKEITSHINWEIS

Der Inhalt dieser Email ist vertraulich und ausschließlich für den Besitzer der genannten Email-Adresse bestimmt. Anderen Personen als dem Empfänger ist es nicht erlaubt, diese Email zu kopieren, weiterzuleiten, offenzulegen oder sie in irgendeiner Form oder Teilen zu verwenden. Sollten Sie diese Email irrtümlich erhalten haben, senden Sie diese bitte an den Absender zurück.

[Link zu den Angaben nach § 37a HGB.](#)

From: [REDACTED] [[mailto:\[REDACTED\]@minez.nl](mailto:[REDACTED]@minez.nl)]

Sent: 03 April 2017 08:57

To: [REDACTED]

Subject: RE: Statkraft commentaar Clean Energy Package

Beste [REDACTED]

Prima. Tot de 13^e., ik zal je aanmelden zodat je kan doorlopen naar het grand cafe bij ons op begane grond. Daar zal ik dan ook zijn.

Gr [REDACTED]

Van: [REDACTED] [[mailto:\[REDACTED\]@statkraft.com](mailto:[REDACTED]@statkraft.com)]

Verzonden: zondag 2 april 2017 9:19

Aan: [REDACTED]

Onderwerp: RE: Statkraft commentaar Clean Energy Package

Beste [REDACTED]

In dat geval kies ik voor donderdag 13 april. 9.00.

Tot dan

Groet

[REDACTED]

----- Oorspronkelijk bericht -----

Onderwerp: RE: Statkraft commentaar Clean Energy Package

[redacted])" <[redacted]@minez.nl>

Aan: 30 mrt. 2017 09:18

Cc: [redacted] <[redacted]@statkraft.com>

Beste [redacted]

Bedankt voor je reactie,

Ik zou volgende week maandag kunnen. Om 9:00. Alternatief zou zijn donderdag 13 april om 9:00.

Gr [redacted]

Van: [redacted] [mailto:[redacted]@statkraft.com]

Verzonden: woensdag 29 maart 2017 19:15

Aan: [redacted]

Onderwerp: RE: Statkraft commentaar Clean Energy Package

Beste [redacted]

Heel graag. Ik woon in Den Haag (en werk in Amsterdam). Dus voor mij is het ideaal om begin ochtend (bijv 9.00) of eind middag (bijv. 16.00) af te spreken.

Volgende week is dinsdag 4 april perfect. Maar ook maandag of donderdag zou kunnen.

Groet

[redacted]

----- Oorspronkelijk bericht -----

Onderwerp: RE: Statkraft commentaar Clean Energy Package

Van: "[redacted]" <[redacted]@minez.nl>

Aan: 28 mrt. 2017 15:25

Cc: [redacted] <[redacted]@statkraft.com>

Beste [redacted]

Hartelijk dank voor het heldere verhaal. Lijkt me idd nuttig om hier eens verder over door te praten. Op welke data zou je in Den Haag kunnen zijn?

Gr [redacted]

Van: [redacted] [mailto:[redacted]@statkraft.com]

Verzonden: maandag 27 maart 2017 15:19

Aan: [redacted]

CC: [redacted]; [redacted]@minbuza.nl

Onderwerp: Statkraft commentaar Clean Energy Package

Beste [redacted]

Zoals een paar weken geleden op grote hoogte in Den Haag besproken, zend ik je hierbij onze zienswijze op het CEP. Naast een algemeen verhaal vind je ook een tabel met concrete voorstellen voor amendementen. Uiteraard ben ik graag bereid een en ander toe te lichten, indien jullie daar behoefte aan hebben.

With best regards

[REDACTED]
Head Advisor Market Policies & Regulatory Affairs

-- DIRECT +31 (0)20 [REDACTED]
-- MOBILE +31 (0) [REDACTED]
-- SWITCHBOARD +31 (0)20 [REDACTED]
-- FAX+31 (0)20 [REDACTED]

Statkraft Markets B.V.

Gustav Mahlerplein 100, 1082 MA, Amsterdam, The Netherlands
Chamber of Commerce: 33304386

www.statkraft.com

CONFIDENTIALITY NOTICE

The contents of this email are confidential to the ordinary user of the email address to which it was addressed and may also be privileged. If you are not the addressee of this email you may not copy, forward, disclose or otherwise use it or any part of it in any form whatsoever. If you have received this email in error please email the sender by replying to this message.

VERTRAULICHKEITSHINWEIS

Der Inhalt dieser Email ist vertraulich und ausschließlich für den Besitzer der genannten Email-Adresse bestimmt. Anderen Personen als dem Empfänger ist es nicht erlaubt, diese Email zu kopieren, weiterzuleiten, offenzulegen oder sie in irgendeiner Form oder Teilen zu verwenden. Sollten Sie diese Email irrtümlich erhalten haben, senden Sie diese bitte an den Absender zurück.

[Link zu den Angaben nach § 37a HGB.](#)

Dit bericht kan informatie bevatten die niet voor u is bestemd. Indien u niet de geadresseerde bent of dit bericht abusievelijk aan u is gezonden, wordt u verzocht dat aan de afzender te melden en het bericht te verwijderen.

De Staat aanvaardt geen aansprakelijkheid voor schade, van welke aard ook, die verband houdt met risico's verbonden aan het elektronisch verzenden van berichten.

This message may contain information that is not intended for you. If you are not the addressee or if this message was sent to you by mistake, you are requested to inform the sender and delete the message.

The State accepts no liability for damage of any kind resulting from the risks inherent in the electronic transmission of messages.

Dit bericht kan informatie bevatten die niet voor u is bestemd. Indien u niet de geadresseerde bent of dit bericht abusievelijk aan u is gezonden, wordt u verzocht dat aan de afzender te melden en het bericht te verwijderen.

De Staat aanvaardt geen aansprakelijkheid voor schade, van welke aard ook, die verband houdt met risico's verbonden aan het elektronisch verzenden van berichten.

This message may contain information that is not intended for you. If you are not the addressee or if this message was sent to you by mistake, you are requested to inform the sender and delete the message.

The State accepts no liability for damage of any kind resulting from the risks inherent in the electronic transmission of messages.

Dit bericht kan informatie bevatten die niet voor u is bestemd. Indien u niet de geadresseerde bent of dit bericht abusievelijk aan u is gezonden, wordt u verzocht dat aan de afzender te melden en het bericht te verwijderen.

De Staat aanvaardt geen aansprakelijkheid voor schade, van welke aard

ook, die verband houdt met risico's verbonden aan het elektronisch verzenden van berichten.

This message may contain information that is not intended for you. If you are not the addressee or if this message was sent to you by mistake, you are requested to inform the sender and delete the message.

The State accepts no liability for damage of any kind resulting from the risks inherent in the electronic transmission of messages.

The EU needs a primary energy factor that supports the objectives of the Energy Union

We are a group of companies and associations that are committed to EU's goal of decarbonising the European energy system, while increasing energy security; and see increased integration between sectors (heating, cooling, transport and electricity) as a cost-efficient tool to achieve this. We are in this context concerned that the European Commission's (EC) review of the primary energy factor¹ (PEF) for electricity constitutes a barrier to these objectives

The hired experts working for the EC have shortlisted four options² for a methodology and data to determine the PEF for the coming years. The PEF over time for the four shortlisted options are shown in the table below (the current value used is 2.5):

PEF Method	2010	2015	2020	2025	2030
Method 1	2.26	2.08	1.87	1.79	1.74
Method 2	2.14	1.90	1.59	1.46	1.35
Method 3	2.38	2.21	2.01	1.93	1.87
Method 4	2.49	2.30	2.09	2.00	1.93

From the table one can observe that method 4 gives the highest results for PEF, while option 2 gives the lowest results for PEF. The experts undertaking the in-depth study prefer option 2: *The authors' preference is to include all non-renewable resource consumption [option 2] in the calculation process in a simplified life cycle perspective. This leads to the lowest PEF of electricity and the most appropriate comparison with other fuels delivering services such as heat.*

Despite this clear recommendation to go for the lowest PEF, the Commission appears to prefer the most conservative option (option 4) which leads to the highest PEF among the 4 shortlisted options. We would like to express our agreement with the experts and raise 3 high-level concerns that arise from choosing method 4 above method 2:

1. Method 4 is a barrier to more flexible electricity markets and thus a barrier to decarbonisation.
2. Method 4 reduces security of supply by ignoring that non-combustible RES are never imported.
3. Method 4 is likely to misguide consumers and disempower them.

On decarbonisation: The Commission's energy and climate roadmap and numerous other studies underline the role of electrification as a pre-requisite for decarbonisation, and the role in providing flexibility. A high PEF (method 4) on the other hand promotes the use of gas for heating and the EU runs the risk of locking in fossil fuel investments for decades, while being a barrier to more flexible heat demand. Together this makes the long-term objective of decarbonisation more costly and difficult to reach. The Commission argues that: *"the role of RES is also recognised because for fossil fuels and directly combustible renewable fuels a life cycle approach is applied, with a PEF value for this of 1.1 (while it is 1 for RES)".* A difference of 0,1 is however not reflecting that Europe needs to phase out the use of fossil fuels, while significantly increase the use of renewable energy. Electricity generated from RES does not emit greenhouse gas emissions. It is therefore appropriate to use method 2.

On security of supply: One of the four energy policy criteria in the consultants' report is to maintain and strengthen EU security of supply. To achieve this EU's energy imports must be reduced. However, there is

¹ The PEF is a multiplier used to compare mainly electricity to other energy sources. The logic is to compare the amount of primary energy that was consumed to produce one unit of final electricity.

² Calculation method 1 is designed to provide a calculation method that is in line with the Eurostat primary energy calculation. Calculation method 2 is like method 3 but counting primary energy input of non-combustible RES as 0. Calculation method 3 is a variation of calculation method 1 in order to analyse the impact of changing the allocation method for CHP from the "IEA method" to the "Finish method". Calculation method 4 modifies calculation method 3 by adding the life cycle perspective to the conventional fuels.

no shortage of wind or solar in the EU. These are not energy sources that are imported to the EU. This fact is reflected in method 2.

On consumer empowerment and information: In order for consumers to become more active participants in the electricity markets, they must have the ability to reduce or shift electricity loads. Electricity loads that are particularly relevant for demand response purposes are low priority loads such as electrical heaters, heat pumps, boilers, and other household appliances, which are all discouraged with a high PEF – thus reducing consumer empowerment in the electricity market.

With smart meters and dynamic pricing such appliances will use cheap electricity that is mainly renewables (as low prices will correlate with a high infeed of RES), and thus at times of low PEF. This will be highly efficient use of resources, but consumers will be discouraged from buying electrical appliances as the PEF is based on yearly average figures, thus ignoring the market reality. While a time-of-use PEF is challenging (impossible) to implement, method 2 is closer to reality than method 4. Method 2 would therefore provide more correct energy labels.

The way forward should be to follow the advice of the experts; choose option 2.

Van: [redacted] <[redacted]@vemw.nl>
Verzonden: woensdag 16 november 2016 16:09
Aan: [redacted]
Onderwerp: RE: Voorbereiding RO 15 nov

Beste [redacted]

Zullen we kort na 30 november een afspraak plannen om te spreken over het winter package?

We hebben nu gelukkig een groot pakket met drafts binnen die we intern de 29^e november bespreken.

Lijkt me goed om jullie daarna op de hoogte te brengen van de grootste issues voor Nederlandse industrie.

Schikt 2 december jou bijvoorbeeld? Mocht het jumbopakket niet gepubliceerd worden op de 30^e dan eventueel uitstellen tot medio december?

Met vriendelijke groet,

[redacted]
 Sr. Beleidsadviseur Energie



[redacted]@vemw.nl

0348-

06-

VEMW | Houttuinlaan 12 | 3447 GM Woerden

Op dit bericht is de disclaimer van VEMW van toepassing. U kunt deze vinden op www.vemw.nl

Van: [redacted] ([redacted] [mailto:[redacted]@minez.nl])
Verzonden: vrijdag 11 november 2016 9:50
Aan: [redacted]
CC: [redacted]
Onderwerp: RE: Voorbereiding RO 15 nov

Hi [redacted]

Dank voor het overzicht! Een paar opmerkingen:

- Energieagenda: [redacted] zal nog voor de lancering van de agenda met [redacted] de hoofdlijnen langs willen lopen. Dit gesprek moet nog worden ingepland (eind no/begin dec). We kunnen er dinsdag al wel kort op ingaan.
- New Market Design: ik begreep van [redacted] dat het pakket waarschijnlijk 30 nov uitkomt, dan zal daarna het NL standpunt worden bepaald. [redacted] gaf aan dat hij graag met jullie wil spreken om te horen hoe jullie tegen de voorstellen kijken. Lijkt wat ons betreft ook zinvoller om eerst dit gesprek met [redacted] aan te gaan, en op een later moment dit in een RO te bespreken (als de voorstellen ook formeel op tafel liggen). Ik cc [redacted] in deze mail, zodat je zijn mailadres ook hebt.

- Voor Endines en Precario (agendapunt 2 en 6) heb ik vooralsnog geen antwoorden op jullie vragen kunnen vinden. Uiteraard goed als jullie in ieder geval jullie zorgen over dit punt op tafel leggen (en wij deze meenemen).

Het lukt [redacted] niet naar Woerden te komen, maar ik stel voor om het eerst volgende RO (in 2017) in Woerden te laten plaats hebben.

Groet en alvast een fijn weekend!

[redacted]

Van: [redacted] [mailto:[redacted]@vemw.nl]
Verzonden: donderdag 10 november 2016 9:08
Aan: [redacted]
Onderwerp: RE: Voorbereiding RO 15 nov

Hi [redacted]

Bijgaand een voorstel voor een agenda.
Toch nog wel een redelijke lijst.
Het kan wat ons betreft overigens ook in Woerden.

Mocht je willen overleggen dan heb je m'n nummer.

Groet,
[redacted]

Van: [redacted] [mailto:[redacted]@minez.nl]
Verzonden: woensdag 9 november 2016 10:25
Aan: [redacted]
Onderwerp: RE: Voorbereiding RO 15 nov

Hi [redacted]

Yes, ik bel je terug. Ben de hele dag vandaag achter mn pc; dus kan ook even langslopen als je klaar bent met je overleg (je bent op EZ begrijp ik goed?!) Geef ik je meteen een update over VET, Winterpackage is nog niet uit dus weet idd niet wat we daarover kunnen bespreken.

Groet,
[redacted]

Van: [redacted] [mailto:[redacted]@vemw.nl]
Verzonden: woensdag 9 november 2016 10:23
Aan: [redacted]
Onderwerp: Re: Voorbereiding RO 15 nov

Hi [redacted]

Ik zit een paar verdiepingen lager in overleg. Vanmiddag na 13:30 goed bereikbaar om even te bellen. RO lijkt me even afhankelijk van of er voldoende te bespreken is.
VET en Winter Package kunnen we natuurlijk bespreken mits jullie daarover iets kunnen zeggen.

Bel je mij later vandaag?

Groet,
[redacted]

Verstuurd vanaf mijn iPad

Op 8 nov. 2016 om 16:37 heeft [redacted] <[redacted]@minez.nl> het volgende geschreven:

Dag [redacted]

Graag neem ik contact met je op om de agenda af te stemmen voor het RO van volgende week dinsdag. Zouden we hier morgenochtend bv. even over kunnen bellen? Kan wat mij betreft ook per mail. Uit het vorige overleg is afgesproken om de warmtewet/visie verder te bespreken. Ik ga even intern na hoe ver het hier mee staat.

Hartelijke groet,

[Redacted signature]

Dit bericht kan informatie bevatten die niet voor u is bestemd. Indien u niet de geadresseerde bent of dit bericht abusievelijk aan u is gezonden, wordt u verzocht dat aan de afzender te melden en het bericht te verwijderen.

De Staat aanvaardt geen aansprakelijkheid voor schade, van welke aard ook, die verband houdt met risico's verbonden aan het elektronisch verzenden van berichten.

This message may contain information that is not intended for you. If you are not the addressee or if this message was sent to you by mistake, you are requested to inform the sender and delete the message.
The State accepts no liability for damage of any kind resulting from the risks inherent in the electronic transmission of messages.

Dit bericht kan informatie bevatten die niet voor u is bestemd. Indien u niet de geadresseerde bent of dit bericht abusievelijk aan u is gezonden, wordt u verzocht dat aan de afzender te melden en het bericht te verwijderen.

De Staat aanvaardt geen aansprakelijkheid voor schade, van welke aard ook, die verband houdt met risico's verbonden aan het elektronisch verzenden van berichten.

This message may contain information that is not intended for you. If you are not the addressee or if this message was sent to you by mistake, you are requested to inform the sender and delete the message.

The State accepts no liability for damage of any kind resulting from the risks inherent in the electronic transmission of messages.

Dit bericht kan informatie bevatten die niet voor u is bestemd. Indien u niet de geadresseerde bent of dit bericht abusievelijk aan u is gezonden, wordt u verzocht dat aan de afzender te melden en het bericht te verwijderen.

De Staat aanvaardt geen aansprakelijkheid voor schade, van welke aard ook, die verband houdt met risico's verbonden aan het elektronisch verzenden van berichten.

This message may contain information that is not intended for you. If you are not the addressee or if this message was sent to you by mistake, you are requested to inform the sender and delete the message.

The State accepts no liability for damage of any kind resulting from the risks inherent in the electronic transmission of messages.

Van: [redacted] <[redacted]@statkraft.com>
Verzonden: maandag 27 maart 2017 15:19
Aan: [redacted]
CC: [redacted]; [redacted]@minbuza.nl
Onderwerp: Statkraft commentaar Clean Energy Package
Bijlagen: 170321 Statkraft CEP_detailed assessment_Amendments_for OED_.docx; 170310 Overview Paper_Statkraft initial reactions to the Clean Energy for all Europeans_package_final_clean.docx

Beste [redacted]

Zoals een paar weken geleden op grote hoogte in Den Haag besproken, zend ik je hierbij onze zienswijze op het CEP. Naast een algemeen verhaal vind je ook een tabel met concrete voorstellen voor amendementen.

Uiteraard ben ik graag bereid een en ander toe te lichten, indien jullie daar behoefte aan hebben.

 With best regards

[redacted]
Head Advisor Market Policies & Regulatory Affairs

__ DIRECT +31 (0)20 [redacted]
 __ MOBILE +31 (0) [redacted]
 __ SWITCHBOARD +31 (0)20 [redacted]
 __ FAX+31 (0)20 [redacted]

Statkraft Markets B.V.
 Gustav Mahlerplein 100, 1082 MA, Amsterdam, The Netherlands

Chamber of Commerce: 33304386

 www.statkraft.com

CONFIDENTIALITY NOTICE

The contents of this email are confidential to the ordinary user of the email address to which it was addressed and may also be privileged. If you are not the addressee of this email you may not copy, forward, disclose or otherwise use it or any part of it in any form whatsoever. If you have received this email in error please email the sender by replying to this message.

VERTRAULICHKEITSHINWEIS

Der Inhalt dieser Email ist vertraulich und ausschließlich für den Besitzer der genannten Email-Adresse bestimmt. Anderen Personen als dem Empfänger ist es nicht erlaubt, diese Email zu kopieren, weiterzuleiten, offenzulegen oder sie in irgendeiner Form oder Teilen zu verwenden. Sollten Sie diese Email irrtümlich erhalten haben, senden Sie diese bitte an den Absender zurück.

[Link zu den Angaben nach § 37a HGB.](#)

March 2017

Internal – work in progress

REVISION OF THE ELECTRICITY MARKET DIRECTIVE

Proposals for Amendments to the Commission's proposal (2016) 864 final

Proposed amendment 1 – Independent aggregator role

<i>Commission proposal</i>	<i>Proposed Amendment</i>
<p><i>Article 2</i></p> <p>14. 'aggregator' means a market participant that combines multiple customer loads or generated electricity for sale, for purchase or auction in any organised energy market;</p> <p>15. 'independent aggregator' means an aggregator that is not affiliated to a supplier or any other market participant;</p>	<p><i>Article 2</i></p> <p>14. 'aggregator' means a market participant that combines multiple customer loads or generated electricity for sale, for purchase or auction in any organised energy market;</p> <p>14. delete</p> <p>15. "independent aggregator" means an entity that is aggregating demand response and exploiting this on the market but is not acting as supplier to these loads;</p>
<p><i>Justification:</i></p> <p>The definition of 'aggregator' is very general. Basically any market participant would be an aggregator. For example an industrial consumer with several sites, that combines those sites to purchase electricity, would be an aggregator. Therefore this definition is not practical and is proposed deleted. It is not needed to define this term in addition to the term "independent aggregator". Wherever the Directive talks about "aggregator", this should be changed into "independent aggregator".</p> <p>The term and definition of 'independent aggregator' is proposed reworded to become more precise.</p>	

Proposed amendment 2 – Independent aggregator role

<i>Commission proposal</i>	<i>Proposed Amendment</i>
<p><i>Article 3.2</i></p> <p>Members States shall ensure that no undue barriers exist for market entry and market exit of electricity generation and electricity supply undertakings.</p>	<p><i>Article 3.2</i></p> <p>Members States shall ensure that no undue barriers exist for market entry and market exit of (active) consumers, electricity generation and electricity supply undertakings and of independent aggregators.</p>

March 2017

Justification: Independent aggregators and consumers are missing. (See also comments to article 13.1 and article 15.	

Proposed amendment 3 – Independent aggregator role

<i>Commission proposal</i>	<i>Proposed Amendment</i>
Article 4 Member States shall ensure that all customers are free to purchase electricity from the supplier of their choice	Article 4 Member States shall ensure that all customers are free to purchase electricity from the supplier of their choice and have the right to conclude contracts with a supplier and an independent aggregator from their choice.
Justification: Independent aggregator is missing. (See also comments to article 13.1).	

Proposed amendment 4 – Independent aggregator role

<i>Commission proposal</i>	<i>Proposed Amendment</i>
Article 13.1 Member States shall ensure that, where a final customer wishes to conclude a contract with an aggregator, such engagement shall not require the consent of the final customer's supplier.	Delete Article 13.1
Justification: Final customers should indeed be free to opt for being supplied by a supplier and at the same time exploit their flexibility on the market through an independent aggregator. However this requires involvement of the supplier. In such a set-up, there are three market participants involved (final customer, supplier and independent aggregator) that are all active in the contestable, non-regulated, domain. These parties should be free to agree on the commercial terms of such arrangement. Any other solution would entail a regulation of market prices / market conditions and would be in contradiction with market principles / free formation of prices. In particular it would be in conflict with article 5.1, but also with article 3.1.(a) of the proposal for a Regulation. The proposed article will unduly shift risks and costs to suppliers and ultimately this will result in higher costs for EU citizens. There are claims that currently independent aggregators are being hindered by suppliers. Such claims are however not substantiated. It is more likely that because of the current low value of flexibility,	

little arrangements are being concluded. As soon as market fundamentals change and prices will become more volatile also demand side response will become more attractive. Competition among retail suppliers will then drive suppliers to also facilitate independent aggregation at attractive conditions. Another problem might be the absence of sufficient competition between suppliers in some Member States. If that is the case, then this should be targeted specifically, but not through generic market rules at the detriment of market efficiency in Member States with functioning retail markets. Proposal: delete article 13.1 See also proposal to change articles 3.2 and 4.

Proposed amendment 5 – Level-playing field for all actors

<i>Commission proposal</i>	<i>Proposed Amendment</i>
<p align="center"><i>Article 15</i></p> <p>1. Member States shall ensure that final customers:</p> <p>(a) are entitled to generate, store, consume and sell self-generated electricity in all organised markets either individually or through aggregators without being subject to disproportionately burdensome procedures and charges that are not cost reflective;</p> <p>(b) are subject to cost reflective, transparent and non-discriminatory network charges, accounting separately for the electricity fed into the grid and the electricity consumed from the grid, in line with Article 59.</p>	<p align="center"><i>Article 15</i></p> <p>1. Member States shall ensure that:</p> <p>(a) final customers are entitled to generate, store, consume and sell self-generated electricity in all organised markets either individually or through aggregators without being subject to disproportionately burdensome procedures and charges that are not cost reflective;</p> <p>(b) final customers are subject to cost reflective, transparent and non-discriminatory network charges, accounting separately for the electricity fed into the grid and the electricity consumed from the grid, in line with Article 59.</p> <p>(c) a level-playing field is established between all generation and storage assets, including assets of final customers, irrespective of their location in the system.</p> <p>(d) if taxes or levies are being charged on electricity consumption, that such taxes and levies are charged on the gross consumption and cannot be avoided by the customer by self-generation or self-storage.</p>
<p>Justification:</p> <p>The principles of Article 15.1 are supported, however they should apply to all market participants and not only to final customers. This is also covered in the proposed amendment to article 3.2. The idea of the Commission is to remove hurdles. Another pressing issue is that generation and storage by final customers (behind the meter) is being wrongly incentivised, in a distortive manner, as it may allow customers to avoid paying taxes and levies. This results in higher costs for EU citizens as more efficient assets are likely to be pushed out of the market by less efficient assets. Moreover, it results in a distribution of welfare of poorer customers (without possibilities to invest in such assets) towards other customers.</p>	

Proposed amendment 6 – Level-playing field for all actors

<i>Commission proposal</i>	<i>Proposed Amendment</i>
<p style="text-align: center;"><i>Article 16.1</i></p> <p>Local energy communities</p> <p>1. Member States shall ensure that local energy communities:</p> <ul style="list-style-type: none"> (a) are entitled to own, establish, or lease community networks and to autonomously manage them; (b) can access all organised markets either directly or through aggregators or suppliers in a non-discriminatory manner; (c) benefit from a non-discriminatory treatment with regard to their activities, rights and obligations as final customers, generators, distribution system operators or aggregators; (d) are subject to fair, proportionate and transparent procedures and cost reflective charges; (e) where relevant, may conclude agreements with the distribution system operator to which their network is connected on the operation of the community network <p>2. Member States shall provide an enabling regulatory framework that ensures that:</p> <ul style="list-style-type: none"> (a) participation in a local energy community is voluntary; (b) shareholders or members of a local energy community shall not lose their rights as household customers or active customers; (c) shareholders or members are allowed to leave a local energy community; in such cases Article 12 shall apply; (d) Article 8 paragraph 3 applies to generating capacity installed by local energy communities as long as such capacity can be considered small decentralised or distributed generation; 	<p style="color: red;"><i>Delete Article 16.1</i></p>

March 2017

<p>(e) provisions of Chapter IV apply to local energy communities that perform activities of a distribution system operator;</p> <p>(f) where relevant, a local energy community may conclude an agreement with a distribution system operator to which their network is connected on the operation of the local energy community's network;</p> <p>(g) where relevant system users that are not shareholders or members of the local energy community connected to the distribution network operated by a local energy community shall be subject to fair and cost-reflective network charges. If such system users and local energy communities cannot reach an agreement on network charges, both parties may request the regulatory authority to determine the level of network charges in a relevant decision;</p> <p>(h) where relevant local energy communities are subject to appropriate network charges at the connection points between the community network and the distribution network outside the energy community. Such network charges shall account separately for the electricity fed into distribution network and the electricity consumed from the distribution network outside the local energy community in line with Article 59 paragraph 8.</p>	
<p>Justification: Currently market parties including active and passive consumers and generators are free to create a pool of resources and participate in the power market at fair conditions. Therefore, no need for specific regulations on these communities. If practical hurdles exist, these are better tackled at Member State level.</p>	

Proposed amendment 7 – Level-playing field for all actors

<i>Commission proposal</i>	<i>Proposed Amendment</i>
<p>Article 17</p> <p>3. Member States shall ensure that their</p>	<p>Article 17.3</p> <p>3. Member States shall ensure that their</p>

<p>regulatory framework encourages the participation of aggregators in the retail market and that it contains at least the following elements:</p> <ul style="list-style-type: none"> (a) the right for each aggregator to enter the market without consent from other market participants; (b) transparent rules clearly assigning roles and responsibilities to all market participants; (c) transparent rules and procedures for data exchange between market participants that ensure easy access to data on equal and non-discriminatory terms while fully protecting commercial data; (d) aggregators shall not be required to pay compensation to suppliers or generators; (e) a conflict resolution mechanism between market participants. <p>4. In order to ensure that balancing costs and benefits induced by aggregators are fairly assigned to market participants, Member States may exceptionally allow compensation payments between aggregators and balancing responsible parties. Such compensation payments must be limited to situations where one market participant induces imbalances to another market participant resulting in a financial cost.</p> <p>Such exceptional compensation payments shall be subject to approval by the national regulatory authorities and monitored by the Agency.</p>	<p>regulatory framework allows the participation of aggregators in the retail market and that it contains at least the following elements:</p> <ul style="list-style-type: none"> (a) the right for each aggregator to enter the market without consent from other market participants; (b) transparent rules clearly assigning roles and responsibilities to all market participants; (c) transparent rules and procedures for data exchange between market participants that ensure easy access to data on equal and non-discriminatory terms while fully protecting commercial data; (d) commercial terms can be freely negotiated between all market participants involved (final customer, supplier, independent aggregator) and these market participants should not be required to pay compensation to other market participants; (e) a conflict resolution mechanism between market participants. <p>4. In order to ensure that balancing costs and benefits induced by aggregators are fairly assigned to market participants, Member States may exceptionally allow compensation payments between aggregators and balancing responsible parties. Such compensation payments must be limited to situations where one market participant induces imbalances to another market participant resulting in a financial cost.</p> <p>Such exceptional compensation payments shall be subject to approval by the national regulatory authorities and monitored by the Agency.</p>
<p>Justification</p> <p>Commercial contracts should not be regulated. See also comments on article 13.</p> <p>“Encouraging” would entail that demand side response through independent aggregators has preference over other forms of demand side response, like response of customer on (dynamic) retail supply tariffs. Such preferential treatment of “independent aggregators” is distortive and should be avoided. Proposal to change “encourages” into “allows”.</p> <p>Any market participant (generator, supplier, independent aggregator, broker etc) should indeed have the right to enter the market without consent from other market participants. However, that is a generic requirement that is already covered in proposed changes to article 3.2. (Ref. proposed</p>	

March 2017

amendment to include "independent aggregators" in article 3.2.)

~~(Alternative proposal: Change "the right for each aggregator to enter the market without consent from other market participants" into "the right for each aggregator to enter the market pursuant article 3.2")~~

Article 17.3 (d) is confusing. It is already covered through the proposed amendment to Article 3 that customers should be free to exploit their flexibility through one of the three forms of demand response as mentioned above. In such case, these actions will impact the market / market price and indeed, other market participants should not be "compensated" for such development. This is however obvious, and would not require explicit mention in the Directive.

This article could also be read as if a customer with an existing supply contract would be allowed to engage into a contract with an independent aggregator, without having to renegotiate the commercial terms of its existing supply contract. Such reading would however be counter-productive as it would unnecessary shift costs and risk to suppliers at the detriment of EU citizens.

17.3(d) could be deleted. However to avoid confusion it can also be rephrased in line with the proposed amendment.

The three parties involved (customer, supplier and independent aggregators) should be free to negotiate the commercial terms of the arrangements that they would like to conclude. There is no need for Article 17.4, therefore propose to delete. Moreover it is in conflict with Article 3.1 of this Regulation.

Proposed amendment 9 – ownership of storage

<i>Commission proposal</i>	<i>Proposed Amendment</i>
<p>Article 36</p> <p>Ownership of storage facilities</p> <p>1. Distribution system operators shall not be allowed to own, develop, manage or operate energy storage facilities.</p> <p>2. By way of derogation from paragraph 1, Member States may allow distribution system operators to own, develop, manage or operate storage facilities only if the following conditions are fulfilled:</p> <p>(a) other parties, following an open and transparent tendering procedure, have not expressed their interest to own, develop, manage or operate storage facilities;</p>	<p>Article 36</p> <p>Ownership of storage facilities</p> <p>1. Distribution system operators shall not be allowed to own, develop, manage or operate energy storage facilities.</p> <p>2. By way of derogation from paragraph 1, Member States may allow distribution system operators to own, develop, manage or operate storage facilities only if the following conditions are fulfilled:</p> <p>(a) other parties, following an open and transparent tendering procedure, have not expressed their interest to own, develop, manage or operate storage facilities;</p>

March 2017

<p>(b) such facilities are necessary for the distribution system operators to fulfil its obligations under this regulation for the efficient, reliable and secure operation of the distribution system; and</p> <p>(c) the regulatory authority has assessed the necessity of such derogation taking into account the conditions under points (a) and (b) of this paragraph and has granted its approval.</p> <p>3. Articles 35 and Article 56 shall apply to distribution system operators engaged in ownership, development, operation or management of energy storage facilities..</p>	<p>(b) such facilities are necessary for the distribution system operators to fulfil its obligations under this regulation for the efficient, reliable and secure operation of the distribution system; and</p> <p>(c) the regulatory authority has assessed the necessity of such derogation taking into account the conditions under points (a) and (b) of this paragraph and has granted its approval.</p> <p>3. Articles 35 and Article 56 shall apply to distribution system operators engaged in ownership, development, operation or management of energy storage facilities..</p>
<p>Justification:</p> <p>Full agreement with 36.1. It is crucial that DSOs (and TSOs) shall not be allowed to own and operate storage or, actually any other asset that could also be exploited on the market.</p> <p>DSOs (and TSOs) should obviously be allowed to procure services from market participants (where such participants may make use of storage). Such solution is always more efficient than the alternative (being that the DSO/TSO would own and operate storage), because in the latter case the storage may not be used on the market and thus the asset cannot be exploited optimally.</p> <p>Proposal: remove 36.2 and 36.3.</p>	

Proposed amendment 10 – ownership of storage

<i>Commission proposal</i>	<i>Proposed Amendment</i>
<p>Article 54</p> <p>Ownership of storage and provision of ancillary services by transmission system operators</p> <p>1. Transmission system operators shall not be allowed to own, manage or operate energy storage facilities and shall not own directly or indirectly control assets that provide ancillary services.</p> <p>2. By way of derogation from paragraph 1, Member States may allow transmission system operators to own, manage or operate storage facilities and provide non-frequency ancillary services if the following conditions are fulfilled:</p> <p>(a) other parties, following an open and transparent tendering procedure, have not expressed their interest to own, control, manage</p>	<p>Article 54</p> <p>Ownership of storage and provision of ancillary services by transmission system operators</p> <p>1. Transmission system operators shall not be allowed to own, manage or operate energy storage facilities and shall not own directly or indirectly control assets that provide ancillary services.</p> <p>2. By way of derogation from paragraph 1, Member States may allow transmission system operators to own, manage or operate storage facilities and provide non-frequency ancillary services if the following conditions are fulfilled:</p> <p>(a) other parties, following an open and transparent tendering procedure, have not expressed their interest to own, control, manage</p>

<p>or operate such facilities offering storage and/or non-frequency ancillary services to the transmission system operator;</p> <p>(b) such facilities or non-frequency ancillary services are necessary for the transmission system operators to fulfil its obligations under this regulation for the efficient, reliable and secure operation of the transmission system and they are not used to sell electricity to the market; and</p> <p>(c) the regulatory authority has assessed the necessity of such derogation taking into account the conditions under points (a) and (b) of this paragraph and has granted its approval.</p> <p>3. The decision to grant derogation shall be notified to the Agency and the Commission along with relevant information about the request and the reasons for granting the derogation.</p> <p>4. The transmission system operator shall perform at regular intervals or at least every five years a public consultation for the required storage services in order to assess the potential interest of market parties to invest in such facilities and terminate its own storage activities in case third parties can provide the service in a cost-effective manner.</p>	<p>or operate such facilities offering storage and/or non-frequency ancillary services to the transmission system operator;</p> <p>(b) such facilities or non-frequency ancillary services are necessary for the transmission system operators to fulfil its obligations under this regulation for the efficient, reliable and secure operation of the transmission system and they are not used to sell electricity to the market; and</p> <p>(c) the regulatory authority has assessed the necessity of such derogation taking into account the conditions under points (a) and (b) of this paragraph and has granted its approval.</p> <p>3. The decision to grant derogation shall be notified to the Agency and the Commission along with relevant information about the request and the reasons for granting the derogation.</p> <p>4. The transmission system operator shall perform at regular intervals or at least every five years a public consultation for the required storage services in order to assess the potential interest of market parties to invest in such facilities and terminate its own storage activities in case third parties can provide the service in a cost-effective manner.</p>
<p>Justification:</p> <p>Full agreement with 54.1. It is crucial that TSOs (and DSOs) shall not be allowed to own and operate storage or, actually any other asset that could also be exploited on the market. TSOs (and DSOs) should obviously be allowed to procure services from market participants (where such participants may make use of storage). Such solution is always more efficient than the alternative (being that the DSO/TSO would own and operate storage), because in the latter case the storage may not be used on the market and thus the asset cannot be exploited optimally. Proposal: remove 54.2 and 54.3.</p>	

REVISION OF THE ELECTRICITY MARKET REGULATION

Proposals for Amendments to the Commission's proposal COM(2016) 861 final

Proposed amendment 2 – Increasing flexibility

<i>Commission proposal</i>	<i>Proposed Amendment</i>
<p><i>Article 1</i></p> <p>a) setting the basis for an efficient achievement of the objectives of the European Energy Union and in particular the climate and energy framework for 2030³⁴ by enabling market signals to be delivered for increased flexibility, decarbonisation and innovation;</p>	<p><i>Article 1</i></p> <p>a) setting the basis for an efficient achievement of the objectives of the European Energy Union and in particular the climate and energy framework for 2030³⁴ by enabling market signals to be delivered for increased flexibility, efficiency, decarbonisation and innovation;</p>
<p><i>Justification:</i></p> <p>"Flexibility" shall not be a separate objective next to the classical objectives: efficiency, reliability and decarbonisation / within environmental constraints. An efficient market will deliver the right amount of flexible capacity at lowest cost.</p>	

Proposed amendment 3 – Balancing responsibility

<i>Commission proposal</i>	<i>Proposed Amendment</i>
<p><i>Article 4</i></p> <p>1. All market participants shall aim for system balance and shall be financially responsible for imbalances they cause in the system. They shall either be balance responsible parties or delegate their responsibility to a balance responsible party of their choice.</p>	<p><i>Article 4</i></p> <p>1. All market participants with a connection to the power system shall aim for system balance and shall be financially responsible for imbalances they cause in the system. They shall either be balance responsible parties or delegate their responsibility to a balance responsible party of their choice.</p>
<p><i>Justification:</i></p> <p>"Balancing responsibility" is indeed key for a well-functioning market. At the same time, it is unprecise to attribute balancing responsibility to all market participants.</p>	

Proposed amendment 4 – Balancing responsibility

<i>Commission proposal</i>	<i>Proposed Amendment</i>
<p>Article 4</p> <p>2. Member States may provide for derogation from balance responsibility in respect of:</p> <p>(a) demonstration projects;</p> <p>(b) generating installations using renewable energy sources or high-efficiency cogeneration with an installed electricity capacity of less than 500 kW;</p> <p>(c) installations benefitting from support approved by the Commission under Union State aid rules pursuant to Articles 107 to 109 TFEU, and commissioned prior to [OP: entry into force]. Member States may, subject to Union state aid rules, incentivize market participants which are fully or partly exempted from balancing responsibility to accept full balancing responsibility against appropriate compensation.</p>	<p>Delete article 4.2.</p>
<p>Justification: There is no need for derogations.</p>	

Proposed amendment 5 – Balancing market

<i>Commission proposal</i>	<i>Proposed Amendment</i>
<p>Article 5</p> <p>6. The imbalances shall be settled at a price that reflects the real time value of energy.</p>	<p>Article 5</p> <p>6. The imbalances shall be settled at a price that reflects the real time value of energy. In periods of scarcity driven load shedding, imbalances shall be settled at the VoLL.</p>
<p>Justification:</p>	

March 2017

This is a precision/clarification. So called "VoLL-pricing" is crucial for a well-functioning market. Only if imbalance prices actually reach the VoLL in times of actual, physical scarcity, consumers and/or suppliers face a credible risk for being under-supplied in times of scarcity and only then scarcity prices can materialise in forward markets ("back-propagation").

Proposed amendment 6 – day-ahead and intraday markets

<i>Commission proposal</i>	<i>Proposed Amendment</i>
<p align="center">Article 7</p> <ol style="list-style-type: none"> 1. Market operators shall allow market participants to trade energy as close to real time as possible and at least to the intraday cross-zonal gate closure time determined in accordance with Article 59 of Regulation (EU) 2015/1222. 2. Market operators shall provide market participants with the opportunity to trade in energy in time intervals at least as short as the imbalance settlement period in both day-ahead and intraday markets. 3. Market operators shall provide products for trading in day-ahead and intraday markets which are sufficiently small in size, with minimum bid sizes of 1 Megawatt or less, to allow for the effective participation of demand-side response, energy storage and small-scale renewables. 	<p>Delete 7.1, 7.2 and 7.3</p>
<p>Justification: "Market Operators" act in the contestable domain. They should be free to offer those products and services that they believe are demanded by the market. If, for example one market operator wants to specialise on intra-day products or week-head products, they should not be obliged to offer other products. Moreover, this article seems to ignore that market participants trade, and should be free to trade, bilaterally, without involvement of market operators.</p>	

Proposed amendment 7 – Value of Lost Load (VoLL)

<i>Commission proposal</i>	<i>Proposed Amendment</i>
Article 10	Article 10

March 2017

<p>1. By [OP: one year after entry into force] Member States shall establish a single estimate of the Value of Lost Load (VoLL) for their territory, expressed in €/MWh. That estimate shall be reported to the Commission and made publically available. Member States may establish different VoLL per bidding zone if they have several bidding zones in their territory. In establishing VoLL, Member States shall apply the methodology developed pursuant to Article 19 (5).</p>	<p>1. By [OP: one year after entry into force] Member States shall establish a single estimate of the Value of Lost Load (VoLL) for their territory, expressed in €/MWh. That estimate shall be reported to the Commission and made publically available. Member States may establish different VoLL per bidding zone if they have several bidding zones in their territory. In establishing VoLL, Member States shall apply the methodology developed pursuant to Article 19 (5).</p>
<p><i>Justification:</i> Strong support to this article. At the same time, it should be acknowledged that the VoLL cannot correctly be expressed in a single value. For example, the VoLL is higher during business hours than in weekend hours. The VoLL is also increasing with the duration of a certain brown-out. It is possible that such more elaborate assesments of VoLL can be used in practice, for example when used to define the imbalance price in times of actual physical scarcity.</p>	

Proposed amendment 8 – Dispatching of generation and demand response

<i>Commission proposal</i>	<i>Proposed Amendment</i>
<p><i>Article 11</i></p> <p>1. Dispatching of power generation facilities and demand response shall be non-discriminatory and market based unless otherwise provided under paragraphs 2 to 4.</p> <p>2. When dispatching electricity generating installations, transmission system operators shall give priority to generating installations using renewable energy sources or high-efficiency cogeneration from small generating installations or generating installations using emerging technologies to the following extent:</p> <p>(a) generating installations using</p>	<p><i>Article 11</i></p> <p>1. Dispatching of power generation facilities and demand response shall be non-discriminatory and market based. unless otherwise provided under paragraphs 2 to 4.</p> <p>2. When dispatching electricity generating installations, transmission system operators shall give priority to generating installations using renewable energy sources or high-efficiency cogeneration from small generating installations or generating installations using emerging technologies to the following extent:</p> <p>(a) generating installations using</p>

renewable energy sources or high-efficiency cogeneration with an installed electricity capacity of less than 500 kW; or

- (b) demonstration projects for innovative technologies.

3. Where the total capacity of generating installations subject to priority dispatch under paragraph 2 is higher than 15 % of the total installed generating capacity in a Member State, point (a) of paragraph 2 shall apply only to additional generating installations using renewable energy sources or high-efficiency cogeneration with an installed electricity capacity of less than 250 kW.

From 1 January 2026, point (a) of paragraph 2 shall apply only to generating installations using renewable energy sources or high-efficiency cogeneration with an installed electricity capacity of less than 250 kW or, if the threshold under the first sentence of this paragraph has been reached, of less than 125 kW.

4. Generating installations using renewable energy sources or high-efficiency cogeneration which have been commissioned prior to [OP: entry into force] and have, when commissioned, been subject to priority dispatch under Article 15 (5) of Directive 2012/27/EU of the European Parliament and of the Council or Article 16 (2) Directive 2009/28/EC of the European Parliament and of the Council³⁹ shall remain subject to priority dispatch. Priority dispatch shall no longer be applicable from the date where the generating installation is subject to significant modifications, which shall be the case at least where a new

~~renewable energy sources or high-efficiency cogeneration with an installed electricity capacity of less than 500 kW; or~~

- ~~(b) demonstration projects for innovative technologies.~~

- ~~3. Where the total capacity of generating installations subject to priority dispatch under paragraph 2 is higher than 15 % of the total installed generating capacity in a Member State, point (a) of paragraph 2 shall apply only to additional generating installations using renewable energy sources or high-efficiency cogeneration with an installed electricity capacity of less than 250 kW.~~

~~From 1 January 2026, point (a) of paragraph 2 shall apply only to generating installations using renewable energy sources or high-efficiency cogeneration with an installed electricity capacity of less than 250 kW or, if the threshold under the first sentence of this paragraph has been reached, of less than 125 kW.~~

- ~~4. Generating installations using renewable energy sources or high-efficiency cogeneration which have been commissioned prior to [OP: entry into force] and have, when commissioned, been subject to priority dispatch under Article 15 (5) of Directive 2012/27/EU of the European Parliament and of the Council or Article 16 (2) Directive 2009/28/EC of the European Parliament and of the Council³⁹ shall remain subject to priority dispatch. Priority dispatch shall no longer be applicable from the date where the generating installation is subject to significant modifications, which shall be the case at least where a new~~

March 2017

<p>connection agreement is required or the generation capacity is increased.</p> <p>5. Priority dispatch shall not endanger the secure operation of the electricity system, shall not be used as a justification for curtailment of cross-border capacities beyond what is provided for in Article 14 and shall be based on transparent and non-discriminatory criteria.</p>	<p>connection agreement is required or the generation capacity is increased.</p> <p>5. Priority dispatch shall not endanger the secure operation of the electricity system, shall not be used as a justification for curtailment of cross-border capacities beyond what is provided for in Article 14 and shall be based on transparent and non-discriminatory criteria.</p>
<p>Justification:</p> <p>There is no need for extending priority dispatch for specific types of generation (like RES and CHP). Any form of preferential treatment of RES increases the cost of RES integration in the system and reduces their incentives to integrate into the market.</p>	

Proposed amendment 9 – Allocation of cross-zonal transmission capacity across time frames

<i>Commission proposal</i>	<i>Proposed Amendment</i>
<p>Article 15</p> <p>1. Transmission system operators shall recalculate available cross-zonal capacity at least after day-ahead market coupling and after intraday cross-zonal gate closure times. Transmission system operators shall allocate the available cross-zonal capacity plus any remaining cross-zonal capacity not previously allocated and any cross-zonal capacity released by physical transmission right holders from previous allocations in the next cross-zonal capacity allocation process.</p>	<p>Article 15</p> <p>1. Transmission System Operators shall allocate available cross-zonal capacity across all timeframes without preferential treatment of any time frame.</p> <p>2. Transmission system operators shall recalculate available cross-zonal capacity at least after day-ahead market coupling and after intraday cross-zonal gate closure times. Transmission system operators shall allocate the available cross-zonal capacity plus any remaining cross-zonal capacity not previously allocated and any cross-zonal capacity released by physical transmission right holders from previous allocations in the next cross-zonal capacity allocation process.</p>
<p>Justification:</p> <p>Currently transmission rights that are allocated and nominated at the day-ahead stage are characterised by a use-it-or-loose-it requirement and there is no reservation of cross-zonal capacity for intraday trading. This is sub-optimal as it forecloses the use of flexible capacity</p>	

across borders. The proposed additional article should make it possible to reserve cross-zonal capacity for cross-zonal intraday trading.

Proposed amendment 10 – Network charges

<i>Commission proposal</i>	<i>Proposed Amendment</i>
<p>Article 16</p> <p>... In particular, they shall be applied in a way which does not discriminate between production connected at the distribution level and production connected at the transmission level, either positively or negatively. They shall not discriminate against energy storage and shall not create disincentives for participation in demand response. ...</p>	<p>Article 16</p> <p>... In particular, they shall be applied in a way which does not discriminate neither between production connected at the distribution level and production connected at the transmission level nor between production connected in different Member States, either positively or negatively. They shall not discriminate against energy storage and shall not create disincentives for participation in demand response. ...</p>
<p>Justification: Strong support because harmonisation of network charges is very important to ensure a level-playing field in the EU market. Indeed the distribution level should be covered because of the trend towards more and more assets are connected to the distribution grid. The proposed amendment is a precision.</p>	

Proposed amendment 11 – Use of congestion revenues

<i>Commission proposal</i>	<i>Proposed Amendment</i>
<p>Article 17</p> <p>2. Any revenues resulting from the allocation of interconnection ??capacity ??shall be used for the following purposes:</p> <p>(a) guaranteeing the actual availability of the allocated capacity; and/or</p> <p>(b) maintaining or increasing interconnection capacities through network investments, in particular in new interconnectors.</p> <p>If the revenues cannot be efficiently used for the</p>	<p>Article 17</p> <p>2. Any revenues resulting from the allocation of interconnection ??capacity ??shall be used for the following purposes:</p> <p>(a) guaranteeing the actual availability of the allocated capacity; and/or</p> <p>(b) maintaining or increasing interconnection capacities through network investments, in particular in new interconnectors.</p> <p>If the revenues cannot be efficiently used for the</p>

<p>purposes set out in points (a) and/or (b) of the first subparagraph, ¶ they shall be placed on a separate internal account line for future use on these purposes. ¶ they may be used, subject to approval by the regulatory authorities of the Member States concerned, up to a maximum amount to be decided by those regulatory authorities, as income to be taken into account by the regulatory authorities when approving the methodology for calculating network tariffs and/or fixing network tariffs.</p> <p>The rest of revenues shall be placed on a separate internal account line until such time as it can be spent on the purposes set out in points (a) and/or (b) of the first subparagraph. The regulatory authority shall inform the Agency of the approval referred to in the second subparagraph.</p>	<p>purposes set out in points (a) and/or (b) of the first subparagraph, ¶ they shall be placed on a separate internal account line for future use on these purposes. ¶ they may be used, subject to approval by the regulatory authorities of the Member States concerned, up to a maximum amount to be decided by those regulatory authorities, as income to be taken into account by the regulatory authorities when approving the methodology for calculating network tariffs and/or fixing network tariffs.</p> <p>The rest of revenues shall be placed on a separate internal account line until such time as it can be spent on the purposes set out in points (a) and/or (b) of the first subparagraph. The regulatory authority shall inform the Agency of the approval referred to in the second subparagraph.</p>
<p>Justification:</p> <p>The possibility to use congestion revenues to reduce network tariffs should be reintroduced. The normal case for regulated investments in interconnectors, is that grid consumers cover all costs and risks. So they should also obtain the benefits directly through reduced network tariffs. Moreover the decision to invest in a new regulated interconnector must be based on expected costs and expected revenues. Congestion revenues that were collected in the past should not play any role in such decision.</p> <p>In other words, if there is a positive business case for society for an investment in new interconnector capacity, then the TSOs should be obliged to invest, irrespective whether congestion revenues have been collected in the past. Likewise, such investment should not take place if there is no positive business case for society, even if congestion revenues have been collected in the past.</p>	

Proposed amendment 12 – Capacity mechanisms

<i>Commission proposal</i>	<i>Proposed Amendment</i>
<p>Article 23</p> <p>3. Capacity mechanisms shall not create unnecessary market distortions and not limit cross-border trade. The amount of capacity committed in the mechanism</p>	<p>Article 23</p> <p>3. Capacity mechanisms shall not create unnecessary market distortions and not limit cross-border trade. The amount of capacity committed in the mechanism shall not go</p>

March 2017

shall not go beyond what is necessary to address the concern.	beyond what is necessary to address the concern. All capacity providers shall be able to compete in any capacity mechanism at equal terms. In particular it is not allowed to distinguish between new and existing assets. Capacity prices shall be formed based on demand and supply and shall not be capped nor regulated.
Justification: The design principles should be elaborated. It must be avoided that capacity mechanisms give preferential treatment to investments in new capacity over the possibility to avoid closure of existing capacity which can be more efficient. For example, it should not be allowed to offer long term contracts only for new capacity.	

Proposed amendment 13 – Tasks of the EU DSO entity

Commission proposal	Proposed Amendment
<p align="center">Article 51</p> <p>1. The tasks of the EU DSO entity shall be the following:</p> <p>(a) coordinated operation and planning of transmission and distribution networks;</p> <p>(b) integration of renewable energy resources, distributed generation and other resources embedded in the distribution network such as energy storage;</p> <p>(c) development of demand response;</p> <p>...</p>	<p align="center">Article 51</p> <p>1. The tasks of the EU DSO entity shall be the following:</p> <p>(a) coordinated operation and planning of transmission and distribution networks;</p> <p>(b) integration of renewable energy resources, distributed generation and other resources embedded in the distribution network such as energy storage; providing access to the grid for distributed generation, consumers including demand side response and other resources embedded in the distribution network such as energy storage;</p> <p>(c) development of demand response;</p> <p>...</p>
Justification: The Tasks of the EU DSO entity should be as clear as possible. It should not be responsible for market design. In that respect, the word "integration" is too broad. Also demand side response is missing and there	

March 2017

is no need to distinguish between renewable generation resources and other generation resources. Finally, DSOs should not be responsible for the development of demand side response. This is the responsibility of consumers themselves and other market participants like suppliers.

Proposed amendment 14 – Delegated acts

<i>Commission proposal</i>	<i>Proposed Amendment</i>
<p style="text-align: center;"><i>Article 55</i></p> <p>The Commission is empowered to adopt delegated acts ... shall cover the following areas:</p> <p>...</p> <p>(n) demand response, including aggregation, energy storage, and demand curtailment rules;</p>	<p style="text-align: center;"><i>Article 55</i></p> <p>The Commission is empowered to adopt delegated acts ... shall cover the following areas:</p> <p>...</p> <p>(n) demand response, including aggregation, energy storage, and demand curtailment rules;</p>
<p>Justification:</p> <p>It is undesirable to extend the scope of this article "demand response". This looks like an open door for political interventions or preferential treatment of demand response.</p>	

REVISION OF THE RENEWABLES DIRECTIVE

Proposals for Amendments to the Commission's proposal COM(2016)

767 final

Proposed amendment 1 – Level-playing field for all actors

<i>Commission proposal</i> Article 21 Renewable self-consumers	<i>Proposed Amendment</i> Article 21 Renewable self-consumers
<p>1. Member States shall ensure that renewable self-consumers, individually or through aggregators:</p> <ul style="list-style-type: none"> (a) are entitled to carry out self-consumption and sell, including through power purchase agreements, their excess production of renewable electricity without being subject to disproportionate procedures and charges that are not cost-reflective; (b) maintain their rights as consumers; (c) are not considered as energy suppliers according to Union or national legislation in relation to the renewable electricity they feed into the grid not exceeding 10 MWh for households and 500 MWh for legal persons on an annual basis; and (d) receive a remuneration for the self-generated renewable electricity they feed into the grid which reflects the market value of the electricity fed in. <p>Member States may set a higher threshold than the one set out in point (c).</p> <p>2. Member States shall ensure that renewable self-consumers living in the same multiapartment block, or located in the same commercial, or shared services, site or closed distribution system, are allowed to jointly engage in self-consumption as if they were an individual renewable self-consumer. In this case, the threshold set out in paragraph 1(c) shall apply to each renewable self-consumer concerned.</p> <p>3. The renewable self-consumer's installation may be managed by a third party for installation, operation, including metering, and maintenance.</p>	<p>1. Member States shall ensure that renewable self-consumers, individually or through aggregators:</p> <ul style="list-style-type: none"> (a) are entitled to carry out self-consumption and sell, including through power purchase agreements, their excess production of renewable electricity without being subject to disproportionate procedures and charges that are not cost-reflective; (b) maintain their rights as consumers; (c) are not considered as energy suppliers according to Union or national legislation in relation to the renewable electricity they feed into the grid not exceeding 10 MWh for households and 500 MWh for legal persons on an annual basis; and (d) receive a remuneration for the self-generated renewable electricity they feed into the grid which reflects the market value of the electricity fed in. <p>Member States may set a higher threshold than the one set out in point (c).</p> <p>2. Member States shall ensure that renewable self-consumers living in the same multiapartment block, or located in the same commercial, or shared services, site or closed distribution system, are allowed to jointly engage in self-consumption as if they were an individual renewable self-consumer. In this case, the threshold set out in paragraph 1(c) shall apply to each renewable self-consumer concerned.</p> <p>3. The renewable self-consumer's installation may be managed by a third party for installation, operation, including metering, and maintenance.</p>

March 2017

Justification:

The principle in article 21 to arrange for market integration of prosumers is supported. However, we are concerned about the potential effects if prosumers shall not be regarded as "energy suppliers" up to 500 MWh for legal persons according to national legislation. This will not give a level playing field. The above principles should apply to all market participants and not only to RES self-consumers. The idea of the Commission is to remove hurdles. Another pressing issue is that generation and storage by final customers/self-consumers (behind the meter) is being wrongly incentivised (in a distortive manner) as it may allow customers to avoid paying taxes and levies. This results in higher costs for EU citizens as more efficient assets are likely to be pushed out of the market by less efficient assets. Moreover, it results in a distribution of welfare of poorer customers (without possibilities to invest in such assets) towards other customers.

Proposed amendment 2 - Level-playing field for all actors

<p><i>Commission proposal</i></p>	<p><i>Proposed Amendment</i></p>
<p>Article 22</p> <p>Renewable energy communities</p> <p>1. Member States shall ensure that renewable energy communities are entitled to generate, consume, store and sell renewable energy, including through power purchase agreements, without being subject to disproportionate procedures and charges that are not cost-reflective.</p> <p>For the purposes of this Directive, a renewable energy community shall be an SME or a notfor-profit organisation, the shareholders or members of which cooperate in the generation, distribution, storage or supply of energy from renewable sources, fulfilling at least four out of the following criteria:</p> <p>(a) shareholders or members are natural persons, local authorities, including municipalities, or SMEs operating in the fields or renewable energy;</p> <p>(b) at least 51% of the shareholders or members with voting rights of the entity are natural persons;</p> <p>(c) at least 51% of the shares or participation rights of the entity are owned by local members, i.e. representatives of local public and local private socio-economic interests or citizen having</p>	<p><i>Article 22 Deleted</i></p>

March 2017

a direct interest in the community activity and its impacts;

(d) at least 51% of the seats in the board of directors or managing bodies of the entity are reserved to local members, i.e. representatives of local public and local private socioeconomic interests or citizens having a direct interest in the community activity and its impacts;

(e) the community has not installed more than 18 MW of renewable capacity for electricity, heating and cooling and transport as a yearly average in the previous 5 year.

2. Without prejudice to State aid rules, when designing support schemes, Member States shall take into account the specificities of renewable energy communities.

Justification:

Currently market parties including active and passive consumers and generators are free to create a pool of resources and participate in the power market at fair conditions. We support that prosumer (also if in a pool of resources/ communities) are being integrated in the energy market and the energy system on a level playing field, including unbundling requirements and proportionate procedures and requirements. This article is an open door for distortions of the level-playing field and does not solve any problems. Propose to delete article 22.

In addition, based on the proposed wording, we have concerns about the effect of such communities on existing infrastructure, for instance distribution networks. Operation and expansion of networks should be viewed as important infrastructure that is publicly regulated, and if parallel distribution networks owned by energy communities will be allowed, rules for how these networks are funded and how to deal with the costs they give rise to for the existing consumers and distribution network operators are needed.

Overview Paper: Initial Reactions to the “Clean Energy for all Europeans” package

Introduction

Statkraft welcomes the European Commission's proposals in the “Clean Energy for all Europeans” package (CEP). Overall, Statkraft believes this package will bring the European energy markets a significant step forward towards further integration. We support the overall intentions of the package to strengthen the well-functioning of the power markets, allow price signals to work and level the playing field.

However, we find that the current proposals also include some regulatory inefficiencies and exemptions to the above principles which can distort the functioning of the power and carbon markets and take us further away from the overall intentions of the package.

Making markets work

Power prices to truly reflect scarcity situations

Statkraft supports the aims to remove price caps, to allow for scarcity prices up to the value of lost load (VoLL) and the efforts to expose final consumers to dynamic prices in combination with the roll-out of smart meters. In order to make the European energy markets work efficiently, the real-time value of energy should be the basis of the price signals that all market participants face. It is necessary that the real-time price (or imbalance price) is uncapped and will be set at the value of lost load in case of actual physical scarcity. Market participants will then be exposed to this imbalance price risk and will have an incentive to balance their position in the market, thereby reducing the need for interventions by the TSOs. [Art. 5, 9, 10, EI Market Regulation].

Overlapping policies with the EU ETS should lead to adjusted supply of allowances

We continue to call for a strong EU ETS as the cornerstone of the EU's energy and climate policy. We are concerned that the EU ETS will be further weakened by the package. The current proposal allows for continued support of mature RES, the energy efficiency target becomes binding and increases to 30%, and overlapping policies and regulations in the ETS sectors continue. This will result in reduced demand for EUA allowances, depressing the CO₂ prices further, unless supply is adjusted for. Statkraft calls for adding provisions in the ETS Directive and the Governance Regulation to assess and quantify the impact from overlapping policies on the ETS and adjust the supply of EUA allowances accordingly. [Art. 8, Gov. Regulation and Art. 10.5, ETS Directive].

Regional cooperation and clarity of roles

Clear division between ownership of grid and ownership of storage without exemptions

Statkraft welcomes the clarification of the role of DSOs and TSOs as neutral market facilitators, not allowed to own and operate storage and the focus on improved cooperation between TSOs and DSOs. However, the proposal states that under certain conditions an exemption can be given to TSOs and DSOs to own storage contrary to the above-mentioned principle. Storage owned by DSOs/TSOs may not be used in the market and thus the asset cannot be exploited optimally. These exemptions should therefore be removed. [Art. 36 and 54, EI. Market Dir.]

TSOs to maximize cross-border capacities and network tariffs to be harmonised

Statkraft supports the proposal in Art 14 (EI. Market Reg.) that states that the TSOs are not allowed to limit cross-border capacity caused by internal bottlenecks or loop flows. To ensure that allocation across different time frames is done optimally, including the treatment of intraday capacity; we propose an addition to Art 15 that clarifies that TSOs shall allocate available cross-zonal capacity across all timeframes without preferential treatment of any time frame. We support the intention to

further harmonize grid tariffs in order to establish a level playing field for generators across the internal market. [Art. 14-16, El. Market Reg.]

Efficient electricity markets will incentivise flexibility

Flexibility should not be an objective in itself

Larger volumes of intermittent renewables require higher degrees of flexibility in the electricity system in order to stabilize the grid. However, increasing flexibility and promoting demand side response are not goals in themselves (ref. Art. 1, 3 of El Market Dir.). They are means to achieve a well-functioning energy system. We believe efficient markets will tackle the flexibility challenge best. Free formation of electricity prices and competition between market participants will properly incentivize demand response. For example, the proposed preferential treatment of independent aggregators as a way to deploy demand-side response should be removed. Independent aggregators should be treated on a level-playing field with other participants in the market. As for any other transaction in the market, the commercial terms between customer, supplier and aggregator should be freely negotiable.

The current end user pricing of electricity favours electricity generated “behind the meter” (in-house) over electricity generated and supplied directly to the grid. This results in fewer actors paying taxes and covering grid costs. Moreover, it results in welfare losses as efficient plants (e.g. CCGT) are being replaced by inefficient plants (e.g. gas engines). This development may even be enlarged through the specific regulations on Local Energy Communities. Final consumers should indeed not be hindered in becoming active consumers or prosumers. However, if taxes or levies are being charged on electricity consumption, then consumers should not be able to avoid paying such taxes by investing in in-house generation or storage. [Art.1-4, 13, 15-17 El Market Dir., Art. 4, El Market Reg., Art.21-22, RES Directive]

Electrification in parallel with a strong EU ETS will ensure cost efficient decarbonisation across sectors

Shift focus from the ETS to the non-ETS sector: electrification disfavoured as a solution

Statkraft welcomes that energy efficiency and renewable (RES) targets are set at EU level. National plans should not indirectly result in national RES and energy efficiency targets for the sectors covered by the EU ETS as this risk undermining the functioning of the carbon and electricity markets. Especially, the national contributions to the EU wide 27% target for renewable energy should better account for national circumstances and the envisaged flexibility and cost-effectiveness from an EU perspective. Statkraft believes that Member States should be allowed to plan for their individual contributions to the EU targets through a more flexible Governance structure. [Art. 4, 27, Annex I, Gov. Directive]

Electrification of the non-ETS sectors should be better promoted as a key solution to decarbonize the transport, heating and cooling sectors, rather than being disfavoured which is the case in the current proposal. The European Commission 2050 Roadmap emphasises that electricity will play a central role in the low carbon economy. The Commission also stresses that “linking heating and cooling with electricity networks will reduce the cost of the energy system – to the benefit of consumers.”¹ However, the current proposal goes against these intentions. When calculating total energy use at end-user level, the electricity consumption is multiplied by a conversion factor. The proposed primary energy factor (PEF) of 2.0 incentivises cutting electricity consumption rather than saving fossil fuels, as cutting electricity with this factor will be much more productive in order to reach an energy efficiency target. Electrification of transportation and heating are examples of desired development that may be hindered or postponed due to this factor. If a PEF-factor is still used, it should be corrected to properly take renewables into account. It is in addition important to allow for national flexibility in defining a national PEF-factor. [Annex IV, EE Directive]

¹ 2050 Roadmap: <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52011DC0112&from=EN>, EU strategy on Heating&Cooling: https://ec.europa.eu/energy/sites/ener/files/documents/1_EN_ACT_part1_v14.pdf



PERSATUAN KEBANGSAAN PEKEBUN-PEKEBUN KECIL MALAYSIA (1737(Selangor))
NATIONAL ASSOCIATION OF SMALLHOLDERS MALAYSIA (NASH)

D-1-11, Setiawangsa Business Suites, Jalan Setiawangsa 11, Taman Setiawangsa, 54200 Kuala Lumpur.

No. Tel: +603-4251 0984 / 4251 0992 Faks: +603-4266 4444 E-mel: pkpkm2014@gmail.com Laman Web: www.pkpkm.org.my

Our Ref: NASH/100-4(20)/2017
15th December, 2017

ETM

Minister Eric Wiebes
Ministry of Economic Affairs & Climate Policy
P.O. Box 20401
2500 EK The Hague
The Netherlands

Dear Minister,

I write on behalf of 650,000 Malaysian small farmers, whose livelihoods are threatened by the EU's Renewable Energy Directive (RED). The European Parliament's plan to ban Palm Oil biofuels from Malaysia is wrong, unjust and will not be tolerated.

The members of the National Association of Smallholders (NASH) will not accept the EU dictating discriminatory rules that harm families and communities. We are prepared, and ready, to take action to defend our livelihoods.

I urge you, in your role on the Council of the European Union, to reject this ban entirely. The European Parliament's claim that Palm Oil is responsible for deforestation is a sweeping generalization that denigrates the work and livelihoods of millions. It is also demonstrably untrue, as can be assessed from the experience of Malaysia.

As a result of Palm Oil, the poverty rate is now below 2 per cent – in many rural areas that is because of Palm Oil, which is a lifeline for 3.2 millions people. Pre-Malaysian independence from colonial United Kingdom, poverty was 50 per cent.

Further, in 1992, at the Rio Earth Summit, the Malaysian Government pledged to retain 50% of land area as forest area. That commitment – unmatched, globally as an environmental promise to preserve forests – is still being met today.


The proposed ban on Palm Oil biofuels is the worst kind of discrimination. Other oilseed feedstocks will continue to be allowed; only Palm Oil will be banned. Is it a coincidence that Palm Oil is the only feedstock originating primarily in the developing world? Rich country feedstocks continue to be supported by the MEPS; but poor small farmers in rural

Malaysia will be shut out of the European market. It is neo-colonialism by any other name.

The Malaysian Prime Minister has stated clearly that *"Whoever boycotts oil palm products, they will face retaliation from us Malaysia and Indonesia"*. The smallholder members of the National Association of Smallholders in Malaysia stand fully behind the Prime Minister. We will defend ourselves, our families and communities against such aggression from Europe.

I respectfully request a response to my letter. I would be happy to answer any of your questions.

Sincerely,



DATO' HAJI ALIASAK HAJI AMBIA
President,
National Association of Smallholders Malaysia

DATUM BINNENKOMST

03 JAN. 2018

Sh



Minister Eric Wiebes
Ministry of Economic Affairs & Climate Policy
P.O. Box 20401
2500 EK The Hague
The Netherlands

Track-On 2 (CN04)
Registered



3SRIMV6333466

R RR17 905 641 2MY





> P.O. Box 20401 2500 EK The Hague The Netherlands

National Association of Smallholders Malaysia (NASH)
D-1-11, Setiawangsa Business Suites,
Jalan Setiawangsa 11, Taman Setiawangsa,
54200 Kuala Lumpur
Malaysia

**Directorate-General for
Energy, Telecommunications
and Competition**
Energy Market and Innovation
Department

Visit address
Bezuidenhoutseweg 73
2594 AC Den Haag
The Netherlands

Postal address
P.O. Box 20401
2500 EK Den Haag
The Netherlands

Organisation Code
00000001003214369000

T +31 (0)70 379 8911
www.rijksoverheid.nl/ezk

Dealt with by

T +31 (0)70
F +31 (0)

jminez.nl

Our ref.
DGETM-EI / 18008620

Your ref.

Encl.

Date **- 07 FEBRUARI 2018 -**
Re Malaysian Palm Oil in EU legislation

Dear Dato' Haji Aliasak Haji Ambia,

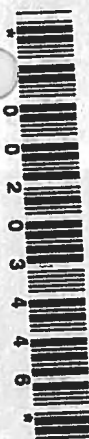
Thank you for your letter regarding the effect of the EU legislation on the Malaysian palm oil economy.

The Netherlands is part of the EU Council and together with other EU member states reached an agreement on the council position at the Energy council meeting of 18 December. The agreed council position does not include measures that are specifically targeted at palm oil or any other feedstock made from food or feed crops. With this EU-wide Energy council agreement, the Dutch government is no longer in a position to influence the discussions with the European Parliament and the European Commission to finalise the regulation.

I hope this information will satisfy your request.

The Minister of Economic Affairs and Climate
on behalf of

Director General Energy, Telecom, Markets



Van: [REDACTED] <[REDACTED]@aebiom.org>
Verzonden: dinsdag 12 december 2017 13:57
Onderwerp: TTE Council Meeting 18 December - RED article 23
Bijlagen: Council - RED Art 23.docx

Dear Madam/Sir,

Ahead of the 18 December TTE Council meeting, we, the geothermal, solar thermal and bioenergy sectors would like to share with you our amendments proposal for **RED article 23 and waste heat**.

Member States willing to reach their long-term climate objectives need to tackle their Heating & Cooling sector starting from now! This is why it is necessary to have an ambitious article 23 and to make sure waste heat doesn't dilute this objective.

Please find our amendments proposal below and attached (with justification):

Article 23.1, paragraph 2

<i>European Council, Presidency compromise text</i>	<u>Proposed modification</u>
Member States may also decide to take into account a contribution from waste heat and cold to further incentivise efficiency in their systems.	Member States may also decide to take into account a contribution from waste heat and cold to further incentivise efficiency in their systems, <u>provided that the level of ambition to increase the share of renewable energy in the sector referred to in the first subparagraph is maintained.</u>

Article 2.y

<i>European Council, Presidency compromise text</i>	<u>Proposed modification</u>
(y) 'waste heat or cold' means heat or cold which is generated as by-product in industrial, tertiary sector, including indoor air in buildings, or power generation installations, except where combined heat and power generation is used, and which would be dissipated unused in air or water without access to a district heating or cooling system;	(y) 'waste heat or cold' means heat or cold which is generated as by-product in industrial, tertiary sector, <u>including indoor air in buildings,</u> or power generation installations, except where combined heat and power generation is used, and which would be dissipated unused in air or water without access to a district heating or cooling system;

We stay available for any further information you may need.

Kind regards,

Policy Advisor | European Biomass Association | www.aebiom.org | +32 2 [REDACTED]

AEBIOM
EUROPEAN BIOMASS ASSOCIATION



On behalf of



Renewable Energy Directive, Article 23

Proposed modification

Article 23.1, paragraph 2

<i>European Council, Presidency compromise text</i>	<u>Proposed modification</u>
Member States may also decide to take into account a contribution from waste heat and cold to further incentivise efficiency in their systems.	Member States may also decide to take into account a contribution from waste heat and cold to further incentivise efficiency in their systems, <u>provided that the level of ambition to increase the share of renewable energy in the sector referred to in the first subparagraph is maintained.</u>

Justification: Renewables for heating and cooling and waste heat are different by essence. The Renewable Energy Directive should not include provisions that incentivise waste heat to the detriment of renewables for heating and cooling, yet it should not prevent the use of unavoidable waste heat for the sake of the energy efficiency of the system. This AM to the Presidency compromise proposal allows waste heat to be eligible from measures implemented by Member States to endeavor to their Article 23 objective, but not at the expense of renewables deployment. This allows for an integrated system approach with overarching benefits in energy efficiency, expenditures, security and air quality.

Article 2.y

<i>European Council, Presidency compromise text</i>	<u>Proposed modification</u>
(y) 'waste heat or cold' means heat or cold which is generated as by-product in industrial, tertiary sector, including indoor air in buildings, or power generation installations, except where combined heat and power generation is used, and which would be dissipated unused in air or water without access to a district heating or cooling system;	(y) 'waste heat or cold' means heat or cold which is generated as by-product in industrial, tertiary sector, <u>including indoor air in buildings,</u> or power generation installations, except where combined heat and power generation is used, and which would be dissipated unused in air or water without access to a district heating or cooling system;

Justification: Indoor air should be considered as part of waste heat and cold if its use is to be incentivised. Indeed, the heat difference between indoor and outdoor air is usually the result of heating (by fossil or renewable sources). This is also true for cooling, as all cooling devices rely on the extraction of heat from "external sources" (ambient, geothermal, solar thermal) and not from the indoor air. The specific temperature characteristics of indoor air is the result of another energy conversion process, which makes it waste heat if it is to be used as a heat source in another process.

Van: Secretariaat E&I
Verzonden: vrijdag 15 december 2017 12:59
Aan: [redacted]; [redacted]
CC: Secretariaat E&O
Onderwerp: FW: Urgent verzoek met het oog op de EU Ministerraad Energie 18 december
Bijlagen: 171215 Brief aan Minister Wiebes REDII AER.pdf

Voor jullie?

Van: Secretariaat DG ETM
Verzonden: vrijdag 15 december 2017 12:46
Aan: Secretariaat E&I; Secretariaat E&O; [redacted]
Onderwerp: FW: Urgent verzoek met het oog op de EU Ministerraad Energie 18 december

Van: [redacted]
Verzonden: vrijdag 15 december 2017 12:13
Aan: EZ Reisagenda; Secretariaat DG ETM
Onderwerp: FW: Urgent verzoek met het oog op de EU Ministerraad Energie 18 december

Zie onderstaande mail. Nu met ontbrekende bijlage!

Met vriendelijke groet,

Secretariaat Minister [redacted]

.....
 Ministerie van Economische Zaken en Klimaat
 Bureau Bestuursraad
 Bezuidenhoutseweg 73 | 2594 AC | Den Haag |
 Postbus 20401 | 2500 EK | Den Haag

.....
 T 070- [redacted]
 F 070- [redacted]
 email: [redacted]@minez.nl
www.rijksoverheid.nl/ezk

Van: [redacted] [[mailto:\[redacted\]@ALCOGROUP.com](mailto:[redacted]@ALCOGROUP.com)]
Verzonden: vrijdag 15 december 2017 12:09
Aan: MinisterEZK
CC: [redacted]
Onderwerp: Fwd: Urgent verzoek met het oog op de EU Ministerraad Energie 18 december

Excuses bijlage ontbrak.

Begin forwarded message:

From: [redacted] <[redacted]@ALCOGROUP.com>
Subject: Urgent verzoek met het oog op de EU Ministerraad Energie 18 december
Date: 15 December 2017 at 12:07:24 CET

To: [redacted]@minez.nl
Cc: [redacted]@minez.nl

Zeer geachte heer [redacted]

In bijlage een brief van de voorzitter van de Raad van Commissarissen van ons bedrijf met een dringende oproep inzake de bespreking van het wetsvoorstel Hernieuwbare Energie in de Energieraad van 18 december aanstaande.

Hoogachtend,

[redacted]
[redacted]



Alco Energy Rotterdam B.V. – Merwedeweg 10 – 3198 LH Europoort-Rt – Harbour 5629

ALCOGROUP SA
100 Boulevard du Souverain
1170 Brussels
Mob. +32 [redacted]
Skype: [redacted]
[redacted]@alcogroup.com



DISCLAIMER: This e-mail and its contents are for the use of the addressee only and may be confidential, legally privileged or otherwise protected from disclosure. Unauthorised use, disclosure or copying is strictly prohibited. If you are not the addressee, please notify us immediately and then delete it from your system. All e-mails sent from or to this e-mail address can be recorded and monitored for legal, regulatory and/or business purposes.

This email has been scanned by the Symantec Email Security.cloud service.
For more information please visit <http://www.symanteccloud.com>

Aan de heer E. Wiebes
Minister van Economische Zaken en Klimaat
Den Haag
Per e-mail

Rotterdam, 15 december 2017

Zeer geachte heer Wiebes,

Als grootste bio-ethanolproducent van Europa, gesitueerd in de Rotterdamse haven, willen wij onze grote zorg uitspreken over de versie van de ontwerp-Richtlijn hernieuwbare energie welke door het COREPER aan de EU Ministerraad Energie is voorgelegd ([ST 15236 2017 INIT - 2016/0382 \(COD\)](#)).

Wij roepen u op de tekst in deze vorm niet te ondersteunen.

Ons bedrijf produceert de meest duurzame bio-ethanol in heel Europa. Wij realiseren een broeikasgasbesparing van meer dan 90%, produceren grote hoeveelheden eiwitrijk veevoeder, waaraan in Nederland en Europa, grote behoefte is en leveren biogene CO₂ aan de tuinbouwsector in het Westland. Dat is allemaal in lijn met wat in het Regeerakkoord is neergeschreven om Nederland CO₂-neutraler te maken.

Onze bio-ethanol geeft Nederland de mogelijkheid om een substantiële vermindering van CO₂-uitstoot in de transportsector te realiseren. Maar dat zal niet gebeuren als het gebruik ervan op verschillende manieren moeilijk of zelf onmogelijk wordt gemaakt.

Wij verwelkomen een doelstelling van 14% hernieuwbare energie in transport, maar zijn van oordeel dat als de EU daadwerkelijk stappen vooruit willen zetten in de CO₂-vermindering van transport de Lidstaten niet lager moeten kunnen gaan dan 12%. Het flexibele instrument dat het voorzitterschap voorstelt, vinden we een grote stap achteruit.

In dat verband wil ik u er op wijzen dat de in 2015 in Europa afgesproken limiet van 7% biobrandstoffen uit landbouwgewassen was gebaseerd op de gedachte dat indirecte ongewenste landveranderingseffecten zo laag mogelijk moesten blijven. Wij hebben geen moeite met het toepassen van een ILUC-factor op conventionele biobrandstoffen, maar indien met toepassing van een dergelijke factor de wettelijk vastgelegde CO₂-drempel wordt gehaald, is een beperking van 7% moeilijk te rechtvaardigen. Zowel de Milieu- als de Energiecommissie in het Europese Parlement zijn van oordeel dat toepassing van de ILUC-factor niet ook nog eens moet resulteren in een limiet op conventionele biobrandstoffen. Immers dit zijn biobrandstoffen met geen of zeer weinig ILUC-risico.

Ook verzetten wij ons tegen het voortbestaan van het instrument van dubbeltelling. NEa-onderzoek heeft aangetoond dat dit instrument erg fraudegevoelig is. Bovendien wordt hierdoor het gebruik van fossiele brandstoffen fysiek niet verminderd.

Tot slot willen wij er voor pleiten om de grondstoffen in Bijlage IX B wel te onderwerpen aan een limiet zoals de Europese Commissie voorstelt. Ongelimiteerd gebruik van die grondstoffen werkt ongewenste effecten in de hand zoals een toenemende vraag naar ongebruikte plantaardige oliën en verminderd aanbod van gebruikte plantaardige oliën voor bij voorbeeld de veevoedersector.

Wij spreken onze grote vrees uit dat dit voorstel een regelrechte ondermijning betekent van ons bedrijf wat gezien wordt als één van de paradepaardjes in de energietransitie van het Havenbedrijf Rotterdam.

Als u met eigen ogen wilt zien hoe een *state-of-the-art* bio-raffinaderij eruit ziet, bent u uiteraard van harte welkom in ons bedrijf. Bij dezen wil ik u dan ook graag uitnodigen voor een werkbezoek aan Alco Energie Rotterdam.

Hoogachtend,


Voorzitter Raad van Commissarissen van AER

Van: [redacted] <[redacted]@minbuza.nl>
Verzonden: dinsdag 9 mei 2017 12:31
Aan: [redacted] - DGMI; '[redacted]' - DGMI
CC: [redacted]
Onderwerp: Te delen rapport
Bijlagen: Bellona Power to Liquids Reality Check small.pdf

Beste [redacted]

T.i. in de bijlage een rapport dat ik van een EZ-collega kreeg om met jullie te delen. Ik heb er verder geen toelichting of interpretatie bijgekregen.

Met vriendelijke groet,
[redacted]

Help save paper! Do you really need to print this email?

Dit bericht kan informatie bevatten die niet voor u is bestemd. Indien u niet de geadresseerde bent of dit bericht abusievelijk aan u is toegezonden, wordt u verzocht dat aan de afzender te melden en het bericht te verwijderen. De Staat aanvaardt geen aansprakelijkheid voor schade, van welke aard ook, die verband houdt met risico's verbonden aan het elektronisch verzenden van berichten.

This message may contain information that is not intended for you. If you are not the addressee or if this message was sent to you by mistake, you are requested to inform the sender and delete the message. The State accepts no liability for damage of any kind resulting from the risks inherent in the electronic transmission of messages.

Van: [redacted] <[redacted]@brabers.nl>
Verzonden: dinsdag 14 maart 2017 16:42
Aan: [redacted]
Onderwerp: RE: verzoek afspraak inzake herziening Richtlijn Hernieuwbare Energie

Geachte heer [redacted],

Afgelopen november hebben wij contact gehad over de herziening van de Richtlijn hernieuwbare energie (RED). In het bijzonder betreft mijn vraag aan u het materiaal ruwe tall olie (crude tall oil – 'CTO') dat is opgenomen in Annex IXa van de Richtlijn (en in het commissievoorstel voor RED-II). Nu het commissievoorstel en het BNC-fiche zijn gepubliceerd, zou ik graag nader met u in contact komen om een afspraak in te plannen om samen met mevrouw [redacted] (Arizona Chemical) te spreken over onderstaande.

Wij zouden graag met u spreken over het Nederlandse standpunt ten aanzien van lijst met materialen die in RED-II kwalificeren als 'geavanceerde biobrandstof' (Annex IXa). In het bijzonder over het materiaal CTO. CTO kan worden ingezet voor hoogwaardigere toepassingen dan voor energieproductie (biobrandstoffen), waaronder biobased producten. Zoals onderstaand uiteengezet is de grondstof CTO een essentiële grondstof voor bedrijven in biobased industrie in Europa, zoals Arizona Chemical.

In het Commissievoorstel voor de RED-II wordt de plaatsing van CTO op Annex IXa van de RED gecontinueerd. Daarnaast wordt door de Commissie een (oplopende) bijmengverplichting voor brandstofproducenten voorgesteld voor biobrandstoffen geproduceerd van materialen die zijn opgenomen in Annex IXa. Bedrijven in de biobased industrie, zoals Arizona Chemical, maken zich ernstige zorgen over de wijze waarop de grondstof CTO wordt gestimuleerd voor energie-doeleinden. Voor ruwe tall olie geldt namelijk dat het materiaal jaarlijks slechts in een beperkt volume beschikbaar is en de productie niet toeneemt wanneer de vraag (vanuit de brandstoffenindustrie) stijgt. Door het RED-II voorstel van de Europese Commissie (en tevens de reeds huidige RED) dreigt een ernstig tekort aan de grondstof te ontstaan. De grondstoffenmarkt wordt door de opname van CTO in Annex IXa dan ook ernstig verstoord. Dit terwijl er alternatieve hoogwaardigere toepassingen van CTO voorhanden zijn dan het gebruik als biobrandstof in o.a. de biobased industrie.

Het gebruik van de waardevolle grondstof CTO voor energieproductie strookt eveneens niet met correcte toepassing van het cascaderingsbeginsel en de afval-hiërarchie van de afvalstoffenrichtlijn (2008/98/EC). Daarnaast kwalificeert CTO als 'bijproduct' en dient derhalve niet voor energieproductie in aanmerking te komen. Voorts is van belang dat het commissie voorstel geen definitie of criteria bevat op basis waarvan grondstoffen (zoals CTO) zijn of kunnen worden opgenomen in Annex IXa. Dit roept o.a. vraagtekens op over hoe de Europese Commissie tot de opname van CTO in Annex IXa is gekomen, wat de onderbouwing daarvoor is en of een nadere impact assessment is om de gevolgen van de plaatsing in Annex IXa in kaart te brengen. In geen enkel stadium zijn de effecten op CTO onderzocht of is duidelijk geworden o.b.v. welke criteria de CTO aan de lijst is toegevoegd. Wij zijn dan ook van mening dat CTO niet thuishoort op Annex IXa of dat anderszins wordt gestimuleerd het materiaal voor biobrandstoffenproductie te gebruiken.

Wij hebben reeds contact met uw collega [redacted], eveneens werkzaam op het Ministerie van Economische Zaken. Met hem hebben wij over aan bovenstaande gerelateerde issues gesproken (o.a. ontwikkeling van de biobased economy en herziening van de afvalstoffenrichtlijn). De heer [redacted] is op de hoogte van onze zorgen ten aanzien van de opname van CTO in de RED.

Graag zou ik met u, de heer [redacted] en mevrouw [redacted] ergens in de komende weken van gedachten wisselen over bovenstaande elementen van het commissievoorstel.

Met vriendelijke groet,

Hogeweg 16 // 2585 JD 's-Gravenhage
Postbus 80523 // 2508 GM 's-Gravenhage

T +31 (0)70 [redacted]

M +31 (0)6 [redacted]

E [redacted]@brabers.nl

www.brabers.nl

Van: [redacted] [mailto:[redacted]@minez.nl]

Verzonden: dinsdag 8 november 2016 14:20

Aan: [redacted]

CC: [redacted]

Onderwerp: RE: verzoek afspraak inzake herziening Richtlijn Hernieuwbare Energie

Geachte heer [redacted]

Graag gaan wij en onze collega's van het ministerie van Infrastructuur en Milieu nader met u in gesprek zodra de voorstellen van de Europese Commissie zijn gepubliceerd.

Met vriendelijke groet,

[redacted]

[redacted]
Senior beleidsmedewerker

.....
Ministerie van Economische Zaken
Directoraat-Generaal Energie, Telecom en Mededinging
Directie Energiemarkt en Innovatie
Bezuidenhoutseweg 73 | 2594 AC | Den Haag
Postbus 20401 | 2500 EK | Den Haag

.....
T +31 6 [redacted] [redacted]@minez.nl

Dit bericht kan informatie bevatten die niet voor u is bestemd. Indien u niet de geadresseerde bent of dit bericht abusievelijk aan u is gezonden, wordt u verzocht dat aan de afzender te melden en het bericht te verwijderen.

De Staat aanvaardt geen aansprakelijkheid voor schade, van welke aard

ook, die verband houdt met risico's verbonden aan het elektronisch verzenden van berichten.

This message may contain information that is not intended for you. If you are not the addressee or if this message was sent to you by mistake, you are requested to inform the sender and delete the message.

The State accepts no liability for damage of any kind resulting from the risks inherent in the electronic transmission of messages.

Van: [redacted] - DGMI [redacted]@minienm.nl>
Verzonden: woensdag 29 november 2017 17:53
Aan: [redacted]
Onderwerp: Brief milieudefensie
Bijlagen: 20171120 Brief VMD en NM.pdf

Hoi [redacted]

Zoals net besproken. Dit is de brief van Milieudefensie en is naast stas lenW ook aan M EZK geadresseerd. Mogelijk komen hier vragen over tijdens onze WGO van maandag 4 december. Wij zorgen dat stas hier goed op voorbereid is.

Groet!

Met vriendelijke groet,

.....
Directie Klimaat, Lucht en Geluid
Ministerie van Infrastructuur en Milieu
Rijnstraat 8 | 2515 XP | Den Haag
.....

T (+31) 6- [redacted]
E [redacted]@minienm.nl
.....

Dit bericht kan informatie bevatten die niet voor u is bestemd. Indien u niet de geadresseerde bent of dit bericht abusievelijk aan u is toegezonden, wordt u verzocht dat aan de afzender te melden en het bericht te verwijderen. De Staat aanvaardt geen aansprakelijkheid voor schade, van welke aard ook, die verband houdt met risico's verbonden aan het elektronisch verzenden van berichten.
This message may contain information that is not intended for you. If you are not the addressee or if this message was sent to you by mistake, you are requested to inform the sender and delete the message. The State accepts no liability for damage of any kind resulting from the risks inherent in the electronic transmission of messages.



postbus 19199
1000 GD Amsterdam
T 020 6262 620
service@milieudefensie.nl
NL 32 INGB 0000 0186 50

Ministerie van Infrastructuur en Waterstaat
Ministerie van Economische Zaken en Klimaat
T.a.v. mevrouw van Velthoven, meneer Wiebes

Geachte mevrouw van Velthoven, meneer Wiebes,

Uw ambtenaren bespreken momenteel de herziening van de EU-richtlijn inzake hernieuwbare energie ('RED II', 2016/0382), die door de EU-ministers van energie op 18 december zal worden behandeld, en die aanstaande woensdag in de coreper besproken wordt.

Milieudefensie en Natuur & Milieu zijn ernstig bezorgd over het huidige voorzitterschapsvoorstel over biobrandstoffen dat nu op tafel ligt, en willen u en uw collega-ministers aansporen de huidige voorstellen ingrijpend te verbeteren.

Wij verzoeken u concreet het volgende:

1. Steun het Commissievoorstel om geen transportbrede doelstelling in te voeren, maar om ambitieuzer te zijn en in te zetten op (zeer) geavanceerde biobrandstoffen en groene stroom en zo innovatie te stimuleren.
2. Zet in op het zo snel mogelijk uitfasen van alle op voedselgewasgebaseerde biobrandstoffen (artikel 25).
3. Steun aanvullende prikkels voor hernieuwbare elektriciteit in het vervoer (artikel 25).
4. Steun het uitsluiten van niet-duurzame grondstoffen van de lijst van "geavanceerde biobrandstoffen".

Ons verzoek wordt inhoudelijk toegelicht in de bijlage.

We gaan graag over uw inzet met u in gesprek, mocht u nog vragen hebben, dan zijn wij graag bereid deze te beantwoorden.

Met vriendelijke groet,



**NATUUR
& MILIEU**

Contactpersonen:

[Redacted]
Milieudefensie

[Redacted]
Natuur & Milieu

T: 06-[Redacted]
E: [Redacted]@milieudefensie.nl

T: 06-[Redacted]
E: [Redacted]@natuurenmilieu.nl

Bijlage

1. Geen transportbrede doelstelling

Het meest recente voorstel van het Estse voorzitterschap stelt de herintroductie van een sectorbrede doelstelling voor de transportsector voor. De Europese Commissie had nu juist voorgesteld deze transportbrede verplichting niet meer op te nemen: het zorgt ervoor dat er een enorme druk op de markt komt en dat er veel voedselgewassen worden ingezet.

Ook de milieucommissie van het Europees Parlement stemde om die reden 23 oktober j.l. nog tegen herinvoering van deze sectordoelstelling. Voor de verduurzaming van de inzet van biobrandstoffen is het van groot belang dat Nederland inzet op alleen een minimum voor (zeer) geavanceerde biobrandstoffen en groene stroom, zoals ook de Europese Commissie voorstelt. Bijgevoegd bij deze brief is een paper van T&E dat uitgebreid ingaat op de risico's van een transportbrede doelstelling.

2. Uitsluiten voedselgewasgebaseerde biobrandstoffen

Voedselbiobrandstoffen zijn niet duurzaam; het gebruik van voedselbiobrandstoffen door de EU heeft geleid tot een algehele *toename van de klimaatemissies* ten opzichte van fossiele brandstoffen, vanwege de uitbreiding van landbouwgrond elders in de wereld, die leidt tot ontbossing en vanwege verminderde herbebossing van werkelijk verlaten grond¹.

Daarnaast hebben voedselbiobrandstoffen ook ernstige negatieve gevolgen voor biodiversiteit, voor voedselaanbod, voor de mensenrechten, leef- en werkomstandigheden en de gezondheid voor lokale bevolkingsgroepen.

Door Estland wordt voorgesteld om het maximum plafond voor voedselbrandstoffen op 7% te laten, waar de Commissie een (te) geringe afname naar 3,8% had voorgesteld. Ook op dit onderdeel dringen we er op aan dat Nederland pleit voor een zo snel mogelijke uitsluiting van het gebruik van dergelijke niet-duurzame, op voedselgewassen gebaseerde biobrandstoffen, zoals ethanol op basis van granen en biodiesel uit palmolie en koolzaad.

3. Aanvullende prikkels hernieuwbare elektriciteit

Hernieuwbare elektriciteit in transport heeft een dubbel milieuvoordeel vanwege de efficiëntie van elektrisch vervoer. Hierdoor wordt er niet alleen meer hernieuwbare energie ingezet voor transport, maar wordt er ook flink bespaard op de energievraag van de transportsector. In het huidige Commissievoorstel wordt voorgesteld om hernieuwbare elektriciteit met een factor 5 te laten wegen (artikel 25). Wij verzoeken u dergelijke voorstellen te steunen.

4. Uitsluiten niet-duurzame grondstoffen voor geavanceerde biobrandstoffen

In bijlage IX van de RED2 staat een positieve lijst met grondstoffen die toegepast mogen worden voor de productie van geavanceerde biobrandstoffen. Niet al deze grondstoffen zijn echter afvalstoffen of residuen, maar zijn producten of bijproducten met bestaande, waardevollere toepassingen. Wij adviseren u om aan te dringen op het verwijderen van de volgende grondstoffen uit de lijst van bijlage IX:

- energiegewassen (deel A (p)),
- houtachtige biomassa van materiaalkwaliteit (A (q)),
- gemengd vast stedelijk afval (A (b)),
- tallolie (A (h)) en
- melasse (B (c)).

Daarnaast roepen wij u op om te voorkomen dat er nieuwe achterdeuren worden opengezet zoals het opnemen van nieuwe categorieën "low ILUC risk" biobrandstoffen waarvoor certificeringsmethodieken zeer complex en onontwikkeld zijn, waardoor het risico op fraude zal toenemen. (artikelen 2 en 25).

¹ Europese Commissie 2015, "The land use change impact of biofuels consumed in the EU"

Van: [redacted]
Verzonden: woensdag 1 februari 2017 10:49
Aan: [redacted]; [redacted]
Onderwerp: Clean Energy Package gesprek met eneco

[redacted] en [redacted]
 Eneco wil graag met ons spreken over clean energy package. Ik spreek sowieso met ze, maar zou niet slecht zijn als jullie er (voor een deel) bij kunnen zitten. . ik stuur jullie zo een uitnodiging
 Gr [redacted]

Van: [redacted] [mailto:[redacted]@eneco.com]

Verzonden: dinsdag 31 januari 2017 21:57

Aan: [redacted]

CC: [redacted]

Onderwerp: RE: Clean Energy Package

Beste [redacted] dank voor je snelle reactie. Prima om een meeting te organiseren. We kunnen het dan zeker hebben over onze visie inzake market design en het zou mooi zijn als we ook inderdaad over EED en RED kunnen spreken. Zou medio februari een idee zijn. We vernemen graag welke datum jullie uit zou komen.
 Met vriendelijke groet,
 [redacted]

Van: [redacted] [mailto:[redacted]@minez.nl]

Verzonden: dinsdag 31 januari 2017 14:34

Aan: [redacted] <[redacted]@eneco.com>

Onderwerp: RE: Clean Energy Package

Beste [redacted]
 Bedankt voor je mail, klopt dat het alweer enige tijd geleden is. Ik ben na het voorzitterschap teruggekeerd bij EZ en ben nu verantwoordelijk voor het market design pakket. Iets minder breed dan de gehele clean energy package. Het lijkt me prima om een afspraak te organiseren. Ik kan dan kijken of ik 1-2 collega's erbij uitnodig die meer in de EED en RED zitten. Zelf ben ik vooral geïnteresseerd in jullie visie op de market design voorstellen.
 Gr [redacted]

Van: [redacted] [mailto:[redacted]@eneco.com]

Verzonden: dinsdag 31 januari 2017 14:27

Aan: [redacted]; [redacted]

Onderwerp: Clean Energy Package

Beste [redacted] het is al weer enige tijd geleden dat we elkaar spraken in Brusselse context. Ik begrijp dat je nu weer in NL bent. Ik had ook gehoord dat jij het Clean Energy Package onder je hoede hebt bij EZ. Als dat zo is, zou het mogelijk zijn dat we daar binnenkort eens kort over spreken? Kom ik met mijn collega [redacted]

Graag verneem ik je reactie.
 Dank alvast en Met vriendelijke groet,
 [redacted]

Public Affairs Eneco | Welkom in de nieuwe wereld

[redacted] [mailto:[redacted]@eneco.com]

+31 6 [redacted]

Dit bericht kan informatie bevatten die niet voor u is bestemd. Indien u niet de geadresseerde bent of dit bericht abusievelijk aan u is gezonden, wordt u verzocht dat aan de afzender te melden en het bericht te verwijderen.

De Staat aanvaardt geen aansprakelijkheid voor schade, van welke aard ook, die verband houdt met risico's verbonden aan het elektronisch verzenden van berichten.

This message may contain information that is not intended for you. If you are not the addressee or if this message was sent to you by mistake, you are requested to inform the sender and delete the message.

The State accepts no liability for damage of any kind resulting from the risks inherent in the electronic transmission of messages.

Van: [redacted] <[redacted]@minbuza.nl>
Verzonden: donderdag 13 juli 2017 14:21
Aan: [redacted] - DGMI; [redacted]
CC: [redacted]
Onderwerp: Commentaar Nuon/Vattenfall m.b.t. artikelen voor 24 juli
Bijlagen: Positie Nuon / Vattenfall Raadswerkgroep 24/07

Opvolgingsmarkering: Opvolgen
Markeringsstatus: Voltooid

Hi [redacted] & [redacted]

In de bijlage commentaar van Nuon/Vattenfall over de artikelen die we de 24^e gaan bespreken.

Groet,
[redacted]

Help save paper! Do you really need to print this email?

Dit bericht kan informatie bevatten die niet voor u is bestemd. Indien u niet de geadresseerde bent of dit bericht abusievelijk aan u is toegezonden, wordt u verzocht dat aan de afzender te melden en het bericht te verwijderen. De Staat aanvaardt geen aansprakelijkheid voor schade, van welke aard ook, die verband houdt met risico's verbonden aan het elektronisch verzenden van berichten.

This message may contain information that is not intended for you. If you are not the addressee or if this message was sent to you by mistake, you are requested to inform the sender and delete the message. The State accepts no liability for damage of any kind resulting from the risks inherent in the electronic transmission of messages.

Van: [redacted] (KPE) <[redacted]@vattenfall.com>
Verzonden: donderdag 13 juli 2017 12:25
Aan: [redacted]
Onderwerp: Positie Nuon / Vattenfall Raadswerkgroep 24/07
Bijlagen: Vattenfall Amendment Proposals RED II Transport.docx; Vattenfall Amendment Proposals RED II Bioenergy Sustainability Criteria.....docx

Hi [redacted]

Alles goed? Enthousiaste start van de Esten in de raad heb ik gehoord?

Hierbij deel ik graag met jullie de belangrijkste punten voor Nuon / Vattenfall tav de Raadswerkgroep op 24 juli voor de RED. Wij begrijpen dat artikelen 25-28 voor deze werkgroep op de agenda staan en dat er een deadline is gesteld voor schriftelijke inbreng op 17 juli. In deze context, onderstreep ik graag twee belangrijke onderwerpen voor Nuon / Vattenfall; artikel 25 over transport en artikel 26 over de duurzaamheid criteria voor biomassa. Hieronder vind je onze positie in het Engels met in de bijlagen onze voorstelde amendementen ten aanzien van deze artikelen.

Wij zouden het zeer waarderen als de onderstaande punten de onderhandelingen in de Raadswerkgroep kunnen inspireren.

Uiteraard, staan wij jullie graag ter beschikking voor vragen en we horen graag van jullie.

Succes nog even beide, met de laatste loodjes in jullie energie activiteiten voor de PV!

Vriendelijke groet,

Transport (Article 25)

- We strongly support the target for the share of renewable energy in transport fuels, as it will drive the development of renewable electricity-powered e-mobility. We however doubt the need for a separate (sub-)target for advanced biofuels. As long as transport fuels fulfil the proposed sustainability criteria, the market should decide about the fuel mix used to meet the desired renewable energy share in transport.
- We believe that the renewable energy target for the transport sector should **explicitly reward for the use of renewable electricity in transport** – be it as end-fuel in electric vehicles or as fuel for the ‘production’ of hydrogen or biofuels. This will also be an additional trigger for renewable electricity capacity. In this context, it must be ensured that renewable electricity used in electric vehicles only counts towards the target for the renewable energy share in transport if the **equivalent amount of guarantees of origin of the electricity used is cancelled** (Article 7(3)).
- We welcome the current amendment in the REV1 document providing for the contribution of **renewable electricity supplied to road vehicles to be considered to be 2.5 times its energy content**.

Biomass Sustainability Criteria (Article 26; Annex VI)

- We would like to underline our support for the European Commission’s proposals for sustainability criteria for solid biomass (also referred to as biomass fuels in Art. 26ff REDII). We strongly believe that harmonized EU sustainability criteria will considerably increase the credibility of the bioenergy sector. The proposed risk-based approach is reasonable and feasible.
- With regard to the concrete content of the REV1 document, **we particularly support:**
 - o the clarification in Article 26(5) subparagraph (a) iii regarding areas of high conservation value;
 - o the intention to set the review date for the sustainability requirements to 2026, in line with the general RED II review. This in our opinion allows for gathering experience with the criteria and ensuring stability.

• On some of the provisions, we see **room for further improvement:**

- o We generally agree that the forest holding level as such might be too restrictive as only means of verification and application of mitigation. Complementing it by the words "and/or producer level" might be beneficial. However, a further explanation and definition is needed for the newly introduced term "forest sourcing area" (Article 26(5)).
- o Next to broadening the scope for verification and application of mitigation efforts, we think it is important to ensure that compliance can be proven by using national forestry statistics to demonstrate that standing forest stocks are increasing over time. (Article 26(6)).
- o We are still concerned that the proposed methodological choices in Annex VI/B(11) risk excluding pellet usage for sustainable bioenergy solutions in heat-only boilers starting operation after 1 January 2021. Pellet mills should be enabled to use the actual value of the CO2 intensity of their regional or national electricity mix.

Kind regards,

[REDACTED]
[REDACTED]
EU Public & Regulatory Affairs
Vattenfall AB

Rue de la Loi 223, 1040 Brussels
O +32 2 [REDACTED]
M +32 [REDACTED]

www.vattenfall.com

<https://twitter.com/VattenfallBXL>



EU transparency ID number 12955024114-93

Please consider the environment before printing this e-mail

AMENDMENTS

**Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL
on the promotion of the use of energy from renewable sources (recast)
2016/0382 (COD)**

Amendment 1

**Proposal for a Directive
Article 25 - paragraph 1 - subparagraph 2**

<i>Text proposed by the Commission</i>	<i>Amendment</i>
(1) The minimum share shall be at least equal to 1.5% in 2021, increasing up to at least 6.8% in 2030, following the trajectory set out in part B of Annex X. <i>Within this total share, the contribution of advanced biofuels and biogas produced from feedstock listed in part A of Annex IX shall be at least 0.5% of the transport fuels supplied for consumption or use on the market as of 1 January 2021, increasing up to at least 3.6% by 2030, following the trajectory set out in part C of Annex X.</i>	(1) The minimum share shall be at least equal to 1.5% in 2021, increasing up to at least 6.8% in 2030, following the trajectory set out in part B of Annex X.

Justification:

As long as transport fuels fulfil the proposed sustainability criteria, the market should decide about the fuel mix used to meet the desired renewable energy share in transport. No separate targets for specific fuels are needed.

Amendment 2

Proposal for a Directive Article 25 - paragraph 3

<i>Text proposed by the Commission</i>	<i>Amendment</i>
(3) To determine the share of renewable electricity for the purposes of paragraph 1 <i>either the average share of electricity from renewable energy sources in the Union or</i> the share of electricity from renewable energy sources in the Member State where the electricity is supplied, as measured two years before the year in question <i>may</i> be used. <i>In both cases</i> , an equivalent amount of guarantees of origin issued in accordance with Article 19 shall be cancelled.	(3) To determine the share of renewable electricity for the purposes of paragraph 1 the share of electricity from renewable energy sources in the Member State where the electricity is supplied, as measured two years before the year in question <i>shall</i> be used. An equivalent amount of guarantees of origin issued in accordance with Article 19 shall be cancelled.

Justification:

The renewables target for the transport sector should explicitly reward for the use of renewable electricity in transport – be it as end-fuel in electric vehicles or as fuel for the ‘production’ of hydrogen or biofuels. This will also be an additional trigger for renewable electricity capacity. Determining the share of renewable electricity used in transport through the national share of electricity from renewable energy sources is more accurate than using the average share at Union level. It will ensure that the development of e-mobility and the usage of renewable electricity go hand in hand.

Amendment 3

Proposal for a Directive

Article 25 - paragraph 3 - point a

<i>Text proposed by the Commission</i>	<i>Amendment</i>
(a) When electricity is used for the production of renewable liquid and gaseous transport fuels of non-biological origin, <i>either directly or for the production of intermediate products, either the average share of electricity from renewable energy sources in the Union or</i> the share of electricity from renewable energy sources in the country of production, as measured two years before the year in question, <i>may</i> be used to determine the share of renewable energy. <i>In both cases</i> , an equivalent amount of guarantees of origin issued in accordance with Article 19 shall be cancelled.	(a) When electricity is used for the production of renewable liquid and gaseous transport fuels of non-biological origin, the share of electricity from renewable energy sources in the country of production, as measured two years before the year in question, <i>shall</i> be used to determine the share of renewable energy. An equivalent amount of guarantees of origin issued in accordance with Article 19 shall be cancelled.

Justification:

The renewables target for the transport sector should explicitly reward for the use of renewable electricity in transport – be it as end-fuel in electric vehicles or as fuel for the ‘production’ of hydrogen or biofuels. This will also be an additional trigger for renewable electricity capacity. Determining the share of renewable electricity used in transport through the national share of electricity from renewable energy sources is more accurate than using the average share at Union level. It will ensure that the development of e-mobility and the usage of renewable electricity go hand in hand.

Vattenfall's Amendment Proposals for recast of Renewable Energy Directive in relation to biomass sustainability criteria

Amendment 1

Proposal for a Directive

Article 26 - paragraph 5 – point b

<i>Text proposed by the Commission</i>	<i>Amendment</i>
(b) when evidence referred to in the first subparagraph is not available, the biofuels, bioliquids and biomass fuels produced from forest biomass shall be taken into account for the purposes referred to in points (a), (b) and (c) of paragraph 1 if management systems are in place at forest holding level to ensure that	(b) when evidence referred to in the first subparagraph is not available, the biofuels, bioliquids and biomass fuels produced from forest biomass shall be taken into account for the purposes referred to in points (a), (b) and (c) of paragraph 1 if management systems are in place at forest holding level and/or the biomass producer, such as the pellet mill , to ensure that

level of where in the value chain the verification and application of mitigation measures takes place should be broadened and also include biomass producers (e.g. pellet mill or sawmill level). The goal of the paragraph is that feedstock for biomass production is legally and sustainably harvested. To achieve that goal it is important that management systems and procedures are in place to ensure that all respective indicators in the forest are at low risk, but it is immaterial at which level in the value chain the verification and mitigation is carried out.

Amendment 2

Proposal for a Directive

Article 26 - paragraph 6 - subparagraph 2

<i>Text proposed by the Commission</i>	<i>Amendment</i>
(6) When evidence referred to in the first subparagraph is not available, the biofuels, bioliquids and biomass fuels produced from forest biomass shall be taken into account for the purposes referred to in points (a), (b) and (c) of paragraph 1 if <i>management systems are in place at forest holding level to ensure that carbon stocks and sinks levels in the forest</i> are maintained.	(6) When evidence referred to in the first subparagraph is not available, the biofuels, bioliquids and biomass fuels produced from forest biomass shall be taken into account for the purposes referred to in points (a), (b) and (c) of paragraph 1 if <i>proof that national or regional forest carbon stocks</i> are maintained <i>can be delivered by demonstrating that carbon stocks are stable or increasing over time at the national or regional level.</i>

Justification:

Demonstrating that management systems are in place at forest holding level is one method to demonstrate that carbon stocks are maintained. Other, more economical, methods are for example to show by use of national forestry statistics that standing forest stocks are increasing over time. Against this background, the means through which compliance can be demonstrated should not be limited to management systems at forest holding level.

In addition, carbon stocks at an individual forest holding level, especially smaller holdings, can vary strongly over time due to individual harvesting events while the carbon stock considered in a larger region or the country as a whole remains stable or increases. Therefore carbon stocks should not be viewed at the individual forest holding level but rather at the national or regional level.

Amendment 3

Proposal for a Directive

Article 26 - paragraph 6 - subparagraph 4

<i>Text proposed by the Commission</i>	<i>Amendment</i>
(6) By 31 December 2023 , the Commission shall assess whether the criteria set out in paragraphs 5 and 6 effectively minimise the risk of using unsustainable forest biomass and address LULUCF requirements, on the basis of available data. The Commission shall, if appropriate, present a proposal to modify the requirements laid down in paragraphs 5 and 6.	(6) <i>In accordance with Article 30(3) of this Directive</i> , the Commission shall assess <i>in 2026</i> whether the criteria set out in paragraphs 5 and 6 effectively minimise the risk of using unsustainable forest biomass and address LULUCF requirements, on the basis of available data. The Commission shall, if appropriate, present a proposal to modify the requirements laid down in paragraphs 5 and 6 <i>as part of the general review of the Directive.</i>

Justification:

The Directive is supposed to enter into force in January 2021, with national implementation by June 2021. A re-assessment and potential modification in 2023 is too early and would lead to uncertainty for market participants. Rather, the review foreseen in Article 26 should be done in accordance with the general review of the Directive in 2026 (as outlined in Art. 30 (3)).

Amendment 4

Proposal for a Directive

Annex VI - part B - paragraph 11 - subparagraph 2

<i>Text proposed by the Commission</i>	<i>Amendment</i>
(11) In accounting for the consumption of electricity not produced within the solid biomass fuel production plant, the greenhouse gas emission intensity of the production and distribution of that electricity shall be assumed to be equal to the fossil fuel comparator ECF(el) set out in paragraph 19 of this Annex.	(11) In accounting for the consumption of electricity not produced within the solid biomass fuel production plant, the greenhouse gas emission intensity of the production and distribution of that electricity shall be assumed to be equal to the average emission intensity of the production and distribution of electricity in a defined region.

Justification:

Pellet mills should be able to use the actual value of the CO2 intensity of their regional or national electricity mix. This would make the methodology for solid biomass fuels also fully consistent with the methodology for gaseous biomass fuels. Defining the CO2 intensity of electricity consumed in the production mix to be a fixed fossil fuel comparator otherwise neglects decarbonisation efforts within countries and risks excluding pellet usage in heat-only boilers starting operation after 2021.

Van: [redacted]@egec.org>
Verzonden: dinsdag 12 december 2017 14:33
Aan: [redacted]
Onderwerp: Renewable Energy Directive - Article 2 - Ambient energy
Bijlagen: Presidency compromise - Art 2 - Proposal ambient heat.docx

Dear Madam, Dear Sir,

Ahead of the TTE on December 18, I come to you on behalf of the geothermal sector to warmly welcome the restoration of the definition of geothermal energy in the Presidency compromise proposal.

In order to ensure better regulation and consistency across definitions in the article 2, I come to you to ask the following modification to the definition of ambient energy:

Article 2.b

European Council, Presidency compromise text	<u>Proposed modification</u>
(b)'ambient energy []' means naturally occurring [] thermal energy at a useful temperature level which is extracted or captured by means of heat pumps that need electricity or other auxiliary energy to function for heating and cooling purposes, and [] can be stored in the ambient air [or indoor air], beneath the surface of solid earth or in surface water. [];	(b)'ambient energy []' means naturally occurring [] thermal energy at a useful temperature level which is extracted or captured by means of heat pumps that need electricity or other auxiliary energy to function for heating and cooling purposes, and [] can be stored in the ambient air [or indoor air], beneath the surface of solid earth or in surface water. [];

Justification:

1. *Including a technology (heat pump) in the definition of an energy source limits the use of this energy source by other means, with possibly significant unintended consequences in terms of technology development and competition between industries. The mention of heat pumps in this definition of ambient energy should therefore be suppressed.*
2. *Moreover, to avoid confusion with the definition of geothermal energy, "beneath the surface of solid earth" should be deleted from that of ambient energy.*
3. *Article 2 aims only at defining the sources of renewable energy. Technologies have not to be mentioned for not putting limits and creating confusion, as they are already defined in other EU pieces of legislation (EPBD, EED, eco-design...)*

Thanking you for your consideration,

I stay available if you need more information,

Best regards,

Policy Officer

T. +32 2 [redacted] / E. [redacted]@egec.org



European Geothermal Energy Council

Place du Champ de Mars, 2 – 1050, Brussels – Belgium

www.egec.org

We have refreshed our logo and launched a new website! [Discover more about geothermal and its role in the energy mix.](#)

This message may contain confidential, proprietary or legally privileged information and is intended for the addressee's use only. Any usage, disclosure, distribution, print or copying of any part of this message is prohibited unless you are the intended recipient. If you receive this message in error, please delete it from any computer and notify the sender. If you suspect that this message may have been altered, please notify the sender. EGEC has taken every reasonable precaution to ensure that this e-mail and any attachments to this e-mail has been scanned for viruses. However, EGEC does not accept liability for any damage caused by software viruses brought to you by this mail.

Renewable Energy Directive

Article 23

Proposed modification

Article 2.b

<i>European Council, Presidency compromise text</i>	<i><u>Proposed modification</u></i>
(b) 'ambient energy []' means naturally occurring [] thermal energy at a useful temperature level which is extracted or captured by means of heat pumps that need electricity or other auxiliary energy to function for heating and cooling purposes, and [] can be stored in the ambient air [or indoor air], beneath the surface of solid earth or in surface water. [];	(b) 'ambient energy []' means naturally occurring [] thermal energy at a useful temperature level which is extracted or captured by means of heat pumps that need electricity or other auxiliary energy to function for heating and cooling purposes, and [] can be stored in the ambient air [or indoor air], beneath the surface of solid earth or in surface water. [];

Justification:

- 1) Including a technology (heat pump) in the definition of an energy source limits the use of this energy source by other means, with possibly significant unintended consequences in terms of technology development and competition between industries. The mention of heat pumps in this definition of ambient energy should therefore be suppressed.
- 2) Moreover, to avoid confusion with the definition of geothermal energy, "beneath the surface of solid earth" should be deleted from that of ambient energy.
- 3) Article 2 means only at defining the sources of renewable energy. Technologies have not to be mentioned for not putting limits and creating confusion, as they are already defined in other EU pieces of legislation (EPBD, EED, eco-design...)

[REDACTED]

Van: [REDACTED]) [REDACTED]@eneco.com>
Verzonden: maandag 12 februari 2018 12:58
Aan: [REDACTED]
Onderwerp: Statement over GvO's
Bijlagen: WindEurope-Joint-statement-on-Guarantees-of-Origin.pdf

Beste [REDACTED] waarschijnlijk heb je al gezien maar bijgaand een statement dat o.a. Eurelectric en WindEurope hebben gepubliceerd over GvO's. Heb jij wellicht nog informatie over dialoog? Ik begreep dat er nog geen overeenstemming is over artikel 19.3 GvO's.

Dank alvast en met vriendelijke groet,
[REDACTED]

 **Eneco Groep**

Public Affairs

[REDACTED]@eneco.com

www.enecogroep.nl

+31 6 4 [REDACTED]

[redacted]

Van: [redacted] <[redacted]@eneco.com>
Verzonden: woensdag 13 december 2017 8:50
Aan: [redacted]
Onderwerp: Brief aan EU Energieministers
Bijlagen: Re-Source_letter.pdf

Beste [redacted]

Ter informatie een brief aan EU Energieministers over corporate renewable PPA's die mede door Eneco is ondertekend.

Bel vooral als je vragen hebt of meer wilt weten.

Met vriendelijke groet,
[redacted]

Eneco Groep

Public Affairs

[redacted]@eneco.com

www.enecogroep.nl

+31 6 4 [redacted]

Van: [redacted]
Verzonden: vrijdag 15 december 2017 13:17
Aan: [redacted]
Onderwerp: FW: Brief 2017.0134
Bijlagen: 2017.0134.pdf; Bijlage 2017.0134 EURELECTRIC letter - Energy Council 18 12 2017[2].pdf

Ook voor jou (transportdoel)

Van: [redacted]
Verzonden: vrijdag 15 december 2017 12:33
Aan: [redacted]; [redacted]; [redacted]
Onderwerp: FW: Brief 2017.0134

Ter info!

Van: [redacted] [[mailto:\[redacted\]@energie-nederland.nl](mailto:[redacted]@energie-nederland.nl)]
Verzonden: donderdag 14 december 2017 16:00
Aan: MinisterEZK
CC: [redacted]@essent.nl; [redacted]@pzem.nl; [redacted]@uniper.energy; [redacted]@easyenergy.com; [redacted]@holthausen.nl; [redacted]@statkraft.com; [redacted]@aes.com; [redacted]@gulfgasandpower.nl; [redacted]@eneco.com; [redacted]@rwe.com; [redacted]@gazprom-mt.com; [redacted]@theice.com; [redacted]@vattenfall.com; [redacted]@greenchoice.nl; [redacted]@engie.com; [redacted]@orsted.nl; [redacted]@gazprom-mt.com; [redacted]@epexspot.com; [redacted]@essent.nl; [redacted]@rwe.com; [redacted]@nutsgroep.nl; [redacted]@engie.com; [redacted]@gulfgasandpower.nl; [redacted]@vattenfall.com
Onderwerp: Brief 2017.0134

Geachte heer [redacted]

Op verzoek de heer [redacted] treft u bijgesloten zijn brief met betrekking tot de bijeenkomst Europese Raad van Energie Ministers.

Met vriendelijke groeten,

Energie-Nederland

t: +31 (0)70 [redacted]
 Lange Houtstraat 2
 2511 CW Den Haag
 e: [redacted]@energie-nederland.nl
 w: www.energie-nederland.nl



ONDERNEMEND IN ENERGIE



De Minister van Economische Zaken en Klimaat
Eric Wiebes
Postbus 20401
2500 EK DEN HAAG

Ons kenmerk 2017.0134
Behandeld door [redacted]
Telefoon 070 - 3: [redacted]
E-mail [redacted]@energie-nederland.nl

Datum 14 december 2017
Onderwerp bijeenkomst Europese Raad van Energie Ministers

Geachte heer [redacted]

Op 18 december aanstaande vindt er een bijeenkomst plaats van de Europese Raad van Energie Ministers. Daarbij komen onder meer een aantal verordeningen op het gebied van elektriciteit aan de orde.

Met het oog hierop breng ik bij deze bijgaande notitie van Eurelectric onder uw aandacht. Energie-Nederland staat achter de standpunten die in deze notitie worden ingenomen.

Met vriendelijke groet,
Energie-Nederland,



[redacted]
directeur a.i.

Bijlage: notitie Eurelectric

Van: [redacted] <[redacted]@energie-nederland.nl>
Verzonden: dinsdag 11 juli 2017 17:05
Aan: [redacted]
Onderwerp: Koppeling aan ETS
Bijlagen: 0336_ManagingOverlappingPolicies_Final_EU-ETS_v300.pdf; 170619 Policy Coherence Mechanism_flyer.pdf; 170618 GR_Amendment_Statkraft_Fortum_Vattenfall.pdf; Amendment RES interaction ETS.docx

Opvolgingsmarkering: Opvolgen
Markeringsstatus: Voltooid

Hallo [redacted]

Ter voorbereiding op morgen, bijgaand een aantal documenten:

- Voorstel voor amendement waarin RED wordt gekoppeld aan ETS. Dit is voorstel van onze hand.
- Voorstel voor bredere koppeling van (nationaal) energiebeleid aan het ETS. Dit is een voorstel van Noordse bedrijven. Energie-Nederland ondersteunt dit idee.

Verder lijkt het me nuttig bij te praten over GVO's (veiling; art 19.2) en biomassa (in wkk's; art 20.8))

Tot morgen.

Hartelijke groet,

[redacted]
 Programmamanager Verduurzaming

Energie-Nederland

t: +31 (0)70 [redacted]

m: +31 (0)6 [redacted]

e: [redacted]@energie-nederland.nl

w: www.energie-nederland.nl



ONDERNEMEND IN ENERGIE

Van: [redacted]
Datum: dinsdag 20 juni 2017 10:19
Aan: [redacted], [redacted], [redacted]@eneco.com, [redacted], [redacted]
 [redacted]: [redacted]@rwe.com, [redacted]
 [redacted]@uniper.energy, [redacted]@essent.nl, [redacted]@energie-nederland.nl
CC: [redacted], [redacted]@energie-nederland.nl, [redacted]@energie-nederland.nl
 [redacted]@energie-nederland.nl
Onderwerp: FW: Definitieve versie amendement

Hoi [redacted] en [redacted]

[redacted]
[redacted]
[redacted]

[redacted]
[redacted]

[redacted]
[redacted]
[redacted]

[redacted]

Groeten,

[redacted]

Van: [redacted] <[redacted]@energie-nederland.nl>

Datum: woensdag 7 juni 2017 14:02

Aan: "[redacted]@energie-nederland.nl" <[redacted]@energie-nederland.nl>

CC: "[redacted]" <[redacted]@eneco.com>, [redacted]
<[redacted]@energie-nederland.nl>, [redacted] <[redacted]@energie-nederland.nl>,
<[redacted]@energie-nederland.nl>

Onderwerp: FW: Definitieve versie amendement

Beste mensen,

Bijgaand een voorstel van de hand van [redacted]

[redacted] EZ
neerleggen.

Maar voor die tijd: graag jullie opmerkingen en aanvullingen.

Hartelijke groet,

[redacted]

Programmamanager Verduurzaming

Energie-Nederland

t: +31 (0)70 [redacted]

m: +31 (0)6 [REDACTED]

e: [REDACTED]@[energie-nederland.nl](mailto:[REDACTED]@energie-nederland.nl)

w: www.energie-nederland.nl



ONDERNEMEND IN ENERGIE

Proposals from the Nordic Coalition to the Governance Regulation

Amendment 1 Proposal for a regulation Article 8.1 Analytical basis of the integrated national energy and climate plans	
Commission's proposal 1. Member States shall describe, in accordance with the structure and format specified in Annex I, the current situation for each of the five dimensions of the Energy Union including of the energy system and greenhouse gas emissions and removals at the time of submission of the national plan or on the basis of the latest available information. Member States shall also set out and describe projections for each of the five dimensions of the Energy Union for the first ten-year period at least until 2040 (including for the year 2030) expected to result from existing (implemented and adopted) policies and measures.	Amendment 1. Member States shall describe, in accordance with the structure and format specified in Annex I, the current situation for each of the five dimensions of the Energy Union including of the energy system and greenhouse gas emissions and removals at the time of submission of the national plan or on the basis of the latest available information. As of 1 January 2019, the expected effect on the supply-demand balance of the ETS of planned policies or significant changes to existing policies shall be calculated as specified in Annex 1 of this Regulation. Member States shall also set out and describe projections for each of the five dimensions of the Energy Union for the first ten-year period at least until 2040 (including for the year 2030) expected to result from existing (implemented and adopted) policies and measures.
Justification: The proposed Regulation on the Governance of the Energy Union (Governance Regulation) represents a significant opportunity to promote enhanced policy coherence in the 2030 framework. To foster coherence with the EU ETS, the emissions reductions of a new policy should be properly assessed before its introduction. This will allow to adjust the corresponding amount of allowances in the ETS by cancelling them from the auction supply accordingly. In doing so, this mechanism will neutralize the CO2 effects of other concurrent policies, deliver a more efficient carbon pricing signal and ultimately facilitate the transition towards a low-carbon economy. The proposed quantification seeks to assess the future effect of a planned instrument on the supply-demand balance of the ETS. The assessment starts with the member states' 10-year integrated national energy and climate plans and continues biannually in their biennial progress reports.	

<p>Amendment 2</p> <p>Article 8.2 Analytical basis of the integrated national energy and climate plans</p>	
<p>Commission's proposal</p>	<p>Amendment</p>
<p>Member States shall describe in their integrated national energy and climate plan their assessment, at national and where applicable regional level, of:</p> <p>[...]</p> <p>(c) an assessment of interactions between existing (implemented and adopted) and planned policies and measures within a policy dimension and between existing (implemented and adopted) and planned policies and measures of different dimensions for the first ten year period at least until the year 2030. Projections concerning security of supply, infrastructure and market integration shall be linked to robust energy efficiency scenarios.</p>	<p>Member States shall describe in their integrated national energy and climate plan their assessment, at national and where applicable regional level, of:</p> <p>[...]</p> <p>(c) an assessment of interactions between existing (implemented and adopted) and planned policies and measures within a policy dimension and between existing (implemented and adopted) and planned policies and measures of different dimensions for the first ten year period at least until the year 2030. This shall also include a quantitative assessment of the extent to which each of the Member State's planned policies and measures affects the supply-demand balance of the ETS. Projections concerning security of supply, infrastructure and market integration shall be linked to robust energy efficiency scenarios.</p>
<p><u>Justification:</u></p> <p>The proposed Regulation on the Governance of the Energy Union (Governance Regulation) represents a significant opportunity to promote enhanced policy coherence in the 2030 framework. To foster coherence with the EU ETS, the emissions reductions of a new policy should be properly assessed before its introduction. This will allow to adjust the corresponding amount of allowances in the ETS by cancelling them from the auction supply accordingly. In doing so, this mechanism will neutralize the CO2 effects of other concurrent policies, deliver a more efficient carbon pricing signal and ultimately facilitate the transition towards a low-carbon economy.</p> <p>The Regulation should spell out the process for assessments and reviews to address transparently the question of policy interaction. The above proposed amendment aims at requesting member states to estimate the emissions reductions of a new policy before its introduction and therefore properly account the effects of the measures achieved by other policy tools than the ETS, on the EUAs.</p>	

Amendment 3 Proposal for a regulation Article 25.1 Assessment of progress	
Commission's proposal	Amendment
<p>By 31 October 2021 and every second year thereafter, the Commission shall assess, in particular on the basis of the integrated national energy and climate progress reports, of other information reported under this Regulation, of the indicators and of European statistics where available: [...]</p>	<p>By 31 October 2021 and every second year thereafter, the Commission shall assess, in particular on the basis of the integrated national energy and climate progress reports, of other information reported under this Regulation, of the indicators and of European statistics where available: [...]</p> <p>(d) the accuracy of Member State estimates of the effect of national level overlapping policies and measures on the supply-demand balance of the EU ETS, or, in absence of such estimates, conduct its own assessment of the same impact;</p> <p>(e) the overall effect of Union level overlapping policies and measures on the supply-demand balance of the EU ETS.</p>
<p><u>Justification:</u></p> <p>The proposed Regulation on the Governance of the Energy Union (Governance Regulation) represents a significant opportunity to promote enhanced policy coherence in the 2030 framework. To foster coherence with the EU ETS, the emissions reductions of a new policy should be properly assessed before its introduction. This will allow to adjust the corresponding amount of allowances in the ETS by cancelling them from the auction supply accordingly. In doing so, this mechanism will neutralize the CO2 effects of other concurrent policies, deliver a more efficient carbon pricing signal and ultimately facilitate the transition towards a low-carbon economy.</p> <p>This amendment ensures that the Commission verifies the assessment conducted by member states regarding the effects of CO2 reduction measures achieved by national level overlapping policies than the ETS, on the supply-demand balance of the ETS as outlined in Art. 8 and that the Commission conducts its own assessment of Union level instruments.</p>	

Amendment 4 Proposal for a regulation Article 26 bis (new) Follow-up in case of planned policies and measures interacting with the scheme for greenhouse gas emission allowance trading	
Commission's proposal	Amendment Article 26 bis 1. Pursuant to Article 8 and Article 25.1.(d) and (e) of the present Regulation, the Commission shall communicate to the Member State in question a schedule to withhold allowances from future auctions and cancel them in a volume sufficient to neutralize its carbon market effects. 2. If pursuant to Article 27.2 or Article 27.3 of the present Regulation, the Commission recommends that a given Member State implement any overlapping policies or measures that affects the demand-supply balance, it shall recommend to this Member States a schedule to withdraw allowances from the future auctions and cancel them in a volume insufficient to undo this effect on the ETS.
<u>Justification:</u> The proposed Regulation on the Governance of the Energy Union (Governance Regulation) represents a significant opportunity to promote enhanced policy coherence in the 2030 framework. To foster coherence with the EU ETS, the emissions reductions of a new policy should be properly assessed before its introduction. This will allow to adjust the corresponding amount of allowances in the ETS by cancelling them from the auction supply accordingly. In doing so, this mechanism will neutralize the CO2 effects of other concurrent policies, deliver a more efficient carbon pricing signal and ultimately facilitate the transition towards a low-carbon economy. The above proposed amendment aims at requesting the Commission to take the necessary measures so that corresponding EUAs are cancelled and the supply-demand balance of the EU ETS restored.	

Amendment 5 Proposal for a regulation Article 49 bis (new) Amendment to Council Directive (EU) 2015/652	
Commission's proposal	Amendment
	Article 49 bis Amendment to Directive 2003/87/EC In Article 12 of Directive 2003/87/EC, paragraph 4 is amended as follows: "4. Member States shall take the necessary steps to ensure that allowances will be cancelled at any time at the request of the person holding them, <u>or at the recommendation of the</u> <u>Commission under [Article 28] of the</u> <u>Regulation [XX/20XX] [this regulation] in</u> <u>accordance with the recommended</u> <u>schedule.</u>"
<u>Justification:</u> <p>The proposed Regulation on the Governance of the Energy Union (Governance Regulation) represents a significant opportunity to promote enhanced policy coherence in the 2030 framework. To foster coherence with the EU ETS, the emissions reductions of a new policy should be properly assessed before its introduction. This will allow to adjust the corresponding amount of allowances in the ETS by cancelling them from the auction supply accordingly. In doing so, this mechanism will neutralize the CO2 effects of other concurrent policies, deliver a more efficient carbon pricing signal and ultimately facilitate the transition towards a low-carbon economy.</p> <p>The above amendment is aimed at reflecting the Policy Coherence mechanism set out in the Governance Regulation into the 2003/87/EC Directive establishing a scheme for greenhouse gas emission allowance trading.</p>	

Article 6bis
Avoiding interaction with the ETS

1. When Member States grant new support to renewable energy installations from 2021 onwards, they shall quantify any possible impact on the Emission Trading Scheme and shall remedy the impact on the lowering of demand for allowances in the Emission Trading Scheme when applicable.
2. For the quantification of possible interactions with the ETS, Member States shall each year from 2021 onwards:
 - a. Analyse which part of the total production of new renewable energy installations receiving newly granted support may lead to impact on the Emission Trading Scheme;
 - b. Calculate the amount of CO₂ emissions which will be avoided in that calendar year in the Emission Trading Scheme due to the production of renewable energy which is receiving support;
 - c. Purchase an equivalent amount of allowances from the market;
 - d. Cancel these allowances in the Union Registry;
 - e. Notify the Commission of the calculation results and the amount of allowances purchased and cancelled.
3. Member States may use estimates of the expected renewable energy production for the calculation mentioned in paragraph 2. Member States may also use an estimate of the total expected renewable energy production instead of calculations for individual installations. These estimates may be based on the actual production of renewable energy in the previous calendar year. Where appropriate calculations should be in line with calculations according to article 7. Member States will use reliable emission factors to calculate the amount of CO₂ emission which would be avoided.
4. The Commission may provide guidelines for the calculation in order to achieve a harmonized approach across all Member States.
5. The provisions set out in this Article are without prejudice to public support granted before 2021.

Justification

This directive establishes a binding target of 27% renewable energy at EU level in 2030. According to calculations of the Commission, this target of 27% can be reached by 2030 with profitable new projects without support. When Member States choose to grant new support for projects (or pursue more renewables than 27%), such policies may lead to interactions with the ETS. This interaction will leave the CO₂ emissions cap unchanged but can lower the CO₂ price.

This amendment respects the policy choice Member States can make to support renewable energy projects. When Member States opt for supporting for new projects, Member States are asked to first identify, to what extent this leads to interaction with the ETS. If interaction takes place, then an appropriate amount of allowances should be withdrawn from the market. This mechanism ensures that the CO₂ price in the ETS is supported and also ensures that more sustainable energy leads to more CO₂ reduction in Europe.

The proposed mechanism will apply from 2021 onwards (i.e. after the period for which national targets for renewables apply).

Van: [redacted] <[redacted]@minbuza.nl>
Verzonden: dinsdag 14 maart 2017 9:48
Aan: 'I [redacted]'; [redacted]
CC: [redacted]
Onderwerp: FW: EPEE: meeting request & position paper: EPBD, EED & RED reviews
Bijlagen: EPEE_Position paper EPBD-EED-RED March 2017.pdf

Ter info.

Groeten,
[redacted]

From: Secretariat EPEE Global [[mailto:\[redacted\]@epeeglobal.org](mailto:[redacted]@epeeglobal.org)]
Sent: woensdag 8 maart 2017 12:27
To: [redacted]
Subject: EPEE: meeting request & position paper: EPBD, EED & RED reviews

Dear Mr. [redacted]

I am writing to you with a request for a meeting with EPEE, representing the heating, cooling and refrigeration industry in Europe.

We would greatly appreciate the opportunity to meet with you to discuss the reviews of the [Energy Performance of Buildings Directive](#) (EPBD), the [Energy Efficiency Directive](#) (EED), and the [Renewable Energy Directive](#) (RED).

EPEE considers the 30% binding energy efficiency target as proposed by the European Commission in the review of the EED a step in the right direction. More specifically, we believe that Technical Building Systems have a key role to play to achieve significant energy savings and call for strengthening the relevant provisions in the EPBD and in the Renewable Energy Directive RED. Finally, we would like to emphasize that European standards are key drivers for technology development and innovation in this sector, and need to be further promoted.

The attached paper outlines EPEE's main recommendations related to the review of the Directives mentioned above. In addition, you will find in this paper our suggested amendments to the EPBD, which we believe are necessary for this review to match its goal of reducing energy consumption in buildings.

We thank you for your consideration of our request and would be grateful to meet with you at your best convenience,

Yours sincerely,

[redacted signature]

Director General EPEE

[redacted], AP EuroConsult sprl
Director General EPEE



Avenue des Arts, 46

1000 Brussels

+ 32 (0) 2

[@epeeglobal.org](mailto:info@epeeglobal.org)

www.epeeglobal.org

Help save paper! Do you really need to print this email?

Dit bericht kan informatie bevatten die niet voor u is bestemd. Indien u niet de geadresseerde bent of dit bericht abusievelijk aan u is toegezonden, wordt u verzocht dat aan de afzender te melden en het bericht te verwijderen. De Staat aanvaardt geen aansprakelijkheid voor schade, van welke aard ook, die verband houdt met risico's verbonden aan het elektronisch verzenden van berichten.

This message may contain information that is not intended for you. If you are not the addressee or if this message was sent to you by mistake, you are requested to inform the sender and delete the message. The State accepts no liability for damage of any kind resulting from the risks inherent in the electronic transmission of messages.

Van: [redacted] <[redacted]@minbuza.nl>
Verzonden: dinsdag 30 mei 2017 9:07
Aan: [redacted] - DGMI; [redacted]
CC: [redacted]
Onderwerp: FERN
Bijlagen: RE: Meeting on Renewable Energy Directive; RE: Meeting on Renewable Energy Directive

Hi [redacted] & [redacted]

In de bijlage nadere informatie die FERN heeft nagestuurd naar aanleiding van een gesprek van afgelopen week. De hoofdlijnen van het gesprek komen vrijwel geheel overeen met die van de NRDC. Hoofdpunt is het verbod op het gebruik van "round wood" voor biomassa, iets waar verschillende LS zich in de rwg tegen hebben uitgesproken.

Met vriendelijke groet,
[redacted]

Help save paper! Do you really need to print this email?

Dit bericht kan informatie bevatten die niet voor u is bestemd. Indien u niet de geadresseerde bent of dit bericht abusievelijk aan u is toegezonden, wordt u verzocht dat aan de afzender te melden en het bericht te verwijderen. De Staat aanvaardt geen aansprakelijkheid voor schade, van welke aard ook, die verband houdt met risico's verbonden aan het elektronisch verzenden van berichten.

This message may contain information that is not intended for you. If you are not the addressee or if this message was sent to you by mistake, you are requested to inform the sender and delete the message. The State accepts no liability for damage of any kind resulting from the risks inherent in the electronic transmission of messages.

Van: [redacted] <[redacted]@fern.org>
Verzonden: maandag 29 mei 2017 13:08
Aan: [redacted]
CC: [redacted]
Onderwerp: RE: Meeting on Renewable Energy Directive

Also we were discussing the need to exclude forest biomass from areas of high biodiversity. In that aim, Fern would propose the following in the article 26 (2):

Biofuels, bioliquids and biomass fuels produced from agricultural or forest biomass taken into account for the purposes referred to in points (a), (b) and (c) of paragraph 1 shall not be made from raw material obtained from land with high biodiversity value, namely land that had one of the following statuses in or after January 2008, whether or not the land continues to have that status.

Otherwise the article only applies to agricultural biomass. The protections afforded to lands with high biodiversity value should be extended to include forest biomass for the same reasons applied to agricultural biomass, namely the incentives for use of biofuels, bioliquids and biomass fuels provided for in this Directive should not have the effect of encouraging the destruction of biodiverse lands, which are finite resources recognised in various international instruments to be of value to all mankind and should be preserved (see Recital 71).

Best,

From: [redacted]
Sent: 29 May 2017 12:41
To: "[redacted]"
Cc: "[redacted]"; "[redacted]"
Subject: RE: Meeting on Renewable Energy Directive

Hi,

And thanks for our meeting last week! I'm getting back to you on some points we discussed and then a question on

1. Fern recommendations: <http://www.fern.org/EUbioenergy>
2. Joint NGO position paper on REDII:
http://www.birdlife.org/sites/default/files/briefing_ensuring_bioenergy_comes_clean_in_the_clean_energy_package_may.pdf
3. A report on multifunctionality of forest and the impacts of their use by EASAC (European Academies Science Advisory Council) gives recommendations on the policies very current in the EU: LULUCF accounting and bioenergy sustainability.
 Each EU member state has its own Science Academy that has reviewed this report so it has a wide scientific support. Report can be found here: <http://www.easac.eu/home/reports-and-statements/detail-view/article/multi-fun.html>
4. The report by Chatham House caused an academic row of which the key elements are outlined here:
<http://www.eubioenergy.com/2017/04/28/a-fierce-academic-row-over-wood-burning/>
5. Impacts of Finnish bioeconomy on climate and biodiversity: https://www.sll.fi/mita-me-teemme/kohtuutalous/biotalous/biotalousbrief_ENG_netti.pdf

Attached are also Ferns recommendations for Governance regulation on the role of sinks and reporting on bioenergy.

Also, there is a possibility to have one of the authors of the EASAC report, Professor [redacted] in Brussels on the 20-22 June. Do you think there would be an interest in perm reps to meet him and hear a briefing on the EASAC

report and its policy recommendations? We are considering arranging an event on the scientific basis of and its implications and are wondering what is the schedule for perm reps that week?

Best, [redacted]

From: [redacted]
Sent: 09 May 2017 13:16
To: '[redacted]' <[redacted]@minbuza.nl>
Cc: [redacted] <[redacted]@minbuza.nl>; [redacted] <[redacted]@minbuza.nl>
Subject: RE: Meeting on Renewable Energy Directive

Thanks for the info, I'll see you then!

From: [redacted] [mailto:[redacted]@minbuza.nl]
Sent: 09 May 2017 12:03
To: [redacted] <[redacted]@fern.org>
Cc: [redacted] <[redacted]@minbuza.nl>; [redacted] <[redacted]@minbuza.nl>
Subject: RE: Meeting on Renewable Energy Directive

Dear [redacted]

Let's meet on the 22nd at 15:00 at our Perm Rep. I think you'll need to bring an ID. Please let me know in case any other colleagues will be joining the meeting.

Best,

[redacted]

From: [redacted] [mailto:[redacted]@fern.org]
Sent: dinsdag 9 mei 2017 09:27
To: [redacted] <[redacted]@minbuza.nl>
Cc: [redacted] <[redacted]@minbuza.nl>; [redacted] <[redacted]@minbuza.nl>
Subject: RE: Meeting on Renewable Energy Directive

The 22nd is good for me, say sometime in the afternoon?

Best,

[redacted]

From: [redacted] [mailto:[redacted]@minbuza.nl]
Sent: 08 May 2017 18:33
To: [redacted] <[redacted]@fern.org>
Cc: [redacted] <[redacted]@minbuza.nl>; [redacted] <[redacted]@minbuza.nl>
Subject: RE: Meeting on Renewable Energy Directive

Dear [redacted]

Unfortunately Monday is the one day I'm not in Brussels. Might the 22nd or 24th of May be an option?

Best,

[redacted]

From: [redacted] [mailto:[redacted]@fern.org]
Sent: maandag 8 mei 2017 17:14

To: [redacted] <[redacted]@minbuza.nl>
Cc: [redacted] <[redacted]@minbuza.nl>; [redacted] <[redacted]@minbuza.nl>
Subject: RE: Meeting on Renewable Energy Directive

Dear [redacted]

Thank you for your reply. Unfortunately I'm travelling next week from Tuesday to Friday. Monday 15th at 12:00 or at 16:00 are possible, but otherwise I would suggest we pic another week.

Best,
[redacted]

From: [redacted] [mailto:[redacted]@minbuza.nl]
Sent: 08 May 2017 14:56
To: [redacted] <[redacted]@fern.org>
Cc: [redacted] <[redacted]@minbuza.nl>; [redacted] <[redacted]@minbuza.nl>
Subject: RE: Meeting on Renewable Energy Directive

Dear [redacted]

Thanks for your email. It would be good to discuss these criteria.

Might a meeting next week on Tuesday or Wednesday be an option for you?

Best regards,

[redacted]
Attaché Economic Affairs

.....
Permanent Representation of the Netherlands to the EU
Kortenberglaan 4 | 1040 Brussels
T +32 2 [redacted]
M +32 [redacted]
E [redacted]@minbuza.nl
W <http://eu.nl/vertegenwoordiging.org/>
.....

From: [redacted] [mailto:[redacted]@fern.org]
Sent: donderdag 4 mei 2017 11:49
To: [redacted] <[redacted]@minbuza.nl>
Subject: Meeting on Renewable Energy Directive





Dear [redacted]

the Council discussions on the Renewable Energy Directive are starting and I would like to suggest a meeting between you and Fern on the bioenergy sustainability criteria, that are fundamental for the credibility of EU's energy transition.

Could you suggest a time or two that are convenient for you?

Best regards,

[redacted]
Forests and climate campaigner

 [@fern.org](mailto:_____@fern.org)
tel: +32 (0) 
skype: 
Twitter: 

Fern

Rue d'Edimbourg, 26 - 1050 Brussels - Belgium


tel: +32 2 894 4694

www.fern.org

Twitter: @Fern_NGO

Fern works to achieve greater environmental and social justice, focusing on forests and forest peoples' rights in the policies and practices of the European Union.


Help save paper! Do you really need to print this email?

 Dit bericht kan informatie bevatten die niet voor u is bestemd. Indien u niet de geadresseerde bent of dit bericht abusievelijk aan u is toegezonden, wordt u verzocht dat aan de afzender te melden en het bericht te verwijderen. De Staat aanvaardt geen aansprakelijkheid voor schade, van welke aard ook, die verband houdt met risico's verbonden aan het elektronisch verzenden van berichten.

This message may contain information that is not intended for you. If you are not the addressee or if this message was sent to you by mistake, you are requested to inform the sender and delete the message. The State accepts no liability for damage of any kind resulting from the risks inherent in the electronic transmission of messages.

Help save paper! Do you really need to print this email?

Dit bericht kan informatie bevatten die niet voor u is bestemd. Indien u niet de geadresseerde bent of dit bericht abusievelijk aan u is toegezonden, wordt u verzocht dat aan de afzender te melden en het bericht te verwijderen. De Staat aanvaardt geen aansprakelijkheid voor schade, van welke aard ook, die verband houdt met risico's verbonden aan het elektronisch verzenden van berichten.

 This message may contain information that is not intended for you. If you are not the addressee or if this message was sent to you by mistake, you are requested to inform the sender and delete the message. The State accepts no liability for damage of any kind resulting from the risks inherent in the electronic transmission of messages.

Help save paper! Do you really need to print this email?

Dit bericht kan informatie bevatten die niet voor u is bestemd. Indien u niet de geadresseerde bent of dit bericht abusievelijk aan u is toegezonden, wordt u verzocht dat aan de afzender te melden en het bericht te verwijderen. De Staat aanvaardt geen aansprakelijkheid voor schade, van welke aard ook, die verband houdt met risico's verbonden aan het elektronisch verzenden van berichten.

This message may contain information that is not intended for you. If you are not the addressee or if this message was sent to you by mistake, you are requested to inform the sender and delete the message. The State accepts no liability for damage of any kind resulting from the risks inherent in the electronic transmission of messages.

Van: [redacted] <[redacted]@fern.org>
Verzonden: maandag 29 mei 2017 12:41
Aan: [redacted]
CC: [redacted]
Onderwerp: RE: Meeting on Renewable Energy Directive
Bijlagen: Land use & climate in the Governance Regulation(Fern).docx

Hi,
 And thanks for our meeting last week! I'm getting back to you on some points we discussed and then a question on

1. Fern recommendations: <http://www.fern.org/EUbioenergy>
2. Joint NGO position paper on REDII:
http://www.birdlife.org/sites/default/files/briefing_ensuring_bioenergy_comes_clean_in_the_clean_energy_package_may.pdf
3. A report on multifunctionality of forest and the impacts of their use by EASAC (European Academies Science Advisory Council) gives recommendations on the policies very current in the EU: LULUCF accounting and bioenergy sustainability.
 Each EU member state has its own Science Academy that has reviewed this report so it has a wide scientific support. Report can be found here: <http://www.easac.eu/home/reports-and-statements/detail-view/article/multi-fun.html>
4. The report by Chatham House caused an academic row of which the key elements are outlined here:
<http://www.eubioenergy.com/2017/04/28/a-fierce-academic-row-over-wood-burning/>
5. Impacts of Finnish bioeconomy on climate and biodiversity: https://www.sll.fi/mita-me-teemme/kohtuutalous/biotalous/biotalousbrief_ENG_netti.pdf

Attached are also Ferns recommendations for Governance regulation on the role of sinks and reporting on bioenergy.

Also, there is a possibility to have one of the authors of the EASAC report, Professor [redacted], in Brussels on the 20-22 June. **Do you think there would be an interest in perm reps to meet him and hear a briefing on the EASAC report and its policy recommendations?** We are considering arranging an event on the scientific basis of and its implications and are wondering what is the schedule for perm reps that week?

Best, [redacted]

From: [redacted]
Sent: 09 May 2017 13:16
To: [redacted]
Cc: [redacted]
Subject: RE: Meeting on Renewable Energy Directive

Thanks for the info, I'll see you then!

From: [redacted] [[mailto:\[redacted\]@minbuza.nl](mailto:[redacted]@minbuza.nl)]
Sent: 09 May 2017 12:03
To: [redacted] <[redacted]@fern.org>
Cc: [redacted] <[redacted]@minbuza.nl>; [redacted] <[redacted]@minbuza.nl>
Subject: RE: Meeting on Renewable Energy Directive

Dear [redacted]

Let's meet on the 22nd at 15:00 at our Perm Rep. I think you'll need to bring an ID. Please let me know in case any other colleagues will be joining the meeting.

Best,

From: [redacted] [mailto:[redacted]@fern.org]

Sent: dinsdag 9 mei 2017 09:27

To: [redacted] <[redacted]@minbuza.nl>

Cc: [redacted] <[redacted]@minbuza.nl>; [redacted] <[redacted]@minbuza.nl>

Subject: RE: Meeting on Renewable Energy Directive

The 22nd is good for me, say sometime in the afternoon?

Best,

From: [redacted] [mailto:[redacted]@minbuza.nl]

Sent: 08 May 2017 18:33

To: [redacted] <[redacted]@fern.org>

Cc: [redacted] <[redacted]@minbuza.nl>; [redacted] <[redacted]@minbuza.nl>

Subject: RE: Meeting on Renewable Energy Directive

Dear [redacted]

Unfortunately Monday is the one day I'm not in Brussels. Might the 22nd or 24th of May be an option?

Best,

From: [redacted] [mailto:[redacted]@fern.org]

Sent: maandag 8 mei 2017 17:14

To: [redacted] <[redacted]@minbuza.nl>

Cc: [redacted] <[redacted]@minbuza.nl>; [redacted] <[redacted]@minbuza.nl>

Subject: RE: Meeting on Renewable Energy Directive

Dear [redacted]

Thank you for your reply. Unfortunately I'm travelling next week from Tuesday to Friday. Monday 15th at 12:00 or at 16:00 are possible, but otherwise I would suggest we pic another week.

Best,

From: [redacted] [mailto:[redacted]@minbuza.nl]

Sent: 08 May 2017 14:56

To: [redacted] <[redacted]@fern.org>

Cc: [redacted] <[redacted]@minbuza.nl>; [redacted] <[redacted]@minbuza.nl>

Subject: RE: Meeting on Renewable Energy Directive

Dear [redacted]

Thanks for your email. It would be good to discuss these criteria.

Might a meeting next week on Tuesday or Wednesday be an option for you?

Best regards,

██████████
Attaché Economic Affairs

.....
Permanent Representation of the Netherlands to the EU
Kortenberglaan 4 | 1040 Brussels
T +32 2 ██████████
M +32 ██████████
E ██████████@minbuza.nl
W <http://eu.nlvertegenwoordiging.org/>
.....

From: ██████████ [mailto:██████████@fern.org]
Sent: donderdag 4 mei 2017 11:49
To: ██████████ <██████████@minbuza.nl>
Subject: Meeting on Renewable Energy Directive

Dear ██████████
the Council discussions on the Renewable Energy Directive are starting and I would like to suggest a meeting between you and Fern on the bioenergy sustainability criteria, that are fundamental for the credibility of EU's energy transition.

Could you suggest a time or two that are convenient for you?

Best regards,

██████████
Forests and climate campaigner

██████████@fern.org

tel: +32 (0) ██████████

skype: ██████████

Twitter: @██████████

Fern
Rue d'Edimbourg, 26 - 1050 Brussels - Belgium
<tel:+> ██████████
www.fern.org
Twitter: @Fern_NGO

Fern works to achieve greater environmental and social justice, focusing on forests and forest peoples' rights in the policies and practices of the European Union.

Help save paper! Do you really need to print this email?

Dit bericht kan informatie bevatten die niet voor u is bestemd. Indien u niet de geadresseerde bent of dit bericht abusievelijk aan u is toegezonden, wordt u verzocht dat aan de afzender te melden en het bericht te verwijderen. De

Staat aanvaardt geen aansprakelijkheid voor schade, van welke aard ook, die verband houdt met risico's verbonden aan het elektronisch verzenden van berichten.

This message may contain information that is not intended for you. If you are not the addressee or if this message was sent to you by mistake, you are requested to inform the sender and delete the message. The State accepts no liability for damage of any kind resulting from the risks inherent in the electronic transmission of messages.

Help save paper! Do you really need to print this email?

Dit bericht kan informatie bevatten die niet voor u is bestemd. Indien u niet de geadresseerde bent of dit bericht abusievelijk aan u is toegezonden, wordt u verzocht dat aan de afzender te melden en het bericht te verwijderen. De Staat aanvaardt geen aansprakelijkheid voor schade, van welke aard ook, die verband houdt met risico's verbonden aan het elektronisch verzenden van berichten.

This message may contain information that is not intended for you. If you are not the addressee or if this message was sent to you by mistake, you are requested to inform the sender and delete the message. The State accepts no liability for damage of any kind resulting from the risks inherent in the electronic transmission of messages.

Help save paper! Do you really need to print this email?

Dit bericht kan informatie bevatten die niet voor u is bestemd. Indien u niet de geadresseerde bent of dit bericht abusievelijk aan u is toegezonden, wordt u verzocht dat aan de afzender te melden en het bericht te verwijderen. De Staat aanvaardt geen aansprakelijkheid voor schade, van welke aard ook, die verband houdt met risico's verbonden aan het elektronisch verzenden van berichten.

This message may contain information that is not intended for you. If you are not the addressee or if this message was sent to you by mistake, you are requested to inform the sender and delete the message. The State accepts no liability for damage of any kind resulting from the risks inherent in the electronic transmission of messages.



Fern input for a Regulation on the Governance of the Energy Union COM(2016) 759

Fern is a forests and forest peoples' rights organization based in Brussels. We will reserve our comments on the Governance Regulation of the Energy Union to those issues that involve forest and land use issues.

Importance of forests and land to the Governance Regulation

Fern's recommendation: Healthy forests and land are crucial to keeping temperatures well below 2 degrees and should feature more strongly in the Governance Regulation in order to increase the ambition of the Commission's proposal.

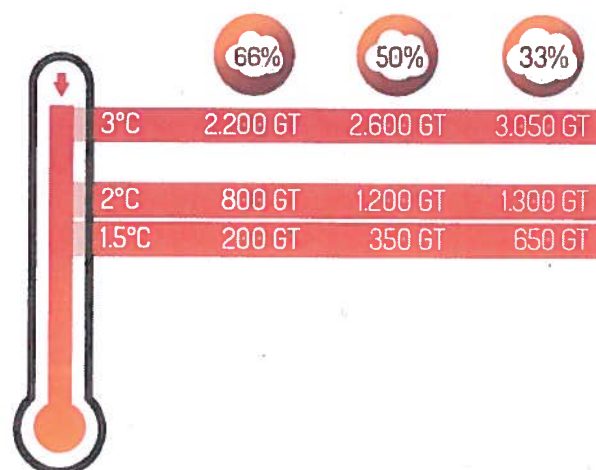
- It is crucial that long term low emissions strategies include increased ambition on land use and forestry. However, the ambition on reducing emissions must be higher and kept distinct from increasing removals in the land use sector, to make sure that removing CO₂ from the atmosphere does not distract from the need to reduce CO₂. It is also important that emissions are reduced and removals by sinks are enhanced to such an extent that "negative emissions" are generated by 2050—ie.
 - *Article 14.2.c – "achieving long-term greenhouse gas emission reductions and enhancements of removals by sinks in all sectors in line with the Union's objective, in the context of necessary reductions according to the IPCC by developed countries as a group, to reduce emissions ~~80 to 95 %~~ [to at least net zero] by 2050 compared to 1990 levels in a cost-effective manner. This shall be comprised of at least 80-95% emissions reductions compared to 1990 levels, as well as a separate target to enhance removals from sinks at a sufficient level to limit warming to 1.5 degrees from pre-industrial levels by the end of the century."*
- It is important to add shorter term interim targets for the land use sector, to help us reach the above long-term goal. This would mirror the 2030 targets that already exist for the energy sector (eg. 40% emissions reductions; 27% for renewable energy).
 - *Art. 4(a)(1) – add NEW (iii) "trajectories for the increase of carbon sinks from 2021 to 2030"*
- It is important that the ambition for enhancing removals from sinks is reviewed over time, accompanied by recommendations from the Commission to member states if necessary to meet the EU's obligations under the Paris Agreement.
 - Chapter 5 - Land should therefore be subject to the same process Commission monitoring as is defined for the energy targets, under Chapter 5 of the draft Regulation. This can be done by inserting language on land use targets into places where the renewable energy & energy efficiency targets are mentioned.

- National Energy and Climate Plans (NECPs) should include a strong component on forests & land use, to compel member states to take ambitious action in this sector.
 - Annex I (NECP template) – add:
 - (1) 2.1.1 NEW (ii) - *“the Member State’s national 2030 target for enhancing removals from sinks”*
 - (2) 3.1.1 (i) – *“Policies and measures to achieve the target set under Regulation [] [ESR] as referred in 2.1.1 and policies and measures to comply with Regulation [] [LULUCF] and the target for enhancing removals from sinks as referred in 2.1.1, covering all key emitting sectors and sectors for the enhancement of removals, with an outlook to the long-term vision and goal to become a low-carbon economy with a 50 years perspective and achieving a balance between emissions and removals in accordance with the Paris Agreement.”*
 - NEW article 18 – *“Integrated reporting on decarbonization/LULUCF”*.
Member States shall include in the integrated national energy and climate progress reports the information on:
 - (a) *the implementation of the following trajectories and objectives:*
 - (1) *National trajectory for restoring degraded forest areas*
 - (2) *List of identified degraded forest areas to restore*
 - (3) *List of identified areas of existing forest to protect*
 - (4) *National trajectory to increase carbon sink capacity on agricultural lands*
 - (5) *If applicable, other national trajectories and objectives including long term and sectorial ones*
 - (b) *the implementation of the following policies and measures:*
 - (1) *implemented, adopted and planned policies and measures to achieve the national contribution to the Union-level 2030 target for enhancing removals by sinks as indicated in Article 4(a)(2)(i)*
 - (2) *Measures for restoring degraded forest areas*
 - (3) *Measures for protecting existing forest areas*
 - (4) *Measures to increase carbon sink capacity on agricultural lands”*
- It is crucial that Member States report the impact of bioenergy on their carbon sinks, since accounting rules for land use are not clear enough to distinguish this and do not properly account for bioenergy emissions. To evaluate the use and impacts of bioenergy the National Energy and Climate Plans (NECPs) need to include:
 - origin and volume of energy, in energy units, from renewable sources generated and consumed in electricity, heating and cooling, differentiated by type as listed in Article 2(a) to [recast of Directive 2009/28/EC as proposed by COM(2016) 767] and sector;
 - mandatory reporting on use of all forest feedstocks including stumps, tree tops, precommercial thinnings, branches and bark (ANNEX VII, Part 1, m)
 - the estimated net greenhouse gas emission saving due to the use of energy from renewable sources in transport differentiated by fuel type and feedstock, and including emissions from indirect land-use change (Annex VII Part 1)

- reporting the use of manure (ANNEX VII, Part 1, m, NEW)
- reporting the current state (not only impacts of targets) of sustainability including forest biomass feedstocks used for energy and impacts on carbon sinks and biodiversity, as well as social impacts regarding rights of local people that depend on forests (ANNEX I, Part 1, section B, 4, NEW)
- evaluation of social impacts of biomass use especially regarding people that depend on forests (ANNEX I, Part 1, section B, 5)
- reporting on forest area, deforestation, afforestation, yearly increment and annual harvests (ANNEX I, Part 2, 3.6 NEW)
- The Union Bioenergy sustainability report needs to include an evaluation of the effectiveness of bioenergy policy and sustainability criteria in safeguarding climate, carbon sinks, biodiversity, food security and people's rights. (ANNEX VIII)

Why are forests important to the climate?

Forest loss plays a significant role in causing climate change, producing around 10 per cent of global CO₂ emissions. This is mainly due to deforestation in tropical regions. Forests also sequester CO₂, with temperate and boreal forests acting mainly as carbon sinks (meaning they sequester more carbon than they release. Accordingly, the role of land – in terms of emissions removals, as well as explicit reference to forests appears in many paragraphs in the Paris Agreement.



Limiting temperature rise to 'well-below' two degrees and pursuing efforts toward 1.5 degrees requires removing CO₂ from the atmosphere, so called 'negative emissions'. This is because we are on a pathway that will emit too much CO₂ and will 'overspend' our carbon budget (see diagram below), since an 800GT carbon budget will be spent in about 20 years, at the current rate of emissions (approximately 40GT per year).

There is a significant risk that a focus on negative emissions will (a) be a distraction from the need to reduce emissions as fast as possible and (b) leads to significant and severe secondary consequences. This risk is already becoming a reality as scientists focus on a negative emissions technology called 'BECCS' (Bioenergy combustion combined with carbon capture and storage) which requires a large amount of fertile land and would have terrible consequences on the food security of the world's poorest (very similar issue to ILUC for biofuels).

Fern commissioned [research shows that a focus on restoring existing forests and land is a less risky option](#) and could still keep temperature increases from rising above 1.5 degrees, if coupled with an ambitious decarbonisation scenario.

In other words, making forests and land healthy again could [put the most ambitious targets of the Paris Agreement within reach.](#)

It is therefore important that forests and land use feature in both in immediate governance planning (the National Energy and Climate Plans) as well as long term governance planning (long term low emissions strategies).

Contacts

[REDACTED], [REDACTED]@fern.org, Tel. +32 2 [REDACTED] Mobile/GSM. +32 [REDACTED]

[REDACTED], [REDACTED]@fern.org, Tel. +32 2 [REDACTED], Mobile. +32 (0) [REDACTED]

Van: [redacted] - DGMI <[redacted]@minienm.nl>
Verzonden: vrijdag 17 februari 2017 19:08
Aan: [redacted]; [redacted]; [redacted] - DGMI
CC: [redacted] - DGMI; [redacted]
Onderwerp: FW: Brief Directeur Milieudefensie over behandeling Biobrandstoffen tijdens Energieraad 27/2/2017
Bijlagen: Milieudefensie brief Energieraad Biobrandstoffen Kamp Dijkstra FINAL_20170217.pdf
Urgentie: Hoog
Opvolgingsmarkering: Opvolgen
Markeringsstatus: Voltooid

Beste collega's,

Hierbij de brief die ik vrijdagmiddag laat van Milieudefensie over biobrandstoffen heb ontvangen. Deze brief is naar minister Kamp en staatssecretaris Dijkstra gestuurd. De voorbereiding tbv minister Kamp die door [redacted] naar jullie is gestuurd is voldoende voor de voorbereiding van het AO Energieraad van komende woensdag.

@ [redacted] en [redacted] voor jullie informatie: dinsdagmiddag is het VAO Duurzaamheid en Milieu, waar mogelijk moties over biobrandstoffen ingediend kunnen worden. Als er ontwikkelingen zijn die van invloed kunnen zijn op de AO Energieraad dan informeren wij jullie. Weet ook dat de Commissie van IenM gevraagd heeft om een technische briefing over biobrandstoffen. Deze staat voorsnog op 19 april gepland. De Commissie van IenM beslist daar komende woensdag tijdens de procedurevergadering over.

Met vriendelijke groet,

[redacted]
 Ministerie van Infrastructuur en Milieu
 Directie Klimaat, Lucht en Geluid
 Afdeling Voertuigenemissies en Brandstoffen Postbus 20901, 2500 EX Den Haag

Tel: 070 [redacted]
 Mobiel 06-[redacted]
 e-mail: [redacted]@minienm.nl

Ik werk niet op vrijdag.

P please consider the environment - do you really need to print this email?

-----Oorspronkelijk bericht-----

Van: [redacted] [mailto:[redacted]@milieudefensie.nl]
Verzonden: vrijdag 17 februari 2017 17:05
Aan: [redacted] - DGMI
Onderwerp: Fwd: Brief Directeur Milieudefensie over behandeling Biobrandstoffen tijdens Energieraad 27/2/2017

Beste [redacted]

Bijgaande brief hebben we zojuist aan minister Kamp en Staatssecretaris Dijkstra gestuurd.

Zo jij zo vriendelijk willen zijn deze te delen met relevante collega's bij I&M en EZ?

We vragen dat Nederland tijdens de komende energieraad haar standpunt dat conventionele biobrandstoffen met een hoog ILUC risico worden uitgefaseerd duidelijk over het voetlicht brengt.

We leggen in de brief uit dat Nederland heeft in de vorige ronde over biobrandstoffen ook zo'n een positieve rol heeft vervuld, en dat onze inschatting is dat de situatie nu jammer genoeg nog steeds niet rooskleurig is omdat

veel landen in de raad mogelijk zullen pleiten voor méér voedselbiobrandstoffen (om zo hun boeren te spekken met de subsidie).

En dat we denken dat het zo belangrijk is dat Nederlands haar standpunt openlijk uitdraagt zodat andere landen zich gesteund voelen en er een grotere kans bestaat dat de slechte voorstellen van de Commissie zullen worden bijgesteld.

Het debat wordt live gestreamd op internet en we zullen onze leden en de pers uitnodigen naar de Nederlandse bijdrage te kijken.

Juist nu is het belangrijk om de positieve kanten van de Europese Unie te benadrukken en dit is een kans voor de bewindslieden om te laten zien wat de inzet van Nederland voor en in de Europese Unie is.

Als je nog suggesties hebt naar wie de brief nog meer zou moeten sturen:
ik hoor ze graag!

Als je nog vragen hebt, bel gerust!

Prettig weekend!

[Redacted]

--

Kind regards / vriendelijke groeten,

[Redacted]
Campagne Bossen | Campaign Forests

Mobile - GSM - Cell: +31 6 [Redacted]

Central line: +31 20 [Redacted]

@ : [Redacted] [@milieudefensie.nl](mailto:[Redacted]@milieudefensie.nl)

Milieudefensie | www.milieudefensie.nl | Friends of the Earth Netherlands Postbus 19199 | 1000 GD Amsterdam | the Netherlands

Visitor Address: Nieuwe Looiersstraat 31, 1017 VA Amsterdam

Dit bericht kan informatie bevatten die niet voor u is bestemd. Indien u niet de geadresseerde bent of dit bericht abusievelijk aan u is toegezonden, wordt u verzocht dat aan de afzender te melden en het bericht te verwijderen. De Staat aanvaardt geen aansprakelijkheid voor schade, van welke aard ook, die verband houdt met risico's verbonden aan het elektronisch verzenden van berichten.

This message may contain information that is not intended for you. If you are not the addressee or if this message was sent to you by mistake, you are requested to inform the sender and delete the message. The State accepts no liability for damage of any kind resulting from the risks inherent in the electronic transmission of messages.



postbus 19199
1000 GD Amsterdam
T 020 6262 620
service@milieudefensie.nl
NL68 TRIO 0198 0900 80

Minister Kamp
Staatssecretaris Dijkma
Per E-mail:
[redacted]@minez.nl
[redacted]@minienm.nl

Amsterdam, 17 februari 2017

Geachte heer Kamp, Mevrouw Dijkma,

Op 27 februari aanstaande spreekt u voor de eerste keer in de Energieraad over het zg. "Winterpakket". Wij willen u verzoeken in uw bijdrage aan het debat het Nederlandse standpunt rond het gebruik van conventionele biobrandstoffen duidelijk aan uw collega's over te dragen.

Zoals bekend kunnen conventionele biobrandstoffen met een hoog ILUC-risico indirect-veranderend-landgebruik veroorzaken, dat zowel negatieve milieu (o.a. extra CO₂-uitstoot) als sociale impact kan hebben. Dit soort biobrandstoffen dragen niet bij aan het verbeteren van het klimaat, integendeel, ze stoten zelfs meer CO₂ uit dan de fossiele diesel die ze vervangen.

Het is goed om het nog een keer te benadrukken: conventionele biobrandstoffen met een hoog ILUC-risico -zoals uit palmolie, raapzaadolie, sojaolie en zonnebloemolie- zijn slechter voor het klimaat dan de fossiele diesel die ze zou moeten vervangen. Palmolie stoot veroorzaakt zelfs tot drie keer zoveel klimaatuitstoot.¹

Daarnaast heeft de verplichte bijmenging nog een hele reeks aan negatieve effecten:

De verplichte bijmenging:

- veroorzaakt hogere kosten voor de automobilist en de Nederlandse belastingbetaler;
- is één van de hoofdoorzaken van de teloorgang van de tropische oerbossen;
- heeft in het verleden en nog steeds talloze malen geleid tot zware sociale impact op de lokale bevolking zoals schendingen van mensenrechten, landgrabbing, kinderarbeid en erbarmelijke arbeidsomstandigheden.
- bovendien heeft het geen positief effect op de economische situatie van de lokale bevolking in het Mondiale Zuiden, vaak gaat men er vaak in inkomen op achteruit.

Waarom zou je dan de bijmenging van dit soort biobrandstoffen verplichten en stimuleren?

¹ Blijkt uit de nieuwste studie i.o.v. de Europese Commissie zoals geanalyseerd door T&E:
https://www.transportenvironment.org/sites/te/files/publications/2016_04_TE_Globiom_paper_FINAL_0.pdf

Wij waren dan ook heel blij om in het Fiche² over de herziening van de richtlijn hernieuwbare energie het Nederlandse standpunt te zien:

"Vanwege deze mogelijk negatieve impact is Nederland geen voorstander van de inzet van dit type biobrandstoffen en wil daarom dat op Europees niveau deze biobrandstoffen worden uitgefaseerd"

Het huidige voorstel van de Europese Commissie voor de langzame en onvolledige uitfasering (van 4,9 % nu naar 3,8 procent in 2030) is extreem teleurstellend en in contradictie met de lijn die de Commissie tot voor kort voorstond³ : stoppen met het subsidiëren van op voedsel gebaseerde biobrandstoffen.

Nederland heeft in de vorige ronde over biobrandstoffen een positieve rol vervuld. De situatie nu is jammer genoeg nog steeds niet rooskleurig, veel landen zullen in de raad pleiten voor méér voedselbiobrandstoffen om zo hun boeren te spekken met de subsidie. Dat zou naast onwenselijk vanwege bovengenoemde effecten ook nog eens een verspilling van Nederlands belastinggeld zijn.

Daarom is het zo belangrijk dat u in uw bijdrage het Nederlandse standpunt openlijk uitdraagt zodat andere landen zich gesteund voelen en er een grotere kans bestaat dat de slechte voorstellen van de Commissie zullen worden bijgesteld.

Het debat wordt live gestreamd op internet en we zullen onze leden en de pers uitnodigen naar uw bijdrage te kijken. In deze tijden is het belangrijk om de positieve kanten van de Europese Unie te benadrukken als ook de inzet van Nederland voor en in de Europese Unie.

Mocht u nog vragen of feedback hebben dan kunt u natuurlijk graag contact opnemen met mij, of met onze verantwoordelijke inhoudelijk medewerker, () (@milieudefensie.nl)

Hoogachtend,

Directeur

² <https://www.rijksoverheid.nl/documenten/publicaties/2017/01/20/fiche-5-herziening-richtlijn-hernieuwbare-energie>

³ " **The Commission already indicated that food-based biofuels have a limited role in decarbonising the transport sector and should not receive public support after 2020**" aldus de Commissie in hun mededeling "A European Strategy for Low-Emission Mobility" van 20 juli vorig jaar waarmee ze verwees naar deze **conclusie** zoals die in 2014 al was getrokken in de publicatie "A policy framework for climate and energy in the period from 2020 to 2030" [COM (2014) 15].

Van: [redacted]@minbuza.nl>
Verzonden: dinsdag 24 oktober 2017 20:31
Aan: [redacted]; [redacted]
 ([redacted]); [redacted]
Onderwerp: FW: EURELECTRIC input on CEP & Meeting request
Bijlagen: EURELECTRIC Risk-Preparedness.pdf; EURELECTRIC Energy Efficiency Directive.pdf; EURELECTRIC Governance.pdf; EURELECTRIC Market Design.pdf; EURELECTRIC RED.PDF

Opvolgingsmarkering: Opvolgen
Markeringsstatus: Voltooid

Hierbij ter info enkele position papers van Eurelectric over de verschillende voorstellen.

Groet,

From: [redacted] [mailto:[redacted]@eurelectric.org]
Sent: dinsdag 24 oktober 2017 19:49
To: [redacted]
Subject: EURELECTRIC input on CEP & Meeting request

Dear [redacted]

With an ambitious schedule set by the Estonian presidency to steer key files of the Clean Energy Package through the Council, we appreciate there is little time to find consensus among Member States on this legislative package which is so crucial for Europe energy future.

At EURELECTRIC, we have been following closely the progress across the Energy Working Party and we are delighted to forward you our short assessments (1 pager) of the Council's current position on the **EED, Governance, RED, Market Design** and **Risk Preparedness** files.

Here we have summarised key issues from EURELECTRIC's point of view which you may find useful to inform discussions you may have with your colleagues.

We would also like to offer the opportunity to discuss our views, or indeed any other questions you may have related to files in the Clean Energy Package.

If this is of interest to you, please revert to this message at your earliest convenience with a time and location that would be suitable to you.

Yours faithfully,

[redacted]



Direct Tel: +32 [REDACTED] • Mobile: +32 [REDACTED]
[REDACTED]@eurelectric.org • www.eurelectric.org

EU Transparency Register number: 4271427696-87



Consider the environment: do you really need to print this e-mail?

This electronic transmission (and any attached document) is intended exclusively for the addressee(s) and may contain confidential and/or privileged material. Any disclosure, copying, distribution or other action based upon the information by persons or entities other than the intended recipient is prohibited. If you receive this message in error, please contact the sender and delete the material from any and all computers.

Help save paper! Do you really need to print this email?

Dit bericht kan informatie bevatten die niet voor u is bestemd. Indien u niet de geadresseerde bent of dit bericht abusievelijk aan u is toegezonden, wordt u verzocht dat aan de afzender te melden en het bericht te verwijderen. De Staat aanvaardt geen aansprakelijkheid voor schade, van welke aard ook, die verband houdt met risico's verbonden aan het elektronisch verzenden van berichten.

This message may contain information that is not intended for you. If you are not the addressee or if this message was sent to you by mistake, you are requested to inform the sender and delete the message. The State accepts no liability for damage of any kind resulting from the risks inherent in the electronic transmission of messages.

Van: [redacted] <[redacted]@minbuza.nl>
Verzonden: dinsdag 21 november 2017 13:05
Aan: [redacted]
Onderwerp: FW: EURELECTRIC input on RES Directive REV3
Bijlagen: EURELECTRIC RED II-Rev 3.pdf

Opvolgingsmarkering: Opvolgen
Markeringsstatus: Voltooid

From: BRE-EZ
Sent: maandag 20 november 2017 16:42
To: [redacted]
Subject: FW: EURELECTRIC input on RES Directive REV3

From: [redacted]
Sent: maandag 20 november 2017 16:17
To: [redacted] <[redacted]@minbuza.nl>
Cc: [redacted] <[redacted]@minbuza.nl>; [redacted] <[redacted]@minbuza.nl>; BRE-EZ <BRE-EZ@minbuza.nl>; [redacted] <[redacted]@minbuza.nl>
Subject: FW: EURELECTRIC input on RES Directive REV3

From: [redacted] [mailto:[redacted]@eurelectric.org]
Sent: Monday, November 20, 2017 16:14
Cc: [redacted] <[redacted]@eurelectric.org>; [redacted] <[redacted]@eurelectric.org>; [redacted] <[redacted]@eurelectric.org>
Subject: EURELECTRIC input on RES Directive REV3

To COREPER I & Energy Attachés

Dear Madam, dear Sir,

You will find enclosed EURELECTRIC comments on the last available Council text on the RES Directive (REV 3 dated 13 November). We have been following closely the CEP developments and welcome many of the changes proposed in the Council text.

We would like to draw your attention to the latest changes proposed to article 19 on guarantees of origin (GOs). We are very concerned that in article 19(8) the use of GOs by an energy supplier to prove the share or quantity of energy from RES is optional ("may" instead of "shall"). Similarly, article 19(13), mandating the use GOs when suppliers market energy from RES or highly-efficient cogeneration to consumers with a reference to environmental or other benefit, is deleted. Together these changes would severely undermine the trust customers can have that GOs prove that a given share of energy was produced from RES (or high efficiency cogeneration).

Do not hesitate to contact me if you have any question.

Thank you

Best regards



Senior Advisor - Renewables & Environment + Public Affairs Coordination
EURELECTRIC AISBL • Boulevard de l'Impératrice, 66 - bte 2 • 1000 Brussels • Belgium
Direct Tel: +32 [redacted] • Mobile: +32 [redacted]
[redacted]@eurelectric.org • www.eurelectric.org

EU Transparency Register number: 4271427696-87



Consider the environment: do you really need to print this e-mail?

This electronic transmission (and any attached document) is intended exclusively for the addressee(s) and may contain confidential and/or privileged material. Any disclosure, copying, distribution or other action based upon the information by persons or entities other than the intended recipient is prohibited. If you receive this message in error, please contact the sender and delete the material from any and all computers.



Help save paper! Do you really need to print this email?

Dit bericht kan informatie bevatten die niet voor u is bestemd. Indien u niet de geadresseerde bent of dit bericht abusievelijk aan u is toegezonden, wordt u verzocht dat aan de afzender te melden en het bericht te verwijderen. De Staat aanvaardt geen aansprakelijkheid voor schade, van welke aard ook, die verband houdt met risico's verbonden aan het elektronisch verzenden van berichten.

This message may contain information that is not intended for you. If you are not the addressee or if this message was sent to you by mistake, you are requested to inform the sender and delete the message. The State accepts no liability for damage of any kind resulting from the risks inherent in the electronic transmission of messages.



Van: [redacted] <[redacted]@minbuza.nl>
Verzonden: zaterdag 21 oktober 2017 18:21
Aan: [redacted]; [redacted]; [redacted]
CC: [redacted]
Onderwerp: FW: EURELECTRIC Voting Recommendations on Energy Efficiency, Governance and Renewables
Bijlagen: EURELECTRIC Voting Recommendations - EED.pdf; EURELECTRIC Voting Recommendations - Governance.pdf; Voting recommendations RES-ITRE Committee.pdf
Urgentie: Hoog

Ter info

From: [redacted] [mailto:[redacted]@eurelectric.org]
Sent: donderdag 19 oktober 2017 14:50
Subject: EURELECTRIC Voting Recommendations on Energy Efficiency, Governance and Renewables
Importance: High

TO
Members of the European Parliament (ENVI & ITRE Committee Members)
Energy Attachés

Dear Madam,
 Dear Sir,

EURELECTRIC, the European electricity association, is pleased to share with you our voting recommendations regarding the proposed amendments on the European Commission's proposal on the [Governance of the Energy Union](#) and proposals to revise the directives on [energy efficiency](#) and [renewable energy](#).

Energy efficiency must play a critical role in reaching the European targets for decarbonisation. Activating the market potential for energy efficiency in the EU is therefore of critical importance to enable a strong, sustainable and competitive economy. The EED recast must square the circle between strong ambitions which drive the energy efficiency market and cost-efficient measures which don't prevent progress in cost-efficient decarbonisation.

The **Regulation on the Governance of the Energy Union** must become an interlocutor between EU ETS legislation and all of the rest EU energy and climate policies. Potential relevant policy overlaps should be monitored, assessed, quantified and most importantly addressed through a mechanism targeting the structurally overly supplied market of EU ETS allowances.

The aim of the revised **RES Directive** is to promote the uptake of renewable energy. In this regard, it is crucial to provide longer-term visibility and investment security to companies engaging in RES projects. EURELECTRIC also fully supports the integration of renewable energy sources (RES) in the market, including RES self-consumers, and making RES support schemes, when needed, more market-based.

These papers complement EURELECTRIC's previously adopted position papers on the [Regulation on the Governance of the Energy Union](#), the [Renewable Energy Directive](#), and the [Energy Efficiency Directive](#).

All our adopted position papers and other documents on the Clean Energy Package can be [found here](#). Please do not hesitate to contact us should you wish to discuss any elements of our positions further.

Yours faithfully,



Assistant • Climate & Environment

EURELECTRIC AISBL • Boulevard de l'Impératrice, 66 - bte 2 • 1000 Brussels • Belgium

Direct Tel: +32 2 [redacted] • Mobile: +32 [redacted]

[redacted]@eurelectric.org • www.eurelectric.org

EU Transparency Register number: 4271427696-87



Consider the environment: do you really need to print this e-mail?

This electronic transmission (and any attached document) is intended exclusively for the addressee(s) and may contain confidential and/or privileged material. Any disclosure, copying, distribution or other action based upon the information by persons or entities other than the intended recipient is prohibited. If you receive this message in error, please contact the sender and delete the material from any and all computers.

Help save paper! Do you really need to print this email?

Dit bericht kan informatie bevatten die niet voor u is bestemd. Indien u niet de geadresseerde bent of dit bericht abusievelijk aan u is toegezonden, wordt u verzocht dat aan de afzender te melden en het bericht te verwijderen. De Staat aanvaardt geen aansprakelijkheid voor schade, van welke aard ook, die verband houdt met risico's verbonden aan het elektronisch verzenden van berichten.

This message may contain information that is not intended for you. If you are not the addressee or if this message was sent to you by mistake, you are requested to inform the sender and delete the message. The State accepts no liability for damage of any kind resulting from the risks inherent in the electronic transmission of messages.

Van: [redacted]
Verzonden: woensdag 26 juli 2017 16:26
Aan: [redacted] (KPN); [redacted]; [redacted]
Onderwerp: FW: Positie Nuon/Vattenfall RED II
Bijlagen: Vattenfall Amendment Proposals Renewable Energy Directive.docx; Vattenfall Position Paper Renewable Energy Directive.pdf; 170726 Vattenfall Assessment ITRE Amendments RED II.pdf

Opvolgingsmarkering: Opvolgen
Markeringsstatus: Voltooid

Beste [redacted]
 Dank voor je email. [redacted]
 Ik stuur je mail bij deze ook door aan [redacted], die samen met [redacted] de Nederlandse inbreng bij de raads werkgroepen hierover voorbereidt.
 @ [redacted] wil je kijken of een gesprek de komende weken nuttig is, nav deze input?

Grt, [redacted]
 Clusterleider Stimulering Duurzame Energieproductie (SDE+)

.....
Directie Energiemarkt & Innovatie
Directoraat-Generaal Energie, Telecom & Mededinging
Ministerie van Economische Zaken
 Bezuidenhoutseweg 73 | 2594 AC | Den Haag
 Postbus 20401 | 2500 EK | Den Haag

.....
 M +31 70 [redacted]
 E [redacted]@minez.nl
 I www.rijksoverheid.nl/ez

Van: [redacted] (KPN) [[mailto:\[redacted\]@nuon.com](mailto:[redacted]@nuon.com)]

Verzonden: woensdag 26 juli 2017 16:22

Aan: [redacted]

Onderwerp: Positie Nuon/Vattenfall RED II

Beste [redacted]

Zoals vanochtend besproken, stuur ik je hierbij Nuon/Vattenfall's position paper m.b.t. de Renewable Energy Directive recast.

Tevens stuur ik je onze voorstellen voor amendementen én ter info een assessment van de ongeveer 1300 amendementen van het Europese Parlement.

Nuon/Vattenfall is van mening dat een goed functionerend EU beleid ten aanzien van hernieuwbare energie een belangrijke voorwaarde is om Europa als mondiale voorloper in hernieuwbare energie te positioneren, en om bovendien de ambities van het Parijsakkoord te halen.

Het beleid van Nuon/Vattenfall is gericht op groei en ontwikkeling van hernieuwbare energie op verschillende gebieden. Als een van de grootste windenergieproducenten en -beheerders in Europa, zijn wij actief in de volledige waardeketen in de industrie en staan wij in contact met veel betrokken partijen. In 2020 willen wij onze windenergiecapaciteit hebben verdubbeld tot 4 GW. Dat betekent een totale groei van 400-600 MW per jaar in bestaande en mogelijk in geheel nieuwe markten. Naast windenergie, draaien wij verschillende centrales deels dan wel volledig op vaste biomassa. Als een van Europa's grootste warmte leveranciers en beheerders van stadswarmte netwerken, bieden wij bovendien duurzame en efficiënte warmte mogelijkheden, voornamelijk in de stedelijke omgeving.

Onze voornaamste punten waarop wij het voorstel van de Europese Commissie graag verbeterd zien zijn:

- Aanbestedingen als standaard systeem voor het toekennen van financiële steun voor elektriciteit uit hernieuwbare energiebronnen
- Het toestaan van het behoud van garanties van oorsprong, voor producenten van elektriciteit uit hernieuwbare energiebronnen, die subsidie ontvangen

- Warmte en koude: meer flexibiliteit voor lidstaten en verbeterde vereisten voor de samenwerking tussen warmteleveranciers
- Behoud van de voorgestelde duurzaamheidscriteria voor biomassa met enkele wijzigingen wat betreft details
- Beloning van het gebruik van transportbrandstoffen uit hernieuwbare energiebronnen

Als je vragen hebt of behoefte aan meer informatie, dan hoor ik het graag!

Met vriendelijke groet, kind regards,

[Redacted]
[Redacted]
Nuon, a Vattenfall company
Public & Regulatory Affairs
Hoekenrode 8, Amsterdam
Postbus 41920, 1009 DC Amsterdam
Telefoon +31(0) [Redacted]
www.nuon.com



Minder CO₂-uitstoot is goed voor het milieu. Bekijk hoeveel CO₂-uitstoot we vermijden met Nuon Stadswarmte: www.nuon.com/CO2reductie

DISCLAIMER

Aan de inhoud van dit bericht kunnen alleen rechten ten opzichte van nv Nuon of aan haar gelieerde ondernemingen worden ontleend, indien zij door rechtsgeldig ondertekende stukken worden ondersteund. De informatie in dit e-mailbericht is van vertrouwelijke aard en alleen bedoeld voor gebruik door de geadresseerde(n). Als u een bericht onbedoeld heeft ontvangen, wordt u verzocht de verzender hiervan in kennis te stellen en het bericht te vernietigen zonder van de inhoud kennis te nemen, deze te vermenigvuldigen en/of andersoortig te gebruiken.

Renewable Energy Directive (recast)

Position Paper

Annex – Amendment Proposals

AMENDMENTS

Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL
on the promotion of the use of energy from renewable sources (recast)
2016/0382 (COD)

Financial support for electricity from renewable sources

Amendment 1

Proposal for a Directive
Article 4 - paragraph 3

<i>Text proposed by the Commission</i>	<i>Amendment</i>
(3) Member States shall ensure that support for renewable electricity is granted in an open, transparent, competitive , non-discriminatory and cost-effective manner .	(3) Member States shall ensure that support for renewable electricity is granted in an open, transparent, non-discriminatory tender procedure, under the conditions laid down in paragraph 4.

Justification:

In order to reduce the costs of the energy transition to the necessary minimum, every renewable electricity support system in Europe should be transformed into a tender system.

Amendment 2

Proposal for a Directive Article 4 - paragraph 4 a (new)

<i>Text proposed by the Commission</i>	<i>Amendment</i>
	<p>(4a) When organising tender procedures referred to in paragraph 3, Member States shall define and publish inter alia:</p> <ul style="list-style-type: none">a. a yearly updated long-term schedule in relation to expected tenders for support for electricity from renewable sources, covering at least the following 3 years, and at least the following 7 years for offshore wind, and including for each tender the indicative timing, the capacity, energy or budget expected to be tendered, as well as the technologies expected to be eligible;b. a reasonable time for bid preparation and a reasonable time for project realization taking into account the typical project development cycles of the eligible technologies;c. non-discriminatory and transparent pre-qualification criteria;d. on which basis the support is selected and awarded.

Justification:

More detailed criteria for financial support are necessary, in particular with regard to tender design.

Amendment 3

Proposal for a Directive Article 6

<i>Text proposed by the Commission</i>	<i>Amendment</i>
Without prejudice to adaptations necessary to comply with State aid rules, Member States shall ensure that the level of, and the conditions attached to, the support granted to renewable energy projects are not revised in a way that negatively impacts the rights conferred thereunder and the economics of supported projects.	Without prejudice to adaptations necessary to comply with State aid rules, Member States shall ensure that the level of, and the conditions attached to, the support granted to renewable energy projects are not revised in a way that negatively impacts the rights conferred thereunder and the economics of supported projects. <i>Even in case support schemes are modified to comply with State aid rules, Member States shall ensure that the rights conferred to existing assets will remain intact.</i>

Justification:

The provision is weakened by the allowed modifications under State aid rules. The Article should therefore clarify that, even if support schemes are modified to comply with State aid rules, the rights conferred to existing assets will remain intact.

Amendment 4

Proposal for a Directive Article 15 - paragraph 3

<i>Text proposed by the Commission</i>	<i>Amendment</i>
<i>(3) Member States shall ensure that investors have sufficient predictability of the planned support for energy from renewable sources. To this aim, Member States shall define and publish a long-term schedule in relation to expected allocation for support, covering at least the following 3 years and including for each scheme the indicative timing, the capacity, the budget expected to be allocated, as well as a consultation of stakeholders on the design of the support.</i>	<i>deleted</i>

Justification:

The provisions of this paragraph should be incorporated in Article 4 of this Directive.

Guarantees of origin

Amendment 5

Proposal for a Directive

Article 19 - paragraph 2

<i>Text proposed by the Commission</i>	<i>Amendment</i>
<p>(2) To that end, Member States shall ensure that a guarantee of origin is issued in response to a request from a producer of energy from renewable sources. Member States may arrange for guarantees of origin to be issued for non-renewable energy sources. Issuance of guarantees of origin may be made subject to a minimum capacity limit. A guarantee of origin shall be of the standard size of 1 MWh. No more than one guarantee of origin shall be issued in respect of each unit of energy produced.</p> <p>Member States shall ensure that the same unit of energy from renewable sources is taken into account only once.</p> <p>Member States <i>shall ensure</i> that no <i>guarantees of origin are issued</i> to a producer that receives <i>financial support from a support scheme</i> for the same production of energy from renewable sources. <i>Member States shall issue such guarantees of origin and transfer them to the market by auctioning them. The revenues raised as a result of the auctioning shall be used to offset the costs of renewables support.</i></p> <p>The guarantee of origin shall have no function in terms of a Member State's compliance with Article 3. Transfers of guarantees of origin, separately or together with the physical transfer of energy, shall have no effect on the decision of Member States to use statistical transfers, joint projects or joint</p>	<p>(2) To that end, Member States shall ensure that a guarantee of origin is issued in response to a request from a producer of energy from renewable sources. Member States may arrange for guarantees of origin to be issued for non-renewable energy sources. Issuance of guarantees of origin may be made subject to a minimum capacity limit. A guarantee of origin shall be of the standard size of 1 MWh. No more than one guarantee of origin shall be issued in respect of each unit of energy produced.</p> <p>Member States shall ensure that the same unit of energy from renewable sources is taken into account only once.</p> <p>Member States shall ensure that <i>in the case of new renewable energy installations commissioned after ... [date of the entry into force of this Directive]</i> no guarantees of origin are issued to a producer that receives financial support from a support scheme for the same production of energy from renewable sources, <i>unless double compensation is avoided. It shall be presumed that there is no double compensation where:</i></p> <p><i>(a) financial support is granted by way of a tender procedure or green certificate system;</i></p> <p><i>(b) the value of the guarantees of origin is administratively taken into account in the level of financial support; or</i></p>

support schemes for target compliance or on the calculation of the gross final consumption of energy from renewable sources in accordance with Article 7.

(c) a purchaser buys the renewable energy from a producer in a competitive setting.

Where guarantees of origin are not issued to a producer that receives financial support from a support scheme, Member States shall issue such guarantees of origin and transfer them to the market by auctioning them. The revenues raised as a result of the auctioning shall be used to offset the costs of renewables support.

The guarantee of origin shall have no function in terms of a Member State's compliance with Article 3. Transfers of guarantees of origin, separately or together with the physical transfer of energy, shall have no effect on the decision of Member States to use statistical transfers, joint projects or joint support schemes for target compliance or on the calculation of the gross final consumption of energy from renewable sources in accordance with Article 7.

Justification:

Guarantees of Origin (GOs) are an important tool for renewable energy producers and retailers to value the green characteristics of their renewable energy production and offer green products. They represent a market-based income for renewable energy producers that is – other than support schemes – actually reflecting the demand for green energy by final customers. Destroying this direct link and not allowing the issuing of GOs to renewable energy producers that benefit from financial support, entails a number of serious risks and disadvantages. The provision of GOs and financial support to RES producers should not be mutually exclusive. Double compensation should be considered avoided when financial support is granted in a competitive setting.

Amendment 6

Proposal for a Directive

Article 19 - paragraph 7 - point d

<i>Text proposed by the Commission</i>	<i>Amendment</i>
(d) whether the installation has benefited from investment support, whether the unit of energy has benefited in any other way from a national support scheme, and the type of support scheme	(d) whether <i>and to what extent</i> the installation has benefited from investment support, whether <i>and to what extent</i> the unit of energy has benefited in any other way from a national support scheme, and the type of support scheme

Justification:

Efficiency improvements in existing installations lead to increased production triggering support for the additional production. However, only the additional production should be labelled as supported on the guarantee of origin, and not the entire production of the installation.

Heating and cooling

Amendment 7

Proposal for a Directive

Article 15 - paragraph 5 - subparagraph 3

<i>Text proposed by the Commission</i>	<i>Amendment</i>
(5) Member States shall, in their building regulations and codes or by other means with equivalent effect, require the use of minimum levels of energy from renewable sources in new buildings and in existing buildings that are subject to major renovation, reflecting the results of the cost-optimal calculation carried out pursuant to Article 5(2) of Directive 2010/31/EU. Member States shall permit those minimum levels to be fulfilled, inter alia, using a significant proportion of renewable energy sources.	(5) Member States shall, in their building regulations and codes or by other means with equivalent effect, require the use of minimum levels of energy from renewable sources in new buildings and in existing buildings that are subject to major renovation, reflecting the results of the cost-optimal calculation carried out pursuant to Article 5(2) of Directive 2010/31/EU. Member States shall permit those minimum levels to be fulfilled, inter alia, <i>through 'efficient district heating and cooling' within the meaning of Article 2(41) of Directive 2012/27/EU produced</i> using a significant proportion of renewable energy sources <i>and/or waste heat and cold.</i>

Justification:

An Increased efficiency of the building stock and an increased utilization of renewable resources for heating purposes, in particular in densely populated urban areas, are key for the decarbonisation of the heating sector. In the mid-term horizon, both the rapid replacement of obsolete oil or gas boilers and the connection to efficient district heating/Combined Heat and Power (CHP) supply have to be adequately considered as solutions. Drawing on 'efficient district heating and cooling' as defined by Article 2(41) of Directive 2012/27/EU is an explicit, equal and challenging option to fulfill the requirement of increasing the share of renewable energy sources within the heating sector.

Amendment 8

Proposal for a Directive
Article 23 - paragraph 1

<i>Text proposed by the Commission</i>	<i>Amendment</i>
(1) In order to facilitate the penetration of renewable energy in the heating and cooling sector, each Member State shall <i>endeavour to increase</i> the share of renewable <i>energy</i> supplied for heating and cooling <i>by at least 1 percentage point (pp) every year</i> , expressed in terms of national share of final energy consumption and calculated according to the methodology set out in Article 7.	(1) In order to facilitate the penetration of renewable energy <i>and waste heat or cold</i> in the heating and cooling sector, each Member State shall <i>define the targets for 2030 for</i> the share of renewable <i>and waste heat or cold</i> supplied for heating and cooling <i>outside the scope of the EU Emissions Trading System</i> , expressed in terms of national share of final energy consumption and calculated according to the methodology set out in Article 7.

Justification:

Any targets related to the share of renewable energy in heating and cooling should be defined with regard to the specific target year 2030. This would be consistent with the other climate and energy targets, notably those for greenhouse gas emission savings and renewable energy, at EU and Member State level. It would provide Member States with sufficient flexibility and investors with adequate certainty, and it would avoid ambiguities about the calculation basis and the relevance of existing national renewable energy shares in heating and cooling. In order to avoid overlapping policy incentives, the targets for the share of renewable and waste heat or cold should address activities outside the scope of the EU Emissions Trading System.

Amendment 9

Proposal for a Directive

Article 23 - paragraph 2

<i>Text proposed by the Commission</i>	<i>Amendment</i>
<i>(2) Member States may designate and make public, on the basis of objective and non-discriminatory criteria, a list of measures and the implementing entities, such as fuel suppliers, which shall contribute to the increase set out in paragraph 1.</i>	<i>deleted</i>

Amendment 10

Proposal for a Directive

Article 23 - paragraph 2 a (new)

<i>Text proposed by the Commission</i>	<i>Amendment</i>
	<i>(2a) Member States should consider specific policy measures to reach the targets set out in paragraph 1.</i>

Justification:

Instead of being forced to apply potentially market-distortive and inefficient measures, including the nomination of 'implementing entities', Member States should be provided with the freedom to find individual solutions and targeted measures to reach higher shares of renewable energy in heating and cooling.

Amendment 11

Proposal for a Directive Article 23 - paragraph 3

<i>Text proposed by the Commission</i>	<i>Amendment</i>
<p>(3) The increase set out in paragraph 1 may be implemented through one or more of the following options:</p> <ul style="list-style-type: none"> a. physical incorporation of renewable energy in the energy and energy fuel supplied for heating and cooling; b. direct mitigation measures such as installation of highly efficient renewable heating and cooling systems in buildings or renewable energy use for industrial heating and cooling processes; c. indirect mitigation measures covered by tradable certificates proving compliance with the obligation through support to indirect mitigation measures, carried out by another economic operator such as an independent renewable technology installer or energy service company – ESCO providing renewable installation services. 	<p>(3) The targets set out in paragraph 1 may be implemented through one or more of the following options:</p> <ul style="list-style-type: none"> a. physical incorporation of renewable energy or waste in the energy and energy fuel supplied for heating and cooling b. direct mitigation measures such as; installation of highly efficient renewable heating and cooling systems in buildings or renewable or waste energy use for industrial heating and cooling processes; c. indirect mitigation measures covered by tradable certificates proving compliance with the obligation through support to indirect mitigation measures, carried out by another economic operator such as an independent renewable technology installer or energy service company – ESCO providing renewable installation services; d. connecting to 'efficient district heating and cooling' systems within the meaning of Article 2(41) of Directive 2012/27/EU; e. other policy measures with an equivalent effect.

Justification:

The paragraph should refer to concrete national targets, as opposed to a fixed annual increase, and to the appropriate set of measures to meet those targets. An increased efficiency of the building stock and an increased utilization of renewable sources for heating purposes, in particular in dense urban areas, are key for a sufficient and sustainable decarbonisation of the heating sector. In the mid-term horizon, both the rapid replacement of obsolete oil or gas boilers and the connection to efficient district heating/Combined Heat and Power (CHP) supply have to be adequately considered. 'Efficient district heating and cooling' as defined by Article 2(41) of Directive 2012/27/EU is an explicit, equal and

challenging option to fulfill the requirement of increasing the share of renewable energy sources within the heating sector.

Amendment 12

**Proposal for a Directive
Article 23 - paragraph 4**

<i>Text proposed by the Commission</i>	<i>Amendment</i>
<i>(4) Member States may use the established structures under the national energy efficiency obligation schemes set out in Article 7a of Directive 2012/27/EU to implement and monitor the measures referred to in Paragraph 2.</i>	<i>deleted</i>

Justification:

Setting overall targets for the entire sector will create a level playing field for actors as well as for concepts and solutions to be found in a market-orientated and thus efficient way. In order to contribute to the level playing field, Member States should consider specific and appropriate policy measures. While obligation schemes could lead to market distortions, a lack of innovation and the failure to guarantee cost-efficient solutions, this approach would provide flexibility to Member States' governments and market participants.

Amendment 13

Proposal for a Directive Article 23 - paragraph 5

<i>Text proposed by the Commission</i>	<i>Amendment</i>
<p>(5) The entities designated under paragraph 2 shall ensure that <i>their contribution is</i> measurable and verifiable <i>and</i> shall report annually <i>starting from 30 June 2021, to the authority designated by the Member State,</i> on:</p> <ul style="list-style-type: none">a. the total amount of energy supplied for heating and cooling;b. the total amount of renewable energy supplied for heating and cooling;c. the share of renewable energy in the total amount of energy supplied for heating and cooling; andd. the type of renewable energy source.	<p>(5) Member States shall ensure that <i>the contributions of relevant market parties to the targets set out in paragraph 1 are</i> measurable and verifiable. <i>Member States shall introduce an appropriate reporting system by 31 January 2021. Relevant market parties</i> shall report annually, on:</p> <ul style="list-style-type: none">a. the total amount of energy supplied for heating and cooling;b. the total amount of renewable energy <i>and waste heat or cold</i> supplied for heating and cooling;c. the share of renewable energy <i>and waste heat or cold</i> in the total amount of energy supplied for heating and cooling; andd. the type of renewable energy <i>and waste heat or cold</i> source.

Justification:

Any reporting requirements should be valid for all actors in the heating transition process. Member States shall set up an appropriate reporting system in accordance with their individual market structure.

Amendment 14

Proposal for a Directive Article 24 - paragraph 1

<i>Text proposed by the Commission</i>	<i>Amendment</i>
(1) Member States shall ensure that district heating and cooling suppliers provide information to end-consumers on their energy performance and the share of renewable energy in their systems. Such information shall be in accordance with standards used under Directive 2010/31/EU.	(1) Member States shall ensure that district heating and cooling suppliers provide information to <i>the relevant contract parties and</i> end-consumers on their energy performance and the share of renewable energy <i>and waste heat or cold</i> in their systems. Such information shall be in accordance with standards used under Directive 2010/31/EU.

Justification:

The district heating and cooling suppliers shall provide the required information to their contract partners. The contract partner is not always identical with the end-consumer in all national district heating markets.

Amendment 15

Proposal for a Directive Article 24 - paragraph 2

<i>Text proposed by the Commission</i>	<i>Amendment</i>
(2) Member States shall lay down the necessary measures to allow customers of those district heating or cooling systems which are not 'efficient district heating and cooling' within the meaning of Article 2(41) of Directive 2012/27/EU to <i>disconnect from the system</i> in order to <i>produce</i> heating or cooling from renewable energy sources themselves or <i>to switch to another supplier of heat or cold which has access to the system referred to in paragraph 4.</i>	(2) Member States shall lay down the necessary measures to allow customers of those district heating or cooling systems which are not 'efficient district heating and cooling' within the meaning of Article 2(41) of Directive 2012/27/EU to <i>terminate the contract with the district heating or cooling system operator</i> in order to <i>use</i> heating or cooling from renewable energy sources <i>produced by</i> themselves or <i>by parties acting on their behalf.</i>

Justification:

Increased collaboration between district heating suppliers must be realized under market-based conditions and based on a bilateral agreement between the actors, taking into account the specific technical requirements of the individual district heating system. This would lead to an increasing share of renewable sources in heating, the utilization of waste heat and combined heat and power, and it would therefore drive the transition of district heating. Keeping the contract exclusively between customer and district heating system operator prevents an increase of administrative costs for the system as a whole as well as a technically complex situation with little increase in customer value.

Amendment 16

Proposal for a Directive Article 24 - paragraph 3

<i>Text proposed by the Commission</i>	<i>Amendment</i>
(3) Member States <i>may</i> restrict the right to <i>disconnect or switch supplier</i> to customers who can prove that the planned alternative supply solution for heating or cooling results in a significantly better energy performance. The performance assessment of the alternative supply solution may be based on the Energy Performance Certificate as defined in Directive 2010/31/EU.	(3) Member States <i>shall</i> restrict the right to <i>terminate the contract with the district heating or cooling system operator</i> to customers who can prove that the planned alternative supply solution for heating or cooling results in a significantly better energy performance. The performance assessment of the alternative supply solution may be based on the Energy Performance Certificate as defined in Directive 2010/31/EU.

Justification:

The right to terminate the contract needs to be restricted to cases implying a verifiable performance increase.

Amendment 17

Proposal for a Directive Article 24 - paragraph 4

<i>Text proposed by the Commission</i>	<i>Amendment</i>
(4) Member States shall lay down the necessary measures to ensure non-discriminatory access to district heating or cooling systems for heat or cold produced from renewable energy sources and for waste heat or cold. This <i>non-discriminatory</i> access shall enable <i>direct supply of heating or cooling from such sources to customers connected to the district heating or cooling system by suppliers other than the operator of the district heating or cooling system.</i>	(4) Member States shall lay down the necessary measures to ensure non-discriminatory access to district heating or cooling systems, <i>which are not efficient in the meaning of Article 2(41) of Directive 2012/27/EU</i> , for heat or cold produced from renewable energy sources and for waste heat or cold. This non-discriminatory access shall enable <i>producers of heat or cold produced from renewable energy sources and of waste heat or cold to sell heat or cold from such sources to the district heating or cooling system operator when it is economically and technically feasible for the customers, the producer and the operator of the district heating or cooling system.</i>

Justification:

Increased collaboration between heat suppliers must be realized under market-based conditions and based on a bilateral agreement between the actors, taking into account the specific technical requirements of the individual district heating system and the economic feasibility for customers, producers and district heating system operators. This will lead to an increasing share of renewable sources in heating, the utilization of waste heat and combined heat and power, in particular in non-efficient district heating systems. Keeping the contract exclusively between customer and district heating system operator prevents an increase of administrative costs for the system as a whole as well as a technically complex situation with little increase in customer value.

Amendment 18

Proposal for a Directive Article 24 - paragraph 5

<i>Text proposed by the Commission</i>	<i>Amendment</i>
<i>(5) An operator of a district heating or cooling system may refuse access to suppliers where the system lacks the necessary capacity due to other supplies of waste heat or cold, of heat or cold from renewable energy sources or of heat or cold produced by high-efficiency cogeneration. Member States shall ensure that where such a refusal takes place the operator of the district heating or cooling system provides relevant information to the competent authority according to paragraph 9 on measures that would be necessary to reinforce the system.</i>	<i>deleted</i>

Justification:

In combination with the amended Article 24(4), exemptions are not necessary.

Amendment 19

Proposal for a Directive Article 24 - paragraph 6

<i>Text proposed by the Commission</i>	<i>Amendment</i>
<i>(6) New district heating or cooling systems may, upon request, be exempted from the application of paragraph 4 for a defined period of time. The competent authority shall decide on such exemption requests on a case-by-case basis. An exemption shall only be granted if the new district heating or cooling system constitutes 'efficient district heating and cooling' within the meaning of Article 2(41) of Directive 2012/27/EU and if it exploits the potential for the use of renewable energy sources and of waste heat or cold identified in the comprehensive assessment made in accordance with Article 14 of Directive 2012/27/EU.</i>	<i>deleted</i>

Justification:

In combination with the amended Article 24(4), exemptions are not necessary.

Amendment 20

Proposal for a Directive Article 24 - paragraph 7

<i>Text proposed by the Commission</i>	<i>Amendment</i>
(7) The right to disconnect or switch supplier may be exercised by individual customers, by joint undertakings formed by customers or by parties acting on behalf of customers . For multi-apartment blocks, such disconnection may only be exercised at whole building level.	(7) The right to terminate the contract with the district heating or cooling system operator may be exercised by individual customers or by joint undertakings formed by customers. For multi-apartment blocks, such disconnection shall only be exercised at whole building level.

Justification:

Keeping the contract exclusively between customer and district heating system operator prevents an increase of administrative costs for the system as a whole as well as a technically complex situation with little increase in customer value. 'Disconnection' should always be understood in the sense of terminating the contract within an appropriate time horizon and in both parties' interest, rather than in a technical sense. Disconnecting from district heating and cooling is practically only possible at the level of the entire building.

Amendment 21

Proposal for a Directive Article 24 - paragraph 9

<i>Text proposed by the Commission</i>	<i>Amendment</i>
(9) Member States shall designate one or more <i>independent</i> authorities to ensure that the rights of consumers and the rules for operating district heating and cooling systems in accordance with this Article are clearly defined and enforced.	(9) Member States shall designate one or more <i>competent</i> authorities to ensure that the rights of consumers and the rules for operating district heating and cooling systems in accordance with this Article are clearly defined and enforced.

Justification:

The entire paragraph focuses on the “competent” authority. This should be consistently reflected in the wording.

Biomass sustainability criteria

Amendment 22

Proposal for a Directive

Article 26 - paragraph 5 – point b

<i>Text proposed by the Commission</i>	<i>Amendment</i>
(b) when evidence referred to in the first subparagraph is not available, the biofuels, bioliquids and biomass fuels produced from forest biomass shall be taken into account for the purposes referred to in points (a), (b) and (c) of paragraph 1 if management systems are in place at forest holding level to ensure that	(b) when evidence referred to in the first subparagraph is not available, the biofuels, bioliquids and biomass fuels produced from forest biomass shall be taken into account for the purposes referred to in points (a), (b) and (c) of paragraph 1 if management systems are in place at forest holding level and/or the biomass producer, such as the pellet mill , to ensure that

Justification:

The value chain level at which the verification and application of mitigation measures take place should be broadened and also include biomass producers (e.g. pellet mill or sawmill level). The goal of the paragraph is that feedstock for biomass production is legally and sustainably harvested. In order to achieve that goal, it is important that management systems and procedures are in place to ensure that all respective indicators in the forest are at low risk, but it is immaterial at which level in the value chain the verification and mitigation is carried out.

Amendment 23

Proposal for a Directive

Article 26 - paragraph 6 - subparagraph 2

<i>Text proposed by the Commission</i>	<i>Amendment</i>
(6) When evidence referred to in the first subparagraph is not available, the biofuels, bioliquids and biomass fuels produced from forest biomass shall be taken into account for the purposes referred to in points (a), (b) and (c) of paragraph 1 if <i>management systems are in place at forest holding level to ensure that carbon stocks and sinks levels in the forest</i> are maintained.	(6) When evidence referred to in the first subparagraph is not available, the biofuels, bioliquids and biomass fuels produced from forest biomass shall be taken into account for the purposes referred to in points (a), (b) and (c) of paragraph 1 if <i>proof that national or regional forest carbon stocks are maintained can be delivered by demonstrating that carbon stocks are stable or increasing over time at the national or regional level.</i>

Justification:

Demonstrating that management systems are in place at forest holding level is one method to demonstrate that carbon stocks are maintained. Other, more economical, methods are for example to show by use of national forestry statistics that standing forest stocks are increasing over time. Against this background, the means through which compliance can be demonstrated should not be limited to management systems at forest holding level.

In addition, carbon stocks at an individual forest holding level, especially smaller holdings, can vary strongly over time due to individual harvesting events while the carbon stock considered in a larger region or the country as a whole remains stable or increases. Therefore, carbon stocks should not be viewed at the individual forest holding level but rather at the national or regional level.

Amendment 24

Proposal for a Directive

Article 26 - paragraph 6 - subparagraph 4

<i>Text proposed by the Commission</i>	<i>Amendment</i>
(6) By 31 December 2023 , the Commission shall assess whether the criteria set out in paragraphs 5 and 6 effectively minimise the risk of using unsustainable forest biomass and address LULUCF requirements, on the basis of available data. The Commission shall, if appropriate, present a proposal to modify the requirements laid down in paragraphs 5 and 6.	(6) <i>In accordance with Article 30(3) of this Directive</i> , the Commission shall assess <i>in 2026</i> whether the criteria set out in paragraphs 5 and 6 effectively minimise the risk of using unsustainable forest biomass and address LULUCF requirements, on the basis of available data. The Commission shall, if appropriate, present a proposal to modify the requirements laid down in paragraphs 5 and 6 <i>as part of the general review of the Directive.</i>

Justification:

The Directive is supposed to enter into force in January 2021, with national implementation by June 2021. A re-assessment and potential modification in 2023 is too early and would lead to uncertainty for market participants. Rather, the review foreseen in Article 26 should be done in accordance with the general review of the Directive in 2026, as outlined in Article 30(3).

Amendment 25

Proposal for a Directive

Annex VI - part B - paragraph 11 - subparagraph 2

<i>Text proposed by the Commission</i>	<i>Amendment</i>
(11) In accounting for the consumption of electricity not produced within the solid biomass fuel production plant, the greenhouse gas emission intensity of the production and distribution of that electricity shall be assumed to be equal to the <i>fossil fuel comparator ECF(el)</i> set out in paragraph 19 of this Annex.	(11) In accounting for the consumption of electricity not produced within the solid biomass fuel production plant, the greenhouse gas emission intensity of the production and distribution of that electricity shall be assumed to be equal to the <i>average emission intensity of the production and distribution of electricity in a defined region.</i>

Justification:

Pellet mills should be able to use the actual value of the CO2 intensity of their regional or national electricity mix. This would make the methodology for solid biomass fuels also fully consistent with the methodology for gaseous biomass fuels. Defining the CO2 intensity of electricity consumed in the production mix to be a fixed fossil fuel comparator otherwise neglects decarbonisation efforts within countries and risks excluding pellet usage in heat-only boilers starting operation after 2021.

Renewable energy in the transport sector

Amendment 26

Proposal for a Directive
Article 7 - paragraph 3 - point a

<i>Text proposed by the Commission</i>	<i>Amendment</i>
(a) The gross final consumption of energy from renewable sources in transport shall be calculated as the sum of all biofuels, biomass fuels and renewable liquid and gaseous transport fuels of non-biological origin consumed in the transport sector. However, renewable liquid and gaseous transport fuels of non-biological origin that are produced from renewable electricity shall only be considered to be part of the calculation pursuant to paragraph 1(a) when calculating the quantity of electricity produced in a Member State from renewable energy sources.	(a) The gross final consumption of energy from renewable sources in transport shall be calculated as the sum of all renewable electricity , biofuels, biomass fuels and renewable liquid and gaseous transport fuels of non-biological origin consumed in the transport sector. However, renewable liquid and gaseous transport fuels of non-biological origin that are produced from renewable electricity shall only be considered to be part of the calculation pursuant to paragraph 1(a) when calculating the quantity of electricity produced in a Member State from renewable energy sources. <i>Renewable electricity used in electric vehicles should only count towards the target for the renewable energy share in transport if the equivalent amount of guarantees of origin of the electricity used is cancelled.</i>

Justification:

The renewable energy target for the transport sector should explicitly reward for the use of renewable electricity in transport – be it as end-fuel in electric vehicles or as fuel for the ‘production’ of hydrogen or biofuels. This will also be an additional trigger for renewable electricity capacity. Renewable electricity used in electric vehicles should count towards the target for the renewable energy share in transport if an equivalent amount of guarantees of origin of the electricity used is cancelled. This is insufficiently clear in the Article text.

Amendment 27

Proposal for a Directive

Article 25 - paragraph 1 - subparagraph 2

<i>Text proposed by the Commission</i>	<i>Amendment</i>
(1) The minimum share shall be at least equal to 1.5% in 2021, increasing up to at least 6.8% in 2030, following the trajectory set out in part B of Annex X. <i>Within this total share, the contribution of advanced biofuels and biogas produced from feedstock listed in part A of Annex IX shall be at least 0.5% of the transport fuels supplied for consumption or use on the market as of 1 January 2021, increasing up to at least 3.6% by 2030, following the trajectory set out in part C of Annex X.</i>	(1) The minimum share shall be at least equal to 1.5% in 2021, increasing up to at least 6.8% in 2030, following the trajectory set out in part B of Annex X.

Justification:

As long as transport fuels fulfil the proposed sustainability criteria, the market should decide about the fuel mix used to meet the desired renewable energy share in transport. No separate targets for specific fuels are needed.

Amendment 28

Proposal for a Directive Article 25 - paragraph 3

<i>Text proposed by the Commission</i>	<i>Amendment</i>
(3) To determine the share of renewable electricity for the purposes of paragraph 1 <i>either the average share of electricity from renewable energy sources in the Union or</i> the share of electricity from renewable energy sources in the Member State where the electricity is supplied, as measured two years before the year in question <i>may</i> be used. <i>In both cases,</i> an equivalent amount of guarantees of origin issued in accordance with Article 19 shall be cancelled.	(3) To determine the share of renewable electricity for the purposes of paragraph 1 the share of electricity from renewable energy sources in the Member State where the electricity is supplied, as measured two years before the year in question <i>shall</i> be used. An equivalent amount of guarantees of origin issued in accordance with Article 19 shall be cancelled.

Justification:

The renewables target for the transport sector should explicitly reward for the use of renewable electricity in transport – be it as end-fuel in electric vehicles or as fuel for the ‘production’ of hydrogen or biofuels. This will also be an additional trigger for renewable electricity capacity. Determining the share of renewable electricity used in transport through the national share of electricity from renewable energy sources is more accurate than using the average share at Union level. It will ensure that the development of e-mobility and the usage of renewable electricity go hand in hand.

Amendment 29

Proposal for a Directive

Article 25 - paragraph 3 - point a

<i>Text proposed by the Commission</i>	<i>Amendment</i>
(a) When electricity is used for the production of renewable liquid and gaseous transport fuels of non-biological origin, <i>either directly or for the production of intermediate products, either the average share of electricity from renewable energy sources in the Union or</i> the share of electricity from renewable energy sources in the country of production, as measured two years before the year in question, <i>may</i> be used to determine the share of renewable energy. <i>In both cases,</i> an equivalent amount of guarantees of origin issued in accordance with Article 19 shall be cancelled.	(a) When electricity is used for the production of renewable liquid and gaseous transport fuels of non-biological origin, the share of electricity from renewable energy sources in the country of production, as measured two years before the year in question, <i>shall</i> be used to determine the share of renewable energy. An equivalent amount of guarantees of origin issued in accordance with Article 19 shall be cancelled.

Justification:

The renewables target for the transport sector should explicitly reward for the use of renewable electricity in transport – be it as end-fuel in electric vehicles or as fuel for the ‘production’ of hydrogen or biofuels. This will also be an additional trigger for renewable electricity capacity. Determining the share of renewable electricity used in transport through the national share of electricity from renewable energy sources is more accurate than using the average share at Union level. It will ensure that the development of e-mobility and the usage of renewable electricity go hand in hand.

EU Renewable Energy Directive (recast)

Position Paper

At Vattenfall, we focus on the increased development of renewable energy production in several areas. As one of the largest wind power developers and operators in Europe, we manage and conduct all key processes and have developed agreements on operations and maintenance with other parties along the supply chain. We plan to grow our wind energy portfolio by up to 600 MW per year and to invest up to EUR 5 billion until 2020. Moreover, we operate several assets running (partially) on solid biomass, e.g. wood and biogenic waste. As one of Europe's largest heat suppliers and district heating system operators, we provide sustainable and resource-efficient heating concepts, in particular for the urban building stock.

Make tenders the default system for financial renewable electricity support and concretize the design principles

- We highly welcome the intention to create a design framework for financial support in order to avoid unnecessary market distortions and to provide more certainty to investors. However, we are firmly convinced that **every renewable electricity support system** in Europe **should be transformed into a tender system**, above all in order to reduce the costs of the energy transition to the necessary minimum. More detailed criteria for financial support would be desirable. We therefore recommend a **concretion of the proposed principles** ("open, transparent, competitive, non-discriminatory, cost-effective") within Article 4, in particular with regard to tender design (yearly updated long-term schedule, reasonable bid preparation and project realization times, non-discriminatory and transparent pre-qualification criteria, basis for awarding support).
- We welcome the proposed 3-year schedule for public renewable electricity support, set out in Article 15(3), and we believe it should be incorporated in Article 4. Given the longer lead times for offshore wind projects, we call for an **additional provision requiring Member States to provide a 7-year schedule for offshore wind support**.
- We appreciate the inclusion of an investment protection clause in Article 6. However, the wording of the article **should clarify that**, even if support schemes are modified to comply with State aid rules, **the rights conferred to existing assets will remain intact**.

Recommendations:

- Make tenders the default system for awarding financial support for renewable electricity; concretize tender design principles [Article 4];
- add a provision requiring Member States to provide a 7-year schedule for offshore wind support [Articles 4 and 15];
- ensure that the rights for existing assets remain intact even if support schemes are modified to comply with State aid rules [Article 6].

Make the cross-border opening of support schemes for renewable electricity viable for Member States

- We appreciate the intention to open up renewable electricity support schemes to generators located in other Member States, as laid out in Article 5. This measure can trigger regional renewable energy cooperation, and it can lead to the exploitation of considerable cost reduction potentials.
- **Member States should however be given the flexibility to accumulate the volume of newly supported capacity to be opened over a longer period between 2021 and 2030.** This would avoid an inefficient and costly renewable energy deployment. Member States should be requested to **create transparency** on the tender schedule, in line with the currently proposed provisions in Article 15(3).
- It is difficult for Member States governments to anticipate the number and size of projects in their country, receiving financial support from other Member States. The opening of support schemes could thereby lead to national growth ambitions being fulfilled well ahead of schedule. This, again, would significantly impact the supply situation within a Member State in case of a lack of adequate transmission infrastructure development. To avoid those disruptive developments, **Member States should be required to integrate the interaction between possible foreign support for national renewables installations and grid development in their National Energy and Climate Plans** within the meaning of the Energy Union Governance Regulation.
- In order to avoid a patchwork of bilateral agreements between Member States, the **European Commission should issue a detailed blueprint** for such agreements **as well as biannual progress reports.**

Recommendations:

- Provide Member States with flexibility to accumulate the volume to be opened over several years between 2021 and 2030 [Article 5(2)];
- require Member States to consider the interaction between the opening of support and national grid development [Article 5];
- ensure European Commission blueprint for bilateral agreements and regular progress reports [Article 5].

Allow producers of financially supported renewable energy to retain their guarantees of origin

- We welcome the proposed disclosure of all renewable energy generated in Europe through the improved system of guarantees of origin (GOs) in Article 19(1).
- However, Vattenfall **disagrees with the provision in Article 19(2) completely abolishing the issuing of GOs to producers receiving financial support** for the same production of renewable energy and requesting Member States to auction those GOs instead.
- Giving those GOs to the national governments for centralized auctions would break the link between the renewable energy production of an installation and an end-consumer who is interested in purchasing renewable electricity from that specific installation. Consequently, various active renewable market players would not be able to continue their "asset-to-client" strategies, losing the value which GOs provide to renewable energy producers.
- The GO market has finally grown up and is stimulating multinational companies to sign power purchase agreements (PPAs) with operators of renewable energy installations. Not issuing any GOs for renewable energy installations receiving support from a support scheme would in particular be a step back with regard

to those large end-consumers' demand for renewable energy. The provision would thereby constrain the development of public acceptance for renewable energy projects.

Recommendation:

- Alter the provision abolishing the issuing of GOs to producers receiving financial support for the same production of renewable energy [Article 19(2)].

Increased renewables share in heating and cooling – provide more flexibility to Member States and improve prerequisites for the collaboration between heat suppliers

- We share the ambition to increase the renewable energy deployment in heating and cooling. However, such an increase has previously been achieved in different Member States through other policy measures than obligations. Any related **targets for Member States in Article 23 should be defined as individual national renewable energy share in heating and cooling** (including waste heat) **in the non-ETS sectors** for 2030. This would provide Member States with sufficient flexibility and investors with adequate certainty. Member States should be encouraged to consider dedicated policy measures in order for them to fulfill the above-mentioned targets and to provide for a level playing field within the heating and cooling sector.
- The **removal of any national obstacles to the envisioned increase of the renewable and waste heat share** in district heating systems at national level is key, in particular with regard to the urban building stock.
- We acknowledge the potential of Article 24 to trigger an increased collaboration between heat suppliers, in order to make use of renewables-based heat and heat which would otherwise be lost and to incentivize the further integration of the electricity and heat sectors by unlocking power-to-heat solutions. The proposed mandatory access however would lead to increased administrative costs for the system as a whole and to a technically complex situation with little increase in customer value. The collaboration must rather take place under **market-based conditions**, and based on a **bilateral agreement between the actors**. The provision needs to **take into account the varying characteristics between district heating systems**. District heating system improvements thereby directly reach all connected customers, in particular those in the building stock. Most importantly, the **contract with the customers must remain exclusively with the operator** of the district heating system.

Recommendations:

- Introduce individual national targets for the renewable energy share in heating and cooling (non-ETS sector) by 2030 and 2050 [Article 23];
- encourage Member States to develop specific policy measures for target achievement [Article 23];
- require the removal of any national obstacles for market-based collaboration between heat suppliers and for sector integration; provide for the contract to remain exclusively between customer and district heating system operator [Article 24].

Keep the proposed biomass sustainability criteria and adjust some details

- We strongly believe that harmonized EU sustainability criteria will considerably increase the credibility of the bioenergy sector and therefore **support the proposals in the Directive**. We are confident that we will meet the requirements and provide sustainable heating solutions to our customers. While the proposed

risk-based approach is reasonable and reflects our intentions, we see room for improvement on some details.

- The level on which the **verification and application of mitigation measures** take place in the value chain should be broadened in Article 26(5b). It **should also include biomass producers** (e.g. pellet mill or sawmill level).
- Demonstrating that management systems are in place at forest holding level – as outlined in Article 26(6) – is one method to prove compliance with requirements. Other, more economical, methods to be introduced include for example the **use of national forestry statistics to demonstrate that standing forest stocks are increasing over time**.
- The Directive is supposed to enter into force in January 2021, with national implementation by June 2021. A re-assessment and potential modification of the proposed criteria in 2023 is too early and would lead to uncertainty for market participants. **The review foreseen in Article 26 should rather be done in accordance with the general review of the Directive in 2026** (as outlined in Article 30 (3)).
- The proposed methodological choices in Annex VI/B(11) risk excluding pellet usage for sustainable bioenergy solutions in heat-only boilers starting operation after 1 January 2021. **Pellet mills should be enabled to use the actual value of the CO2 intensity of their regional or national electricity mix.**

Recommendations:

- Include biomass producer level as possible level for verification and application of mitigation measures [Article 26(5)];
- introduce national forestry statistics as method to prove compliance with the requirements [Article 26(6)];
- change review date for criteria to 2026 [Article 26];
- enable pellet mills to use the actual value of the CO2 intensity of their regional/national electricity mix [Annex VI].

Reward for the use of renewable electricity in transport

- We strongly support the target for the amount of renewable energy in transport fuels, as it will drive the development of renewable electricity-powered e-mobility. **We however doubt the need for a separate (sub-)target for advanced biofuels.** As long as transport fuels fulfil the proposed sustainability criteria, the market should decide about the fuel mix used to meet the desired renewable energy share in transport.
- We believe that **the renewable energy target for the transport sector should explicitly reward for the use of renewable electricity in transport** – be it as end-fuel in electric vehicles or as fuel for the ‘production’ of hydrogen or biofuels. This will also be an additional trigger for renewable electricity capacity.

Recommendations:

- Delete separate (sub-)target for advanced biofuels [Article 25(1)];
- determine the share of renewable electricity used in transport exclusively through the national share of electricity from renewable energy sources [Article 25(3)];
- ensure that renewable electricity used in electric vehicles only counts towards the target for the renewable energy share in transport if the equivalent amount of guarantees of origin of the electricity used is cancelled [Article 7(3)].

Renewable Energy Directive (recast)

Assessment of ITRE amendments

Financial support for electricity from renewable sources / Opening of support schemes for renewable electricity / Stability of financial support

- We **appreciate** efforts by the Rapporteur as well as various other MEPs to add substance in terms of **bidding procedure parameters** to the Directive and to award financial support in the most market-based way possible. Therefore, we support in particular **amendments 39-41** in the Draft Report by MEP Blanco López and ITRE **amendments 568 and 570-573**.
- Whilst we think that the (important) content of Article 15(3) on **long-term schedules** for renewables support shall be moved to Article 4 (financial support), we **appreciate amendments 715-719 and amendment 57** in the Draft Report proposing a 5-year schedule instead of a 3-year schedule. We however **caution** against **amendments 713 and 714** watering down the binding character of the provision.
- We **welcome** the Rapporteur's intention to improve Article 5 on the **opening of support schemes**. In this context, the link to interconnection capacity made in **amendment 44** is important. We equally **support amendment 613**, whilst we are **concerned** about **amendment 612** deleting the entire provision and about **amendments 618-621** changing the provision into a voluntary measure by Member States.
- We entirely **support** a further strengthening of Article 6 on the **stability of financial support** and an increased protection against retroactive support scheme changes. We therefore **welcome** in particular **amendment 57** in the Draft Report as well as ITRE **amendments 649, 650, 653 and 657**.

	ITRE Amendment Number
Support	39, 40, 41, 44, 46, 47, 57 (Draft Report); 518, 522, 526, 539, 568, 570, 571, 572, 573, 578, 580, 586, 587, 588, 613, 642, 649, 650, 653, 657, 711, 715-719
Concern	611, 612, 618, 619, 620, 621, 652, 713, 714

Guarantees of origin (GOs)

- The European Commission's proposal for the **non-issuance of GOs for RES production receiving financial support (Article 19(2), subparagraph 3)** remains our main item of concern in Article 19.
- We clearly **support amendment 61** in MEP Blanco López's Draft Report (and the identical ITRE **amendment 839**), which tackles the underlying issue of double compensation in a positive way. We

repeat our call for a small adjustment of the amendment in order to also cover Member States with renewables support through a certificate system (Sweden) (cf. Vattenfall amendment proposal).

- We equally **support** the (identical) **amendments 836-838** containing a **deletion** of the entire subparagraph. We also back the (identical) **amendments 847-849**, which correspond to our initial call for keeping the wording of the existing Renewable Energy Directive. However, we would prefer a deletion of the entire subparagraph or an amended provision in the sense of MEP Blanco López's draft report.
- We are particularly **concerned about amendments 842** (keeps the mandatory non-issuance of GOs), **843** (GO value to be deducted from financial support), **844** (possibility for GO trading in case no revenues are raised), **845** (GO market value to be taken into account in the support scheme), **850** (import/export ban on GOs for supported production), and **851** (keeps the mandatory non-issuance of GOs).
- Beyond Article 19(2), subparagraph 3, we also **object to the amendments 870 and 872**, which state that GOs should not be obligatory for producers, when they are required to prove the renewables share in their energy mix.

	ITRE Amendment Number
Support	61 (Draft Report); 836-838, 839, 840, 847-849
Concern	842, 843, 844, 845, 850, 851, 870, 872

Heating and cooling

- Whilst we share the ambition to increase the **renewable energy deployment in heating and cooling**, we suggest that any related targets for Member States in Article 23 should be defined as individual national renewable energy share in heating and cooling in the non-ETS sectors for 2030. Against this background, we **reject** in particular **amendment 68** in the Draft Report as well as **amendments 1031, 1041 and 1046** and we **support amendments 1033 and 1034**.
- We welcome all those amendments on Article 24, which aim to establish the **non-discriminatory access to district heating networks in a market-based manner**. In any case, it is key to limit the related provisions to those district heating systems, which are not efficient according to Article 2(41) of the Energy Efficiency Directive. In this context, we **support** in particular **amendments 1121, 1122, 1124, 1125-1127, 1130-1132, 1153 and 1154**. We are however **concerned about amendments 1112, 1117, 1128 and 1143**.

	ITRE Amendment Number
Support	73, 74 (Draft Report); 1029, 1030, 1033, 1034, 1043, 1044, 1054, 1067, 1071-1075, 1092, 1093, 1096, 1121, 1122, 1124, 1125-1127, 1130-1132, 1137-1141, 1153, 1154
Concern	68 (Draft Report); 1031, 1041, 1046, 1112, 1117, 1128, 1143

Renewable energy in the transport sector

- We **strongly support** the Rapporteur's proposal for a 12% **renewables target for the transport sector** (**amendments 33** and **79**) as well as ITRE amendments equally raising the ambition level, e.g. **amendments 480** and **1159** (at least 15%). We **caution** against the lowered ambition level in **amendment 1180**.
- We **appreciate** a series of other amendments with the intention to trigger a stronger **use of renewable electricity in transport**, such as **amendments 1188, 1214, 1217** and **1227**.
- In our view, renewable electricity used in electric vehicles should only count towards the target for the renewable energy share in transport fuels if the **equivalent amount of guarantees of origin of the electricity used is cancelled**. Therefore, we think that this should be reflected in Article 7(4) (cf. Vattenfall amendment proposal) and we reject e.g. the **second part of amendment 1216**.
- In light of a level playing field for renewable transport fuels, we continue to reject the proposed **sub-target for advanced biofuels** in Article 25(1) and call for a deletion of this part of the provision. (cf. Vattenfall amendment proposal).

ITRE Amendment Number	
Support	33, 79, 81, 83, 85, 86 (Draft Report); 1159, 1178, 1188, 1199, 1211, 1214, 1217, 1220, 1221, 1222, 1224, 1227
Concern	84 (Draft Report); 1160, 1180, 1183, 1189, 1216, 1219, 1223, 1229

Van: [redacted] <[redacted]@minbuza.nl>
Verzonden: maandag 3 juli 2017 16:16
Aan: [redacted]
CC: [redacted]
Onderwerp: FW: Reactie Nuon/Vattenfall RED energie raadswerkgroep
Bijlagen: 170627 VF AM Article 19 RED.DOCX

Opvolgingsmarkering: Opvolgen
Markeringsstatus: Voltooid

Ha [redacted]

Zie onderstaande mail ter info. Ben wel benieuwd of wij ook nog problemen zien met de 'Raadsoplossing' voor het GvO issue.

Tot morgen,

From: [redacted] ([redacted] [mailto:[redacted]@vattenfall.com])
Sent: maandag 3 juli 2017 15:51
To: [redacted]
Cc: [redacted]
Subject: Reactie Nuon/Vattenfall RED energie raadswerkgroep

Goedemiddag [redacted]

Mooi om afgelopen woensdag van jou te horen wat er in de energie Raadswerkgroepen gebeurt. Graag informeer ik je hierbij van onze reactie op de laatste ontwikkelingen in het kader van de RED en stel ik jullie een aantal vragen.

Zoals wij begrijpen krijgen de hernieuwbare elektriciteit onderwerpen momenteel de aandacht in de besprekingen over de RED. Voor ons zijn artikel 4 en 19 hier belangrijke punten.

Financiële steun voor hernieuwbare energie (artikel 4)

Wij begrijpen dat er een gezamenlijk voorstel van Finland, Frankrijk, Duitsland en Italië is ontstaan ten aanzien van artikel 4. Een dergelijk voorstel met specifiek uitgewerkte parameters en criteria voor financiële steun kunnen zekerheid voor investeerders bieden en uiteindelijk op deze manier bijdragen aan de groei van hernieuwbare bronnen in Europa en zo, ook in Nederland. Een opname van een dergelijk raamwerk, in tegenstelling tot individuele behandelingen in de context van de richtsnoeren van de Europese Commissie voor staatssteun, kunnen wij daarom volledig ondersteunen. Wij zijn erg geïnteresseerd wat de Nederlandse positie is ten aanzien van dit initiatief. Zou Nederland dit kunnen steunen?

Garanties van Oorsprong (artikel 19)

Zoals ik afgelopen woensdag noemde tijdens de energie netwerk bijeenkomst is dit een belangrijk punt voor ons. Wij hebben de eerste concepttekst (REV1 document) van de Raad gezien met wijzigingen in het artikel 19 van de Europese Commissie. Het voorstel neemt onze zorgen niet weg. De formulering zoals wordt voorgesteld door de lidstaten, zou leiden tot een situatie waarbij de bepaling ook voor bestaande activiteiten zou gelden. Dit zal onze bestaande *Power Purchase Agreements* (PPA's) negatief beïnvloeden. Onze voorkeur gaat uit naar het voorstel van EP rapporteur [redacted] met een kleine toevoeging, die ook rekening houdt met het Zweedse certificaten systeem. Ons voorstel vind je in de bijlage.

Wij zouden het appreciëren als jullie deze punten in overweging kunnen nemen voor jullie bijdragen in de Raadswerkgroep bijeenkomsten. Uiteraard staan wij jullie graag ter beschikking voor vragen en toelichtingen (in Brussel en Den Haag uiteraard).

Vriendelijke groet,

Advisor European Affairs

Nuon, part of Vattenfall
Wetstraat 223, 1040 Brussel
O +32 2
M +32

<https://twitter.com/VattenfallBXL>

EU Transparency ID number: 12955024114-93

Please consider the environment before printing this e-mail

Help save paper! Do you really need to print this email?

Dit bericht kan informatie bevatten die niet voor u is bestemd. Indien u niet de geadresseerde bent of dit bericht abusievelijk aan u is toegezonden, wordt u verzocht dat aan de afzender te melden en het bericht te verwijderen. De Staat aanvaardt geen aansprakelijkheid voor schade, van welke aard ook, die verband houdt met risico's verbonden aan het elektronisch verzenden van berichten.

This message may contain information that is not intended for you. If you are not the addressee or if this message was sent to you by mistake, you are requested to inform the sender and delete the message. The State accepts no liability for damage of any kind resulting from the risks inherent in the electronic transmission of messages.

AMENDMENTS

Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL
on the promotion of the use of energy from renewable sources (recast)
2016/0382 (COD)

Guarantees of origin

Amendment 1

Proposal for a Directive
Article 19 - paragraph 2

<i>Text proposed by the Commission</i>	<i>Amendment</i>
<p>(2) To that end, Member States shall ensure that a guarantee of origin is issued in response to a request from a producer of energy from renewable sources. Member States may arrange for guarantees of origin to be issued for non-renewable energy sources. Issuance of guarantees of origin may be made subject to a minimum capacity limit. A guarantee of origin shall be of the standard size of 1 MWh. No more than one guarantee of origin shall be issued in respect of each unit of energy produced.</p> <p>Member States shall ensure that the same unit of energy from renewable sources is taken into account only once.</p> <p>Member States shall ensure that no guarantees of origin are issued to a producer that receives financial support from a support scheme for the same production of energy from renewable sources. Member States shall issue such guarantees of origin and transfer them to the market by auctioning them. The revenues raised as a result of the auctioning shall be used to offset the costs of renewables support.</p> <p>The guarantee of origin shall have no function in terms of a Member State's compliance with Article 3. Transfers of guarantees of origin,</p>	<p>(2) To that end, Member States shall ensure that a guarantee of origin is issued in response to a request from a producer of energy from renewable sources. Member States may arrange for guarantees of origin to be issued for non-renewable energy sources. Issuance of guarantees of origin may be made subject to a minimum capacity limit. A guarantee of origin shall be of the standard size of 1 MWh. No more than one guarantee of origin shall be issued in respect of each unit of energy produced.</p> <p>Member States shall ensure that the same unit of energy from renewable sources is taken into account only once.</p> <p>Member States shall ensure that <i>in the case of new renewable energy installations commissioned after ... [date of the entry into force of this Directive]</i> no guarantees of origin are issued to a producer that receives financial support from a support scheme for the same production of energy from renewable sources, <i>unless double compensation is avoided. It shall be presumed that there is no double compensation where:</i></p> <p><i>(a) financial support is granted by way of a tender procedure or green certificate system;</i></p>

separately or together with the physical transfer of energy, shall have no effect on the decision of Member States to use statistical transfers, joint projects or joint support schemes for target compliance or on the calculation of the gross final consumption of energy from renewable sources in accordance with Article 7.

- (b) the value of the guarantees of origin is administratively taken into account in the level of financial support; or*
- (c) a purchaser buys the renewable energy from a producer in a competitive setting.*

Where guarantees of origin are not issued to a producer that receives financial support from a support scheme, Member States shall issue such guarantees of origin and transfer them to the market by auctioning them. The revenues raised as a result of the auctioning shall be used to offset the costs of renewables support.

The guarantee of origin shall have no function in terms of a Member State's compliance with Article 3. Transfers of guarantees of origin, separately or together with the physical transfer of energy, shall have no effect on the decision of Member States to use statistical transfers, joint projects or joint support schemes for target compliance or on the calculation of the gross final consumption of energy from renewable sources in accordance with Article 7.

Justification:

Guarantees of Origin (GOs) are an important tool for renewable energy producers and retailers to value the green characteristics of their renewable energy production and offer green products. They represent a market-based income for renewable energy producers that is – other than support schemes – actually reflecting the demand for green energy by final customers. Destroying this direct link and not allowing the issuing of GOs to renewable energy producers that benefit from financial support, entails a number of serious risks and disadvantages. The provision of GOs and financial support to RES producers should not be mutually exclusive. Double compensation should be considered avoided when financial supported is granted in a competitive setting.

Van: [redacted]@minbuza.nl>
Verzonden: maandag 26 februari 2018 10:18
Aan: [redacted]; [redacted] - DGMI
Onderwerp: FW: RED II trialogue - biofuels

Ter info.

From: [redacted] [mailto:[redacted]@campaiberia.com]
Sent: vrijdag 23 februari 2018 11:38
To: [redacted]; [redacted]
Subject: RED II trialogue - biofuels

Dear [redacted] and [redacted],

We are a group of companies from the palm oil sector, that want to express the reasons why we would like you to support the following position in the RED II trialogue:

- Not ban on palm oil
- Renewable energy target in transport of 15%
- Limitation of 1st generation biofuels to 7% in 2030

Reasons:

1. Deforestation

The main reason to ban palm oil is the potential deforestation caused by indirect land use changes; however, banning palm oil would lead to a higher deforestation rate because the alternative vegetable oils have a lower yield and not sufficient land is available to replace palm oil:

Soybean oil	Coconut oil	Sunflower oil	Rapeseed oil	Palm oil
0,4 tm/ha	0,7 tm/ha	0,7 tm/ha	0,7 tm/ha	3,3 tm/ha

Source of information: wwf based on the FAO numbers

The certification required by the RED already guarantees the sustainable origin of the oil.

The solution to the problem of deforestation is not the prohibition of the use of palm oil in biofuels, but the requirement of certification in all sectors, food and non-food uses.

With the limitation of 7% to biofuels of vegetable origin, and therefore, not increasing its consumption, we are already stopping ILUC.

2. Availability of alternative materials.

There are doubts about the availability of waste, residues or by-products in the market in sufficient quantity to replace the current consumption of vegetable oils (first generation biofuels).

Without the existence of enough raw material to produce biodiesel, or without an ambitious renewable energy target in the transport sector, the alternative is the use of fossil fuels, which would make it difficult to achieve the emission reduction target of the Paris Agreement.

We agree to promote 2nd generation biofuels (2G), but in order to develop them with a reasonable price, we need the 1st generation (1G). These companies are the ones that have the necessary infrastructure to develop 2G, in addition, a backward turn in the support to the 1G, would not help to attract new investors for the 2G.

3. Impact in the countries of origin.

The loss of approximately 5 million tons of palm oil in demand in Europe would mean a great loss for the producing countries, leading in many cases to its workers and to a large part of the population, to situations of famine and extreme poverty. The ban of palm oil, will signal that the EU no longer values the UN Sustainable Development goals.

Supporting the production of sustainable vegetable oil for biofuels means promoting a resource that helps the rural development of the producing countries and that will serve as the engine for the transition towards the sustainable production of all vegetable oils.

4. Non-compliance with commitments with the WTO.

A ban on the use of palm oil would be an unjustifiable discrimination and would violate the EU commitments with the World Trade Organization (WTO). It could also damage the current trade relations between the EU and the producing countries.

Thanks in advanced for your time. We are available for any doubt or additional information you might need from our side.

Detail of the companies supporting this initiative:

Victory Tropical Oil Iberia S.L.U.



gar
agribusiness and food

Lípidos Santiga S.A.



Bio Oils Huelva S.L.U.



Campa Iberia S.A.U.



Sustainability Manager

Campa Iberia S.A.U.

Via Laietana, 47, 3º 1ª

08003 Barcelona

T. +34 9 [redacted] / +34 6 [redacted]

[redacted]@campaiberia.com

The information contained in this email (including any attachments) is confidential, and the use of it by anyone other than the recipient is not authorized. The disclosure, reproduction, copying or distribution thereof is illegal and strictly prohibited, so please notify the sender immediately and delete it from your system. Unless you tell us otherwise, we understand that by opening this email you are accepting this form of communication and assuming the risk inherent in it. Your personal data will be processed for sending this email or replying to your message.

In compliance with the provisions of the Organic Law on Protection of Personal Data (Law 15/1999 of December 13) we inform you that your data is incorporated into a file which responsible and holder is Campa Iberia, SA in order to comply and maintain the Contractual relationship. You can exercise your rights of access, rectification, cancellation and opposition, by means of post mail to Via Layetana, 47, 3-1 -08003- Barcelona or electronic mail to the sender. Also, we remind you that following the requirements of L.S.S.I. of 12.07.2002 regarding the sending of commercial communications by electronic means, we have your authorization for the sending of information and the provision of our services through this means.

Help save paper! Do you really need to print this email?

Dit bericht kan informatie bevatten die niet voor u is bestemd. Indien u niet de geadresseerde bent of dit bericht abusievelijk aan u is toegezonden, wordt u verzocht dat aan de afzender te melden en het bericht te verwijderen. De Staat aanvaardt geen aansprakelijkheid voor schade, van welke aard ook, die verband houdt met risico's verbonden aan het elektronisch verzenden van berichten.

This message may contain information that is not intended for you. If you are not the addressee or if this message was sent to you by mistake, you are requested to inform the sender and delete the message. The State accepts no liability for damage of any kind resulting from the risks inherent in the electronic transmission of messages.

[REDACTED]
Van: [REDACTED] <[REDACTED]@greenpeace.org>
Verzonden: donderdag 1 december 2016 14:41
Aan: [REDACTED]
Onderwerp: nog een bijlage
Bijlagen: analysis.docx

Opvolgingsmarkering: Opvolgen
Markeringsstatus: Voltooid

Dag [REDACTED]
En deze uitgebreidere duiding vergat ik er nog bij te stoppen.
Ben benieuwd hoe de Nederlandse regering tegen het pakket aankijkt.

[REDACTED] -- Campagneleider klimaat en energie Greenpeace Netherlands

T +31 (0)20 [REDACTED]

M +31 (0)6 [REDACTED]

TW [REDACTED]

The files we are most interested in are the Renewables Directive (RED II), the Electricity Directive (ED) and the Electricity Regulation (EL). Please see below a provisional short analysis of these leaks in relation to our priorities. It's about 500 pages of text so it's very possible I have missed something:

Energy citizens rights

- (+) The rights of energy citizens (including cooperatives) are explicitly recognised in both the RED II and the ED. These include the rights to produce, consume, store and sell electricity and engage in demand response as well as the right to a dynamic price contract and a contract with an aggregator.
- (+) Energy citizens can't be subject to 'disproportionate procedures and charges that are not cost-reflective'.
- (?) Individual energy citizens (and those acting collectively on the same premises) should receive a market-based price for electricity fed into the grid but it's not clear what that price would be, eg there's a big difference between retail and wholesale market prices.
- (?) Both the RED II and the ED include a total of 4 different definitions of energy citizens. We still need to check these definitions and how they interact between the two directives, including some thresholds for how much electricity you can sell before you're considered a supplier.
- (+) Member states will be obliged to set up one-stop-shops to simplify administrative procedures for energy citizens, including connecting to the grid with a simple notification process.
- (+) Member states must take into account the needs of renewable energy communities to compete equally (with utilities) when designing RES auctions.

Distribution system operators

- (-!) There are no new obligations on DSOs to unbundle. This is very bad, especially because...
- (-!) They are setting up a new EU DSO body (ENTSOE for DSOs) that basically all DSOs can join. This body will be involved in writing important market rules, so we're looking at effective self-regulation.
- (+) DSOs will have to go to the market to procure energy services.
- (+) DSOs can't own storage or electric vehicle charging unless there's no interest from others and the energy regulator approves.
- (+-) There are new rules that make it clear that many eligible parties have the right to access data with the consent of energy customers, although they don't specify what model of data management member states should use.

RES support schemes

- (-) Except for installations below the state aid guidelines threshold (currently 500kW or 3MW for wind), all support schemes should be a premium on top of market price, ie a feed-in premium not a feed-in tariff.
- (-) Except for installations below the same threshold, all support must be awarded via an open auction.
- (-!) Member states must hold technology neutral tenders but member states can use other considerations to change this.

- (-) Member states must open up a certain percentage of their auctions to projects in other countries.
- (+) There is a new provision obliging member states to ensure the stability of financial supports, ie no retroactive changes.

Grids and markets

- (-) Priority access is gone.
- (-!) Priority dispatch is also effectively gone. It is only allowed for new RES and CHP installations below 500kW and below 250kW after 2025, ie far less than the size of a single wind turbine. Installations below this threshold benefitting from priority dispatch can only make up 15% of installed capacity. Existing installations can keep their priority dispatch. Member states can apply for exemptions to these rules.
- (-) The obligation for member states to tender for new capacity (ie Article 8) is gone out of the ED. This was the Article under which we argued against the Commission's decision to grant state aid to Hinkley Point.

Capacity markets

- (+-) ENTSOE (the European body of grid operators) will make a European resource adequacy assessment, including generation, storage and demand response resources. We're not so happy that ENTSOE will do it but the good point is that member states cannot introduce a capacity mechanism if no concern is identified in the assessment.
- (+) Member states will now have to be transparent about their "reliability standard" or margin of comfort of resources they want. And they will have to calculate it based on a common methodology and approval by their national regulator.
- (+) Capacity markets will have to include demand response and storage and capacity in neighbouring countries.
- (-!) There is no requirement for capacity markets not to go to coal/diesel plants, ie there's no EPS.
- (?) Existing mechanisms will have to comply with these rules within 2 years but it isn't clear if they just mean the design features or also the compliance with the adequacy assessment.
- (?) There is also a new regulation on electricity risk preparedness. We still need to check how the rules in this regulation interact with capacity markets.

Targets and plans

- (-) Of course all language relating to binding national targets is out, now all member states "shall collectively ensure" the target is met.
- (+) No member state can have a share of renewables below its 2020 target and if it does drop below this baseline, it will have to pay money into a EU fund for RES projects. Sadly, this was considered necessary to stop a complete reversal in some member states. The Commission will issue recommendations to member states if they consider insufficient progress is being made.
- (+) If the Commission thinks the EU will miss the 2030 RES target, member states will have to increase their targets or pay into an EU fund for RES project auctions or "other measures".
- (-) On transport and heating, the Commission seems to have gone for an approach that puts obligations on suppliers to increase their share of renewables, ie supplier

targets, much like under the Energy Efficiency Directive. I think the big risk here is that existing large suppliers will go for biomass and biofuels to meet their obligations.

What we're seeing here is the utilities' dream proposal. It will slow down the growth of renewables (weak unenforceable targets/removal of priority dispatch) while allowing them to maintain their old assets (capacity markets and no provisions to seriously address the overcapacity problem in Europe).

At the same time, the renewables market is being redesigned to suit the utilities as they start to focus on these investments. Hence, we see an endorsement of RES support only possible via auctions and no effort to address utility ownership of DSOs, which have been handed a very important role in the new market design. ENTSOE is another problematic EU body (of grid operators) whose powers are being significantly increased.

We are happy at first sight with some of the provisions around energy citizens (we've been doing *a lot* of lobbying over the past year), which could help ensure a shift away from a utility-dominated energy market but the devil is really in the detail and the good language in some areas could very much be undermined by bad language in other areas.

[REDACTED]

Van: [REDACTED]@greenpeace.org>
Verzonden: woensdag 27 juli 2016 12:09
Aan: [REDACTED]
Onderwerp: RED
Bijlagen: ClientEarth Prosumer Rights - options for a legal framework - final.pdf

Opvolgingsmarkering: Opvolgen
Markeringsstatus: Voltooid

Hallo [REDACTED]

Zoals afgesproken mail ik je nog even ons uitgebreide legal framework over prosumers rights, dat we hebben gemaakt samen met Client Earth.

Goed je gesproken te hebben en we houden contact,

[REDACTED] -- Campagneleider klimaat en energie Greenpeace Netherlands

T +31 (0)20 [REDACTED]

M +31 (0)6 [REDACTED]

TW [REDACTED]

Van: [redacted] <[redacted]@greenpeace.org>
Verzonden: woensdag 27 juli 2016 12:09
Aan: [redacted]
Onderwerp: RED
Bijlagen: ClientEarth Prosumer Rights - options for a legal framework - final.pdf

Opvolgingsmarkering: Opvolgen
Markeringsstatus: Voltooid

Hallo [redacted]

Zoals afgesproken mail ik je nog even ons uitgebreide legal framework over prosumers rights, dat we hebben gemaakt samen met Client Earth.

Goed je gesproken te hebben en we houden contact,

[redacted] -- Campagneleider klimaat en energie Greenpeace Netherlands

T +31 (0)20 [redacted]

M +31 (0)6 [redacted]

TW @ [redacted]

Van: [redacted] - DGMI <[redacted]@minienm.nl>
Verzonden: maandag 9 januari 2017 7:57
Aan: [redacted]; [redacted] - DGMI; [redacted]
Onderwerp: FW: Over criteria voor biomassa ikv EU RED 2.0


Ti

Met vriendelijke groet,

[redacted]
 Ministerie van Infrastructuur en Milieu
 Directie Klimaat, Lucht en Geluid
 Afdeling Voertuigenemissies en Brandstoffen
 Postbus 20901, 2500 EX Den Haag

Tel: 070-[redacted]
 Mobiel 06-[redacted]
 e-mail: [redacted]@minienm.nl

Ik werk niet op vrijdag.

 please consider the environment - do you really need to print this email?

Van: [redacted] [mailto:[redacted]@iucn.nl]
Verzonden: vrijdag 6 januari 2017 15:42
Aan: [redacted] - DGMI; [redacted]; [redacted]; [redacted]; [redacted]
CC: [redacted]
Onderwerp: Over criteria voor biomassa ikv EU RED 2.0

Beste [redacted] en andere geadresseerden,

Een goed 2017 voor allen!

Ik zou nav bijeenkomst over EU RED 2.0 nog even terugkomen op de kwestie van criteria en standaarden voor biomassa. Dit omdat we denken dat naast het belangrijke uitfaseren van de eerste generatie biomassa, ook goede duurzaamheidscriteria (voor elke biomassa soort en elk gebruik) benodigd zijn.

Wij hebben in 2013 een meta studie gedaan naar benchmarks studies betreffende standaarden voor biofuels, soja en palm olie. Veel studies besteden weinig aandacht aan governance en controle, die we heel belangrijk vinden juist omdat teelt vaak in situaties van slecht beheer (lees illegaliteit) plaats vindt. Daarom deden we er zelf op dat vlak nog een benchmark studie bij over de "level of assurance" van standaarden. In totaal bekijkt de publicatie daarmee 10 benchmark studies.

https://cmsdata.iucn.org/downloads/betting_on_best_quality.pdf

De criteria van die studie zijn nog actueel. De uitkomst van die studie is in principe verouderd, omdat standaarden zich verder ontwikkelen. We kunnen daar op verzoek wel inzicht in geven op basis van wat we weten over laatste versies van RTRS, RSPO, Pro Terra, ISCC etc.

Als de level of assurance criteria strenger zouden zijn bij de toelating van systemen onder de EU RED (zie het voorstel in bovengenoemde publicatie!), zouden een aantal systemen afvallen.

Als je een hoge lat legt, voor zowel de criteria *als* de wijze waarop ze gecontroleerd worden, kom je bij kwaliteitsstandaarden uit, die vaak ook de beste sociale criteria hebben.

Dat kan dus ook een *indirecte* manier zijn om sociale criteria mee te nemen, maar veel beter is natuurlijk ze expliciet te benoemen in je minimumeisen.

Klimaat:

Daar zijn we uitgebreid op ingegaan tijdens de bijeenkomst, Het akkoord van Parijs zou o.i. reden genoeg moeten zijn om strenge controle op ontbossing en drainage van peatlands te vereisen. Ook het snel uitfasen van de eerste generatie lijkt daarmee een stevige steun in de rug te hebben gekregen. Mogelijk met voorrang voor de biodiesels bv met verwijzing naar het GLOBIOM rapport, dat zowel LUC als ILUC betreft. ILUC valt helaas met duurzaamheidsstandaarden niet of nauwelijks te ondervangen en komt dus hoe dan ook om de hoek kijken bij additionele beleidsgedreven vraag/expansie.

https://ec.europa.eu/energy/sites/ener/files/documents/Final%20Report_GLOBIOM_publication.pdf

Over de sociale criteria:

Vaak wordt geschermd met WTO-regels om sociale criteria tegen te houden, maar voor een markt die er niet geweest zou zijn zonder mandates lijkt het ons zeker verdedigbaar wel dergelijke criteria te bepleiten voor alle vormen van hernieuwbare energie, bv vanuit het oogpunt van voedselzekerheid. Met dank aan Oxfam hierbij een link naar stukken van [redacted] die in zijn tijd als special rapporteur on the Right to Food dat recht in verband heeft proberen te brengen met de WTO <http://www.srfood.org/en/trade-sp-1847639719>.

Hij heeft in 2012 guidelines gepresenteerd voor impacts op mensenrechten van handels- en investeringsovereenkomsten. ILO standards zouden toch moeten kunnen als minimumcriteria, omdat ze wereldwijd ondertekend zijn.

FPIC in de meest enge zin (voor indigenous peoples, wat al in een verdrag verankerd zit) is naar we begrepen gesneuveld in het EC voorstel, omdat niet alle lidstaten dat verdrag hebben getekend? Het zal niet makkelijk zijn, maar blijft het van belang ook voor FPIC te blijven pleiten.

Voor de rest regelt men criteria naar we begrijpen dus op lidstaat niveau, maar dat schijnt alleen te kunnen als je de duurzaamheids criteria wel kan 'goldplaten' op lidstaat niveau. Dat lijkt nu juist lastig te worden.

Vanuit een Oxfam contact in Brussel:

"Apparently in the proposal text, before the recitals, it states what legal status the RED is based on (namely on an environmental basis), **except for** the articles dealing with criteria, these are based on articles of the Treaty concerning the internal market, meaning member states cannot 'goldplate' the criteria. Now: if that exception were to be deleted, then at **national level** stricter sustainability criteria could be introduced".

Hoe zit dat precies [redacted] Kan NL voor afschaffing van die uitzondering vragen, dwz: WEL de mogelijkheid laten geven voor lidstaten om verder te gaan dan de minimumcriteria? Je kunt criteria dan strenger klimaatslim, ontbossings- en uitbuitingsvrij maken in Nederland (en andere Amsterdam declaration ondertekenaars?) als die uitzondering geschrapt wordt. Dat lijkt ons - zeker bij een mogelijk magere opbrengst qua criteria - belangrijk voor de inzet in onderhandeling.

We willen nogmaals onderstrepen dat door voortstrijdend inzicht over afgelopen jaren voor vele NGOs op nummer 1 staat:

het snel EU breed uitfasen van de beleidsgedreven vraag naar die biomassa waarvoor LUC en ILUC moeilijk te voorkomen valt, de land-based (met name agro-) biomassa.

Wat ons betreft dus niet of/of, maar en/en met goede duurzaamheidscriteria voor alle biomassa.

Graag tot binnenkort,

Vriendelijke groet van

[REDACTED]
Senior advisor agrocommodity governance
IUCN National Committee of The Netherlands (IUCN NL)
Plantage Middenlaan 2K | 1018 DD Amsterdam, The Netherlands
T +31 20 [REDACTED] (direct) or + 31 20 [REDACTED]
| M +31 6 [REDACTED] | [REDACTED]@iucn.nl | www.iucn.nl
Skype Heleenvandenhombergh

Dit bericht kan informatie bevatten die niet voor u is bestemd. Indien u niet de geadresseerde bent of dit bericht abusievelijk aan u is toegezonden, wordt u verzocht dat aan de afzender te melden en het bericht te verwijderen. De Staat aanvaardt geen aansprakelijkheid voor schade, van welke aard ook, die verband houdt met risico's verbonden aan het elektronisch verzenden van berichten.

This message may contain information that is not intended for you. If you are not the addressee or if this message was sent to you by mistake, you are requested to inform the sender and delete the message. The State accepts no liability for damage of any kind resulting from the risks inherent in the electronic transmission of messages.

Van: [redacted] <[redacted]@minbuza.nl>
Verzonden: vrijdag 2 maart 2018 9:47
Aan: [redacted]
Onderwerp: FW: RED II | antwoorden vragen warmte & koude | Nuon / Vattenfall
Bijlagen: WK 2582 2018 INIT (1).pdf

Opvolgingsmarkering: Opvolgen
Markeringsstatus: Voltooid

Ter info

From: [redacted] (KPE) [[mailto:\[redacted\]@vattenfall.com](mailto:[redacted]@vattenfall.com)]
Sent: vrijdag 2 maart 2018 09:36
To: [redacted]
Cc: [redacted] (KPE)
Subject: RED II | antwoorden vragen warmte & koude | Nuon / Vattenfall

Beste [redacted]

Nu de eerste trilogie zijn geweest, proberen wij zo veel mogelijk ontwikkelingen rond de trilogie op te vangen. Voor de RED II begrijpen we dat de warmte en koude artikelen aanstaande maandag zullen worden behandeld in de werkgroep maandag? Ik stuur ik je graag de voorgestelde antwoorden op de vragen van de raadsvoorzitter over de warmte en koude artikelen, beantwoord door de koepelorganisatie Euroheat and Power, waar wij lid van zijn. De antwoorden worden volledig door Nuon – Vattenfall gesteund. Ik begrijp dat het wat laat is, maar we zouden het erg waarderen als deze inbreng overwogen kan worden in de voorbereiding voor de werkgroep.

Succes deze interessante periode.

Groet,

Amendments / Provisions	EP position	Questions to MS/Presidency suggestions	EHP position
AM 197 Art. 23(1) RES share increase in H&C Art. 24(4) RES share increase in district H&C	EP proposes to set a binding target for annual increase of RES in H&C at the level of 2% and to require public justification for not achieving the target.	Could Member States agree to discuss sectoral targets, such as the ones for H&C and district H&C, in relation to the overall EU RES target?	A specific DHC target is acceptable <u>only</u> as one of the two alternatives in the Article 24 as currently provided in the Council's General Approach.
		Would the Member States agree to issue public justifications in case of non-compliance why such targets could not be achieved?	No EHP position.
AM 198 Art. 23(1) Flexibilities for the RES share increase in H&C AMs 198, 200, 201, 202, 205, 206 regarding waste heat and cold to	EP proposes following flexibilities: a. to calculate the increase as averages over two fixed 5- year periods b. waste heat and cold to count towards the target c. lower level of ppt increase possible in case of 50- 80% of	Provided the remaining text in Article remains as in GA, could we accept the flexibility of a) and b) while propose opt-out for MSs with RES share in H&C above 60% (as in district H&C) and lowering the increase by half for MSs with RES share in H&C of 40%? Can MS accept the references to	The proposal by the Presidency is acceptable – it still provides high flexibility for Member States with high share of RES heat. Answer - YES The Council already

count towards the target	share of RES d. opt-out for MSs with RES share in H&C above 80%	waste heat and cold in following paragraphs?	included in its own version that waste heat should be counted towards the RES heat target, thus it should also be mentioned in the remaining Article 23 paragraphs. Answer - YES
AM 208, 213 Disconnection and switching rights of consumers	EP prefers the original proposal of the COM and extends the provision in Article 24(2) to five years.	Could we accept the extension of the period to five years in article 24(2) while insisting on the text of GA referring to termination of contracts instead of disconnection ?	The Parliament's position is based on the EHP recommendation, thus should be accepted. It will provide more time to inefficient DHC networks to become efficient before the "termination of contracts" obligation applies to them. Answer - YES
AM 210, 211 and 212 Third party supplier access, refusal of it and exemptions from it	EP proposes a refusal of access for suppliers when the DH&C system constitutes an efficient DH&C system. The scope of exemptions are broadened for high efficiency cogeneration.	Could we propose as a matter of compromise to add the possibility for exemptions for high efficiency cogeneration to the wording of the text of the GA?	Exempting high-efficient CHPs from Article 24 has been our position from the very beginning as one of the key exemptions from the potential TPA (Third Party Access). The Council should accept it. Answer - YES

Help save paper! Do you really need to print this email?

Dit bericht kan informatie bevatten die niet voor u is bestemd. Indien u niet de geadresseerde bent of dit bericht abusievelijk aan u is toegezonden, wordt u verzocht dat aan de afzender te melden en het bericht te verwijderen. De Staat aanvaardt geen aansprakelijkheid voor schade, van welke aard ook, die verband houdt met risico's verbonden aan het elektronisch verzenden van berichten.

This message may contain information that is not intended for you. If you are not the addressee or if this message was sent to you by mistake, you are requested to inform the sender and delete the message. The State accepts no liability for damage of any kind resulting from the risks inherent in the electronic transmission of messages.



Council of the European Union
General Secretariat

Brussels, 01 March 2018

WK 2582/2018 INIT

LIMITE

AGRI
CLIMA
CONSOM
ENER
ENV
IND
TRANS

WORKING PAPER

This is a paper intended for a specific community of recipients. Handling and further distribution are under the sole responsibility of community members.

WORKING DOCUMENT

From:	General Secretariat of the Council
To:	Delegations
Subject:	EWP 5/3 - Presidency paper on Renewables

In view of the Energy Working Party on 5 March, delegations will find in the annex a Presidency paper on heating and cooling.

ENERGY WORKING PARTY 5/3

The first political dialogue on the Renewable Energy Directive was held on 27/02. While on some provisions good progress was made, on some issues the Council and the European Parliament (EP) explained their positions and asked for more flexibility from their respective co-legislative counterpart. It was also agreed that a number of questions will be discussed in the technical meetings. First technical meetings are planned for 2nd March and 6th March.

During the EWP on 5/03 the Presidency will first inform the delegation about the outcome of the first political dialogue and the first technical meeting.

With a view to mark swift progress in the negotiations and in order to facilitate preparations of the second technical meeting with the EP, the Presidency would like to put forward for discussions the following items in the area of Heating and Cooling:

Amendments/Provisions	EP position	Questions to MS/PCY suggestions
AM 197 Art. 23(1) RES share increase in H&C Art. 24(4) RES share increase in district H&C	EP proposes to set a binding target for annual increase of RES in H&C at the level of 2% and to require public justification for not achieving the target.	<i>Could Member States agree to discuss sectoral targets, such as the ones for H&C and district H&C, in relation to the overall EU RES target?</i> <i>Would the Member States agree to issue public justifications in case of non-compliance why such targets could not be achieved?</i>
AM 198 Art. 23(1) Flexibilities for the RES share increase in H&C AMs 198, 200, 201, 202, 205, 206 regarding waste heat and cold to count towards the target	EP proposes following flexibilities: a) to calculate the increase as averages over two fixed 5-year periods b) waste heat and cold to count towards the target c) lower level of ppt increase possible in case of 50-80% of share of RES d) opt-out for MSs with RES share in H&C above 80%	<i>Provided the remaining text in Article remains as in GA, could we accept the flexibility of a) and b) while propose opt-out for MSs with RES share in H&C above 60% (as in district H&C) and lowering the increase by half for MSs with RES share in H&C of 40%?</i> <i>Can MS accept the references to waste heat and cold in following paragraphs?</i>

AM 208, 213 Disconnection and switching rights of consumers	EP prefers the original proposal of the COM and extends the provision in Article 24(2) to five years.	<i>Could we accept the extension of the period to five years in article 24(2) while insisting on the text of GA referring to termination of contracts instead of disconnection ?</i>
AM 210, 211 and 212 Third party supplier access, refusal of it and exemptions from it	EP proposes a refusal of access for suppliers when the DH&C system constitutes an efficient DH&C system. The scope of exemptions are broadened for high efficiency cogeneration.	<i>Could we propose as a matter of compromise to add the possibility for exemptions for high efficiency cogeneration to the wording of the text of the GA?</i>

Van: [redacted] (KPN) <[redacted]@nuon.com>
Verzonden: woensdag 13 december 2017 13:34
Aan: [redacted]
CC: [redacted] (KPE); [redacted]; [redacted]
Onderwerp: Nuon/Vattenfall support for multi-stakeholder letter to national Ministers on corporate PPAs
Bijlagen: 171213 Letter to Energy Council on Corporate PPAs.pdf

Beste [redacted]

In het kader van de herziening van de Renewable Energy Directive en in voorbereiding op de Energy Council volgende week, hebben wij op initiatief van o.a. Wind Europe en SolarPower Europe, en samen met een groot aantal bedrijven en organisaties een brief gestuurd naar alle energieministers van de lidstaten. Zie de brief ter info bijgevoegd.

De bedrijven en organisaties roepen met de brief op om:

- the Renewable Energy Directive to play a key role in unlocking the potential of corporate renewable PPAs;
- all regulatory barriers to the development of corporate renewable PPAs - direct or indirect barriers – to be lifted; and
- Member State support for a renewable energy target of at least 35% by 2030.

Dit raakt uiteraard o.a. aan artikel 19 in de RED II over GvO's, zoals ook benoemd in de brief. Mocht de brief aanleiding geven tot vragen dan hoor ik het graag.

Met vriendelijke groet, kind regards,

[redacted]
Regulatory Affairs Advisor

Nuon, a Vattenfall company
Public & Regulatory Affairs

Hoekenrode 8, Amsterdam
Postbus 41920, 1009 DC Amsterdam

Telefoon +31(0)6 [redacted]
www.nuon.com



Minder CO₂-uitstoot is goed voor het milieu. Bekijk hoeveel CO₂-uitstoot we vermijden met Nuon Stadswarmte: <http://co2-reductierapporten.nuon.com/>

DISCLAIMER

Aan de inhoud van dit bericht kunnen alleen rechten ten opzichte van nv Nuon of aan haar gelieerde ondernemingen worden ontleend, indien zij door rechtsgeldig ondertekende stukken worden ondersteund. De informatie in dit e-mailbericht is van vertrouwelijke aard en alleen bedoeld voor gebruik door de geadresseerde(n). Als u een bericht onbedoeld heeft ontvangen, wordt u verzocht de verzender hiervan in kennis te stellen en het bericht te vernietigen zonder van de inhoud kennis te nemen, deze te vermenigvuldigen en/of andersoortig te gebruiken.

[redacted]
Van: [redacted]
Verzonden: dinsdag 17 januari 2017 13:54
Aan: [redacted]; [redacted]; [redacted];
[redacted]; [redacted]; [redacted];
[redacted]; [redacted]; [redacted];
[redacted]; [redacted]; [redacted];

Onderwerp: FW: Input NVDE voor BNC-fiches winterpakket
Bijlagen: 20170113.NVDE reactie EU Winterpakket.docx.pdf

Hierbij positie van de NVDE op het winterpakket

Van: [redacted] [[mailto:\[redacted\]@nvde.nl](mailto:[redacted]@nvde.nl)]
Verzonden: vrijdag 13 januari 2017 16:50
Aan: [redacted]
CC: [redacted]
Onderwerp: Input NVDE voor BNC-fiches winterpakket

Beste [redacted]

Bijgaand tref je, zoals aangekondigd, NVDE's reactie op het 'Winterpakket' van de EU. Mochten er vragen zijn, kun je bij mij terecht.

Vriendelijke groet en alvast een goed weekend,

[redacted]

[redacted]
Public Affairs
06-[redacted]

Nederlandse Vereniging Duurzame Energie | Arthur van Schendelstraat 550 | 3511 MH Utrecht



Betreft: Reactie NVDE op Europees Winterpakket "Clean Energy for All Europeans"

Utrecht, 13 januari 2017

Geachte heer/mevrouw,

De Nederlandse Vereniging Duurzame Energie (NVDE) is de organisatie waarin partijen die actief zijn op het gebied van duurzame energie in Nederland zijn verenigd. Ze vertegenwoordigt circa 1000 bedrijven, netbeheerders en energiecoöperaties. NVDE maakt zich sterk voor een energievoorziening die volledig is gebaseerd op hernieuwbare energie in 2050.

NVDE heeft met belangstelling kennisgenomen van het zgn. EU 'Winterpakket' dat op 30 november is gepresenteerd. Op 20 januari zal Minister Kamp de BNC-fiches naar de Tweede Kamer sturen waarin een eerste oordeel wordt gegeven ten aanzien van de aangekondigde wet- en regelgeving. Graag geeft de NVDE middels deze brief haar inbreng op een aantal regelingen binnen het pakket.

Uiteraard is de NVDE graag bereid tot nadere toelichting. Hiertoe kunt u contact opnemen met [redacted] via [redacted]@nvde.nl of 06 [redacted].

Hoogachtend,

[redacted]
Directeur

1. Renewable Energy Directive (RED) / COM(2016) 767 final

- NVDE is van mening dat het gestelde niveau van 27% hernieuwbaar in 2030 weinig ambitieus is (vorige target uit 2009 was 20% in 2020). Daarbij kun je je afvragen of de gestelde 27% voldoende is om de afspraken van Parijs na te komen.
- Goed dat er een bindend doel is voor hernieuwbare energie maar omdat het hier gaat om een EU breed doel, dat nog moeten worden vertaald naar nationale doelstellingen middels nationale plannen, blijft de vraag hoe de gestelde doelen daadwerkelijk gehaald gaan worden.
- NVDE pleit voor een hogere ambitie voor 2030, waarin ook de klimaatafspraken in Parijs zijn meegenomen:
 - 50% CO₂-reductie t.o.v. 1990, zowel in Europa als in Nederland
 - 33% hernieuwbare energie
 - 20% energiebesparing t.o.v. 2005
- De totstandkoming van duurzaamheidscriteria voor vaste Bio-energie in den brede is een stap voorwaarts. Voor het internationale speelveld is het goed om gelijke duurzaamheidscriteria in Europa te hebben. De Europese voorstellen op dit punt kunnen wij ondersteunen.
- De Directive verplicht geen 'full disclosure' voor alle geleverde elektriciteit (ondanks het streven hiertoe van minister Kamp, zoals genoemd in zijn brief in reactie op de motie Vos/van Tongeren over invoering full-disclosure). NVDE pleit voor full disclosure. Hierdoor wordt voor de consument inzichtelijk wat de herkomst is van de elektriciteit die wordt ingekocht en dit kan hem stimuleren in het maken van duurzame keuzes t.a.v. zijn energiegebruik. NVDE is van mening dat full disclosure het beste tot zijn recht komt als dit op Europees niveau wordt ingevoerd.
- Tevens staat in de Directive dat voor elektriciteit die opgewekt is met behulp van subsidies geldt dat de GvO's niet aan de producent mogen worden verstrekt, maar dat deze geveild moeten worden aan de markt om zo de maatschappelijke kosten voor deze energie te verminderen. Dit kan ertoe leiden dat het voor energieproducenten en energiegebruikers minder aantrekkelijk wordt om (mede) te investeren in duurzame energie. Daarnaast wordt het

dan onmogelijk voor zakelijke en particuliere afnemers om bij een energieleverancier duurzame energie uit een specifieke bron te contracteren, terwijl dit juist verdere verduurzaming stimuleert (bijv. NS deal met Eneco). NVDE pleit er voor dit systeem zo in te richten dat partijen die investeren in duurzame energie hiervoor ook de GvO's kunnen verkrijgen en zelf kunnen 'vermarkten'.

2. Energy Efficiency Directive (EED) / COM(2016) 761 final

- NVDE steunt de meer ambitieuze doelstelling van 30% energiebesparing in 2030. Om verdere neerwaartse druk op de EU ETC prijzen te voorkomen, moeten energy efficiency targets hoger dan 30% worden begeleid door verdere aanpassingen aan het EU ETS.
- In de EED wordt de PEF rekenmethode aangepast (van 2.5 naar 2.0) waardoor elektriciteit aantrekkelijker wordt als energiebron. Waar dit gaat om duurzaam opgewekte elektriciteit, is dit positief en sluit het aan bij de in Nederland voorgestelde normen voor conversie in de EPC.

3. Energy Performance of Buildings Directive (EPBD) / COM(2016) 765 final

- NVDE steunt de focus van de Commissie op versnelling renovaties van bestaande gebouwen aangezien daar de meeste impact en winst te behalen valt.
- In zowel de EED (artikel 7(2e)) als de EPBD (artikel 2) wordt duurzame energie productie voor gebouwen (on-site) gestimuleerd t.o.v. centrale productie.
- In artikel 8 (2,3,4) van de EPBD worden minimale eisen geïntroduceerd voor laadinfrastructuur voor elektrische voertuigen in de gebouwde omgeving. Dit is een goede ontwikkeling. Zonder laadinfrastructuur kan e-mobility zich immers niet ontwikkelen. In de gebouwde omgeving is met name thuis- en op het werk laden belangrijk. Vanaf 2025 geldt voor nieuwe- en gerenoveerde gebouwen dat in: residentiele gebouwen voor gezorgd moet worden met een sterker netwerk dat laden mogelijk maakt (pre-cabeling), en in niet-residentiele gebouwen 1 van 10 parkeerplaatsen een laad punt heeft. Gezien de beperkte kosten van pre-cabeling zou deze datum naar voren geschoven kunnen worden naar 2020. Daarnaast is het de moeite waar om ook voor bestaande gebouwen minimum eisen toe te voegen (e.g. 'a right to charge').
- Het is zeer goed dat artikel 8 duidelijk aangeeft dat: "recharging points should be smart i.e. capable of starting and stopping charging in reaction to price signals". Dit maakt het mogelijk om het laden van auto's te synchroniseren met de productie van duurzame energie, alsmede andere vormen van demand response, op het moment dat wholesale marktprijzen hier een duidelijke trigger voor geven.

4. Regulation market rules for electricity (Wholesale) / COM(2016) 861 final

- Zie punt over GvO's bij Renewable Energy Directive.

5. Directive common rules for market in electricity (Retail) / COM(2016) 864 final

- Het afschaffen van maximumprijzen door lidstaten, en het in rekening brengen van onbalanskosten bij de onbalansveroorzaker helpt om de echte waarde van elektriciteit boven water te krijgen en zodoende contraproductieve middelen zoals capaciteitssubsidie overbodig te maken.
- Middels art 31 krijgt een DSO het recht om flexibiliteit in te kopen. Ook krijgen DSO's de mogelijkheid andere instrumenten (art 32) in te zetten dan alleen het leggen en verzwaren van kabels en leidingen. Hiervoor geldt wel het dit in eerste instantie niet door de DSO zelf gedaan mag worden, maar dat de DSO dit op de markt moeten inkopen (first right of refusal).
- In art 36 van dezelfde Directive staat ten slotte dat DSO's geen eigenaar, ontwikkelaar, manager of exploitant van opslag faciliteiten mogen zijn.
- NVDE pleit er evenals de Commissie voor om de markt te stimuleren om gezamenlijk oplossingen voor laadinfra, opslag en 'demand response' te vinden, en is het derhalve eens

met het voorstel van de commissie om markt de 'first right of refusal' te bieden. En als er geen haalbare marktoplossing voorhanden is, kan de netbeheerder zelf oplossingen ontwikkelen.

6. Regulation on the Governance of the Energy Union / COM(2016) 759 final

- NVDE pleit voor een hogere ambitie voor 2030, waarin ook de klimaatafspraken in Parijs zijn meegenomen:
 - 50% CO₂-reductie t.o.v. 1990, zowel in Europa als in Nederland (EU target = 40%)
 - 33% hernieuwbare energie (EU target is 27%)
 - 20% energiebesparing t.o.v. 2005
- Het voorgestelde rapportage en monitoring raamwerk lijkt gedegen. Goed dat gekozen is voor 5 thema's en rapportage breder is dan een focus op CO₂ reductie. Wat lijkt te missen echter is een rapportage over de voortgang ten aanzien van de klimaatafspraken van Parijs.
- In 2020 worden de nieuwe klimaat en energiedoelen bepaald door de EU. Als het CO₂ doel voor 2030 naar aanleiding hiervan wordt aangepast, zou dit ook haar vertaling moeten vinden naar een aangepaste 2030 doelstelling voor hernieuwbare energie.
- In het voorstel wordt tevens gepleit voor gebruik van nieuw data platform. Dit brengt een enorme investering met zich mee, die wellicht niet nodig is als 'gelijkwaardige' systemen ook worden gehonoreerd. NVDE zou de Nederlandse regering willen vragen er bij de Commissie op aan te dringen hier een voorziening voor op te nemen, om onnodige investeringen te voorkomen.
- Ten slotte zou het verstandig zijn om de Nederlandse Voortgangsrapportage van het Energieakkoord (dat loopt tot 2023) in lijn te brengen met de rapportage voor de EU.

[REDACTED]

Van: [REDACTED]
Verzonden: dinsdag 31 januari 2017 11:45
Aan: [REDACTED]; [REDACTED]
CC: [REDACTED]; [REDACTED]
Onderwerp: Positie Nuon/Vattenfall Winterpakket
Bijlagen: 170111_the EU Winter Package and e-mobility_PRAS.docx

Hoi [REDACTED] en anderen,

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Groet, [REDACTED]

Van: [REDACTED]@nuon.com [mailto:[REDACTED]@nuon.com]
Verzonden: vrijdag 20 januari 2017 16:46
Aan: [REDACTED]
CC: [REDACTED]; [REDACTED]@nuon.com
Onderwerp: RE: contactgegevens ETM

Beste [REDACTED]

Van [REDACTED] begreep ik dat je je actief bezig houdt met de voorstellen van de Europese Commissie die onder de noemer van het 'Winter Package' zijn gedaan.

Een deel van de voorgestelde wetwijzigingen is ook relevant voor e-mobility. Omdat de relevante artikelen nogal verspreid zijn over de verschillende directives, hebben we een overzicht gemaakt met ook een paar verbeter voorstellen.

Mochten jullie er nog een keer over willen sparen dan, kan je contact met mij of [REDACTED] opnemen.

Hartelijke groet en fijn weekend alvast,

[REDACTED]

[REDACTED]
Policy Advisor

PRA & Stakeholder Relations
Corporate Communications

Adress: 10115 Berlin, DE
Visit: Chausseestrasse 23
Mobile: + [REDACTED]
www.vattenfall.com

From: [redacted] [mailto:[redacted]@minez.nl]
Sent: Wednesday, January 18, 2017 4:06 PM
To: [redacted] (KPR)
Cc: [redacted] ([redacted])
Subject: contactgegevens ETM

Hoi [redacted]

In vervolg op ons telefoontje vanochtend stuur ik je in cc het adres van [redacted].

@ [redacted] ik stel je graag even digitaal voor aan [redacted] die voor Nuon het Europese beleidsproces in de gaten houdt. Wij hebben elkaar uitgebreid gesproken over het winterpakket en onderdelen die van belang zijn voor elektrisch vervoer. Wellicht is het waardevol voor jullie om ook op andere thema's van gedachten te wisselen.

Hartelijke groet,

[redacted]
E-Mobility

.....
Ministerie van Economische Zaken
DG Bedrijfsleven en Innovatie
Directie Topsectoren en Industriebeleid

Bezuidenhoutseweg 73 | 2595 AJ | Den Haag
M +31(0) [redacted]
.....

Dit bericht kan informatie bevatten die niet voor u is bestemd. Indien u niet de geadresseerde bent of dit bericht abusievelijk aan u is gezonden, wordt u verzocht dat aan de afzender te melden en het bericht te verwijderen.

De Staat aanvaardt geen aansprakelijkheid voor schade, van welke aard ook, die verband houdt met risico's verbonden aan het elektronisch verzenden van berichten.

This message may contain information that is not intended for you. If you are not the addressee or if this message was sent to you by mistake, you are requested to inform the sender and delete the message.

The State accepts no liability for damage of any kind resulting from the risks inherent in the electronic transmission of messages.

Legislative proposals in the EU 'Winter Package' affecting e-mobility

Analysis (draft – last update January 13th)

Background

On November 30th the EU Commission published its 'Winter Package' that should help to deliver 'Clean energy for all Europeans'. The package is a major compilation of measures to keep the European Union competitive as the clean energy transition is changing global energy markets. The proposals from the EU Commission have three main goals:

- putting energy efficiency first,
- achieving global leadership in renewable energies, and
- providing a fair deal for consumers.

Vattenfall analysis suggests that the measures, when implemented, will trigger: decentral energy generation, increased flexibility, and a further greening of the energy sector.

Main changes relevant for e-mobility:

Several of the measures proposed by the EU Commission in the 'Winter Package' would support the development of e-mobility. It mainly concerns change-proposals to the following directives:

Renewable Energy Directive (RED)

- A **renewables target for the transport sector** (1,5% in 2021 and 6,8% in 2030), in combination with stricter criteria for food- or feedstock based biofuels (max 7% of final energy consumption in 2021 and reducing to 3,8% in 2030), would result in e-mobility with RES-e being favored over biofuels to reach the RES target in the transport sector – RED; Article 7 & 25

Electricity Directive (ED)

- Member States should ensure that **national legislation does not unduly hamper electromobility**, which is an extra trigger for Member States to improve market access for e-mobility – ED; Article 3
- **Restrictions on the DSOs to operate e-mobility infrastructure** and storage facilities, would require DSOs to operate more as neutral market facilitators, and provide less competition to our (commercial) market activities – ED; Article 33
- Additional triggers to **increase the flexibility of the energy system** (also by means of demand response), which will improve the role that e-mobility can play for integrating RES electricity in the energy system – ED and Electricity Regulation

Energy Performance of Buildings Directive (EPBD)

- On-site charging infrastructure for electric vehicles is added to the **definition of a technical building system**, making it possible to include requirements under this Directive on charging infrastructure – EPBD; Article 2
- Also, e-mobility is promoted, by **minimum requirements for charging infrastructure in the build environment**, for new builds and renovated buildings, from 2025 onwards. Residential buildings will have to prepare for electric transport by means of pre-cabling, while in commercial buildings one in every 10 parking spaces will have to be equipped with a charging box, capable of starting & stopping in reaction to price signals – EPBD, Article 8 (2,3,4)

Energy Efficiency Directive (EED)

- In case of the implementation of an obligation scheme, Member States may decide to **include transport fuel distributors or transport fuel retailers** operating in its territory. As electric vehicles have an efficiency that is far over that of conventional vehicles (95% vs. 60% final energy efficiency; tank-to-wheel), switching to e-mobility will make it easier for Member States to reach their annual 1,5% final energy saving target – EED; Article 7a and 7b
- **Electricity becomes more attractive as an energy carrier** by the change of the (EU) Primary Energy Factor from 2,5 to 2,0. This will allow e-mobility to make bigger contributions in terms of energy savings, as the assumed average efficiency of Europe's electricity generation increase from 40% to 50% (1/2,0) - Energy Efficiency Directive, Annex IV

When implemented at the national level as proposed, these new requirements will take effect around 2020 and speed up the roll-out of e-mobility.

All legislative proposal from the Commission that have been released as part of the Winter Package can be accessed under: <https://ec.europa.eu/energy/en/news/commission-proposes-new-rules-consumer-centred-clean-energy-transition>

Vattenfall position:

In general, the changes proposed by the EU Commission will support the market introduction of electric vehicles and can therefore be broadly supported. Some changes can however be made to clarify the text and increase the positive impact of the proposals:

Renewable Energy Directive (RED)

- A **target for the amount of renewable energy used in transport**, will help to drive the development of RES-e powered e-mobility, and can therefore be broadly supported. Equally it is good that the share of bio-energy from food- or feed crops (that does not fulfil the sustainability criteria) can be counted towards the RES-T target is limited. The proposed %-targets in both cases seem however in need of a reconsideration. In comparison with the current 10% renewable energy target for the transport sector in 2020 (RED, article 3), the proposed targets for the period 2021-2030 (1,5% to 6,8%) seem rather low. Contrary, the maximum share of bio-energy from food or feed crops for the period 2021-2020 seem rather high (reducing from 7% in 2020 to 3,8% in 2030). The share of food- and feed crop based biofuels in the EU is currently 4,9% ([link](#))
 - **Proposal:** We would propose that the Commissions reconsiders it's proposed 1,5% target for 2021 and 6,8% target for 2030 and bring them in line with the agreed CO2 reduction targets for the transport sector (20% in 2030 and 60% in 2050). RED; article 25(1)
 - **Proposal:** We doubt if a separate target for advanced bio fuels make sense. Such a target will most likely be too high or too low. We would argue that as long as the sustainability criteria for bio-energy are fulfilled it should be up to the market to decide if the RES-T target for the period 2021-2030 is met by advanced biofuels, RES electricity, or hydrogen from RES sources. The targets for advance biofuels should therefore be scrapped (RED; Article 25(1).
 - **Proposal:** Currently the Fuel Quality Directive (FQD) includes a 10% bio-fuels target and a 6% GHG-reduction target for 2020. The targets under the RED and the FQD should be aligned with each other to avoid overlap and conflicting requirements.
- The RES target for the transport sector should explicitly reward for the **use of renewable electricity in transport**; be it as end-fuel in electric vehicles or as fuel for the 'production' of hydrogen or biofuels. This will also lead to an additional trigger to develop RES-e capacity.

- Proposal: Renewable electricity used in electric vehicles should count towards the RES-T target if equivalent amount of Guarantees of Origin (GOO) of the electricity used are cancelled. Currently this is insufficiently clear (*article 7(3) of the RED*).
- Proposal: To determine the share of renewable electricity used in transport, fuel suppliers should rather take the 'national RES share' and refrain from using the 'average EU RES share' of total electricity production. This is more accurate (*article 25(3) of the RED*).

Energy Efficiency Directive (EED)

- The transport sector consumes about a third of EU energy consumption; mainly in the form of oil. So far, the efficiency gains in the transport sector have been rather limited. This can be changed when **energy efficiency measures also cover the transport sector**. In that way, also the higher efficiency of electric vehicles (~95% efficiency) in comparison to combustion engines (~30% efficiency) can be awarded. Even when fuelled with the average EU electricity mix electric vehicles are about 25% more efficient than their fossil fired counterparts¹.
 - Proposal: Article 7a and 7b of the EED should be amended in such a way that Member States are required to also cover the transport sector when implementing energy efficiency measures. The energy efficiency effect of these measures can then be counted towards their obligation to save 1,5% of final energy per year.
- The **change of the primary energy factor** (from 2,5 to 2,0) in the Annex of the Energy Efficiency Directive, will trigger the use of electricity as an energy carrier (also in transport). It would be even better if this factor is calculated at the national level (per country) and marginal. That would make the factor more accurate and trigger system integration.
 - Proposal: Require Member States to use their own, nationally differentiated, primary energy factor when calculating the energy efficiency benefits from switching to e-mobility (*EED; Annex IV*)

Energy Performance of Buildings Directive (EPBD)

- Without charging infrastructure e-mobility can – and will – not take off. The introduction of **minimum requirements for charging infrastructure in the build environment** (article 8 of the EPBD) can therefore be broadly supported. It should however be avoided that unnecessary cost need to be made. The goal should be to develop charging infrastructure in line with the (actual & expected) amount of electric vehicles on the road, so that the availability of charging infrastructure is not a bottleneck for EV up-take. As most charging is set to take place at work or at home (here vehicles will be parked longest), these are the locations where charging infrastructure should be developed with priority. For new- and renovated buildings, pre-cabling is therefore essential.
 - Proposal: The cost of pre-cabling in the building or renovation phase is substantially lower than when 'thicker' cables need to be added at a later stage. Therefore, the date for pre-cabling can be moved forward to 2020 (where technically feasible and cost effective) (*EPBD; Article 8 (4)*).
 - Proposal: The requirements for charging infrastructure in the build environment can be further improved by (partly) extending them to existing buildings as well. Something like an "EV owner right to recharge" meaning that charging infrastructure

¹ When electric vehicles are not powered by 100% RES electricity, the emissions and efficiency losses from power production also need to be taken into account. Because every country has a different generation mix, these numbers also differ from country to country. In general: the cleaner the electricity, the higher the emission reductions and efficiency improvements. The German Ministry of Environment (BMU) has calculated that CO2 reductions from switching to EVs already now add up to 23%. Vattenfall estimates show that emission reductions in the Netherlands are ~30% (having a higher share of clean gas generation), while Sweden's low CO2 mix achieves emission reductions >80% and primary energy savings of ~40%

in existing buildings needs to be facilitated if it is requested by e-mobility owners.
This is already embedded in for example French law (*EPBD; Article 8 (4)*)

- It is very good that charging boxes are required to be capable of **starting & stopping in reaction to (hourly) price signals**. This is an essential feature to ensure that batteries in electric vehicles can be used for flexibility and demand response actions (if customers agree), in case the supply- and demand balance on wholesale markets delivers triggers for this flexibility to be unlocked. The directive opens a window of opportunity for a giant leap in demand response services and management of reserves and even using electric vehicle batteries as energy storages and buffers, if the final version of the directive is ambitious enough. This has fundamental effect to the flexibility of the energy markets throughout Europe.
 - Proposal: Extend the requirement for charging boxes to be capable of starting & stopping in reaction to (hourly) price signals to all charging infrastructure - *EPBD, Article 8 (4)*

In addition, the development of electric vehicles can be triggered by additional triggers (for example under the electricity directive) that would support developments in the field of **interoperability**. Especially roaming (charging your car at the charging pole of a different operator than you have a contract with) is often still difficult (certainly outside of the Netherlands). According to Vattenfall the short term focus should be on ensuring that every EV-owner can charge at every charging pole the electricity that is offered by the operator of the charging pole. Having more than one operator at a charging pole is currently too expensive/ cumbersome and would deteriorate business cases.

Annex: legislative proposals

Below, the change-proposals from the EU Commission are copy-pasted from the Winter Package documents. Only the articles that are deemed relevant for e-mobility are presented. The analysis in this document is based on these text proposals.

Renewable Energy Directive

http://ec.europa.eu/energy/sites/ener/files/documents/1_en_act_part1_v7_1.pdf

Article 7

Calculation of the share of energy from renewable sources

1. The gross final consumption of energy from renewable sources in each Member State shall be calculated as the sum of:
 - a. gross final consumption of electricity from renewable energy sources;
 - b. gross final consumption of energy from renewable sources for heating and cooling; and
 - c. final consumption of energy from renewable sources in transport.

Gas, electricity and hydrogen from renewable energy sources shall be considered only once in point (a), (b), or (c) of the first subparagraph, for calculating the share of gross final consumption of energy from renewable sources.

Subject to the second subparagraph of Article 26 (1), biofuels, bioliquids and biomass fuels that do not fulfil the sustainability and greenhouse gas emissions saving criteria set out in Article 26(2) to (7) shall not be taken into account.

For the calculation of a Member State's gross final consumption of energy from renewable energy sources, the contribution from biofuels and bioliquids, as well as from biomass fuels consumed in transport, if produced from food or feed crops, shall be no more than 7% of final consumption of energy in road and rail transport in that Member State. This limit shall be reduced to 3,8% in 2030 following the trajectory set out in part A of Annex X. Member States may set a lower limit and may distinguish between different types of biofuels, bioliquids and biomass fuels produced from food and feed crops, for instance by setting a lower limit for the contribution from food or feed crop based biofuels produced from oil crops, taking into account indirect land use change.

2. For the purposes of paragraph 1(a), gross final consumption of electricity from renewable energy sources shall be calculated as the quantity of electricity produced in a Member State from renewable energy sources, including the production of electricity from renewable self-consumers and energy communities and excluding the production of electricity in pumped storage units from water that has previously been pumped uphill.

In multi-fuel plants using renewable and conventional sources, only the part of electricity produced from renewable energy sources shall be taken into account. For the purposes of this calculation, the contribution of each energy source shall be calculated on the basis of its energy content.

The electricity generated by hydropower and wind power shall be accounted for in accordance with the normalisation rules set out in Annex II.

[...] paragraph 3 is left out as they only apply to heating & cooling

3. For the purposes of paragraph 1(c), the following provisions shall apply:
 - (a) The gross final consumption of energy from renewable sources in transport shall be calculated as the sum of all biofuels, biomass fuels and renewable liquid and gaseous transport fuels of non-biological origin consumed in the transport sector. However, renewable liquid and gaseous transport fuels of non-biological origin that are produced from renewable electricity shall only be considered to be part of the calculation pursuant to paragraph 1(a) when calculating the quantity of electricity produced in a Member State from renewable energy sources.
 - (b) For the calculation of gross final consumption of energy in transport the values regarding the energy content of transport fuels, as set out in Annex III, shall be used.,

Article 25

Mainstreaming renewable energy in the transport sector

1. With effect from 1 January 2021, Member States shall require fuel suppliers to include a minimum share of energy from advanced biofuels and other biofuels and biogas produced from feedstock listed in Annex IX, from renewable liquid and gaseous transport fuels of non-biological origin, from waste-based fossil fuels and from renewable electricity in the total amount of transport fuels they supply for consumption or use on the market in the course of a calendar year.

The minimum share shall be at least equal to 1.5% in 2021, increasing up to at least 6.8% in 2030, following the trajectory set out in part B of Annex X. Within this total share, the contribution of advanced biofuels and biogas produced from feedstock listed in part A of Annex IX shall be at least 0.5% of the transport fuels supplied for consumption or use on the market as of 1 January 2021, increasing up to at least 3.6% by 2030, following the trajectory set out in part C of Annex X.

The greenhouse gas emission savings from the use of advanced biofuels and other biofuels and biogas produced from feedstock listed in Annex IX shall be at least 70% as of 1 January 2021.

For the calculation of the shares referred to in the second sub-paragraph, the following provisions shall apply:

- a) for the calculation of the denominator, that is the energy content of road and rail transport fuels supplied for consumption or use on the market, petrol, diesel, natural gas, biofuels, biogas, renewable liquid and gaseous transport fuels of non-biological origin, waste-based fossil fuels and electricity, shall be taken into account;

- b) for the calculation of the numerator, the energy content of advanced biofuels and other biofuels and biogas produced from feedstock listed in Annex IX, renewable liquid and gaseous transport fuels of non-biological origin, waste based fossil fuels supplied to all transport sectors, and renewable electricity supplied to road vehicles, shall be taken into account.

For the calculation of the numerator, the contribution from biofuels and biogas produced from feedstock included in part B of Annex IX shall be limited to 1.7% of the energy content of transport fuels supplied for consumption or use on the market and the contribution of fuels supplied in the aviation and maritime sector shall be considered to be 1.2 times their energy content.

- c) For the calculation of both numerator and denominator, the values regarding the energy content of transport fuels, as set out in Annex III, shall be used. For the determination of the energy content of transport fuels not included in Annex III, the Member States shall use the respective ESOs standards for determination of calorific values of fuels. Where no ESOs standard has been adopted for this purpose, the respective ISO standards shall be used.
2. For the purpose of paragraph 1, Member States shall set up a system allowing fuel suppliers to transfer the obligation set out in paragraph 1 to other fuel suppliers and ensure that all transfers are documented in the national databases referred to in paragraph 4.

3. To determine the share of renewable electricity for the purposes of paragraph 1 either the average share of electricity from renewable energy sources in the Union or the share of electricity from renewable energy sources in the Member State where the electricity is supplied, as measured two years before the year in question may be used. In both cases, an equivalent amount of guarantees of origin issued in accordance with Article 19 shall be cancelled.

The share of renewable energy in liquid and gaseous transport fuels shall be determined on the basis of the share of renewable energy in the total energy input used for the production of the fuel.

For the purposes of this paragraph, the following provisions shall apply:

- a) When electricity is used for the production of renewable liquid and gaseous transport fuels of non-biological origin, either directly or for the production of intermediate products, either the average share of electricity from renewable energy sources in the Union or the share of electricity from renewable energy sources in the country of production, as measured two years before the year in question, may be used to determine the share of renewable energy. In both cases, an equivalent amount of guarantees of origin issued in accordance with Article 19 shall be cancelled. However, electricity obtained from direct connection to an installation generating renewable electricity (i) that comes into operation after or at the same time as the installation producing the renewable liquid and gaseous transport fuel of non-biological origin and (ii) is not connected to the grid, can be fully counted as renewable electricity for the production of that renewable liquid and gaseous transport fuel of non-biological origin.

- b) When biomass is processed with fossil fuels in a common process, the amount of biofuel in the product shall be established applying adequate conversion factors to the biomass input. In case the process yields more than one product, all products stemming from the process shall be assumed to contain the same share of biofuel. The same rules shall apply for the purposes of Article 27(1).
- 4. Member States shall put in place a database enabling tracing of transport fuels that are eligible for counting towards the numerator set out in paragraph 1, point b, and require the relevant economic operators to enter information on the transactions made and the sustainability characteristics of the eligible fuels, including their life cycle greenhouse gas emissions, starting from their point of production to the fuel supplier that places the fuel on the market.
 - c) The database shall include information on the requirement placed on fuel suppliers described in paragraph 1 and how the requirement is fulfilled.
 - d) The national databases shall be interlinked so as to allow transactions of fuels between Member States to be traced. In order to ensure the compatibility of national databases, the Commission shall set out technical specifications of their content and use by means of
 - e) implementing acts adopted in accordance with the examination procedure referred to in Article 31.
- 5. Member States shall report on the aggregated information from the national databases, including fuels' life cycle greenhouse gas emissions, in accordance with Annex VII of Regulation [Governance].
- 6. The Commission is empowered to adopt delegated acts in accordance with Article 32 to further specify the methodology referred to in paragraph 3(b) of this Article to determine the share of biofuel resulting from biomass being processed with fossil fuels in a common process, to specify the methodology for assessing greenhouse gas emission savings from renewable liquid and gaseous transport fuels of non-biological origin and waste-based fossil fuels and to determine minimum greenhouse gas emission savings required for these fuels for the purpose of paragraph 1.
- 7. By 31 December 2025, in the context of the biennial assessment of progress made pursuant to the Regulation [Governance], the Commission shall assess whether the obligation laid down in paragraph 1 effectively stimulates innovation and promotes greenhouse gas savings in the transport sector, and whether the applicable greenhouse gas savings requirements for biofuels and biogas are appropriate. The Commission shall, if appropriate, present a proposal to modify the obligation laid down in paragraph 1.

Electricity Directive:

http://ec.europa.eu/energy/sites/ener/files/documents/1_en_act_part1_v7_864.pdf

Article 3

Competitive, consumer-centered, flexible and non-discriminatory electricity market

1. Member States shall ensure that their national legislation does not unduly hamper cross-border flows of electricity, consumer participation including through demand-side response, investments into flexible energy generation, energy storage, the deployment of electro-mobility or new interconnectors, and that electricity prices reflect actual demand and supply.
2. Member States shall ensure that no undue barriers exist for market entry and market exit of electricity generation and electricity supply undertakings.

Article 33

Integration of electro-mobility into the electricity network

1. Member States shall provide the necessary regulatory framework to facilitate the connection of publicly accessible and private recharging points to the distribution networks. Member States shall ensure that distribution system operators cooperate on a non-discriminatory basis with any undertaking that owns, develops, operates or manages recharging points for electric vehicles, including with regard to connection to the grid.
2. Member States may allow distribution system operators to own, develop, manage or operate recharging points for electric vehicles only if the following conditions are fulfilled:

- a) other parties, following an open and transparent tendering procedure, have not expressed their interest to own, develop, manage or operate recharging points for electric vehicles;
 - b) the regulatory authority has granted its approval.
3. Articles 35 and 56 shall apply to distribution system operators engaged in ownership, development, operation or management of recharging points.
 4. Member States shall perform at regular intervals or at least every five years a public consultation in order to re-assess the potential interest of market parties to own, develop, operate or manage recharging points for electric vehicles. In case the public consultation indicates that third parties are able to own, develop, operate or manage such points, Member States shall ensure that distribution system operators' activities in this regard are phased-out.

Energy Performance of Buildings Directive:

http://ec.europa.eu/energy/sites/ener/files/documents/1_en_act_part1_v10.pdf

Article 2

point 3 is replaced by the following:

3. 'technical building system' means technical equipment for space heating, space cooling, ventilation, domestic hot water, built-in lighting, building automation and control, on-site electricity generation, on-site infrastructure for electro-mobility, or a combination of such systems, including those using energy from renewable sources, of a building or building unit;

Article 8

is amended as follows:

- (a) in paragraph 1, the third subparagraph is deleted;
- (b) paragraph 2 is replaced by the following:

2. Member States shall ensure that in all new non-residential buildings and in all existing non-residential buildings undergoing major renovation with more than ten parking spaces, at least one of every ten is equipped with a recharging point within the meaning of Directive 2014/94/EU on the deployment of alternative fuels infrastructure, which is capable of starting and stopping charging in reaction to price signals. This requirement shall apply to all non-residential buildings, with more than ten parking spaces, as of 1 January 2025.
3. Member States may decide not to set or apply the requirements referred to in the previous subparagraph to buildings owned and occupied by small and medium-sized enterprises as defined in Title I of the Annex to Commission Recommendation 2003/361/EC of 6 May 2003.
4. Member States shall ensure that newly built residential buildings and those undergoing major renovations, with more than ten parking spaces, include the pre-cabling to enable the installation of recharging points for electric vehicles for every parking space.
5. Member States may decide not to set or apply the requirements referred to in paragraphs 2 and 3 to public buildings which are already covered by Directive 2014/94/EU.

Energy Efficiency Directive:

http://ec.europa.eu/energy/sites/ener/files/documents/1_en_annexe_proposition_part1_v13.pdf

Article 7a

Add article

Annex IV

Footnote 3 is replaced by the following

3. Applicable when energy savings are calculated in primary energy terms using a bottom-up approach based on final energy consumption. For savings in kWh electricity Member States may apply a default coefficient of 2,0. Member States may apply a different coefficient provided they can justify it.'.

Van: [redacted]
Verzonden: donderdag 7 december 2017 9:13
Aan: Secretariaat E&I; [redacted]
Onderwerp: RE: brandstofbrief 177 wetenschappers
Bijlagen: Brandstofbrief-Letter-Biofuels 1-12 final.pdf

Opvolgingsmarkering: Opvolgen
Markeringsstatus: Voltooid

-----Oorspronkelijk bericht-----

Van: Secretariaat E&I
Verzonden: woensdag 6 december 2017 16:44
Aan: [redacted]
Onderwerp: RE: brandstofbrief 177 wetenschappers

-----Oorspronkelijk bericht-----

Van: [redacted]
Verzonden: dinsdag 5 december 2017 10:29
Aan: Secretariaat E&I
Onderwerp: FW: brandstofbrief 177 wetenschappers

-----Oorspronkelijk bericht-----

Van: MinisterEZK
Verzonden: maandag 4 december 2017 10:37
Aan: Secretariaat DG ETM
Onderwerp: FW: brandstofbrief 177 wetenschappers

-----Oorspronkelijk bericht-----

Van: [redacted] [mailto:[redacted]@wur.nl]
Verzonden: zaterdag 2 december 2017 8:02
Aan: MinisterEZK
Onderwerp: brandstofbrief 177 wetenschappers

Geachte heer [redacted]

Bijgaand vind u onze open brief aan de regering over het biobrandstofbeleid. Ook stuur ik u twee links naar de artikelen die daarover vandaag in Trouw verschijnen. 177 Wetenschappers roepen u daarin op om u in te zetten voor een zo spoedig mogelijk einde aan het gebruik van voedselgewassen voor biobrandstof.

Pleidooi voor verbod op voedselgewas als 'groene' brandstof <https://www.trouw.nl/groen/pleidooi-voor-verbod-op-voedselgewas-als-groene-brandstof~a9b8b357/>

Olie uit planten in je tank, is dat wel oké? <https://www.trouw.nl/groen/olie-uit-planten-in-je-tank-is-dat-wel-oke~a5193af2/>

Wij hopen dat u onze inbreng mee kunt nemen in de besluitvorming over het biobrandstofbeleid in Europa, waarover u op 18 december spreekt met uw collega's tijdens de Europese Energieraad. We horen graag uw reactie.

Hoogachtend,

[Redacted]

[Redacted]

[Redacted] Anthropology of law and development Wageningen University
[Redacted] [@wur.nl](mailto:[Redacted]@wur.nl) <[mailto:\[Redacted\]@wur.nl](mailto:[Redacted]@wur.nl)>

Van: [redacted] @minbuza.nl>

Verzonden: woensdag 24 mei 2017 17:42

Aan: [redacted]; [redacted]; [redacted];

CC: [redacted]; [redacted] Minbuza

Onderwerp: RE: gesprek CEFIC

Groeten,

Governance Regulation

Renewable Energy Directive (RED)

- [redacted]
[redacted]
[redacted]

[REDACTED]

Help save paper! Do you really need to print this email?

Dit bericht kan informatie bevatten die niet voor u is bestemd. Indien u niet de geadresseerde bent of dit bericht abusievelijk aan u is toegezonden, wordt u verzocht dat aan de afzender te melden en het bericht te verwijderen. De Staat aanvaardt geen aansprakelijkheid voor schade, van welke aard ook, die verband houdt met risico's verbonden aan het elektronisch verzenden van berichten.

This message may contain information that is not intended for you. If you are not the addressee or if this message was sent to you by mistake, you are requested to inform the sender and delete the message. The State accepts no liability for damage of any kind resulting from the risks inherent in the electronic transmission of messages.

Van: [redacted] (KPN) <[redacted]@nuon.com>
Verzonden: woensdag 9 augustus 2017 15:06
Aan: [redacted]; [redacted]
CC: [redacted] (KPE)
Onderwerp: RE: Nuon/Vattenfall - EZ over RED2
Bijlagen: 20170707 Brief Nuon aan Cie EZ nav rondetafelgesprek 27 juni 2017.pdf; 20170621 Position paper NUON tbv reader afschaffing gasaansluitplicht ni....pdf; 1. PwC mei 2015 Mogelijkheden voor Third Party Access op warmtenetten.pdf; Schriftelijke inbreng Nuon transitiepad Kracht en licht
Opvolgingsmarkering: Opvolgen
Markeringsstatus: Voltooid

Beste [redacted] en [redacted]

Nogmaals dank voor het prettige gesprek eerder vandaag.

Zoals beloofd sturen wij jullie hierbij de brief die vanuit Nuon is verstuurd aan de vaste Kamercommissie voor Economische Zaken, naar aanleiding van het rondetafelgesprek over de gasaansluitplicht van 27 juni. In deze brief gaan wij in op de conclusies van een aantal rapporten over 'open warmtenetten'. Bijgevoegd tevens ons position paper dat wij hebben opgesteld voorafgaand aan het rondetafelgesprek (met ook hierin enkele alinea's over het openstellen van warmtenetten) én één van de betreffende rapporten, namelijk van PwC (in opdracht van Nuon). Indien gewenst kunnen we ook de overige rapporten toesturen, maar voor nu hou ik de hoeveelheid leesvoer en het aantal MB's even beperkt;-)

Ook sturen wij hierbij ter info onze schriftelijke input voor het transitiepad Kracht en licht.

Hartelijke groet,

[redacted]
Regulatory Affairs Advisor

Nuon, a Vattenfall company
Public & Regulatory Affairs

Hoekenrode 8, Amsterdam
Postbus 41920, 1009 DC Amsterdam

Telefoon +31(0)6 [redacted]
www.nuon.com

 **Minder CO₂-uitstoot is goed voor het milieu. Bekijk hoeveel CO₂-uitstoot we vermijden met Nuon Stadswarmte:** <http://co2-reductierapporten.nuon.com/>

DISCLAIMER

Aan de inhoud van dit bericht kunnen alleen rechten ten opzichte van nv Nuon of aan haar gelieerde ondernemingen worden ontleend, indien zij door rechtsgeldig ondertekende stukken worden ondersteund.

De informatie in dit e-mailbericht is van vertrouwelijke aard en alleen bedoeld voor gebruik door de geadresseerde(n). Als u een bericht onbedoeld heeft ontvangen, wordt u verzocht de verzender hiervan in kennis te stellen en het bericht te vernietigen zonder van de inhoud kennis te nemen, deze te vermenigvuldigen en/of andersoortig te gebruiken.

-----Original Appointment-----

From: [redacted] ([mailto:\[redacted\]@minez.nl](mailto:[redacted]@minez.nl))

Sent: Wednesday, August 02, 2017 1:25 PM

To: [redacted]; [redacted]; [redacted] (KPN); [redacted] (KPE)

Subject: Nuon/Vattenfall - EZ over RED2

When: woensdag 9 augustus 2017 11:00-12:30 (UTC+01:00) Amsterdam, Berlijn, Bern, Rome, Stockholm, Wenen.

Where: storkzaal, EZ

Dit bericht kan informatie bevatten die niet voor u is bestemd. Indien u niet de geadresseerde bent of dit bericht abusievelijk aan u is gezonden, wordt u verzocht dat aan de afzender te melden en het bericht te verwijderen.

De Staat aanvaardt geen aansprakelijkheid voor schade, van welke aard ook, die verband houdt met risico's verbonden aan het elektronisch verzenden van berichten.

This message may contain information that is not intended for you. If you are not the addressee or if this message was sent to you by mistake, you are requested to inform the sender and delete the message.

The State accepts no liability for damage of any kind resulting from the risks inherent in the electronic transmission of messages.



69a

Part of VATTENFALL

Postbus 41920, 1009 DC

Cie.ez@tweedekamer.nl

Public & Regulatory Affairs
N.V. Nuon Energy
nuon.nl

facebook.com/nuon
twitter.com/nuon

Contact

@nuon.com
+31 6

Locatiecode 1AA1400
Bezoekadres Hoekenrode 8
1102 BR
Postbus 41920
1009 DC

Datum
7 juli 2017

Open warmtenetten voor wat betreft hernieuwbare bronnen, geen splitsing van levering en distributie van warmte aan eindgebruikers

Geachte leden van de vaste Kamercommissie voor Economische Zaken,

Zoals afgesproken tijdens het rondetafelgesprek 'schrappen gasaansluitplicht voor nieuwbouwwijken' van 27 juni jl., zend ik u hierbij – in de bijlage – de beloofde rapporten over open warmtenetten. Het betreft een vijftal rapporten van respectievelijk PwC, Berenschot, Ecofys, CE Delft e.a. en Ecorys. Verderop in deze brief worden de boodschappen uit die rapporten kort weergegeven.

Bij warmtenetten onderscheidt men de volgende rollen in de waardeketen:

- warmte productie;
- grootschalig warmtetransport via warmtetransportnetten;
- warmtedistributie via warmtedistributienetten; en
- levering aan eindgebruikers (consumenten en zakelijke klanten).

Bij open warmtenetten wordt gesproken over twee soorten van openheid, ook wel derdentoegang (Third Party Access, kortweg 'TPA') genoemd:

1. TPA 1: toegang voor warmte producenten tot het warmtenet; en
2. TPA 2: toegang voor zowel warmte producenten als verschillende warmteleveranciers tot het warmtenet.

Gebaseerd op onder andere deze rapporten en onze ervaringen in het buitenland (Duitsland, Zweden) heb ik tijdens het rondetafelgesprek gesteld dat:

- a) distributie en levering van warmte aan eindgebruikers niet goed kan worden ontkoppeld/gesplitst (waardoor TPA 2 niet haalbaar is) en moet worden overgelaten aan marktpartijen; en
- b) wij onze warmtenetten openstellen voor hernieuwbare warmtebronnen van derden (producenten), zijnde TPA 1.

A) Distributie en levering van warmte aan eindgebruikers zijn diensten die niet goed ontkoppeld (gesplitst) kunnen worden en dit kan het beste worden overgelaten aan marktpartijen

Wat betreft de mogelijkheden voor een open warmtemarkt

- zegt het rapport van PwC dat **toegang tot het net voor producenten (TPA 1) een aantrekkelijk model** kan zijn voor grote netten met veel warmteafzet (omvang vanaf ca. 250.000 eindverbruikers). PwC ziet

gezien de karakteristieken van warmtenetten **geen mogelijkheden voor een volledige opening van het net (TPA 2) waarbij consumenten zelf een warmteleverancier kunnen kiezen**. Dit wordt ondersteund door buitenlandse ervaringen in Kopenhagen, München, Stockholm en Warschau, waarbij volledige netwerktoegang (TPA 2) eigenlijk niet voorkomt.

- zegt het rapport van Berenschot dat 'naar mate de omvang toeneemt' er ruimte ontstaat voor invoering van TPA, te beginnen in de *wholesale* markt voor **warmteproducenten (TPA 1) en mogelijk ook grotere verbruikers**. Op het niveau van de kleinverbruikers ligt dat vooralsnog anders. Een keuze voor **verschillende warmteleveranciers in de retailmarkt (TPA 2) is vooral in kleinere en middelgrote warmtenetten niet aan de orde**.
- zegt het rapport van Ecofys dat een **sterkere vorm van TPA voor producenten (TPA 1) mogelijk lijkt, mits de huidige omvang van de netten wordt vergroot**. Ecofys spreekt hierbij de voorkeur uit voor *verplichte negotiated TPA* (onderhandelde toegang) op die grotere netten. Het bereiken van meer keuzevrijheid voor afnemers door een sterkere vorm van **TPA voor warmteleveranciers (TPA 2) lijkt volgens Ecofys niet haalbaar**.
- zegt het rapport van CE Delft e.a. dat voor Zuid-Holland zou moeten worden gekozen voor een **marktmodel dat uitgaat van een vorm van nettoegang voor producenten (TPA 1) en grote verbruikers (professionele marktpartijen)**. Dit rapport gaat tevens in op de inrichting van de eindverantwoordelijkheid voor de leverings- en voorzieningszekerheid op het grote warmtetransportnet.
- Zegt het rapport van Ecorys dat er **geen aanwijzingen zijn dat de inzet van de instrumenten regelgeving en toezicht bij warmtebedrijven tot slechtere uitkomsten leidt dan het instrument van publiek eigendom**. Het rapport concludeert daarnaast dat het onwenselijk is om eigendomssplitsing van alle warmtenetten te verplichten.
- attendeer ik u er ook op dat de Autoriteit Consument & Markt (ACM) in haar 'Afwegingskader uitbreiding rollen netbeheer en netwerkbedrijf onder VET' d.d. 1 maart 2017 opmerkt dat er **geen reden is voor het toekennen van een nieuwe taak aan netbeheerders, of het toestaan van een nieuwe taak aan netwerkbedrijven, wanneer de markt die activiteit ontplooit**. In het geval van de warmtevoorziening doet de markt zijn werk. Volgens dit afwegingskader dient de distributie en levering van warmte aan eindgebruikers daarom te worden overgelaten aan marktpartijen.

Verantwoordelijkheid voor de warmtevoorziening in een open warmtemarktmodel

In de situatie dat de warmteketen gesplitst wordt en de rollen van productie, transport, distributie en levering aan eindgebruikers uit elkaar worden getrokken, zal overwogen moeten worden welke partij verantwoordelijk is voor het functioneren van de hele keten. Als de leverancier niet zeker is van transport/distributie en kwaliteit (o.a. temperatuur) van de door haar ingekochte warmte kan zij voor de levering niet meer garant staan.

In de gas- en elektriciteitssector is die verantwoordelijkheid bij de volledige marktopening door de wetgever gelegd bij de onafhankelijke landelijke systemoperator (TenneT, GTS) en is een complex systeem van 'programmaverantwoordelijkheid' van alle producenten en leveranciers ingevoerd. Dat is uitvoerbaar, omdat er op het landelijke gas- en elektriciteitsnet voldoende, met elkaar concurrerende bronnen zijn die op- en afgeschakeld kunnen worden op last van de netbeheerder. In de gasvoorziening is dit al minder eenvoudig dan in de elektriciteitsvoorziening omdat het aantal bronnen geringer is en transportafstand ook een belangrijke rol speelt in die markt. De landelijke netbeheerders hebben voor de balancerende van vraag en aanbod en de kwaliteitsbewaking zeer gedetailleerde wettelijke bevoegdheden en plichten.

Daarentegen, in de warmtemarkt zijn er veel (zeer) kleine netten met weinig bronnen (meestal maar één). Bij hele grote netten met veel met elkaar concurrerende bronnen – zoals mogelijk voorzien in Zuid-Holland – zou misschien functiesplitsing aan productiezijde kunnen worden uitgevoerd. Maar ook daar dient bij scheiding van de functies de verantwoordelijkheid voor de warmtevoorziening volkomen helder te zijn, om zekerheid aan



investeerders (o.a. banken, pensioenfondsen) in de warmtemarkt te kunnen bieden en de levering aan de eindgebruikers te kunnen blijven garanderen. Het legt dus een grote verantwoordelijkheid neer bij de partij die voor die leveringszekerheid moet zorgen (in de huidige situatie is dat de leverancier), maar vergt tegelijkertijd ook voldoende speelruimte in de markt. Dit kan niet zomaar 'opgepakt' worden door een of meer van de bestaande gas- of elektriciteitsnetbeheerders of de aan hen gelieerde netwerkbedrijven vanwege de Splitsingswet. De wet zou dan gewijzigd moeten worden door voor de honderden individuele warmtenetten een exclusieve systeemverantwoordelijke partijen aan te wijzen en in te richten met streng gereguleerde en afgebakende wettelijke bevoegdheden (zoals voor gas en elektriciteit geregeld voor TenneT en GTS). De hoge kosten die dit met zich meebrengt, zullen uiteindelijk - wie ook zou worden aangewezen - door de warmteverbruikers gedragen moeten worden.

Mocht u nog vragen of anderszins hebben, dan zijn we graag bereid een en ander nader toe te lichten in een gesprek.

Met vriendelijke groet,


Directeur Nuon Warmte & Nuon Productie

- Bijlagen:
- 'De mogelijkheden voor TPA op warmtenetten', door PwC in opdracht van Nuon (mei 2015)
 - 'Verduurzaming gebouwde omgeving door open warmtenetten', door Berenschot in opdracht van Alliander DGO (juli 2015)
 - 'Een evaluatie van open warmtenetten', door Ecofys in opdracht van Eneco (oktober 2015)
 - 'Warmte in alle openheid, een warmtemarkt in Zuid-Holland', door CE Delft e.a. (november 2015)
 - 'Evaluatie Warmtewet en toekomstig marktontwerp warmte', door Ecorys in opdracht van het Ministerie van Economische Zaken (februari 2016) – zowel het gehele rapport als een los document met geselecteerde relevante passages

 @tweedekamer.nl

Datum
21 juni 2017

Inbreng reader voor rondetafelgesprek schrappen gasaansluitplicht d.d. 27 juni 2017

1. Afschaffing gasaansluitplicht bij nieuwbouw is belangrijke stap in de verduurzaming

Nuon juicht het van harte toe dat de door de Minister voorgestelde stap per 1 januari aanstaande wordt gezet; de afschaffing van de gasaansluitplicht draagt bij aan het terugdringen van de uitstoot van broeikasgassen in de gebouwde omgeving en het maakt Nederland op termijn minder afhankelijk van aardgas.

Wij denken dat het de uitfasering van aardgas ten goede komt wanneer gemeenten de bevoegdheid krijgen gebieden aan te wijzen waar de gasaansluitplicht voor nieuwbouw *niet* geldt. Dit betekent dat er voor nieuwbouwwijken kansen ontstaan om te kiezen voor alternatieve warmteoplossingen, bijvoorbeeld het gebruik van warmtepompen (*all electric*) of warmtenetten. Bij nieuwbouw speelt de huidige (energieprestatiecoëfficiënt, EPC) en toekomstige (bijna-energie-neutrale-gebouwen, BENG) energieprestatieregelgeving een belangrijke rol bij de te kiezen warmtevoorziening. Wij zijn van mening dat **deze regelgeving technologie-neutraal zou moeten uitwerken. Het moet daarom mogelijk worden om warmte van een hernieuwbare warmtebron toe te wijzen ('alloceren') aan een specifieke (nieuwbouw)wijk.**

2. Marktpartijen kunnen vol inzetten op de warmtetransitie in de gebouwde omgeving wanneer er een gelijk speelveld tussen technologieën en aanbieders is

Door een gelijk speelveld tussen technologieën én aanbieders van warmteoplossingen komen de meest kostenefficiënte en duurzame warmteoplossingen bovendien. Bovendien zorgt het voor innovatie. Dit blijkt uit de diverse producten en diensten die de markt aanbiedt op het gebied van energiebesparing, (hybride) warmtepompen en de aanleg van warmtenetten. Nuon verkent bijvoorbeeld de mogelijkheid van ultradiepe geothermie als duurzame warmtebron in de Metropoolregio Amsterdam. Daarnaast **stellen wij, als matchmaker van vraag en aanbod van warmte, onze warmtenetten open voor hernieuwbare bronnen van derden om onze warmtenetten verder te verduurzamen.**

De Minister heeft zich nog niet expliciet uitgesproken over de vraag wie in de toekomst de warmtenetten dient te beheren, maar heeft wel duidelijk gemaakt dat marktverstoring gedrag door netbeheerders en netwerkbedrijven (commerciële bedrijven in de groep van de netbeheerder) moet worden voorkomen.¹ **Ook wat Nuon betreft dient de rol van netwerkbedrijven afgebakend te worden om marktverstoring te voorkomen.**

Distributie en levering van warmte aan eindgebruikers moet worden overgelaten aan marktpartijen. In dat kader wijst Nuon op het 'Afwegingskader uitbreiding rollen netbeheer en netwerkbedrijf onder VET' d.d. 1 maart 2017 van de Autoriteit Consument & Markt (ACM). Uit dit afwegingskader volgt dat er geen reden is voor het toekennen van een nieuwe taak aan netbeheerders, of het toestaan van een nieuwe taak aan netwerkbedrijven, wanneer de markt die activiteit oppakt. In het geval van de warmtevoorziening doet de markt zijn werk.

¹ "Hierbij is een duidelijke afbakening van activiteiten van netwerkbedrijven ten opzichte van andere bedrijven van belang om marktverstoring gedrag te voorkomen en bij te dragen aan een goede voedingsbodem voor de energietransitie." (Kamerstukken II 2016-2017, 34 627, nr. 12, p. 17).

3. *Bestaande bouw: lokaal georganiseerde en technologie-neutrale verduurzaming mét draagvlak*

De grootste en meest complexe uitdaging in het klimaatneutraal maken van huizen en gebouwen ligt in de **bestaande bouw**. De overgang van aardgas naar duurzamere warmteoplossingen kan een grote verandering voor bewoners en bedrijven betekenen. Een overstap naar een *all electric*-oplossing vereist bijvoorbeeld vergaande isolatie, een lage-temperatuurafgiftesysteem, de aanschaf en plaatsing van een warmtepomp en niet meer koken op aardgas. Vanwege de kenmerken en ouderdom van sommige huizen, gebouwen en wijken ligt een *all electric*-oplossing niet overal voor de hand. Ook is een warmtenet niet overal mogelijk, bijvoorbeeld in dunbevolkte gebieden of stedelijke gebieden waar geen (duurzame) warmtebronnen voorhanden zijn. Voor onze klanten die nu aardgas gebruiken is van belang dat zij voor een andere warmteoplossing niet méér hoeven te betalen en/of inboeten op gemak en comfort. Het is daarom van belang om bewoners en bedrijven nauw te betrekken bij de keuzes die samenhangen bij de verduurzaming van de bestaande bouw, immers maatschappelijk draagvlak is essentieel. Het zou raadzaam zijn een **'warmtetransitiefonds'** op te zetten waarmee de **warmtetransitie in de gebouwde omgeving kan worden ondersteund**. Nuon is daarnaast voorstander van het **stimuleren van de warmtetransitie in de bestaande bouw via marktconforme prijsprikkels**.

De warmtetransitie dient lokaal/regionaal en technologie-neutraal georganiseerd te worden binnen **nationaal gestelde (afwegings)kaders**. Hierbij heeft de gemeente een vastgelegde regierol, overlegt zij met wijkbewoners en woningcorporaties, en coördineert zij het proces om te komen tot een duurzame energie-infrastructuur in een wijk. Dit kan plaatsvinden via **lokale tenders, waarbij wij het belangrijk vinden dat marktpartijen al in het eerste stadium van het traject worden betrokken**. Daarbij zou de definitieve keuze voor een techniek niet al vooraf gemaakt moeten worden, maar op basis van de aanbiedingen van marktpartijen in reactie op een tenderuitvraag van de gemeente.

Nuon is van mening dat **regionale netbeheerders een faciliterende rol dienen te spelen** door informatie vrij te geven over: a) benodigde netverzwaringen (in geval van een *all electric* oplossing), b) de ouderdom van lokale gasnetten (met het oog op de bepaling van logische transitie momenten), en c) de mogelijkheden van infrastructuur voor groengas of waterstof. Een goed voorbeeld bij b) zijn de gasvervangingsdata die netbeheerder Stedin op haar website publiceert.

4. *Marktordening alléén aanpassen als dit ten dienste is van publieke belangen en warmtetransitie*

Voor warmtenetten is een belangrijke rol weggelegd in de energietransitie. Momenteel wordt er nagedacht over een wijziging van de marktordening bij warmte. Volgens Nuon zou de marktordening moeten bijdragen aan de publieke belangen **betaalbaarheid, betrouwbaarheid en duurzaamheid**. Tegen die achtergrond is dit - naast de eerdere opmerkingen over de rol van de netbeheerder en netwerkbedrijven - onze mening:

- **Er is geen reden om de distributie(netten) en levering van stadswarmte te splitsen.** Naast de technische uitdagingen die hierbij komen kijken - vanwege de aard van het product en de grote diversiteit aan warmtenetten in Nederland - zal dit tot kostenstijgingen leiden vanwege minder ketenoptimalisatie. Dat komt de betaalbaarheid van warmte niet ten goede. Ook blijkt uit de praktijk dat een zelfstandige/losse leveranciersrol niet levensvatbaar is. De beoogde concurrentie tussen leveranciers op het distributienet zal daarom niet van de grond komen. **Concurrentie om het net via een tender is daarom een effectievere aanpak dan concurrentie op het net.**
- **(Duurzame) warmtebronnen moeten toegang hebben tot het warmtenet** (dit is ook opgenomen in het wetsvoorstel wijziging Warmtewet²). Op die manier worden warmtenetten verder verduurzaamd en kunnen consumenten kiezen voor warmte van een specifieke warmtebron.
- **De reeds ingezette groei van het aantal aansluitingen op warmtenetten kan verder versnellen als knelpunten weggenomen worden voor de financiering van nieuwe warmtetransportnetten.** Dat zijn

² Kamerstukken II 2016-2017, 34 723, nr. 2.

netten die nieuwe warmtebronnen en (nieuwe) distributienetten van leveranciers (of distributienetten onderling) met elkaar verbinden (zoals de Warmteronde Zuid-Holland).

- **Socialiseren zoals bij elektriciteit en gas gebeurt in essentie ook al bij warmtenetten.** Voor gas en elektriciteit apart worden namelijk de kosten gesocialiseerd over aangeslotenen binnen het verzorgingsgebied van de individuele netbeheerder; Nuon doet dit op een vergelijkbare wijze over haar warmtenetten. **Wij zijn geen voorstander van een vorm van socialisatie waarbij alle infrastructurele kosten (voor gas, elektriciteit en warmte) samen worden genomen en omgeslagen, omdat daarmee het uitgangspunt van kostenoriëntatie wordt verlaten en er jaarlijks miljarden euro's tussen organisaties moet worden verrekend. Wij zijn wel voorstander van een vorm van socialisering/verdeling van kosten via een warmtetransitiefonds.**
- **Meer duidelijkheid is nodig met betrekking tot het gereguleerde én het ongereguleerde deel van de eenmalige aansluitbijdrage (als gevolg van het wetsvoorstel wijziging Warmtewet).** De huidige toelichting zorgt namelijk voor grote onzekerheid en dit heeft een blokkerend effect op de verduurzaming van de gebouwde omgeving. De eenmalige bijdrage is essentieel voor het sluitend krijgen van business cases van nieuwe en geplande projecten.


Directeur Nuon Warmte & Nuon Productie

Van: [redacted] (KPN) <[redacted]@nuon.com> namens [redacted]
[redacted] (KPN) [redacted]@nuon.com>
Verzonden: maandag 7 augustus 2017 11:58
Aan: [redacted]; [redacted]; [redacted]@minienm.nl;
[redacted]@minienm.nl
CC: [redacted]; [redacted]; [redacted]; [redacted]
[redacted] (KPN)
Onderwerp: Schriftelijke inbreng Nuon transitiepad Kracht en licht
Bijlagen: 20170804 Inbreng Nuon op Transitiepad Kracht en Licht.pdf

Beste kwartiermakers,

De energietransitie ligt ons na aan het hart en zeker in de elektriciteitssector zien we veel kansen en veranderingen. We konden het zodoende naast de zeer gewaardeerde mogelijkheid tot dialoog en deelname aan de stakeholdersessies, niet laten om onze gedachten ook op papier te zetten. Die vinden jullie daarom in deze e-mail bijgevoegd. Vanuit Nuon hebben verschillende collega's hieraan bijgedragen, voor vragen is [redacted] aanspreekpunt.

Succes met de 10-pager en tot in september weer.

Hartelijke groet,

[redacted]
Director Public & Regulatory Affairs
Nuon, Part of Vattenfall

Bezoekadres: Hoekenrode 8, 1102 BR Amsterdam
Afleveradres: Foppingadreef 12, 1102 BS Amsterdam
PAC 1AA1400
Telefoon: +31(0) [redacted]
<http://www.nuon.nl>

Contact

@nuon.com

Ministerie van Economische Zaken en
Ministerie van Infrastructuur & Milieu

Kwartiermakers Transitiepad Kracht en Licht

Bezoekadres Hoekenrode 8
1102 BR Amsterdam
Postbus 41920
1009 DC Amsterdam

'Inbreng Nuon op Transitiepad Kracht en Licht'

Datum
4 augustus 2017

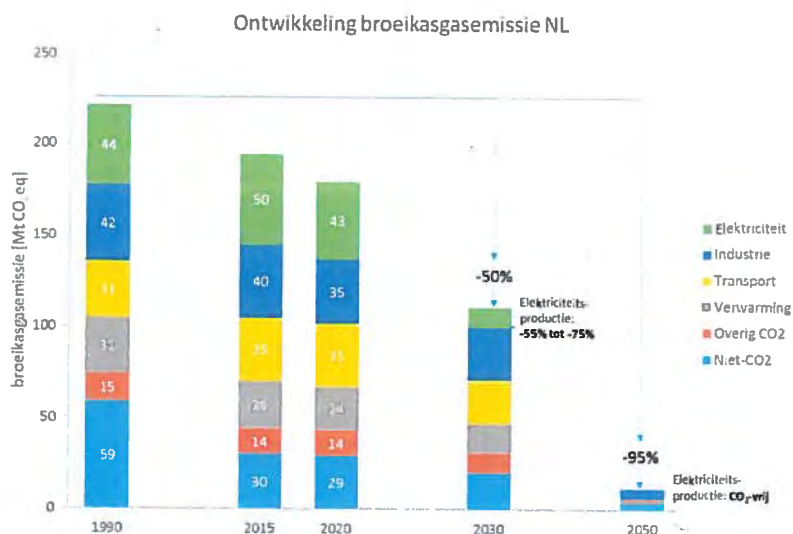
Beste Kwartiermakers Kracht en Licht,

De energietransitie in Nederland is in volle gang. Hoewel dit nog niet zozeer blijkt uit het aandeel duurzame energie, zien we al wel dat het aandeel duurzame elektriciteit gestaag toeneemt en naar verwachting zeer sterk blijft stijgen richting 2023. Nuon juicht de gekozen aanpak met de transitiepaden van harte toe, vanwege het belang dat de stijging ook na 2023 wordt doorgezet. In deze brief gaan wij dieper in op een aantal uitdagingen die te maken hebben met het transitiepad Kracht en Licht. Daarbij gaan we eerst in op wat volgens ons de opgave is voor 2030 binnen dit transitiepad. Daarna gaan we in op de hoofdthema's: stimulering van een CO₂-arme elektriciteitsproductie, de benodigde elektriciteitsinfrastructuur en versterking van de elektriciteitsmarkt.

1. Kracht en licht in 2030

Om te voldoen aan de ambities van het Parijsakkoord, dient Nederland volgens PBL in 2050 85-100% broeikasgasreductie te realiseren t.o.v. 1990 en zou de uitstoot in 2030 al met 40-50% gereduceerd moeten zijn. Ook de elektriciteitssector drastisch zal moeten veranderen. Het aandeel hernieuwbaar moet sterk stijgen zodat het gebruik van fossiele brandstoffen binnen afzienbare tijd kan worden uitgefaseerd.

In vergelijking met andere sectoren kunnen er in de elektriciteitssector tot 2030 grote slagen gemaakt worden in het verminderen van de CO₂-uitstoot, onder andere omdat een beperkt aantal kolencentrales verantwoordelijk is voor het grootste gedeelte van de uitstoot. Dit moet leiden tot een vermindering van de uitstoot in de elektriciteitssector met 55-75% (zie figuur 1). Een veel CO₂-armere elektriciteitssector betekent ook veel kansen om in andere sectoren de uitstoot te verlagen door duurzame elektriciteit te gaan gebruiken, zoals in de industrie, voor transport en voor verwarming. Wij zijn daarom een voorstander van het stimuleren van elektrificatie in deze sectoren.



Figuur 1: Ontwikkeling broeikasgasemissies in Nederland, gebaseerd op bronnen PBL en ECN.

De grote kostprijsreducties die duurzame elektriciteit laat zien bieden een grote kans om het aandeel tot 2030 fors uit te bouwen tegen relatief lage kosten. Sturend en stimulerend overheidsbeleid en -instrumenten blijven echter richting 2030 nodig, i.c.m. faciliterende wetgeving binnen de ruimtelijke ordening. Op basis van huidige en verwachte elektriciteits- en CO₂-prijzen gaat de overgang van fossiel naar hernieuwbaar namelijk niet vanzelf. Voor wind op zee achten wij het mogelijk om in 2030 20 GW operationeel vermogen draaiend te hebben. Wind op land zal in elk geval de doelen uit het Energieakkoord moeten halen en waar mogelijk nog een verdere uitbouw laten zien, mits in goede samenspraak met de omgeving. Voor zonne-energie zou ook gestreefd moeten worden naar een totaal vermogen van 20 GW in 2030 verdeeld over daken van woningen en gebouwen en meer grootschalig op vrij liggende gronden. Om ervoor te zorgen dat 'back-up' ingevuld kan worden door de relatief schonere en meer flexibele gascentrales, zal er een sluitingswet moeten komen die er toe leidt dat uiterlijk in 2030 er geen operationele kolencentrales meer zijn in Nederland. Tot slot moet er begonnen zijn met het vervangen van aardgas door CO₂-vrije waterstof in gascentrales.

2. Stimulering CO₂-arme elektriciteitsvoorziening

Toekomst SDE+

- Zolang het EU-ETS niet zorgt voor een voldoende hoge CO₂-prijs, dient de SDE+ voor duurzame energie richting 2030 gecontinueerd te worden. Langjarige zekerheid over de budgethoogte is daarbij van belang, door het SDE+ budget vast te stellen voor meerdere jaren en/of door een richtinggevende aparte doelstelling te bepalen voor de hoeveelheid duurzame energie in 2030;
- Naast de SDE+ voor duurzame energie dient een soortgelijk instrument met een apart budget geïntroduceerd te worden voor stimulering van de uitrol en het gebruik van CO₂-neutrale brandstoffen in gascentrales en andere CO₂-reducerende technieken die zorgen voor meer flexibiliteit en seizoensopslag.

Wind op zee

- De sterke groei van wind op zee dient gecontinueerd te worden, door van 2020 tot 2030 jaarlijks twee tenders van 1 GW uit te schrijven;
- In de offshore tenderssystematiek en -gunning speelt de inschatting van de toekomstige elektriciteitsprijs een grote rol. Dit geeft onzekerheid of projecten daadwerkelijk gerealiseerd zullen worden. Het is verstandig dat de juiste zekerheden voor realisatie worden ingebouwd in te bouwen, waarbij flexibiliteit gewaarborgd blijft (bankgaranties, maar ruimte behouden voor verdere optimalisatie van het project na vergunning).

Duurzame energie op land: grootschalige wind- en zonprojecten

- Om de doelstellingen te realiseren zijn heldere afspraken nodig tussen Rijksoverheid en provincies om monitoring, bijsturen en ingrijpen te waarborgen;
- Regie vanuit het Rijk via de Rijkscoördinatieregeling is succesvol gebleken, pas dit daarom toe bij meer grootschalige wind- en zonprojecten;
- Coördineer als Rijksoverheid dat er binnen iedere provincie op korte termijn duidelijkheid komt op welke locaties en onder welke condities grootschalige zonprojecten zijn toegestaan;
- Coördineer op overheidsgronden van Rijkswaterstaat tenders voor wind- en/of zonprojecten om schaalgrootte en laaghangend fruit te benutten.

Lokale energieopwekking

- Nuon is verheugd dat Minister Kamp recent via een Kamerbrief heeft geadviseerd dat energiebedrijven de marktprijs moeten betalen voor stroom van zonnepanelen (in plaats van de gemiddelde, jaarlijkse *day-ahead* prijs die nu betaald dient te worden) in beide mogelijke opties voor aanpassing van salderen vanaf 2023.

Decarbonisatie fossiele opwek

- Een uitfaseringsplan voor kolencentrales, vastgelegd in een sluitingswet en gericht op volledige sluiting voor 2030, is een cruciale stap. Nederland zal veranderen van een netto-importeur van stroom, naar een netto-exporteur, maar zonder een sluiting van kolencentrales zullen de CO₂-emissies in Nederland voor de ETS-sectoren niet gaan dalen. Dit komt doordat de lage marginale kosten van kolencentrales, als gevolg van de lage kolen- en CO₂-prijzen, ervoor zorgen dat deze het grootste deel van de tijd blijven draaien, zelfs bij een grote toename van wind en zon. Hierdoor zullen de kolencentrales winstgevend blijven, en niet vanzelf sluiten. Er is hier dus een rol weggelegd voor de overheid.
- Sluiting van kolencentrales geeft een push aan de energietransitie. De weggevalen kolencapaciteit zorgt immers voor hogere prijzen op de groothandelsmarkt, vooral op de momenten dat het niet waait en de zon niet schijnt. Dit geeft automatisch prijsprikkels voor energieopslag, *demand side response* en *Power-to-X* oplossingen. Uiteraard dient de sluiting op verantwoorde wijze te gebeuren, met aandacht voor het verlies van arbeidsplaatsen in de keten en zorgvuldige ontmanteling. Nadat de kolencentrales dicht zijn, blijven de gascentrales over als enige fossiele opwek techniek van elektriciteit. En dus wordt het terugdringen van de uitstoot van deze flexibele gascentrales dan een belangrijk thema. Dit zal moeten gebeuren door stimulering van de vervanging van aardgas door CO₂-neutrale brandstoffen zoals waterstof en ammoniak.

3. Benodigde elektriciteitsinfrastructuur

- In de netten, zowel voor distributie als transmissie, moet flink worden geïnvesteerd om te zorgen voor voldoende transportcapaciteit. Het 'koperen-plaat-principe', wat inhoudt dat producenten en afnemers binnen Nederland onbegrensd kunnen handelen in elektriciteit, is essentieel. Dit zorgt namelijk voor een efficiënte prijsvorming en een maximalisatie van de welvaart, en is daarmee één van de pijlers onder de liberalisatie. Netbeheerders hebben als taak deze elektriciteitshandel te faciliteren door middel van het mogelijk maken van voldoende transportcapaciteit. Dit betekent in praktijk dat netten verzwakt dienen te worden als er sprake is van structurele congestie. Incidentele congestie kan (tijdelijk) opgelost worden door het opzetten van een lokale congestiemarkt.
- Op transmissieniveau zullen enkele 'system operations'-taken, zoals het toekennen van grenscapaciteit aan de markt, meer regionaal gecoördineerd moeten worden. Een regionale entiteit is beter in staat om de grenscapaciteit van de verschillende TSO's te optimaliseren. Dit is cruciaal om overschotten en tekorten tussen landen efficiënt uit te kunnen wisselen. Om dit te bewerkstelligen heeft de Europese Commissie eind vorig jaar de *Regional Operation Centers* (ROC's) geïntroduceerd; een belangrijke stap vooruit richting een interne Europese markt.

4. Versterking elektriciteitsmarkt

Flexibiliteit bij kleinverbruikers

- Om te voorkomen dat bij een sterk toegenomen aandeel wind en zon op sommige momenten teveel elektriciteit wordt opgewekt (met afschakeling van wind en zon als gevolg) en sommige momenten te weinig (met overbodige fossiele opwek als gevolg), is de ontsluiting van de flexibiliteit van de vraagzijde een belangrijk thema. Het potentieel aan flexibiliteit aan vraagzijde bij grootverbruikers is nu al groot, maar in de toekomst kan ook het potentieel bij kleinverbruikers ontsloten worden. De hiertoe benodigde gedragsverandering bij kleinverbruikers kan tot stand komen door de juiste prijsprikkels. Vanuit de leveranciers willen we dynamische leveringstarieven aanbieden, maar daarvoor is wel collectieve slimme meter allocatie nodig. Daarnaast werken we met een proef onder werknemers om elektrische auto's 's nachts automatisch zoveel mogelijk in daluren te laden. De energiebelasting heeft nu echter een dempend effect op de effectiviteit van dergelijke prijsprikkels; de overheid heeft een rol in het verder beperken van dit effect, bijvoorbeeld via een verdere verschuiving van energiebelasting op elektriciteit naar aardgas, of door de energiebelasting meer dynamisch te maken door in plaats van een vlak tarief deze te koppelen aan de groothandelsprijs.

Rol/verantwoordelijkheid aggregatoren

- Aggregatoren kunnen ook een belangrijke rol spelen bij het elastisch maken van de vraagzijde. Dit kan gebeuren door met slimme algoritmes het verbruik (automatisch) aan te passen aan de uurlijkse elektriciteitsprijs. Free-riding door 'onafhankelijke' (niet zijnde leverancier) aggregatoren moet echter worden voorkomen. Dit betekent dat elke speler die elektriciteit verhandeld, hiervoor ook de volledige programmaverantwoordelijkheid draagt. Leveranciers moeten bovendien geïnformeerd worden als hun klant via een andere partij actief is op een elektriciteitsmarkt, aangezien dit gevolgen heeft voor het (geschatte) verbruikersprofiel en de daarmee gepaard gaande inkoop voor deze klant.

Dubbele heffing energiebelasting bij opslag

- Dubbele heffing van energiebelasting bij opslag van elektriciteit vanuit het net dient te worden voorkomen door bestaande belastingvrijstellingen toe te staan voor energieopslag of een nieuwe vrijstelling te introduceren.

Nettarievenstructuur

- De kosten voor het elektriciteitsnet liggen bij de afnemers en dat moet zo blijven. De invoering van een producententarief gaat ten koste van het internationale, gelijke speelveld en moet dus voorkomen worden (of volledig geharmoniseerd worden met omringende landen wat in praktijk erg lastig blijkt). Bovendien zal een producent deze kosten uiteindelijk alsnog afwentelen op de gebruiker waardoor dit in feite neerkomt op het nutteloos rondpompen van geld;
- Wij zijn tegen de invoering van variabele nettarieven aangezien dit kan leiden tot verkeerde prikkels voor de regionale netbeheerders. Als een netbeheerder te maken krijgt met congestie is het zijn verantwoordelijkheid om dit op te lossen, bijvoorbeeld door te investeren in de netten. Variabele nettarieven wentelen deze verantwoordelijkheid af op consumenten. Bovendien levert het een verstoring op van de elektriciteitsmarkt aangezien een klant dan twee prijsprikkels ontvangt die zijn gedrag beïnvloedt.
- Aan de andere kant is het natuurlijk wel van belang dat de netten zo optimaal mogelijk gebruikt worden. We doen hiervoor twee suggesties. Voor grootverbruikers zou men kunnen overwegen over te gaan naar een tariefstructuur die de incidentele overschrijding van de maximale capaciteit toelaat, indien er ruimte is in het net. Dit zou geïmplementeerd kunnen worden door het zogenaamde 'stoplichtenmodel', waarbij een netbeheerder met kleuren aangeeft of er voldoende ruimte is om extra elektriciteit te transporteren.

Grensoverschrijdende samenwerking en leveringszekerheid

- De resultaten van TenneT's monitoring van de leveringszekerheid laten zien dat er voorlopig geen maatregelen nodig zijn om de leveringszekerheid in Nederland te waarborgen. De resultaten van de studie zijn ook vergeleken met het regionale beoordelingsmodel en bleken goed overeen te komen. Bovendien rekent de TenneT monitoring met conservatieve aannames. Zo wordt geconserveerd vermogen niet wordt verondersteld mee te helpen om aan de toekomstige vraag te voldoen. TenneT benadrukt bovendien dat de na 2017 optredende importafhankelijkheid (in sommige gevoeligheidsscenario's) geen probleem vormt voor de leveringszekerheid.
- Geef de markt de ruimte om met schaarste om te gaan. Als eerder genoemd treedt er een effect op als schaarste door de markt vertaald wordt in hogere prijzen. Enerzijds leidt dit tot extra beschikbare capaciteit (bijvoorbeeld geconserveerd vermogen dat terug zal keren op de markt) en anderzijds zullen er consumenten zijn die het aantrekkelijk vinden om tegen zo'n hoge prijs (vrijwillig) minder te gaan afnemen. Pas als hogere marktprijzen zich niet vertalen in extra piekcapaciteit of meer vraagsturing, is het redelijk voor de overheid om in te grijpen. Allereerst zullen dat maatregelen moeten zijn die de huidige markt versterken, zoals het opheffen van prijsplafonds of het stimuleren van vraagsturing. Een capaciteitsmarkt blijven wij derhalve zien als een laatste redmiddel.

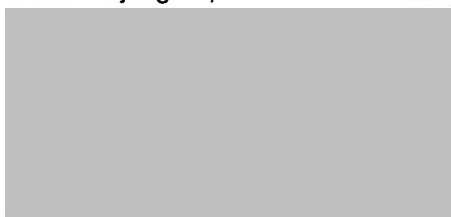
EU-ETS

- Verdere aanscherping van het EU-ETS op EU-niveau is noodzakelijk voor een kostenefficiënte CO₂-reductie in Europa. Daarvoor is het ook belangrijk dat een correctie plaatsvindt op het aantal ETS-rechten voor overlappend beleid door lidstaten (stimulering van duurzame energie, energiebesparing en andere

- CO₂-reducerende maatregelen), door minder rechten te veilen of rechten op te kopen. Dit laatste kan goed geregeld kunnen worden via de '*Regulation on the Governance of the Energy Union*';
- Wij zijn geen voorstander van nationale maatregelen om de CO₂-prijs te verhogen. Naast de weglekeffecten van nationale maatregelen, leidt dit tot meer import van (goedkopere en minder schone) stroom uit het buitenland met negatieve gevolgen voor de flexibele en relatief schone gascentrales in Nederland.

We hopen u hiermee voldoende geïnformeerd te hebben, mocht u naar aanleiding van deze brief nog vragen en of opmerkingen hebben, dan horen wij dat graag.

Met vriendelijke groet,



Director Public & Regulatory Affairs Netherlands

Van: [redacted] <[redacted]@rescoop.eu>
Verzonden: dinsdag 6 juni 2017 9:36
Aan: [redacted]
CC: [redacted]
Onderwerp: Re: Afspraak over winterpackage
Bijlagen: REScoop.eu Amendments to the RES Directive Final.docx

Dear [redacted]

For our meeting tomorrow, I would like to share some amendments we prepared for the legislative negotiations on the Renewable Energy Directive.

Best regards,
[redacted]

2017-05-25 20:40 GMT+02:00 [redacted] <[redacted]@duurzameenergie.org>:

Ok tot dan
[redacted]

2017-05-24 16:36 GMT+02:00 [redacted] <[redacted]@minez.nl>:

Prima, ik zal jullie aanmelden.

Denk er wel aan om een geldig ID-bewijs mee te nemen.

Groet
[redacted]

Van: [redacted]@gmail.com [mailto:[redacted]@gmail.com] Namens [redacted]
Verzonden: woensdag 24 mei 2017 14:59

Aan: [redacted]
CC: [redacted]
Onderwerp: Re: Afspraak over winterpackage

Woensdagochtend 7 juni zou kunnen. 9:30?

Mvg
[redacted]

2017-05-24 14:39 GMT+02:00 [redacted] <[redacted]@minez.nl>:

Beste [redacted] helaas heb ik op 6 juni vanwege andere afspraken geen tijd. Woensdagochtend (7 juni) zou ik voor 11u kunnen, anders kan donderdagmiddag (8 juni) ook na 14u. Op de vrijdag heb ik ook nog veel tijd.

Groet,

Van: [redacted]@gmail.com [mailto:[redacted]@gmail.com] **Namens** [redacted]

Verzonden: woensdag 24 mei 2017 14:37

Aan: [redacted]

CC: [redacted]

Onderwerp: Re: Afspraak over winterpackage

Dag [redacted]

Zou jou 6 juni in de ochtend lukken of ik kan tot 14:00.

Met vriendelijke groet,

[redacted]

2017-05-24 12:04 GMT+02:00 [redacted] [redacted]@minez.nl>:

Beste heer [redacted]

Ik heb ook de terugkoppeling van mijn collega's in Brussel ontvangen. Als u dat nuttig acht, vind ik het prima om een keer in Den Haag af te spreken om het over dit onderwerp te hebben.

Ik ben de komende twee weken nog goed beschikbaar, daarna ben ik 3 weken met verlof. Welke data zou u uitkomen?

Groet,

[redacted]

Van: [redacted]@gmail.com [mailto:[redacted]@gmail.com] **Namens** [redacted]

Verzonden: woensdag 10 mei 2017 12:44

Aan: [redacted]

CC: [redacted]

Onderwerp: Afspraak over winterpackage

Beste heer [redacted],

Maandag waren we bij uw collega's [redacted] en [redacted] in Brussel om uitleg te geven over de termen Renewable energy community en local energy community die worden opgenomen in de Winter Package.

In de komende maanden zal door veel partijen druk gezet worden om die termen uit te kleden door onbegrip over wat energie communities zijn of simpelweg om hun eigen positie te verdedigen.

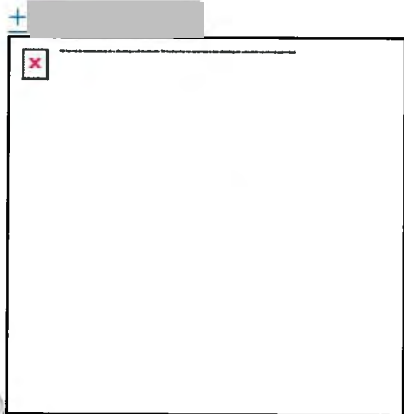
Graag komen ik men mijn collega uit Brussel ([redacted] een keer bij u op bezoek om uit te leggen waarom we graag deze definities opgenomen willen krijgen en specifiek wat er nu nog aan veranderd kan worden. Gezien de druk van buiten zou ik graag met u onderzoeken of EZ of Nederland haar steun voor deze termen publiekelijk richting de EU kan en wil communiceren.

Graag tot horens,

Met vriendelijke groet,

ODE Decentraal (Netherlands)

ODE Decentraal: branchevereniging van energiecoöperaties in Nederland



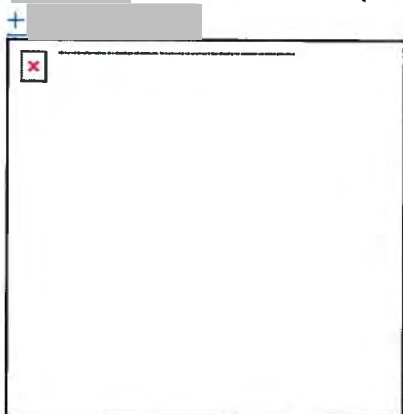
Dit bericht kan informatie bevatten die niet voor u is bestemd. Indien u niet de geadresseerde bent of dit bericht abusievelijk aan u is gezonden, wordt u verzocht dat aan de afzender te melden en het bericht te verwijderen.

De Staat aanvaardt geen aansprakelijkheid voor schade, van welke aard ook, die verband houdt met risico's verbonden aan het elektronisch verzenden van berichten.

This message may contain information that is not intended for you. If you are not the addressee or if this message was sent to you by mistake, you are requested to inform the sender and delete the message.

The State accepts no liability for damage of any kind resulting from the risks inherent in the electronic transmission of messages.

ODE Decentraal (Netherlands)



Dit bericht kan informatie bevatten die niet voor u is bestemd. Indien u niet de geadresseerde bent of dit bericht abusievelijk aan u is gezonden, wordt u verzocht dat aan de afzender te melden en het bericht te verwijderen.

De Staat aanvaardt geen aansprakelijkheid voor schade, van welke aard ook, die verband houdt met risico's verbonden aan het elektronisch verzenden van berichten.

This message may contain information that is not intended for you. If you are not the addressee or if this message was sent to you by mistake, you are requested to inform the sender and delete the message.

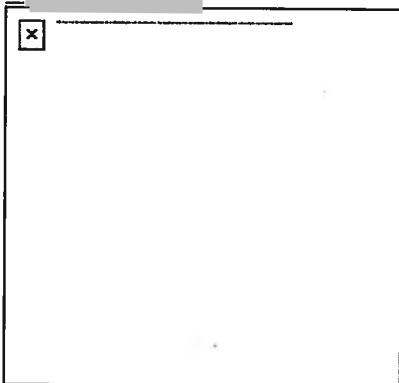
The State accepts no liability for damage of any kind resulting from the risks inherent in the electronic transmission of messages.

--



ODE Decentraal (Netherlands)

+



Dit bericht kan informatie bevatten die niet voor u is bestemd. Indien u niet de geadresseerde bent of dit bericht abusievelijk aan u is gezonden, wordt u verzocht dat aan de afzender te melden en het bericht te verwijderen.

De Staat aanvaardt geen aansprakelijkheid voor schade, van welke aard ook, die verband houdt met risico's verbonden aan het elektronisch verzenden van berichten.

This message may contain information that is not intended for you. If you are not the addressee or if this message was sent to you by mistake, you are requested to inform the sender and delete the message.

The State accepts no liability for damage of any kind resulting from the risks inherent in the electronic transmission of messages.

--

ODE Decentraal (Netherlands)



Advocacy Officer

REScoop.eu vzw | www.rescoop.eu

Posthoflei 3 bus 3 | 2600 Berchem | Belgium

+32 (0) [redacted] [redacted] [redacted]

[redacted] [redacted]@rescoop.eu



REScoop.EU

AMENDMENTS

on the proposal for a Directive of the European Parliament and of the Council
on the promotion of the use of energy from renewable sources (recast)

Proposal for a Directive

COM/2016/0767 final/2 - 2016/0382 (COD)

Fout! Onbekende naam voor
documenteigenschap. Fout! Onbekende naam vo

AMENDMENTS

Amendment 1

Proposal for a directive Article 2 – point bb (new)

Text proposed by the Commission

Amendment

(bb) 'renewable energy community means' a local energy community as defined by Article 2.7 of [Recast Directive 2009/72/EC as proposed by COM(2016) 864] that meets the requirements set out in Article 22, paragraph 1, of this Directive.

Or. en

Justification

For legal certainty, this Directive must provide for a definition of “renewable energy communities”, clarifying that they are a category of “local energy communities” that are locally controlled and are generally value rather than profit driven, which conduct a narrower set of activities. As such, they should be subject to specific requirements and entitled to a beneficial treatment, reflecting their role and value in the achievement of the EU policy objectives on renewable energy.

Amendment 2

Proposal for a directive Article 2 – point aaa (new)

Text proposed by the Commission

Amendment

(aaa) Local Authority means, for the purpose of Article 22, a public institution with legal personality, component of the State structure, below the level of national government and accountable to citizens. Local Authorities are usually composed of a deliberative or policy-making body (council or assembly) and an executive body (the Mayor or other executive officer), directly or indirectly elected or selected at local level. The term

encompasses different tiers of government, e.g. villages, municipalities, districts, counties, provinces, regions, etc.

Or. en

Justification

It is important to introduce a definition of "local authority", in view of allowing a broad range of sub-national entities, including regions, to participate in "renewable energy communities" while preserving the principle of Member States' institutional and administrative autonomy. Excluding regional or other large sub-national authorities from the scope of the definition will have a detrimental impact on the establishment and development of "renewable energy communities".

Amendment 3

**Proposal for a directive
Article 2 – point bbb (new)**

Text proposed by the Commission

Amendment

(bbb) "Decentralised devices" means installations for the production of renewable energy and energy storage connected to the distribution system, where the distribution system is the high-voltage, medium voltage and low-voltage network as opposed to the extra high-voltage and high voltage transmission system.

Or. en

Justification

A definition is necessary to identify the devices that, under this Directive, are entitled to benefit from simple and less burdensome procedures.

Amendment 4

Proposal for a directive Article 4 - paragraph 1

Text proposed by the Commission

Financial support for electricity from renewable sources

1. Subject to **State aid rules**, in order to reach the Union target set in Article 3(1), Member States may apply support schemes. **Support schemes for electricity from renewable sources shall be designed so as to avoid unnecessary distortions of electricity markets and ensure that producers take into account the supply and demand of electricity as well as possible grid constraints.**

Amendment

Support for energy from renewable sources

1. In line with Article 194 and subject to Articles 107 and 108 of the Treaty, in order to reach the Union target set in Article 3(1) and to ensure that the share of energy from renewable sources equals or exceeds national binding targets, Member States may apply support schemes.

Justification

Article 194 of the Treaty requires the Union's energy policy to "*promote energy efficiency and energy saving and the development of new and renewable forms of energy*". Support schemes are therefore a tool for the implementation of an EU primary law goal. For reasons of policy coherence, it is appropriate to recall that Member States must comply with the Treaty provisions on State aid. It is nevertheless true, however, that other State aid rules (such as the Environmental and Energy State aid Guidelines) applicable to support schemes must enable (and not act as limit to) the achievement of Article 194's goals. Furthermore, it descends from Article 194 of the Treaty that Member States can enact State aid measures in view of going beyond the targets established by the Directive. Article 4 should not be construed as a limit to the use of State aid for the promotion of renewable energy. By definition, State aid must avoid all unnecessary distortions of electricity market in order to be declared compatible with the Treaty: it is therefore unnecessary to restate the principle of proportionality in the text of Article 4. Likewise, supply and demand of electricity and grid

constraints should not be considered as a valid justification to limit the development of renewables. Overcapacity should be addressed by phasing-out fossil fuels and other inefficient or unsafe installations. Grid constraints should be overcome by investments in infrastructure and increased intelligent energy management including flexibility technologies.

Amendment 5

Article 4 - paragraph 3

Proposal for a directive

Text proposed by the Commission

3. Member States shall ensure that support for renewable electricity is granted in an open, transparent, competitive, non-discriminatory and cost-effective manner.

Amendment

3. Member States shall ensure that, ***whenever this does not constitute an obstacle to the rollout of renewable energy installations, support for renewable electricity is*** granted in an open, transparent, competitive, non-discriminatory and cost-effective manner.

Or. en

Justification

The use of competitive procedures should be the preferred option for the allocation of support for renewable electricity. However, Member States should be allowed to derogate from this principle whenever this would translate in obstacles to the promotion of renewables, having regard, for instance, to the size of the projects to be supported, the voluntary nature of participants or to the costs of participation to a procedure for the competing undertakings. It is also fair to consider that State aid to nuclear and capacity payments for fossil fuel generation are regularly granted without any tendering procedure: in this context, it is inappropriate to increase procedural burdens for support to renewables.

Amendment 6

Proposal for a directive

Article 4 - paragraph 3a - new

Text proposed by the Commission

Amendment

3a. Without prejudice to the obligation to reach the Union and Member States targets as set in Article 3(1), each Member

State shall retain the right to choose which renewable technology it shall promote through support schemes.

Or. en

Justification

Member States and the respective national authorities should be entitled to choose the technology to be supported having regard to different criteria, including public acceptance, diversification, land planning and the promotion of new renewables technology. A technology-neutral approach, based exclusively on costs, would hinder the development of a full set of renewable technology.

Amendment 7

**Proposal for a directive
Article 4 - paragraph 3b - new**

Text proposed by the Commission

Amendment

3b. Without prejudice to Articles 107 and 108 TFEU, Member States shall have the right to decide to which extent they support energy from renewable sources which is produced in a different Member State.

Or. en

Justification

Support of renewables is directly aimed at electricity consumption. However, it has the equally important goal of developing renewable energy infrastructures and installation throughout the EU. In this context, Member States and their authorities at sub-national level must be entitled to design support schemes that enable the growth of renewables within their territories, producing at the same time valuable social and economic impacts, for instance on employment. Requiring public authorities to use public budgets to support renewable industries in other member states, depriving them of all indirect benefits, would remove an essential incentive to invest in development of renewables and have a detrimental impact on public acceptance.

Amendment 8

Proposal for a directive

Article 5 – paragraph 1 - new

Text proposed by the Commission

Amendment

1. Member States shall open support for electricity generated from renewable sources to generators located in other Member States under the conditions laid down in this Article.

Deleted

2. Member States shall ensure that support for at least 10% of the newly-supported capacity in each year between 2021 and 2025 and at least 15% of the newly-supported capacity in each year between 2026 and 2030 is open to installations located in other Member States.

Or. en

Justification

This provision will in some cases lead to a permanent flow of support from one Member State to another one, where the paying Member States has no benefits in the form of employment, technical development or income. This unbalanced situation risks leading to local opposition against renewable energy, and against authorities dictating this outflow of money from the paying Member State. This article provision should be deleted, thus allowing the full benefits of the renewable energy potential to remain local. Opening of support schemes for renewable electricity should be entirely optional

Amendment 9

Proposal for a directive

Article 15 – paragraph 1 – point d

Text proposed by the Commission

Amendment

(d) simplified and less burdensome authorisation procedures, including through simple notification if allowed by the applicable regulatory framework, are established for smaller projects and for decentralised devices for producing energy

(d) simplified and less burdensome authorisation procedures, including through simple notification if allowed by the applicable regulatory framework, are established for smaller projects and for decentralised devices for producing energy

from renewable sources.

from renewable sources, *energy storage, for renewable self-consumers and renewable energy communities.*

Or. en

Justification

National authorisation procedures should take into account the necessity of enabling the development of renewable self-consumption and renewable energy communities and should prioritise simplification of complex administrative and procedural hurdles, which reduce certainty and discourage investments.

Amendment 10

Proposal for a directive Article 15 – paragraph 4

Text proposed by the Commission

4. Member States shall recommend to all actors, in particular local and regional administrative bodies to ensure equipment and systems are installed for the use of electricity, heating and cooling from renewable energy sources and for district heating and cooling ensure that their competent authorities at national, regional and local level include provisions for the integration and deployment of renewable energy and the use of unavoidable waste heat or cold when planning, designing, building and renovating urban infrastructure, industrial or residential areas and energy infrastructure, including electricity, district heating and cooling, natural gas and alternative fuel networks. Member States shall, in particular, encourage local and regional administrative bodies to include heating and cooling from renewable energy sources in the planning of city infrastructure, where appropriate.

Amendment

4. Member States shall recommend to all actors, in particular local and regional administrative bodies to ensure equipment and systems are installed for the use of electricity, heating and cooling from renewable energy sources and for district heating and cooling ensure that their competent authorities at national, regional and local level include provisions for the integration and deployment of renewable energy, *including for renewable self-consumers and renewable energy communities*, and the use of unavoidable waste heat or cold when planning, designing, building and renovating urban infrastructure, industrial or residential areas and energy infrastructure, including electricity, district heating and cooling, natural gas and alternative fuel networks. Member States shall, in particular, encourage local and regional administrative bodies to include heating and cooling from renewable energy sources in the planning of city infrastructure, where appropriate.

Justification

National authorities should enable the integration and deployment of renewable self-consumption installation as well as the development renewable energy communities.

Amendment 11

Proposal for a directive
Article 15 – paragraph 5

Text proposed by the Commission

5. Member States shall introduce in their building regulations and codes appropriate measures in order to increase the share of all kinds of energy from renewable sources in the building sector.

In establishing such measures or in their regional support schemes, Member States may take into account national measures relating to substantial increases in, energy efficiency and relating to cogeneration and to passive, low or zero-energy buildings.

By 31 December 2014, Member States shall, in their building regulations and codes or by other means with equivalent effect, where appropriate, require the use of minimum levels of energy from renewable sources, in new buildings and in existing buildings that are subject to major renovation, reflecting the results of the cost-optimal calculation carried out pursuant to Article 5(2) of Directive 2010/31/EU. Member States shall permit those minimum levels to be fulfilled, inter alia, through district heating and cooling produced using a significant proportion of renewable energy sources

Amendment

5. Member States shall introduce in their building regulations and codes appropriate measures in order to increase the share of all kinds of energy from renewable sources in the building sector.

In establishing such measures or in their regional support schemes, Member States may take into account national measures relating to substantial increases in

renewable self-consumption, energy efficiency and relating to cogeneration and to passive, low or zero-energy buildings.

Member States shall, in their building regulations and codes or by other means with equivalent effect, where appropriate, require the use of minimum levels of energy from renewable sources, ***or of renewable generation installations*** in new buildings and in existing buildings that are subject to major renovation, reflecting the results of the cost-optimal calculation carried out pursuant to Article 5(2) of Directive 2010/31/EU. Member States shall permit those minimum levels to be fulfilled, inter alia, through district heating and cooling produced using a significant proportion of renewable energy sources

Justification

The promotion of renewable self-consumption and renewable installation should take place at all administrative and policy levels, including in measures related to the building sector.

Amendment 12

Proposal for a directive Article 16 – paragraph 3

Text proposed by the Commission

3. The single administrative contact point, in collaboration with transmission and distribution system operators, shall publish a manual of procedures for renewable project developers, including for small scale projects, **and** renewable self-consumers projects.

Amendment

3. The single administrative contact point, in collaboration with transmission and distribution system operators, shall publish **a publicly accessible** manual of procedures for renewable project developers, including for small scale projects, renewable self-consumers projects **and renewable energy community projects**.

Or. en

Justification

One-stop shops have the potential to help enable local energy communities get started and establish projects.

Amendment 13

Proposal for a directive Article 16 – paragraph 6 - new

Text proposed by the Commission

Amendment

6. Member States shall facilitate the installation of renewable energy plants by renewable energy communities as long as such capacity can be considered small decentralised or distributed generation by inter alia, ensuring a simplified and swift permit granting process, which shall not exceed one year from the date on which the request for installation is submitted to the single administrative contact point.

Or. en

Justification

Fixing the time period for a granting permits to renewable energy communities will simplify the process and provide them with much more certainty.

Amendment 14

Proposal for a directive Article 16 – paragraph 7 - new

Text proposed by the Commission

Amendment

7. Article 8, paragraph 3 of [recast Directive 2009/72/EC as proposed by COM(2016) 864/2] shall apply to generating capacity installed by renewable energy communities as long as such capacity can be considered small decentralised or distributed generation.

Or. en

Justification

Provisions in the Electricity Directive hold particular applicability for renewable energy communities. There is a need to strengthen coherence between the two instruments. This will also help simplify the process for more renewable energy communities.

Amendment 15

Proposal for a directive Article 17 – paragraph 1

Text proposed by the Commission

Amendment

1. Demonstration projects and installations with an electricity capacity of less than **50** kW shall be allowed to connect to the grid following a notification to the distribution system operator.

1. Demonstration projects and installations with an electricity capacity of less than **100** kW shall be allowed to connect to the grid following a notification to the distribution system operator.

Or. en

Justification

Raising the threshold helps simplifying the process for more renewable energy communities.

Fout! Onbekende naam voor documenteigenschap.

Amendment 16

Proposal for a directive Article 18 – paragraph 1

Text proposed by the Commission

1. Member States shall ensure that information on support measures is made available to all relevant actors, such as consumers, builders, installers, architects, and suppliers of heating, cooling and electricity equipment and systems and of vehicles compatible with the use of energy from renewable sources.

Amendment

1. Member States shall ensure that information on support measures is made available to all relevant actors, such as consumers, **renewables self-consumers, renewable energy communities**, builders, installers, architects, and suppliers of heating, cooling and electricity equipment and systems and of vehicles compatible with the use of energy from renewable sources.

Or. en

Justification

Providing more information on the benefits of participating in the energy system will encourage more citizens to get involved.

Amendment 17

Proposal for a directive Article 18 – paragraph 6

Text proposed by the Commission

6. Member States, with the participation of local and regional authorities, shall develop suitable information, awareness-raising, guidance or training programmes in order to inform citizens of the benefits and practicalities of developing and using energy from renewable sources.

Amendment

6. Member States, with the participation of local and regional authorities, shall develop suitable information, awareness-raising, guidance or training programmes in order to inform citizens of the benefits and practicalities of developing and using energy from renewable sources, **including through renewables self-consumption and participation in renewable energy communities**.

Justification

Providing more information on the benefits and practicalities of participating in the energy system will encourage more citizens to get involved, as well as make it easier.

Amendment 18

Proposal for a directive
Article 19 - paragraph 2

Text proposed by the Commission

2. To that end, Member States shall ensure that a guarantee of origin is issued in response to a request from a producer of energy from renewable sources. Member States may arrange for guarantees of origin to be issued for non-renewable energy sources. Issuance of guarantees of origin may be made subject to a minimum capacity limit. A guarantee of origin shall be of the standard size of 1 MWh. No more than one guarantee of origin shall be issued in respect of each unit of energy produced.

Member States shall ensure that the same unit of energy from renewable sources is taken into account only once.

Member States shall ensure that no guarantees of origin are issued to a producer that receives financial support from a support scheme for the same production of energy from renewable sources. Member States shall issue such guarantees of origin and transfer them to the market by auctioning them. The revenues raised as a result of the auctioning shall be used to offset the costs of renewables support.

Amendment

2. To that end, Member States shall ensure that a guarantee of origin is issued in response to a request from a producer of energy from renewable sources. Member States may arrange for guarantees of origin to be issued for non-renewable energy sources. Issuance of guarantees of origin may be made subject to a minimum capacity limit. A guarantee of origin shall be of the standard size of 1 MWh. No more than one guarantee of origin shall be issued in respect of each unit of energy produced.

Member States shall ensure that the same unit of energy from renewable sources is taken into account only once.

Or. E

Justification

The current system of guarantees of origin (GOs) is flawed – it allows significant green-washing and must be improved to provide more transparency to consumers. However, prohibiting producers that receive financial support from a support scheme from receiving

Fout! Onbekende naam voor documenteigenschap.

guarantees of origin would provide no added transparency to the consumer, and would take GOs beyond their stated purpose, which is for tracking only. It would also amount to a tax on renewable energy communities that act as suppliers, and would prevent them from differentiating themselves in the market. Lastly, even though the stated purpose of setting up auctions would be to alleviate the impact of supporting renewable energy, the administrative costs of establishing and overseeing auctions would far outweigh any benefit of having an auction.

Amendment 19

Proposal for a directive Article 20 – paragraph 4 - new

Text proposed by the Commission

Amendment

4. Subject to requirements relating to the maintenance of the reliability and safety of the grid, based on transparent and non-discriminatory criteria defined by the competent national authorities:

(a) Member States shall ensure that transmission system operators and distribution system operators in their territory guarantee the transmission and distribution of electricity produced from renewable energy sources;

(b) Member States shall also provide for either priority access or guaranteed access to the grid-system of electricity produced from renewable energy sources;

(c) Member States shall ensure that when dispatching electricity generating installations, transmission system operators shall give priority to generating installations using renewable energy sources in so far as the secure operation of the national electricity system permits and based on transparent and non-discriminatory criteria. Member States shall ensure that appropriate grid and market-related operational measures are taken in order to minimise the curtailment of electricity produced from renewable energy sources. If significant measures

are taken to curtail the renewable energy sources in order to guarantee the security of the national electricity system and security of energy supply, Member States shall ensure that the responsible system operators report to the competent regulatory authority on those measures and indicate which corrective measures they intend to take in order to prevent inappropriate curtailments.

Or. en

Justification

Guaranteed access to transmission and distribution systems, priority or guaranteed access, as well as priority dispatching are fundamental pillars of the EU policy in support of renewable energy. The existing provisions of Directive 2009/28/EC must be maintained in the new Directive in view of ensuring a level playing field for renewables.

Amendment 20

Proposal for a directive

Article 21 – paragraph 1 – point a

Text proposed by the Commission

(a) are entitled to carry out self-consumption and sell, including through power purchase agreements, their excess production of renewable electricity without being subject to *disproportionate* procedures and charges **that are not cost-reflective**;

Amendment

(a) are entitled to carry out self-consumption and sell, including through power purchase agreements, their excess production of renewable electricity without being subject to *discriminatory or disproportionately burdensome* procedures and charges;

Or. en

Justification

It needs to be clear for self-consumers that they will not be subject to procedures or charges that in effect penalise or dissuade their activity, and to ensure consistency with the language used in Article 15(1)(a) of the Recast Electricity Directive, the suggested change is needed.

Amendment 21

Proposal for a directive

Article 21 – paragraph 1 – point c

Fout! Onbekende naam voor documenteigenschap.

Text proposed by the Commission

renewable energy consumers are not considered as energy suppliers according to Union or national legislation in relation to the renewable electricity they feed into the grid not exceeding **10 MWh for households and 500 MWh for legal persons** on an annual basis;

Amendment

renewable energy consumers are not considered as energy suppliers according to Union or national legislation in relation to the renewable electricity they feed into the grid not exceeding 500 MWh on an annual basis;

Or. en

Justification

The current threshold for supply license exemptions under Article 21(1)(c) is designed with solar PV in mind, but would exclude the potential of households from self-supplying themselves through other technologies, such as wind or small hydro. The distinction is also arbitrary. Therefore, the threshold for an exemption for supply licences for household consumers should be raised to that of legal persons.

Amendment 22

Proposal for a directive

Article 21 – paragraph 1 – point d

Text proposed by the Commission

(d) receive a remuneration for the self-generated renewable electricity they feed into the grid which reflects the market value of the electricity fed in.

Amendment

(d) receive a remuneration for the self-generated renewable electricity they feed into the grid which reflects the market value of the electricity fed in, **as well as the long-term value to the grid, the environment and society, in line with the cost benefit analysis of distributed energy resources under Article 59 of [Recast Directive 2009/72/EC as proposed by COM(2016) 864].**

Or. en

Justification

Existing language only reflects the value of electricity fed into the grid (e.g. the value of the excess electricity on the wholesale market). In order to strike a balance, and incentivise

smarter renewables integration technologies and motivate consumers to make investment decisions that mutually benefit the customer and the grid, market design rules need to allow self-consumption activities to be valued more broadly (e.g. their contribution to avoided costs related to grid upgrades for the DSO, reduced transmission losses, avoided CO2 emissions, public health, etc.).

Amendment 23

Proposal for a directive Article 21 – paragraph 2

Text proposed by the Commission

2. Member States shall ensure that renewable self-consumers living in the same multi-apartment block, or located in the same commercial, or shared services, site or closed distribution system, are allowed to jointly engage in self-consumption as if they were an individual renewable self-consumer. In this case, the threshold set out in paragraph 1(c) [see below] shall apply to each renewable self-consumer concerned.

Amendment

2. Member States shall ensure that renewable self-consumers living in the same multi-apartment block, or located in the same commercial, or shared services, site or closed distribution system, are allowed to jointly engage in self-consumption as if they were an individual renewable self-consumer. In this case, the threshold set out in paragraph 1(c) [see below] shall apply to each renewable self-consumer concerned.

Based on an assessment that measures existing barriers and potential, Member States shall take actions to encourage participation in self-consumption by households experiencing poverty, as well as tenants, including development of incentives to facilitate access to finance, and incentives to encourage developers to undertake projects sited on social housing and for building owners to make self-consumption opportunities available to their tenants. This assessment should be part of Member States' national climate and energy plans under regulation [Governance as proposed by COM(2016)759].

Or. en

Justification

Fout! Onbekende naam voor documenteigenschap.

To enable all members of society to participate in the energy transition and benefit from self-consumption, specific provisions encouraging households experiencing fuel poverty and households that rent their dwellings to participate in self-consumption are needed.

Amendment 24

Proposal for a directive Article 21 – paragraph 3

Text proposed by the Commission

3. The renewable self-consumer's **installation be managed by** a third party for installation, operation, including metering, and maintenance.

Amendment

3. The renewable self-consumer **may decide to transfer the management of its installation to** a third party for installation, operation, including metering, and maintenance.

Or. en

Justification

The Article should ensure that renewable self-consumers have the right to decide to transfer the management of its installation to a third party. Otherwise the article may be interpreted as allowing suppliers to be able to restrict third party installations, operation and maintenance activities if they are not performed by themselves.

Amendment 25

Proposal for a directive Article 22 – paragraph 1

Text proposed by the Commission

1. For the purposes of this Directive, a renewable energy community shall be an SME or a not-for-profit organisation, the shareholders or members of which cooperate in the generation, distribution, storage or supply of energy from in addition, they must fulfil at least four out of the following criteria:

Amendment

1. For the purposes of this Directive, a renewable energy community shall be a **local energy community as defined in [Recast Directive 2009/72/EC as proposed by COM(2016) 864]** that is an SME or a not-for-profit organisation, the shareholders or members of which cooperate in the generation, distribution, storage or supply of energy from renewable sources. **To benefit from treatment as a renewable energy**

community, at least 51% of the seats in the board of directors or managing bodies of the entity are shall be reserved for local members, i.e. representatives of local public and local private socio-economic interests or citizens having a direct interest in the community activity and its impacts. In addition, they must fulfil at least four out of the following criteria:

Or. en

Justification

The criteria for benefiting from treatment as a renewable energy community should also be narrowed in order to prevent larger energy companies from fronting as 'pseudo communities'. This is needed to ensure that the definition only applies to community initiatives that need differentiated treatment (e.g. in participating in support schemes), to guard against competitive distortions by larger players trying to game the system, and to ensure that the framework for local renewable energy communities supports local acceptance.

Amendment 26

Proposal for a directive

Article 22 – paragraph 1 – part a

Text proposed by the Commission

(a) shareholders or members are natural persons, local authorities, including municipalities, or SMEs *operating in the fields or renewable energy*;

Amendment

(a) shareholders or members, *of which there shall be multiple*, are natural persons, local authorities, including municipalities, or SMEs;

Or. en

Justification

Criteria for 'renewable energy communities' should prevent sole developers or owners from benefiting from the status that being considered a renewable energy community brings. Article 22 was not intended to benefit individuals participating by themselves. This is covered in provisions on self-consumption.

Fout! Onbekende naam voor documenteigenschap.

Amendment 27

Proposal for a directive

Article 22 – paragraph 1 – part f (new)

Text proposed by the Commission

Amendment

(f) participation is open to all potentially interested local shareholders, i.e. representatives of local public and local private socio-economic interests or citizens having a direct interest in the community activity and its impacts, that are eligible under criteria (a).

Or. en

Justification

Criteria for 'renewable energy communities' should include an element of open participation, which allows for all potential local stakeholders to be eligible to take part in the ownership and/or control of the renewable energy community.

Amendment 28

Proposal for a directive

Article 22 – paragraph 2

Text proposed by the Commission

Amendment

2. Without prejudice to ***State aid rules***, when designing support schemes, Member States shall take into account the specificities of renewable energy communities.

2. Without prejudice to ***Articles 107 and 108 of the Treaty on the functioning of the European Union***, when designing support schemes, Member States shall take into account the specificities of renewable energy communities.

Or. en

Justification

Secondary EU legislation, and national measures enacting it, must be compatible with Treaty provisions: for this reason it is useful to refer to Articles 107 and 108 of the Treaty. However,

other State aid rules, such as the Environmental and Energy State aid Guidelines, must be consistent with EU secondary law provisions and take into account and enable the achievement of EU policy goals.

Amendment 29

Proposal for a directive

Article 22 – paragraph 2 – point a (new)

Text proposed by the Commission

Amendment

(a) In particular, when designing how to allocate support, Member States shall consider criteria such as the contribution of renewable energy to the local economy, society and the quality of the local environment. They shall also endeavour to provide incentives to renewable energy communities that address local social, economic or environmental concerns.

Or. en.

Justification

Support for renewables has indirect social, economic and environmental benefits going beyond the increase of consumption of renewable energy. Member states should take these into account when they design support schemes. This is coherent with President Juncker's Political Guidelines, according to which "*renewable energies and their development is a sine qua non if tomorrow's Europe really is going to create lasting, consistent and sustainable locational advantages which are directly comparable with those of other world players.*"

Amendment 30

Proposal for a directive

Article 22 – paragraph 2 – point b (new)

Text proposed by the Commission

Amendment

(b) Member States shall ensure that renewable energy communities are able to participate in available support schemes on an equal footing with other large participants, for instance through

establishing reduced administrative requirements, inclusion of community-focused bidding criteria, creating tailored bidding windows for renewable energy communities, or allowing them to be remunerated through direct support.

Or. en

Justification

Rather than being required to take renewable energy communities into consideration, Member States should be required to ensure that they are not excluded from such schemes. Otherwise, there is no obligation of result, only of process. This could allow Member States to discriminate against renewable energy communities in creating design requirements for participation in tenders. Member States should be given discretion as to how they allow for community participation, but they should also be provided with positive guidance as to how this can be achieved.

Amendment 31

**Proposal for a directive
Article 22 – paragraph 3 (new)**

Text proposed by the Commission

Amendment

3. Member States shall set objectives for supporting renewable energy communities, and shall encourage regional and local authorities to set objectives for enabling renewable energy produced by local renewable energy communities, particularly in the development and implementation of national energy and climate plans in the Regulation [Governance as proposed by COM(2016)759]. In setting such objectives, Member States shall assess the potential for renewables self-consumers and renewable energy communities to contribute to the achievement of their national energy objectives for 2030.

Or. en

Justification

While there are provisions in the Governance Regulation on planning and reporting on objectives and measures to support renewable energy communities, there is no affirmative encouragement for Member States to set in place an enabling framework for local energy communities or local authorities. A provision to this effect would help provide high level visibility for renewable energy communities when Member States are setting their national objectives for the planning process, which are often overlooked at national level. To provide effective policy support for renewables self-consumers and renewable energy communities, Member States should also have a solid analytical basis of the potential for such actors to get involved in the renewable energy sector.

RECITALS

Amendment 32

Proposal for a directive Recital 16a (new)

Text proposed by the Commission

Amendment

When designing support schemes, Member States and the respective national authorities should be entitled to choose the technology to be supported, having regard to different criteria, including public acceptance, local benefits, diversification, land planning and the promotion of new renewables technology.

Or. en

Justification

A technology-neutral approach, based exclusively on costs, would hinder the development of a full set of renewable technology.

Amendment 33

Proposal for a directive Recital 17

Fout! Onbekende naam voor documenteigenschap.

Text proposed by the Commission

The opening of support schemes to cross-border participation **limits negative impacts on the internal energy market and can**, under certain conditions, help Member States achieve **the Union** target more cost-efficiently. **Cross-border participation is also the natural corollary to the development of the Union renewables policy, with a Union-level binding target replacing national binding targets. It is therefore appropriate to require Member States to progressively and partially open support to projects located in other Member States, and define several ways in which such progressive opening may be implemented, ensuring compliance with the provisions of the Treaty on the Functioning of the European Union, including Articles 30, 34 and 110.**

Amendment

The opening of support schemes to cross-border participation *may* under certain conditions, help Member States achieve *their binding national* target more cost-efficiently.

Or. en

Amendment 34

Proposal for a directive
Recital 20e (new)

Text proposed by the Commission

Amendment

Member States have the right to encourage local and regional authorities to set targets in excess of national targets and to involve local and regional authorities in drawing up national renewable energy action plans and in raising awareness of the benefits of energy from renewable sources. Nothing in this directive should be read as an obstacle, for Member States, to enact measures, including support schemes, in

view of achieving targets in excess of those defined at EU level.

Or. en

Amendment 35

Proposal for a directive Recital 20f (new)

Text proposed by the Commission

Amendment

Member States have different renewable energy potentials and operate different schemes of support for energy from renewable sources at the national level. The majority of Member States apply support schemes that grant benefits solely to energy from renewable sources that is produced on their territory. For the proper functioning of national support schemes it is vital that Member States can control the effect and costs of their national support schemes according to their different potentials. One important means to achieve the aim of this Directive is to guarantee the proper functioning of national support schemes in order to maintain investor confidence and allow Member States to design effective national measures for target compliance. This Directive aims at facilitating cross-border support of energy from renewable sources without affecting national support schemes. It introduces optional cooperation mechanisms between Member States which allow them to agree on the extent to which one Member State supports the energy production in another and on the extent to which the energy production from renewable sources should count towards the national overall target of one or the other. In order to ensure the effectiveness of both measures of target compliance, i.e. national support schemes and cooperation mechanisms, it

is essential that Member States are able to determine if and to what extent their national support schemes apply to energy from renewable sources produced in other Member States and to agree on this by applying the cooperation mechanisms provided for in this Directive.

Or. en

Amendment 36

Proposal for a directive Recital 20g (new)

Text proposed by the Commission

Amendment

Energy prices should reflect external costs of energy production and consumption, including, as appropriate, environmental, social and healthcare costs.

Or. en

Amendment 37

Proposal for a directive Article 20h (new)

Text proposed by the Commission

Amendment

Public support is necessary to reach the Union's objectives with regard to the expansion of electricity produced from renewable energy sources, in particular for as long as electricity prices in the internal market do not reflect the full environmental and social costs and benefits of energy sources used and to the extent that electricity generation based on fossil fuels and nuclear continues to be subsidised in the EU.

Or. en

Amendment 38

Proposal for a directive Recital 36

Text proposed by the Commission

The lack of transparent rules and coordination between the different authorisation bodies has been shown to hinder the deployment of energy from renewable sources. □ The establishment of a single administrative contact point integrating or coordinating all permit-granting processes should reduce complexity and increase efficiency and transparency.

Amendment

The lack of transparent rules and coordination between the different authorisation bodies has been shown to hinder the deployment of energy from renewable sources. □ The establishment of a single administrative contact point integrating or coordinating all permit-granting processes should reduce complexity and increase efficiency and transparency, **including for renewables self-consumers and renewable energy communities.**

Or. en

Amendment 39

Proposal for a directive Recital 39

Text proposed by the Commission

In order to facilitate the contribution by micro, small and medium-sized enterprises (SMEs) and individual citizens to the objectives set out in this Directive, authorisations should be replaced by simple notifications to the competent body for small renewable energy projects, including decentralized ones such as rooftop solar installations. Given the increasing need for the repowering of existing renewables plants, accelerated permit granting procedures should be set out.

Amendment

In order to facilitate the contribution by micro, small and medium-sized enterprises (SMEs), **including renewable energy communities**, and individual citizens to the objectives set out in this Directive, authorisations should be replaced by simple notifications to the competent body for small renewable energy projects **under 100 kW**, including decentralized ones such as rooftop solar installations. Given the increasing need for the repowering of existing renewables plants, accelerated permit granting procedures should be set out.

Or. en

Amendment 40

Proposal for a directive Recital 43

Text proposed by the Commission

Guarantees of origin issued for the purpose of this Directive have the sole function of showing to a final customer that a given share or quantity of energy was produced from renewable sources. A guarantee of origin can be transferred, independently of the energy to which it relates, from one holder to another. However, with a view to ensuring that a unit of renewable energy is disclosed to a customer only once, double counting and double disclosure of guarantees of origin should be avoided. Energy from renewable sources in relation to which the accompanying guarantee of origin has been sold separately by the producer should not be disclosed or sold to the final customer as energy from renewable sources.

Amendment

Guarantees of origin issued for the purpose of this Directive have the sole function of showing to a final customer that a given share or quantity of energy was produced from renewable sources. ***Guarantees of origin are not support schemes.*** A guarantee of origin can be transferred, independently of the energy to which it relates, from one holder to another. However, with a view to ensuring that a unit of renewable energy is disclosed to a customer only once, double counting and double disclosure of guarantees of origin should be avoided. Energy from renewable sources in relation to which the accompanying guarantee of origin has been sold separately by the producer should not be disclosed or sold to the final customer as energy from renewable sources.

Or. en

Amendment 41

Proposal for a directive Recital 45

Text proposed by the Commission

Member States should ensure that guarantees of origin are issued for all units of renewable energy produced. **In addition, with a view to avoiding double compensation, renewable energy producers already receiving financial support should not receive guarantees of origin. However, those guarantees of origin should be used for disclosure so that final consumers can receive clear,**

Amendment

Member States should ensure that guarantees of origin are issued for all units of renewable energy produced.

reliable and adequate evidence on the renewable origin of the relevant units of energy. Moreover, for electricity that received support, the guarantees of origin should be auctioned to the market and the revenues should be used to reduce public subsidies for renewable energy.

Or. en

Amendment 42

Proposal for a directive Recital 50

Text proposed by the Commission

When favouring the development of the market for renewable energy sources, it is necessary to take into account the positive impact on regional and local development opportunities, export prospects, social cohesion and employment opportunities, in particular as concerns SMEs and independent energy producers.

Amendment

When favouring the development of the market for renewable energy sources, it is necessary to take into account the positive impact on regional and local development opportunities, export prospects, social cohesion and employment opportunities, in particular as concerns SMEs and independent energy producers, **including renewables self-consumers and renewable energy communities.**

Or. en

Amendment 43

Proposal for a directive Recital 50a (new)

Text proposed by the Commission

Amendment

The establishment of renewable energy communities represent opportunities for local and regional authorities to collaborate with individual citizens and SMEs to support the above objectives. Regional and local commitments to stimulating development of renewables

Fout! Onbekende naam voor documenteigenschap.

and energy efficiency are currently supported through the Covenant of Mayors initiative and the development of sustainable energy action plans. These efforts should be encouraged by Member States through, inter alia, the development of an assessment of potential for how local and regional authorities can work together with citizens to help contribute to the achievement of national renewable energy objectives, the establishment of objectives for renewable energy communities, and by encouraging regional and local authorities to set objectives for enabling renewable energy produced by local renewable energy communities.

Or. en

Amendment 44

Proposal for a directive Recital 52

Text proposed by the Commission

It is appropriate to allow for the development of decentralised renewable energy technologies under non-discriminatory conditions and without hampering the financing of infrastructure investments. The move towards decentralised energy production has many benefits, including the utilisation of local energy sources, increased local security of energy supply, shorter transport distances and reduced energy transmission losses. Such decentralisation also fosters community development and cohesion by providing income sources and creating jobs locally.

Amendment

It is appropriate to allow for the development of decentralised renewable energy **and storage** technologies under non-discriminatory conditions and without hampering the financing of infrastructure investments. The move towards decentralised energy production has many benefits, including the utilisation of local energy sources, increased local security of energy supply, shorter transport distances and reduced energy transmission losses. Such decentralisation also fosters community development and cohesion by providing income sources and creating jobs locally.

Amendment 45**Proposal for a directive
Recital 53****Text proposed by the Commission**

With the growing importance of self-consumption of renewable electricity, there is a need for a definition of renewable self-consumers and a regulatory framework which would empower self-consumers to generate, store, consume and sell electricity without facing disproportionate burdens. **Collective self-consumption should be allowed in certain cases so that citizens living in apartments for example can benefit from consumer empowerment to the same extent as households in single family homes.**

Amendment

With the growing importance of self-consumption of renewable electricity, there is a need for a definition of renewable self-consumers and a regulatory framework which would empower self-consumers to generate, store, consume and sell electricity without facing disproportionate burdens. **Tariffs and remuneration for self-consumption should incentivise smarter renewables integration technologies and motivate renewables self-consumers to make investment decisions that mutually benefit the customer and the grid. To allow for such a balance, It is necessary to ensure that renewable self consumers and local renewable energy communities are entitled to receive a remuneration for the self-generated renewable electricity they feed into the grid which reflects the market value of the electricity fed in, as well as the long-term value to the grid, the environment and society. This must include both long-term costs and benefits of self-consumption in terms of avoided costs to the grid, society and the environment, especially when combined with other distributed energy resources such as energy efficiency, energy storage, demand response and community networks. This remuneration should be determined on the basis of the cost benefit analysis of distributed energy resources under Article 59 of [Recast Directive 2009/72/EC as proposed by COM(2016) 864], or using other proved methodologies such as the “value of solar”.**

Amendment 46

Proposal for a directive Recital 53a

Text proposed by the Commission

With the growing importance of self-consumption of renewable electricity, there is a need for a definition of renewable self-consumers and a regulatory framework which would empower self-consumers to generate, store, consume and sell electricity without facing disproportionate burdens. Collective self-consumption should be allowed in certain cases so that citizens living in apartments for example can benefit from consumer empowerment to the same extent as households in single family homes.

Amendment

Collective self-consumption should be allowed in certain cases so that citizens living in apartments for example can benefit from consumer empowerment to the same extent as households in single family homes. **Enabling collective self-consumption also provides opportunities for renewable energy communities to advance energy efficiency at household level and help fight energy poverty through reduced consumption and lower supply tariffs. Member States should seize on this opportunity by, inter alia, assessing the possibility for renewable energy communities to contribute towards the reduction of fuel poverty and to enable participation by households that might otherwise not be able to participate, including vulnerable consumers and tenants.**

Amendment 47

Proposal for a directive Recital 54

Text proposed by the Commission

Local citizen participation in renewable energy projects through renewable energy communities has resulted in substantial added value in terms of local acceptance of renewable energy **and** access to additional private capital. This local involvement will be all the more crucial in a context of increasing renewable energy capacity in the future.

Amendment

Local citizen **and authorities** participation in renewable energy projects through renewable energy communities has resulted in substantial added value in terms of local acceptance of renewable energy, access to additional private capital **which results in local investment, more choice for consumers, encouragement of participation by households that might not otherwise be able to, advancement of energy efficiency at household level, and helping to fight energy poverty through reduced consumption and lower supply tariffs.** This local involvement will be all the more crucial in a context of increasing renewable energy capacity in the future.

Or. en

Amendment 48

Proposal for a directive Recital 54

Text proposed by the Commission

The specific characteristics of local renewable energy communities in terms of size, ownership structure and the number of projects can hamper their competition on equal footing with large-scale players, namely competitors with larger projects or portfolios. Measures to offset those disadvantages include enabling energy communities to operate in the energy system and easing their market integration.

Amendment

The specific characteristics of local renewable energy communities in terms of size, ownership structure and the number of projects can hamper their competition on equal footing with large-scale players, namely competitors with larger projects or portfolios. Measures to offset those disadvantages include enabling energy communities to operate in the energy system and easing their market integration, **including through guaranteed participation in support schemes, specific authorisation procedures, and enhanced information and guidance.**

Or. en

Fout! Onbekende naam voor documenteigenschap.

Amendment 49

**Proposal for a directive
Recital 55b (new)**

Text proposed by the Commission

Amendment

It is necessary to introduce a definition of “renewable energy communities”, based on a set of objective criteria, in order to ensure that only genuine community initiatives are entitled to benefit from a differentiated treatment (e.g. in participating in support schemes), and preventing competitive distortions by larger players. Binding criteria are also necessary to ensure that the framework for local renewable energy communities supports local acceptance.

Or. en.

Amendment 50

**Proposal for a directive
Recital 55c (new)**

Text proposed by the Commission

Amendment

Renewable energy communities should be entitled to participate in available support schemes on an equal footing with other large participants. For this purpose, Member States should reduce administrative requirements, include community-focused bidding criteria, create tailored bidding windows for renewable energy communities, or allow them to be remunerated through direct support.

Or. e

Fout! Onbekende naam voor documenteigenschap.

Van: [redacted] <[redacted]@rescoop.eu>
Verzonden: dinsdag 27 februari 2018 17:03
Aan: [redacted]
CC: [redacted]
Onderwerp: Trilogues on the renewable energy directive - renewable energy communities
Bijlagen: REScoop.eu - Key recommendations for trilogues.pdf

Dear [redacted]

I hope this finds you well.

As you know, the trilogues for the renewable energy directive are getting under way. Given that energy communities are likely to be discussed early on, I wanted to see if you would be available for either a phone call or a meeting sometime soon.

We are eager to input in to the discussions on several issues, in particular the definition on RECs (Article 2), Articles 21/22 (self-consumers/RECs), Article 4 (support schemes), Article 16 (the administrative contact point) and Article 19 (guarantees of origin).

Attached you can find our position paper on the upcoming talks. Please share with you colleagues.

I look forward to hearing from you.

Best regards,

--
[redacted]
Advocacy Officer

REScoop.eu vzw | www.rescoop.eu

Posthoflei 3 bus 3 | 2600 Berchem | Belgium

+32 (0) [redacted]

[redacted]@rescoop.eu



Van: [redacted]@rwe.com
Verzonden: dinsdag 16 mei 2017 14:40
Aan: [redacted]
Onderwerp: Clean energy package

Opvolgingsmarkering: Opvolgen
Markeringsstatus: Voltooid

Dag [redacted]

Het is alweer even geleden dat we elkaar hebben gesproken. Hopelijk gaat alles goed met je.

Vorige week was ik in Brussel en toen heb ik onder meer met [redacted] gesproken over het Clean Energy Package. Daarin staan enkele onderwerpen die voor ons als RWE in het bijzonder van belang zijn. Dat is onder meer op het gebied van market design en biomassa.

[redacted] vertelde dat jij vanuit EZ de coördinatie voor de Nederlandse inbreng in je portefeuille hebt. Daarom zou ik graag even de twee genoemde onderwerpen met je bespreken.

Heb je daar aanstaande donderdag of anders komende week tijd voor?

Vriendelijke groet,
[redacted]

Met vriendelijke groet, With kind Regards,

[redacted]
Public Affairs

RWE Nederland | Corporate Affairs | T 31 6 [redacted] | E-mail [redacted]@rwe.com

Van: [redacted] <[redacted]@minbuza.nl>
Verzonden: woensdag 19 april 2017 14:57
Aan: [redacted]; [redacted]; [redacted]
CC: [redacted]; [redacted]
Onderwerp: gesprekje met SHV Energy
Bijlagen: SHV Energy - Energy Efficiency Directive - Position paper - 18042017.pdf; SHV Energy - Renewable Energy Directive revision - Position paper - 18042017.pdf

Ha allen,

Ik sprak vorige week met [redacted] van SHV Energy over het Clean Energy pakket. Ik begreep dat ze binnenkort ook bij jullie op bezoek komt. Hieronder vinden jullie de belangrijkste punten uit dat gesprek. Zie ook de bijlagen voor hun position papers.

Groeten,
[redacted]

Help save paper! Do you really need to print this email?

Dit bericht kan informatie bevatten die niet voor u is bestemd. Indien u niet de geadresseerde bent of dit bericht abusievelijk aan u is toegezonden, wordt u verzocht dat aan de afzender te melden en het bericht te verwijderen. De Staat aanvaardt geen aansprakelijkheid voor schade, van welke aard ook, die verband houdt met risico's verbonden aan het elektronisch verzenden van berichten.

This message may contain information that is not intended for you. If you are not the addressee or if this message was sent to you by mistake, you are requested to inform the sender and delete the message. The State accepts no liability for damage of any kind resulting from the risks inherent in the electronic transmission of messages.



Efficient Energy for Rural Communities

The SHV Energy position on the Energy Efficiency Directive

March 2017

SHV Energy welcomes the European Commission's proposal to review the Energy Efficiency Directive (EED) and believes this proposal provides an opportunity to encourage low carbon, efficient technologies in rural off-grid areas.

SHV Energy is a leading distributor of LPG, small-scale LNG and, from 2017, BioLPG across Europe. SHV Energy supplies these clean, lower carbon fuels to commercial and domestic customers in rural areas located off the natural gas grid. SHV Energy would like to share some suggestions on how the EED recast could take into account the specific situations of customers located in off-grid rural areas, and exploit the enormous energy saving potential of those areas.

1. Unlocking the energy efficiency potential in rural areas

In rural areas, the need for energy efficiency measures is particularly acute, representing a real challenge to the 40.7 million rural, off-grid households (19% of all EU households) located in Europe. As recognised by the European Parliament's report on an *EU Strategy for Heating and Cooling*, rural and intermediate areas consume 72% of the heating and cooling demand of single-family houses¹. Rural building stock is generally older and less energy-efficient, and households are twice as likely as their urban counterparts to struggle to afford to heat their homes. In addition, these areas are the most likely to use highly polluting solid and liquid fuels, which have contributed to 292 million tonnes (Mt) of CO₂ emissions from rural areas in 2016². SHV Energy strongly believes there is a considerable potential for energy savings. This can be exploited through the promotion of energy-efficient technologies such as micro-CHP or highly efficient boilers. With the right measures in place, there is a **potential to reduce rural carbon emissions by up to 100 Mt CO₂ by 2030**.

2. Gaseous fuels such as LPG, LNG, and BioLPG, combined with innovative technologies such as micro-CHP and condensing boilers, can save up to 100 Mt of CO₂ in rural areas by 2030

Technology switching, such as the replacement of existing conventional oil or coal boilers with condensing boilers, is a very efficient way to cut energy consumption with a reasonable upfront costs for users. For instance, replacing an ageing oil boiler with a new LPG condensing boiler would result in reducing the carbon footprint of the system by around 50%.³ On the other hand, micro-CHP represents an innovative application that can reduce carbon emissions even further.

In rural areas, there is a good record of projects utilising renewable solutions for heating and cooling in new buildings. This is, however, likely to entail considerable costs which very often cause investment inertia. Switching to immediately available solutions such as LPG, LNG, and BioLPG, all of which complement renewable systems, could lead to emissions cuts of up to 100 Mt of CO₂ between now and 2030 in rural areas.

¹ 2016 European Parliament report on an EU Strategy on Heating and Cooling

<http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+REPORT+A8-2016-0232+0+DOC+XML+V0//EN>

² The FREE initiative report on 'Rural Energy Matters', 2016, http://www.rural-energy.eu/uploads/SHV_RuralEnergyReport_2016_20161123.pdf

³ Elsevier, Carbon footprints of heating oil and LPG heating systems, in Environmental Impact Assessment Review 2012

3. SHV Energy would therefore ask Members of the European Parliament to support the following changes to the Energy Efficiency Directive:

Text proposed by the Commission	Amendment	Justification
Article 7a: Energy efficiency obligation schemes		
2. Member States shall designate, on the basis of objective and non-discriminatory criteria, obligated parties among energy distributors and/or retail energy sales companies operating in its territory and may include transport fuel distributors or transport fuel retailers operating in its territory. The amount of energy savings needed to fulfil the obligation shall be achieved by the obligated parties among final customers, designated by the Member State, independently of the calculation made pursuant to Article 7(1), or, if Member States so decide, through certified savings stemming from other parties as described in point (b) of paragraph 5.	2. Member States shall designate, on the basis of objective and non-discriminatory criteria, obligated parties among energy distributors and/or retail energy sales companies operating in its territory and may exclude transport fuel distributors or transport fuel retailers or fuel distributors active in small energy sectors operating in its territory. The amount of energy savings needed to fulfil the obligation shall be achieved by the obligated parties among final customers, designated by the Member State, independently of the calculation made pursuant to Article 7(1), or, if Member States so decide, through certified savings stemming from other parties as described in point 5.	<p><i>The current 2012 Directive gives the possibility to exempt small energy sectors from the Energy efficiency obligation scheme (EEOSs).</i></p> <p><i>This was explicit in Recital 20 ("Member States should in particular be allowed not to impose this obligation on small energy distributors, small retail energy sales companies and small energy sectors to avoid disproportionate administrative burdens"), but finds no correspondence in the recast proposal.</i></p> <p><i>To guarantee a continuation of the current situation, including a provision on small businesses and small energy sectors would provide clarity.</i></p> <p><i>This is because the energy saving that these sectors can achieve are smaller and disproportionate compared to the higher costs deriving from the EEOS implementation. Looking at small energy distributors, alternative measures remain a more effective tool to achieve energy savings.</i></p>
5. Within the energy efficiency obligation scheme, Member States: (a) shall include requirements with a social aim in the saving obligations they impose, including by requiring a share of energy efficiency measures to be implemented as a priority in households affected by energy poverty and in social housing;	5. Within the energy efficiency obligation scheme, Member States: (a) Shall include requirements with a social aim in the saving obligations they impose, including by requiring a share of energy efficiency measures to be implemented as a priority in households affected by energy poverty, in social housing and in rural areas.	<p><i>The obligations schemes have been effective in driving forward energy efficiency improvements in household, business and industry. However, they have had very limited impact on rural homes and business. Looking ahead, in the next phase the EEOSs should acknowledge the specific situation of the building stock in rural and disadvantaged areas to unlock the energy saving potential of these areas. More than 40 million households in Europe are located in rural areas, of which a majority of the building stock is more than 70 years old. If not amended properly, this provision risks continue overlooking the big energy saving potential of those areas.</i></p>

Annexes IV and V		
<p>1. Annexes IV and V are amended as follows:</p> <p>(a) in Annex IV, footnote 3 is replaced by the following:</p> <p>'(3) Applicable when energy savings are calculated in primary energy terms using a bottom-up approach based on final energy consumption. For savings in kWh electricity Member States may apply a default coefficient of 2.0. Member States may apply a different coefficient provided they can justify it.'</p>	<p>1. Annexes IV and V are amended as follows:</p> <p>(a) in Annex IV, footnote 3 is replaced by the following:</p> <p>'(3) Applicable when energy savings are calculated in primary energy terms using a bottom-up approach based on final energy consumption. For savings in kWh electricity Member States may apply a default coefficient of 2.3. Member States may apply a different coefficient provided they can justify it.'</p>	<p><i>The primary energy factor proposed in Annexes IV and V should ensure that efficient gaseous technologies and fuels play a positive role in transition of rural areas to clean energy.</i></p> <p><i>The proposed 2.0 primary energy factor represents a too drastic reduction of the value, compared to the current one. Is a concern for the LPG industry as it will seriously disadvantage gas heating appliances compared to electric appliances, when assessing their energy efficiency rating.</i></p> <p><i>We call on Members of the European Parliament to consider an increase of the primary energy factor from the current 2.0 to 2.3</i></p>

About SHV Energy

SHV Energy is a unique energy provider in a world where the climate is changing and air quality is a critical health issue for millions. The world's largest LPG distributor, SHV Energy also provides small-scale LNG and sustainable BioLPG to those without access to the grid. LPG is the most widely used gaseous fuel in the world, with users able to utilise large and small-scale individual storage solutions easily and safely. These cleaner energy sources help people to switch away from polluting oil and solid fuels, improving their quality of life and reducing their impact on the environment. Furthermore, SHV Energy is committed to being an active participant in the energy transition, with significant investments in renewable energy planned for the coming years. SHV Energy operates in more than 20 countries worldwide. In Europe our brands include Primagaz, Calor Gas, Liquigas, Gaspol and Ipragaz. A Dutch family owned company; we are committed to working sustainably with communities, stakeholders and policymakers to advance energy, together. For further information on SHV Energy and LPG please visit www.shvenergy.com.



The revision of the Renewable Energy Directive; an opportunity for a new energy mix in rural areas

March 2017

SHV Energy welcomes the Commission's ambition to reduce Europe's emissions by encouraging the uptake of sustainable renewable energy. SHV Energy in particular welcomes the new article on heating and cooling, which for the first time addresses the technologies and fuels of the heating sector.

Currently, heating oil and coal constitute more than 50% of the fuels used in rural heating. Alternative, lower carbon fuels are essential if rural areas are to transition to a low carbon economy, and will complement the uptake in renewable energies.

SHV Energy is a leading distributor of LPG, small-scale LNG and recently BioLPG across Europe. These gaseous fuels are immediately available, lower carbon energy sources. Furthermore, they emit almost no particulate matter and very low NOx. These qualities make them well-placed to contribute to a more sustainable European building stock and transport sector. Specifically, LPG can be used in highly efficient heating applications and in combination with micro-CHP. LPG is the most efficient, low-carbon fuel available today for buildings in rural areas not connected to the natural gas grid.

1. New, innovative biofuels can contribute to reduced GHG emissions and air quality savings; they should be further encouraged by the EU

Over the next four years, SHV Energy is committed to introduce to the European market 160,000 tonnes of BioLPG. This new product, is a 100% drop-in biofuel with the same properties as propane. It is produced from a certified sustainable renewable feedstock. Waste and residues comprise 60% of the feedstock, alongside vegetable oil. BioLPG is chemically identical to conventional propane and can be used in the full range of existing LPG applications without modification. These include road transport, fork lift trucks, commercial heating, retail leisure cylinders and industrial applications.

As such, this new advanced product in a pure form can offer up to 80% of greenhouse gas emission savings in comparison to conventional LPG. When BioLPG replaces petrol, diesel, heating oil or coal, the carbon savings is even more dramatic.

In view of the revision of the Renewable Energy Directive, SHV Energy would like to underline the importance of establishing a regulatory framework which guarantees investors' confidence and encourage further development of biofuels.

2. Heating and cooling system in off-grid (rural) areas needs to be urgently modernised, but take into consideration the vulnerability of these areas

According to a study by Ecuity Consulting LLP (Ecuity), the most common form of heating in rural-remote (off-grid) areas is coal (39%) followed by biomass (28%) and heating oil (12%). This overdependence on solid and liquid fuels contributed towards an estimated 292 million tonnes (Mt) of CO₂ emissions in 2016 in rural-remote areas. By 2030, a total of nearly 100 Mt CO₂ can be saved if the usage of coal is reduced to 15% and heating oil to 9% in the rural-remote energy mix, while the usage of cleaner and more efficient fuels such as LPG and BioLPG is increased to around 20% and heat pumps to 6%. Gaseous fuels such as LPG, LNG and BioLPG (biopropane), when linked to very high efficiency technologies such as heat pumps and micro-CHP, offer clean and reliable decentralised energy solutions for these remote areas, providing energy efficiently, close to the point of use.

While SHV Energy already invests in renewable energy, such as biomass in the UK, and will invest in BioLPG in a number of EU countries, the mandate to increase the level of renewable energy in heating and cooling would be difficult to achieve. LPG and BioLPG have a great role to play in rural areas, however an obligation introduced in Article 23 can in fact distort decarbonisation efforts rather than help them. For small energy distributors, such provision would not only be burdensome, but would also increase the cost of energy in off-grid areas, which are overall much more vulnerable towards energy poverty.

Article 23

Text proposed by the Commission	Amendment	Justification
2. Member States may designate and make public, on the basis of objective and nondiscriminatory criteria, a list of measures and the implementing entities, such as fuel suppliers, which shall contribute to the increase set out in paragraph 1.	2. Member States may designate and make public, on the basis of objective and nondiscriminatory criteria, a list of measures and the implementing entities, such as fuel suppliers, which shall contribute to the increase set out in paragraph 1. Member States may exempt small energy suppliers and small energy sectors from this obligation, in order to avoid disproportionate administrative burdens.	<i>It is to be expected that the implementation of Article 23 will add disproportionate burden on small businesses and small energy sectors. In order not to undermine their competitiveness and to ensure the benefits they bring to reduction of GHG emissions are fully recognized, an exemption of small energy suppliers from the Article 23 obligation should be introduced.</i>

3. The Renewable Energy Directive can also help air quality

Poor air quality is a problem in many rural areas. People living in rural and mountainous areas are more likely to be exposed to high ozone levels caused largely by ozone precursor emissions from energy sources. Emissions of Particulate Matter (PM) and NO_x and SO_x gases can also be high in rural areas, because of the high use of coal, heating oil and biomass. For example, in the Italian mountainous region of Piedmont, the estimated exposure to small particulate matter (PM_{2.5}) is as high as 21.1 µg/m³ (the highest accepted value in Europe is 25 µg/m³). Not even London – where air pollution is considered a big problem – reaches this level. Similar statistics are available for other rural European regions, for example the Polish Podlaskie region (15.1 µg/m³).

Text proposed by the Commission	Amendment	Justification
(57) Several Member States have implemented measures in the heating and cooling sector to reach their 2020 renewable energy target. However, in the absence of binding national targets post-2020, the remaining national incentives may not be sufficient to reach the long-term decarbonisation goals for 2030 and 2050. In order to be in line with such goals, reinforce investor certainty and foster the development of a Union-wide renewable heating and cooling market, while respecting the energy efficiency first principle, it is appropriate to encourage the effort of Member States in the supply of renewable heating and cooling to contribute to the progressive increase of the share of renewable energy. Given the fragmented nature of some heating	(57) Several Member States have implemented measures in the heating and cooling sector to reach their 2020 renewable energy target. However, in the absence of binding national targets post-2020, the remaining national incentives may not be sufficient to reach the long-term decarbonisation goals for 2030 and 2050. In order to be in line with such goals, reinforce investor certainty and foster the development of a Union-wide renewable heating and cooling market, while respecting the energy efficiency first principle, it is appropriate to encourage the effort of Member States in the supply of renewable heating and cooling to contribute to the progressive increase of the share of renewable energy. Given the fragmented nature of some heating and cooling markets, it is of utmost importance to ensure flexibility	<i>It is important to ensure that the revised Directive encourages renewable fuels which are particularly beneficial not only for reduction of GHG emissions but also for air quality.</i>

and cooling markets, it is of utmost importance to ensure flexibility in designing such an effort. It is also important to ensure that a potential uptake of renewable heating and cooling does not have detrimental environmental side-effects.

in designing such an effort. It is also important to ensure that a potential uptake of renewable heating and cooling does not have detrimental environmental side-effects, *in particular as regards air quality.*

About SHV Energy

SHV Energy is a unique energy provider in a world where the climate is changing and air quality is a critical health issue for millions. The world's largest LPG distributor, SHV Energy also provides small-scale LNG and sustainable BioLPG to those without access to the grid. LPG is the most widely used gaseous fuel in the world, with users able to utilise large and small-scale individual storage solutions easily and safely. These cleaner energy sources help people to switch away from polluting oil and solid fuels, improving their quality of life and reducing their impact on the environment. Furthermore, SHV Energy is committed to being an active participant in the energy transition, with significant investments in renewable energy planned for the coming years. SHV Energy operates in more than 20 countries worldwide. In Europe our brands include Primagaz, Calor Gas, Liquigas, Gaspol and Ipragaz. A Dutch family owned company; we are committed to working sustainably with communities, stakeholders and policymakers to advance energy, together. For further information on SHV Energy and LPG please visit www.shvenergy.com.

Van: [redacted] <[redacted]@shvenergy.com>
Verzonden: donderdag 1 juni 2017 11:50
Aan: [redacted]; [redacted]
CC: [redacted]; [redacted]
Onderwerp: N.a.v. overleg Clean Energy Package - Nadere informatie m.b.t. Primary Energy Factor
Bijlagen: Primary Energy Factor - Its implications explained - 31052017.pdf; SHV Energy - Renewable Energy Directive revision - Position paper - 18042017.pdf; SHV Energy - Energy Performance of Buildings Directive - Position paper - 18042017.pdf; SHV Energy - Energy Efficiency Directive - Position paper - 18042017.pdf
Opvolgingsmarkering: Opvolgen
Markeringsstatus: Voltooid

Beste [redacted] beste [redacted]

Allereerst, hartelijk dank voor het ontvangst en overleg op 19 mei jl.

Naast het introduceren van onze kennis en ervaring op het gebied van decentrale energie, bood het tevens een goed kader om onze zienswijzen op de EED, EPBD en RED toe te lichten, alsmede de mogelijke gevolgen voor de burger, het klimaat en de sector toe te lichten. Desbetreffende position papers zijn in digitale versie bijgevoegd. Mag ik u vragen deze ook met uw collega's [redacted] en [redacted] te delen?

Ter aanvulling op ons overleg, voorzie ik u hierbij graag van nadere informatie m.b.t. de Primary Energy Factor (PEF). Deze informatie kan wellicht een ander licht werpen op de onderhandelingen in de Raad over de Energy Efficiency Directive (EED). We begrepen namelijk gisteren van de energieverantwoordelijke van het aankomend Estlandse EU voorzitterschap, dat Malta op de aanstaande raadsbijeenkomst van 26 juni zal trachten tot een algemene overeenkomst te komen op dit voorstel. Derhalve vragen we graag uw aandacht voor deze mogelijk tot op heden onderbelichte kwestie.

Met name de nadelige gevolgen voor direct beschikbare, energie efficiënte, lager CO2 uitstotende en ook kostenefficiënte brandstoffen en technologieën als gas zijn in onze ogen onderbelicht in het huidige voorstel van een PEF van 2.0. We vragen de Raad en het Europees Parlement dan ook, om een PEF van 2.3 te steunen, welke ook in de EED Impact Assessment wordt beargumenteerd. Met een PEF van 2.3 wordt immers vooruitgang geboekt en nagestreefd, terwijl er ruimte bestaat om de daadwerkelijke technologische ontwikkeling op te volgen. En dit, zonder alleen en onvoorwaardelijk de elektrificatie van warmte te bevorderen, aangezien de prestatie van dergelijke technologieën afhangt van het type (bijv. elektrische warmtepomp), de situatie (tijdens zomer of winter, een goed of slecht geïsoleerde woning) en de ligging (afgelegen landelijk gebied). Met een Primary Energy Factor van 2.3 heeft de burger en consument een vooruitstrevende, maar ook realistische keuze.

We hopen dat deze eenvoudige 2-pager de nodige duidelijkheid verschaft in deze nogal technische materie. We hebben bijgevoegd standpunt zorgvuldig besproken met de bredere Europese gas industrie (on & off-grid), als ook de co-generatie actoren. Mochten er op basis van dit stuk nog verdere vragen zijn, aarzel dan niet om contact op te nemen. We lichten bijvoorbeeld graag e.e.a. toe aan uw collega [redacted] die zich richt op de EED.

Met vriendelijke groet,

[redacted]
 Head of Group Public Affairs



M +32 (0) [REDACTED]

[REDACTED]@shvenergy.com

www.shvenergy.com, www.whyipg.com

The information transferred by this e-mail is solely for the intended recipient(s).

Any disclosure, copying, distribution of this e-mail by and to others is not allowed. If you are not an intended recipient, please delete this e-mail and notify the sender.

SHV Energy N.V.

Commercial Register 30098428

This email has been scanned by the Symantec Email Security.cloud service.

For more information please visit <http://www.symanteccloud.com>

The Primary Energy Factor – Its implications explained

31 May 2017

Summary of concerns

SHV Energy is concerned that the changes to the Primary Energy Factor (PEF) from a rating of 2.5 to 2.0 in the recast Energy Efficiency Directive (EED) will lead to an overestimation of the efficiency of electrical heating appliances in the EU, as the move to a factor of 2.0 is based on assumptions within the PRIMES model, and not real-life data from Eurostat. In order to reflect the actual situation on the ground, SHV Energy asks that the Council of Ministers and European Parliament support a Primary Energy Factor of 2.3, which is in line with the EED Impact Assessment, and reflects the advances made in the electrical appliances sector, alongside more regular updating of the Primary Energy Factor, to ensure future advances are taken into account.

How the Primary Energy Factor works, in detail

The main goal of the Energy Efficiency Directive is to reduce energy consumption in the EU by increasing the energy efficiency of the EU economy. EU citizens and enterprises use a range of different fuels to satisfy their energy needs. In order to ensure that uniform efforts to cut energy consumption are made regardless of the energy source used, energy saving targets are calculated both in amounts of primary and of final energy. The reason is that, if only final energy were taken into account, the amount of energy used for electricity generation and transmission would not be considered in the energy savings calculations. If this were the case, EU legislation would not satisfactorily stimulate increases in efficiency in the electricity generation sector.

For this reason, for many years, a Primary Energy Factor, estimating how much energy is needed to produce a unit of electricity, has been in place. EU legislation currently applies a PEF of 2.5, which means that for every single unit of electricity used, the current methodology assumes that two and a half times as much primary energy (the fuel used to generate the electricity) has been consumed. In other words, the current PEF assumes that power generation in the EU is delivered on average at 40% efficiency (100% divided by 2.5 = 40%). As well as the EED, the PEF applies to the EPBD, the Ecodesign and Energy Efficiency Labelling Directives.

With fuels that are delivered and consumed at the consumers' premises (i.e. gas, coal, oil etc.), calculating the "real" efficiency of an appliance is quite straightforward as the process whereby the fuel is converted to energy – normally combustion – has clear and measurable efficiency. As regards electric appliances, if a PEF were not used, they would look "artificially" more efficient than those fuelled by primary energy, as the energy required for producing the electricity that they use would not be taken into account. The practical consequence would be that electric appliances would be reputed the most efficient by EU legislation even if, from a lifecycle perspective, they would require much more energy to function than those running on primary energy. Similarly, if an inaccurate, too low PEF were included in the Energy Efficiency Directive, the legislation would not satisfactorily take into account the inefficiencies in power generation and transmission.

It is evident that, in order to promote efficient appliances and avoid distortions in the appliances market, it is fundamental to make sure that the primary energy factor set in EU legislation is accurate.

Proposed changes to the Primary Energy Factor

The new Energy Efficiency Directive (EED) proposes a new PEF of 2.0. This PEF is not based on actual Eurostat data, but on PRIMES projections that do not reflect the efficiency of the power generation sector today.¹ In addition, the EED impact assessment makes it clear that *"it appears appropriate for [...] the same PEF value for electricity to be used in all EU legislation where it is appropriate"*.² Hence, **in order to ensure that EU legislation keeps promoting efficient heating appliances, it is fundamental that an accurate PEF based on actual data is used.** Inserting a too low value in EU legislation would result in an unduly advantage to electric appliances. This would be connected to negative consequences such as:

- **An increased marginal electricity demand**, which is nearly always filled by fossil fuel central electricity generation. This method tends to have an efficiency of around 37% and high CO₂ emissions.
- **Providing European citizens with incorrect information**, as an artificial increase in the energy efficiency rating would push them to purchase electric appliances. This would result in an increase in consumers' energy bills.
- **A decrease in demand for low-carbon gas and biomass appliances.** These appliances can be over 90% efficient and represent an environmentally sensible and cost effective solution for millions of homes.
- **Increased electric heat load in rural areas.** Remote areas often struggle to have a robust supply of grid based electricity. An electric heating load in homes and businesses in these locations will put an additional strain on the infrastructure and increase blackouts.
- **If the revision of the Ecodesign requirements does not satisfactorily consider the PEF decrease, the most inefficient electricity appliances that are currently expected to be phased out of the EU market in September 2017 may stay in the market.** The reason is that, due to the new PEF, their efficiency would "mechanically" increase.

For these reasons, we believe that the revised PEF should be calculated by using actual data provided by Eurostat and should be regularly revised in order to reflect the improvement in the efficiency of the power generation sector. The EED impact assessment suggests that estimating the PEF by using real data would lead to a value close to 2.3.

We urge the EU institutions to set the PEF at the level of 2.3 to reflect the gains made by the electricity industry without understating the real environmental impact of electrical heating appliances.

¹ COMMISSION STAFF WORKING DOCUMENT - IMPACT ASSESSMENT Accompanying the document Proposal for a Directive of the European Parliament and of the Council amending Directive 2012/27/EU on Energy Efficiency, p. 168 (sourced online: <http://ec.europa.eu/transparency/regdoc/rep/10102/2016/EN/SWD-2016-405-F1-EN-MAIN-PART-3.PDF>)

² Ibid., p. 164.



The revision of the Renewable Energy Directive; an opportunity for a new energy mix in rural areas

March 2017

SHV Energy welcomes the Commission's ambition to reduce Europe's emissions by encouraging the uptake of sustainable renewable energy. SHV Energy in particular welcomes the new article on heating and cooling, which for the first time addresses the technologies and fuels of the heating sector.

Currently, heating oil and coal constitute more than 50% of the fuels used in rural heating. Alternative, lower carbon fuels are essential if rural areas are to transition to a low carbon economy, and will complement the uptake in renewable energies.

SHV Energy is a leading distributor of LPG, small-scale LNG and recently BioLPG across Europe. These gaseous fuels are immediately available, lower carbon energy sources. Furthermore, they emit almost no particulate matter and very low NOx. These qualities make them well-placed to contribute to a more sustainable European building stock and transport sector. Specifically, LPG can be used in highly efficient heating applications and in combination with micro-CHP. LPG is the most efficient, low-carbon fuel available today for buildings in rural areas not connected to the natural gas grid.

1. New, innovative biofuels can contribute to reduced GHG emissions and air quality savings; they should be further encouraged by the EU

Over the next four years, SHV Energy is committed to introduce to the European market 160,000 tonnes of BioLPG. This new product, is a 100% drop-in biofuel with the same properties as propane. It is produced from a certified sustainable renewable feedstock. Waste and residues comprise 60% of the feedstock, alongside vegetable oil. BioLPG is chemically identical to conventional propane and can be used in the full range of existing LPG applications without modification. These include road transport, fork lift trucks, commercial heating, retail leisure cylinders and industrial applications.

As such, this new advanced product in a pure form can offer up to 80% of greenhouse gas emission savings in comparison to conventional LPG. When BioLPG replaces petrol, diesel, heating oil or coal, the carbon savings is even more dramatic.

In view of the revision of the Renewable Energy Directive, SHV Energy would like to underline the importance of establishing a regulatory framework which guarantees investors' confidence and encourage further development of biofuels.

2. Heating and cooling system in off-grid (rural) areas needs to be urgently modernised, but take into consideration the vulnerability of these areas

According to a study by Ecuity Consulting LLP (Ecuity), the most common form of heating in rural-remote (off-grid) areas is coal (39%) followed by biomass (28%) and heating oil (12%). This overdependence on solid and liquid fuels contributed towards an estimated 292 million tonnes (Mt) of CO₂ emissions in 2016 in rural-remote areas. By 2030, a total of nearly 100 Mt CO₂ can be saved if the usage of coal is reduced to 15% and heating oil to 9% in the rural-remote energy mix, while the usage of cleaner and more efficient fuels such as LPG and BioLPG is increased to around 20% and heat pumps to 6%. Gaseous fuels such as LPG, LNG and BioLPG (biopropane), when linked to very high efficiency technologies such as heat pumps and micro-CHP, offer clean and reliable decentralised energy solutions for these remote areas, providing energy efficiently, close to the point of use.

While SHV Energy already invests in renewable energy, such as biomass in the UK, and will invest in BioLPG in a number of EU countries, the mandate to increase the level of renewable energy in heating and cooling would be difficult to achieve. LPG and BioLPG have a great role to play in rural areas, however an obligation introduced in Article 23 can in fact distort decarbonisation efforts rather than help them. For small energy distributors, such provision would not only be burdensome, but would also increase the cost of energy in off-grid areas, which are overall much more vulnerable towards energy poverty.

Article 23

Text proposed by the Commission	Amendment	Justification
2. Member States may designate and make public, on the basis of objective and nondiscriminatory criteria, a list of measures and the implementing entities, such as fuel suppliers, which shall contribute to the increase set out in paragraph 1.	2. Member States may designate and make public, on the basis of objective and nondiscriminatory criteria, a list of measures and the implementing entities, such as fuel suppliers, which shall contribute to the increase set out in paragraph 1. Member States may exempt small energy suppliers and small energy sectors from this obligation, in order to avoid disproportionate administrative burdens.	<i>It is to be expected that the implementation of Article 23 will add disproportionate burden on small businesses and small energy sectors. In order not to undermine their competitiveness and to ensure the benefits they bring to reduction of GHG emissions are fully recognized, an exemption of small energy suppliers from the Article 23 obligation should be introduced.</i>

3. The Renewable Energy Directive can also help air quality

Poor air quality is a problem in many rural areas. People living in rural and mountainous areas are more likely to be exposed to high ozone levels caused largely by ozone precursor emissions from energy sources. Emissions of Particulate Matter (PM) and NO_x and SO_x gases can also be high in rural areas, because of the high use of coal, heating oil and biomass. For example, in the Italian mountainous region of Piedmont, the estimated exposure to small particulate matter (PM_{2.5}) is as high as 21.1 µg/m³ (the highest accepted value in Europe is 25 µg/m³). Not even London – where air pollution is considered a big problem – reaches this level. Similar statistics are available for other rural European regions, for example the Polish Podlaskie region (15.1 µg/m³).

Text proposed by the Commission	Amendment	Justification
(57) Several Member States have implemented measures in the heating and cooling sector to reach their 2020 renewable energy target. However, in the absence of binding national targets post-2020, the remaining national incentives may not be sufficient to reach the long-term decarbonisation goals for 2030 and 2050. In order to be in line with such goals, reinforce investor certainty and foster the development of a Union-wide renewable heating and cooling market, while respecting the energy efficiency first principle, it is appropriate to encourage the effort of Member States in the supply of renewable heating and cooling to contribute to the progressive increase of the share of renewable energy. Given the fragmented nature of some heating	(57) Several Member States have implemented measures in the heating and cooling sector to reach their 2020 renewable energy target. However, in the absence of binding national targets post-2020, the remaining national incentives may not be sufficient to reach the long-term decarbonisation goals for 2030 and 2050. In order to be in line with such goals, reinforce investor certainty and foster the development of a Union-wide renewable heating and cooling market, while respecting the energy efficiency first principle, it is appropriate to encourage the effort of Member States in the supply of renewable heating and cooling to contribute to the progressive increase of the share of renewable energy. Given the fragmented nature of some heating and cooling markets, it is of utmost importance to ensure flexibility	<i>It is important to ensure that the revised Directive encourages renewable fuels which are particularly beneficial not only for reduction of GHG emissions but also for air quality.</i>



and cooling markets, it is of utmost importance to ensure flexibility in designing such an effort. It is also important to ensure that a potential uptake of renewable heating and cooling does not have detrimental environmental side-effects.

in designing such an effort. It is also important to ensure that a potential uptake of renewable heating and cooling does not have detrimental environmental side-effects, *in particular as regards air quality.*

About SHV Energy

SHV Energy is a unique energy provider in a world where the climate is changing and air quality is a critical health issue for millions. The world's largest LPG distributor, SHV Energy also provides small-scale LNG and sustainable BioLPG to those without access to the grid. LPG is the most widely used gaseous fuel in the world, with users able to utilise large and small-scale individual storage solutions easily and safely. These cleaner energy sources help people to switch away from polluting oil and solid fuels, improving their quality of life and reducing their impact on the environment. Furthermore, SHV Energy is committed to being an active participant in the energy transition, with significant investments in renewable energy planned for the coming years. SHV Energy operates in more than 20 countries worldwide. In Europe our brands include Primagaz, Calor Gas, Liquigas, Gaspol and Ipragaz. A Dutch family owned company; we are committed to working sustainably with communities, stakeholders and policymakers to advance energy, together. For further information on SHV Energy and LPG please visit www.shvenergy.com.

SHV Energy position on the Review the Energy Performance of Buildings Directive

March 2017

SHV Energy welcomes the European Commission's draft proposal to recast the Energy Performance of Buildings Directive (EPBD). As Europe looks to simultaneously address the dual challenge of air quality and climate change, the importance of enhancing energy efficiency in buildings is increasingly apparent.

SHV Energy is a leading distributor of LPG, small scale LNG and, from 2017, BioLPG across Europe. These gaseous fuels are immediately available and lower carbon than conventional alternatives. They emit almost no particulate matter and very low NOx. They are therefore well-placed to contribute to a more sustainable European rural building stock. Specifically, LPG can be used in highly efficient heating applications and in combination with low carbon technologies such as micro-CHP. When used in these technologies, it can be one of the most efficient, low-carbon fuels available today for buildings in off-grid rural areas.

SHV Energy would like to share some suggestions on how the EPBD recast can exploit the enormous energy saving opportunity of the rural building stock

1. Switching to efficient fuels and technologies to improve air quality

In rural areas, the building stock is generally older and less energy-efficient. When it comes to renovation and insulation, individual rural homes cannot benefit from the same advantages that urban homes with multiple tenants can have. When it comes to their heating, highly polluting coal and heating oil are still the predominant and widely used energy sources. LPG could replace these fuels in modern highly efficient applications such as micro-CHP or condensing boilers. This would contribute strongly to resolve the air quality problems and the high carbon emissions caused by the current old-fashioned energy mix in off grid rural areas. For instance, replacing an ageing oil boiler with a new LPG condensing boiler, would result in reducing the carbon footprint of the system by up to around 50%.¹ With the right measures in place, there is a potential to reduce carbon emissions by up to 100 Mt CO₂ by 2030 in rural areas.²

SHV Energy calls on decision-makers to put in place measures to exploit fully the energy saving potential of these rural areas through the promotion of energy-efficient technologies.

2. Funding schemes should benefit small scale projects

Energy efficiency funding schemes have almost completely bypassed rural and off-grid areas. Calls for proposals have been drafted in a way which allows mainly bigger, urban projects to benefit from funding opportunities.

SHV Energy therefore calls for funding schemes to be designed in a way to allow small-scale projects, which are more suitable to rural and disadvantaged areas, to apply for them. For instance, the European Regional Development Fund (ERDF) should in theory provide financing for energy efficiency projects in rural areas. However, because of economies of scale, this is not the case in Member States. Therefore, SHV Energy calls on EU co-legislators to tap into the significant potential of building renovation programmes at small scale and local levels, especially in rural areas.

¹ Elsevier, Carbon footprints of heating oil and LPG heating systems, in Environmental Impact Assessment Review 2012

² The FREE initiative report on 'Rural Energy Matters', 2016, http://www.rural-energy.eu/uploads/SHV_RuralEnergyReport_2016_20161123.pdf

3. In view of the above mentioned, we ask Members of the European Parliament to support the following amendments to the EPBD recast:

Text proposed by the Commission	Amendment	Justification
Article 2.2		
2. In their long-term renovation strategy referred to in paragraph 1, Member States shall set out a roadmap with clear milestones and measures to deliver on the long-term 2050 goal to decarbonise their national building stock, with specific milestones for 2030. In addition, the long term renovation strategy shall contribute to the alleviation of energy poverty	2. In their long-term renovation strategy referred to in paragraph 1, Member States shall set out a roadmap with clear milestones and measures to deliver on the long-term 2050 goal to decarbonise their national building stock, with specific milestones for 2030 and on the pollutant emission objectives set in the Directive (EU) 2016/2284 on the reduction of national emissions of certain atmospheric pollutants. In addition, the long term renovation strategy shall contribute to the alleviation of energy poverty	<i>Along with the decarbonisation objective, the EPBD recast should also aim to take into account the potential to cut air pollution in the building stock both in rural and urban areas. The recently approved NEC Directive sets the target to reduce PM2.5 emissions by 49% by 2030, compared to 2005 levels. The building sector has so far had a limited contribution to achieve particulate matter reduction, notwithstanding the big potential represented by cleaner sources such as LPG.</i>
Article 10: New Buildings		
	New sub-paragraph: Paragraph 6 c Member States shall ensure financial measures are available also for small-scale renovations, with a particular emphasis on rural buildings.	<i>So far, the calls for tenders have been written in a way to benefit only large scale renovation. With the right incentive in the EPBD, financing could be streamlined to benefits for instance renovations of heating systems or other small-scale renovations in rural areas.</i>

4. Ensuring A level playing field for cleaner fuels: support of Commission's proposed Annex I

In some Member States, the Energy Performance Certificates (EPCs) introduced by the current Directive have failed to recognise the far better environmental characteristics of LPG over more polluting fuels such as heating oil. At the same time the Directive disadvantages properties located in rural areas. This is caused by the fact that the EPCs, which are intended to provide owners, occupiers, landlords and buyers with information about the energy efficiency of buildings, places primary focus on running cost, rather than unit of energy or the impact on the environment. The adverse outcomes of the EPCs have been particularly visible in rural areas, where all fuel options are more expensive than natural gas available in cities. Properties located in rural areas are generally more difficult to heat, as they often require more units of fuel to heat when compared to households located in cities. The Energy Performance of Buildings should recognise the environmental benefits of cleaner fuels, especially those that could substantially contribute to decarbonisation of the countryside, such as LPG and LNG.

The proposed by the Commission Amendment to Annex I provides a clear signal that using current cost-based methodology for energy efficiency is not suitable. Therefore, SHV Energy calls on the Council and the Members of the European Parliament to support the Commission proposal to amend Annex 1 "Energy performance of buildings shall be expressed by a numeric indicator of primary energy use in kWh (m2.y)".

About SHV Energy

SHV Energy is a unique energy provider in a world where the climate is changing and air quality is a critical health issue for



millions. The world's largest LPG distributor, SHV Energy also provides small-scale LNG and sustainable BioLPG to those without access to the grid. LPG is the most widely used gaseous fuel in the world, with users able to utilise large and small-scale individual storage solutions easily and safely. These cleaner energy sources help people to switch away from polluting oil and solid fuels, improving their quality of life and reducing their impact on the environment. Furthermore, SHV Energy is committed to being an active participant in the energy transition, with significant investments in renewable energy planned for the coming years. SHV Energy operates in more than 20 countries worldwide. In Europe our brands include Primagaz, Calor Gas, Liquigas, Gaspol and Ipragaz. A Dutch family owned company; we are committed to working sustainably with communities, stakeholders and policymakers to advance energy, together. For further information on SHV Energy and LPG please visit www.shvenergy.com.



Efficient Energy for Rural Communities

The SHV Energy position on the Energy Efficiency Directive

March 2017

SHV Energy welcomes the European Commission's proposal to review the Energy Efficiency Directive (EED) and believes this proposal provides an opportunity to encourage low carbon, efficient technologies in rural off-grid areas.

SHV Energy is a leading distributor of LPG, small-scale LNG and, from 2017, BioLPG across Europe. SHV Energy supplies these clean, lower carbon fuels to commercial and domestic customers in rural areas located off the natural gas grid. SHV Energy would like to share some suggestions on how the EED recast could take into account the specific situations of customers located in off-grid rural areas, and exploit the enormous energy saving potential of those areas.

1. Unlocking the energy efficiency potential in rural areas

In rural areas, the need for energy efficiency measures is particularly acute, representing a real challenge to the 40.7 million rural, off-grid households (19% of all EU households) located in Europe. As recognised by the European Parliament's report on an *EU Strategy for Heating and Cooling*, rural and intermediate areas consume 72% of the heating and cooling demand of single-family houses¹. Rural building stock is generally older and less energy-efficient, and households are twice as likely as their urban counterparts to struggle to afford to heat their homes. In addition, these areas are the most likely to use highly polluting solid and liquid fuels, which have contributed to 292 million tonnes (Mt) of CO₂ emissions from rural areas in 2016². SHV Energy strongly believes there is a considerable potential for energy savings. This can be exploited through the promotion of energy-efficient technologies such as micro-CHP or highly efficient boilers. With the right measures in place, there is a **potential to reduce rural carbon emissions by up to 100 Mt CO₂ by 2030**.

2. Gaseous fuels such as LPG, LNG, and BioLPG, combined with innovative technologies such as micro-CHP and condensing boilers, can save up to 100 Mt of CO₂ in rural areas by 2030

Technology switching, such as the replacement of existing conventional oil or coal boilers with condensing boilers, is a very efficient way to cut energy consumption with a reasonable upfront costs for users. For instance, replacing an ageing oil boiler with a new LPG condensing boiler would result in reducing the carbon footprint of the system by around 50%.³ On the other hand, micro-CHP represents an innovative application that can reduce carbon emissions even further.

In rural areas, there is a good record of projects utilising renewable solutions for heating and cooling in new buildings. This is, however, likely to entail considerable costs which very often cause investment inertia. Switching to immediately available solutions such as LPG, LNG, and BioLPG, all of which complement renewable systems, could lead to emissions cuts of up to 100 Mt of CO₂ between now and 2030 in rural areas.

¹ 2016 European Parliament report on an EU Strategy on Heating and Cooling

<http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+REPORT+A8-2016-0232+0+DOC+XML+V0//EN>

² The FREE initiative report on 'Rural Energy Matters', 2016, http://www.rural-energy.eu/uploads/SHV_RuralEnergyReport_2016_20161123.pdf

³ Elsevier, Carbon footprints of heating oil and LPG heating systems, in Environmental Impact Assessment Review 2012

3. **SHV Energy would therefore ask Members of the European Parliament to support the following changes to the Energy Efficiency Directive:**

Text proposed by the Commission	Amendment	Justification
Article 7a: Energy efficiency obligation schemes		
2. Member States shall designate, on the basis of objective and non-discriminatory criteria, obligated parties among energy distributors and/or retail energy sales companies operating in its territory and may include transport fuel distributors or transport fuel retailers operating in its territory. The amount of energy savings needed to fulfil the obligation shall be achieved by the obligated parties among final customers, designated by the Member State, independently of the calculation made pursuant to Article 7(1), or, if Member States so decide, through certified savings stemming from other parties as described in point (b) of paragraph 5.	2. Member States shall designate, on the basis of objective and non-discriminatory criteria, obligated parties among energy distributors and/or retail energy sales companies operating in its territory and may exclude transport fuel retailers or transport fuel retailers or fuel distributors active in small energy sectors operating in its territory. The amount of energy savings needed to fulfil the obligation shall be achieved by the obligated parties among final customers, designated by the Member State, independently of the calculation made pursuant to Article 7(1), or, if Member States so decide, through certified savings stemming from other parties as described in point 5.	<p><i>The current 2012 Directive gives the possibility to exempt small energy sectors from the Energy efficiency obligation scheme (EEOs).</i></p> <p><i>This was explicit in Recital 20 ("Member States should in particular be allowed not to impose this obligation on small energy distributors, small retail energy sales companies and small energy sectors to avoid disproportionate administrative burdens"), but finds no correspondence in the recast proposal.</i></p> <p><i>To guarantee a continuation of the current situation, including a provision on small businesses and small energy sectors would provide clarity.</i></p> <p><i>This is because the energy saving that these sectors can achieve are smaller and disproportionate compared to the higher costs deriving from the EEOs implementation. Looking at small energy distributors, alternative measures remain a more effective tool to achieve energy savings.</i></p>
5. Within the energy efficiency obligation scheme, Member States: (a) shall include requirements with a social aim in the saving obligations they impose, including by requiring a share of energy efficiency measures to be implemented as a priority in households affected by energy poverty and in social housing;	5. Within the energy efficiency obligation scheme, Member States: (a) Shall include requirements with a social aim in the saving obligations they impose, including by requiring a share of energy efficiency measures to be implemented as a priority in households affected by energy poverty, in social housing and in rural areas.	<p><i>The obligations schemes have been effective in driving forward energy efficiency improvements in household, business and industry. However, they have had very limited impact on rural homes and business. Looking ahead, in the next phase the EEOs should acknowledge the specific situation of the building stock in rural and disadvantaged areas to unlock the energy saving potential of these areas. More than 40 million households in Europe are located in rural areas, of which a majority of the building stock is more than 70 years old. If not amended properly, this provision risks continue overlooking the big energy saving potential of those areas.</i></p>

Annexes IV and V		
<p>1. Annexes IV and V are amended as follows:</p> <p>(a) in Annex IV, footnote 3 is replaced by the following:</p> <p>'(3) Applicable when energy savings are calculated in primary energy terms using a bottom-up approach based on final energy consumption. For savings in kWh electricity Member States may apply a default coefficient of 2.0. Member States may apply a different coefficient provided they can justify it.'</p>	<p>1. Annexes IV and V are amended as follows:</p> <p>(a) in Annex IV, footnote 3 is replaced by the following:</p> <p>'(3) Applicable when energy savings are calculated in primary energy terms using a bottom-up approach based on final energy consumption. For savings in kWh electricity Member States may apply a default coefficient of 2.3. Member States may apply a different coefficient provided they can justify it.'</p>	<p><i>The primary energy factor proposed in Annexes IV and V should ensure that efficient gaseous technologies and fuels play a positive role in transition of rural areas to clean energy.</i></p> <p><i>The proposed 2.0 primary energy factor represents a too drastic reduction of the value, compared to the current one. Is a concern for the LPG industry as it will seriously disadvantage gas heating appliances compared to electric appliances, when assessing their energy efficiency rating.</i></p> <p><i>We call on Members of the European Parliament to consider an increase of the primary energy factor from the current 2.0 to 2.3</i></p>

About SHV Energy

SHV Energy is a unique energy provider in a world where the climate is changing and air quality is a critical health issue for millions. The world's largest LPG distributor, SHV Energy also provides small-scale LNG and sustainable BioLPG to those without access to the grid. LPG is the most widely used gaseous fuel in the world, with users able to utilise large and small-scale individual storage solutions easily and safely. These cleaner energy sources help people to switch away from polluting oil and solid fuels, improving their quality of life and reducing their impact on the environment. Furthermore, SHV Energy is committed to being an active participant in the energy transition, with significant investments in renewable energy planned for the coming years. SHV Energy operates in more than 20 countries worldwide. In Europe our brands include Primagaz, Calor Gas, Liquigas, Gaspol and Ipragaz. A Dutch family owned company; we are committed to working sustainably with communities, stakeholders and policymakers to advance energy, together. For further information on SHV Energy and LPG please visit www.shvenergy.com.

Van: [redacted] <[redacted]@minbuza.nl>
Verzonden: maandag 6 november 2017 12:09
Aan: [redacted]; [redacted]
Onderwerp: FW: meeting follow-up - corporate sourcing of renewables

Opvolgingsmarkering: Opvolgen
Markeringsstatus: Voltooid

Ter info, relevant voor agenda van donderdag.

From: [redacted] [mailto:[redacted]@solarpowereurope.org]
Sent: maandag 30 oktober 2017 16:14
To: [redacted]
Cc: [redacted]; [redacted]; [redacted]
Subject: RE: meeting follow-up - corporate sourcing of renewables

Dear [redacted]

I hope this email finds you well.

I am coming back to you as regards the corporate sourcing of renewables energies.

We are evaluating the possibility of holding a breakfast debate with energy attaches on this subject at the Swedish permrep between 8:45 and 9:30 on 10th November. However, before going ahead with scheduling this meeting, we would like to be sure that energy attaches from some key countries like the Netherlands would be able to attend. Would your agenda allow you to participate in this meeting?

The debate with the Parliament ITRE rapporteurs on 10th October was very useful and as a result of that meeting the following compromise amendments were formulated and are being discussed:

RED II, Article 15.9:

Member States shall carry out an assessment of the regulatory and administrative barriers and potential of the purchase of energy from renewable sources by corporate customers in their territories and shall set up an enabling regulatory and administrative framework for enhancing corporate long-term renewable power purchase agreements (RPPA) to finance renewables and facilitate their uptake, ensuring that RPPA are not subject to disproportionate procedures and charges that are not cost reflective. With the conclusion of such RPPA, the equivalent amount of guarantees of origin issued in accordance with Article 19 shall be cancelled. (on the basis of amendment 757)

RED II, Article 19:

Member States shall ensure that ***in the case of new renewable energy installations commissioned after ...[date of the entry into force of this Directive]*** no guarantees of origin are issued to a producer that receives financial support from a support scheme for the same production of energy from renewable sources, ***unless double compensation is avoided. It shall be presumed that there is no double compensation where:***

(a) financial support is granted by way of a tender procedure or a tradable green certificate system;

(b) the market value of the guarantees of origin is administratively taken into account in the level of financial support; or

(c) the guarantees of origin are not issued directly to the producer but to a supplier or consumer who buys the renewable energy either in a competitive setting or in a long-term Corporate Renewable Power Purchase Agreement.

We would hope for such good text to also be tabled in Council. However, we understand that due to your tight schedule and high workload you have had to prioritise other topics. The objective of the energy attaches debate on 10th November would be to raise your awareness about the possibility for this subject to be part of the dialogue negotiations.

I look forward to your kind answer.

Best,

From: [redacted]
Sent: lundi 9 octobre 2017 22:43
To: ' [redacted] ' <[\[redacted\]@minbuza.nl](mailto:[redacted]@minbuza.nl)>
Cc: [redacted] <[\[redacted\]@solarpowereurope.org](mailto:[redacted]@solarpowereurope.org)>; [redacted] <[\[redacted\]@firstsolar.com](mailto:[redacted]@firstsolar.com)>;
Subject: meeting follow-up - corporate sourcing of renewables

Dear [redacted]

Thank you very much for the meeting we had the other day.

As promised, I am following up on the specific topic of corporate procurement of renewable electricity. As mentioned during the meeting, my colleague Leah and I have noticed that, while RES power purchase agreements are very rare in Europe, there are a number of them (only wind for the moment) in your country. This [article](#) for instance mentions :

- Eneco wind farm in Delfzijl Noord with output of 175 GWh being purchased by Google for a period of 10 years for the benefit of Google's new data center in the Eemshaven
- AkzoNobel, DSM, Google and Philips announced consortium intended for the joint purchase of 350 GWh of electricity produced by Windpark Krammer and then of the production from the Windpark Bouwdokken

The growth potential of RES corporate sourcing in Europe is huge and one of the benefits of this new trend is that it pours private capital into renewable energies, decreasing the need for public subsidies. Yet, across the whole clean energy package the only mention of corporate procurement of renewable energy is contained in article 15.9 of the RES Directive: 'Member States shall remove administrative barriers to corporate long-term power purchase agreements to finance renewables and facilitate their uptake.' This is a good start. However, we would be extremely grateful if policy makers could strengthen this article. For your info, in the EU Parliament a submitted amendment has tried to do so.

A mention of RES corporate sourcing in relevant governance regulation planning and reporting articles would also be very helpful, as it would provide some visibility to investors as to MSs efforts to make RES corporate procurement easier. Two amendments from ITRE MEPs require MSs to provide relevant information in their plans (Annex I, part 1, section A – amendments 1580 and 1581).

During our meeting you mentioned that [redacted]

[redacted] Corporates procuring renewables say that they are supportive of the Dutch system as they usually use GOs for their carbon reporting. On the top of your system, we would simply like to suggest calling GOs attached to electricity produced from recently installed plants GO+, hoping that this would drive some additionality.

We will discuss all this tomorrow morning at a breakfast debate which I hope a colleague of yours will be able to attend (invitation attached).

During our meeting we did not have the time to go through many other topics of the Clean Energy Package. However, I seize this opportunity to send you some suggested amendments on key topics for us.

I am at your disposal for any questions you may have.

Best,

Am 757 to article 15.9 MEP

Member States shall *carry out an assessment of the barriers to and the potential of the purchase of energy from renewable sources by corporate customers in their territories and shall set up an enabling regulatory and administrative framework for the growth of this new way* to finance renewables and facilitate their uptake.

In particular, such enabling framework shall comprise the possibility for all customers, individually or through aggregators, to sign one or more single-buyer or multiple-buyer power purchase agreements with on-site, nearby and off-site electricity generating installations using renewable sources. Such power purchase agreements shall be deemed compatible with competition rules and with support schemes for renewable energy and shall not be subjected to burdensome procedures and excessive costs. Member States may allow a single power purchase agreement to be signed between an electricity generating installation using renewable sources and a corporate customer to cover the consumption of multiple sites belonging to the corporate customer.

Help save paper! Do you really need to print this email?

Dit bericht kan informatie bevatten die niet voor u is bestemd. Indien u niet de geadresseerde bent of dit bericht abusievelijk aan u is toegezonden, wordt u verzocht dat aan de afzender te melden en het bericht te verwijderen. De Staat aanvaardt geen aansprakelijkheid voor schade, van welke aard ook, die verband houdt met risico's verbonden aan het elektronisch verzenden van berichten.

This message may contain information that is not intended for you. If you are not the addressee or if this message was sent to you by mistake, you are requested to inform the sender and delete the message. The State accepts no liability for damage of any kind resulting from the risks inherent in the electronic transmission of messages.

Van: [redacted]
Verzonden: donderdag 14 december 2017 22:52
Aan: [redacted]
CC: [redacted]
Onderwerp: Fwd: Renewable Energy Directive
Bijlagen: image001.png; ATT00001.htm; image003.png; ATT00002.htm; EUROFER paper_recycled carbon fuels in RED.PDF; ATT00003.htm

Opvolgingsmarkering: Opvolgen
Markeringsstatus: Voltooid

Pak jij dit op?

Verstuurd vanaf mijn iPhone

Begin doorgestuurd bericht:

Van: "[redacted]" <[redacted]@minez.nl>
Datum: 14 december 2017 om 22:45:55 CET
Aan: [redacted] <[redacted]@minbuza.nl>, "[redacted]@minbuza.nl", "[redacted]@minez.nl"
Onderwerp: Doorst.: Renewable Energy Directive

Ter behandeling s

Begin doorgestuurd bericht:

Van: "[redacted]" <[redacted]@tatasteel.com>
Datum: 14 december 2017 om 21:42:18 CET
Aan: "[redacted]@minez.nl" <[redacted]@minez.nl>
Kopie: "[redacted]@minez.nl", "[redacted]@minez.nl", "[redacted]@minez.nl", "[redacted]@tatasteel.com"
Onderwerp: Renewable Energy Directive

Geachte heer [redacted]

Het Raadsoverleg over de Renewable Energy Directive nadert een beslissende fase. Bijgaand stuur ik u de EUROFER-verklaring over de bevordering van gerecyclede koolstof in de context van de Europese richtlijn hernieuwbare energie. Het document gaat in op het ontwerp van het definitieve voorstel van de Raad om een absolute emissiedrempel voor dergelijke brandstoffen in te voeren van 70%. Deze voorgestelde 70% kan wat Tata Steel betreft op allerlei manieren worden uitgelegd waardoor er mogelijk onzekerheden ontstaan bij eventuele toekomstige projecten. [redacted]

Bijgesloten paper onderstreept onze zorg m.b.t. het instellen van een maximale emissiedrempel voor dergelijke projecten, en met name in de beoordeling van toekomstige projecten.

Graag breng ik dit onder uw aandacht. Mochten naar aanleiding van deze paper nog vragen zijn dan verneem ik dat graag.

Met vriendelijke groet,

[Redacted]

[Redacted]

Public Affairs Adviseur

Tata Steel Nederland B.V.

T: +31 (0)251 [Redacted]

M: +31 (0)6 [Redacted]

E: [Redacted]@[tatasteel.com](mailto:info@tatasteel.com)

www.tatasteeleurope.com

Follow us:

**EUROFER statement on the promotion of recycled carbon fuels
in the context of the Renewable Energy Directive**

The proposal on Renewable Energy Directive will be discussed at the Transport, Telecommunications and Energy Council on 18th December with a view to agreeing on a general approach.

In view of that meeting, EUROFER, the European Steel Association, calls on representatives of member states in order to develop an appropriate regulatory framework that promotes the development of recycled carbon fuels. In particular, we are concerned by the draft Council text in Article 25 proposing to set a hard target on greenhouse gas emission savings (70%) for recycled carbon fuels.

We believe it is premature to set such a target in the Directive, in the absence of an agreed methodology for calculating the emission saving. In fact, this methodology will only be determined via a delegated act pursuant to Article 25.6. Setting an absolute emission saving without the underling calculation methodology risks restricting the development of some carbon capture and utilisation (CCU) technologies without robust scientific evidence.

The proposed 70% threshold mirrors the values set for existing biofuels, where a calculation methodology has been already defined in the past. However, no such methodology exists today for recycled carbon fuels. If a threshold is set for recycled carbon fuels at this stage without the underlining methodology, there is a very high risk that several CCU technologies will be restricted and that the methodology will have to be tweaked in order to have results that are consistent with the threshold. Therefore, it is more appropriate to set the emission saving and the calculation methodology in the same delegated act pursuant to Article 25.6, as proposed by the European Commission and the ITRE Committee at the European Parliament.

Recycled carbon fuels and feed stocks derived from industrial process gases represent a key enabler for achieving the energy and climate targets in Europe while maintaining the competitiveness of energy intensive industries and enhancing the energy security of the EU economy. In many industries such as steel there are large volumes of residual gases containing energy carriers like CO or H₂ being produced in different processes. By applying appropriate technologies to capture such gases, they can be converted into more valuable chemicals and fuels, thus reducing the direct carbon footprint and avoiding additional emissions. Capturing carbon and using it in fuels and chemicals allows to 'recycle' carbon directly, rather than transforming it into atmospheric CO₂.

In order to exploit the full potential of these technologies, it is essential that the Renewable Energy Directive as well as the implementing legislation defines an appropriate regulatory framework without arbitrary restrictions to the promotion of recycled carbon fuels. The required emission saving as well as the underlining calculation methodology need to be based on robust scientific evidence, taking into account the contribution of all interested stakeholders.

Van: [redacted]
Verzonden: woensdag 1 maart 2017 13:23
Aan: [redacted]
CC: [redacted]
Onderwerp: FW: Follow-up on REDII considerations
Bijlagen: Proposal for Amendments_Bioenergy Criteria_v2.docx

Opvolgingsmarkering: Opvolgen
Markeringsstatus: Voltooid

t.i. tbv RED. nog geen appreciatie gemaakt.

Directie Energie Uitdagingen 2020
 Directoraat-Generaal Energie, Telecom en Mededinging
 Ministerie van Economische Zaken
 Bezuidenhoutseweg 73 | 2594 AC | Den Haag
 Postbus 20401 | 2500 EK | Den Haag

T +31(0)6- [redacted]
 [redacted]@minez.nl
<http://www.rijksoverheid.nl/ministeries/ez>

Van: [redacted] (KPW) [[mailto:\[redacted\]@vattenfall.de](mailto:[redacted]@vattenfall.de)]

Verzonden: maandag 13 februari 2017 17:09

Aan: [redacted]

CC: [redacted] (KPN); [redacted] (KPE)

Onderwerp: Follow-up on REDII considerations

Dear [redacted]

Thank you very much for taking the time today and reflecting on the Ministry's initial views regarding the REDII proposals. We appreciate it. Please allow me to follow up on the brief exchange we had on biomass sustainability criteria. Enclosed you can find our amendment proposals with more detailed reasoning on the improvement for the calculation methodology but also verification process.

Due to the more specific nature of the topic, we are more advanced in our amendment proposals for these articles than for the other parts of the REDII. However, we aim at finalizing the amendments within the next weeks and would be able to share them with you soon thereafter.

We welcome the exchange with you and are available for further talks.

Best regards,

[redacted]
[redacted]
Policy Analyst

Policy Management Wholesale Markets
Communications

Address: Chausseestraße 23, 10115 Berlin

D + [redacted]

M + [redacted]

[redacted]@vattenfall.de

www.vattenfall.de

Please consider the environment before printing this e-mail

Geschäftsführung: [REDACTED] (Vorsitzender), [REDACTED], [REDACTED]
Vorsitzender des Aufsichtsrats: [REDACTED]

AMENDMENTS

Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

on the promotion of the use of energy from renewable sources (recast)

2016/0382 (COD)

Draft amendment

Article 26 - paragraph 5 - subparagraph b

<i>Text proposed by the Commission</i>	<i>Amendment</i>
5.b. ...when evidence referred to in the first subparagraph is not available, the biofuels, bioliquids and biomass fuels produced from forest biomass shall be taken into account for the purposes referred to in points (a), (b) and (c) of paragraph 1 if management systems are in place at forest holding level to ensure that:	5.b....when evidence referred to in the first subparagraph is not available, the biofuels, bioliquids and biomass fuels produced from forest biomass shall be taken into account for the purposes referred to in points (a), (b) and (c) of paragraph 1 if management systems are in place at forest holding level and/or the biomass producer (e.g. pellet mill) to ensure that:

Justification

It is appreciated that a risk-based approach is chosen. The level of where in the value chain the verification and application of mitigation measures takes place should be broadened and also include biomass producers (e.g. pellet mill or sawmill level). The goal of the paragraph is that feedstock for biomass production is legally and sustainably harvested. To achieve that goal it is important that management systems and procedures are in place to ensure that all respective indicators in the forest are at low risk, but it is immaterial at which level in the value chain the verification and mitigation is carried out.

Such approach, to include management systems at biomass production level, would be more efficient and stringent. Smaller forest owners who could not effort a single management system could become part of the management system of the biomass producer. By broadening to the biomass production level too risky feedstock within a forest could be excluded from the supply base for biomass production whereby other parts may be certified. This approach would meet current business practice. As it allows for risk mitigation schemes (certification) at forest and production level it may incentivize an overall increase of certification of feedstock for biomass production.

Draft amendment

Article 26 – paragraph 6

<i>Text proposed by the Commission</i>	<i>Amendment</i>
6. When evidence referred to in the first subparagraph is not available, the biofuels, bioliquids and biomass fuels produced from forest biomass shall be taken into account for the purposes referred to in points (a), (b) and (c) of	6. When evidence referred to in the first subparagraph is not available, the biofuels, bioliquids and biomass fuels produced from forest biomass shall be taken into account for the purposes referred to in points (a), (b) and (c) of

paragraph 1 <i>if management systems are in place at forest holding level to ensure that carbon stocks and sinks levels in the forest are maintained.</i>	paragraph 1 if <i>proof that national or regional forest carbon stocks are maintained can be delivered by demonstrating that carbon stocks are stable or increasing over time at the national or regional level.</i>
---	--

Justification

The goal of this paragraph is to ensure that carbon stocks are maintained or improved and this must be demonstrated. There are various methods to demonstrate that carbon stocks are maintained. Demonstrating that management systems are in place at the forest holding level is one method. Other, more economical, methods are for example to demonstrate with the use of national forestry statistics that standing forest stocks are increasing over time. Against this background, the means through which compliance can be demonstrated should not be limited to management systems at forest holding level.

Furthermore, we note that carbon stocks at an individual forest holding level, especially smaller holdings, can vary strongly over time due to individual harvesting events while the carbon stocks considered in a larger region or the country as a whole remains stable or increases. Therefore carbon stocks should not be viewed at the individual forest holding level but rather at the national or regional level. Thereby the subparagraph would be in line with the NDCs referred to in subparagraph (ii) where the geographical scope is that of the country. Also it should be noted that short term variations in regional carbon stocks (e.g. fire, diseases, harvest correction after an economic down-turn, etc.) are natural and must not be confused with a deviation from the long term trend of maintaining or increasing carbon stocks.

Draft amendment

Annex VI – part B – point 11

<i>Text proposed by the Commission</i>	<i>Amendment</i>
In accounting for the consumption of electricity not produced within the solid biomass fuel production plant, the greenhouse gas emission intensity of the production and distribution of that electricity shall be assumed to be equal to <i>the fossil fuel comparator ECF(el) set out in paragraph 19 of this Annex.</i>	In accounting for the consumption of electricity not produced within the solid biomass fuel production plant, the greenhouse gas emission intensity of the production and distribution of that electricity shall be assumed to be equal to <i>the average emission intensity of the production and distribution of electricity in a defined region.</i>

Justification

Today, it is common practice, that the power supplied for the pellet mill is supplied from the grid (Case 2a, Annex VI). Against this background, we note that neither the typical values, nor the default values, for GHG savings for heat from pellets produced from forest residues, stemwood or sawmill residues meet the GHG savings thresholds (see table in section A of Annex VI).

The GHG methodology allows producers to use more accurate actual values instead of default values but the problem in this case is that the methodology specifically prescribes in Annex VI.B.11 that for electricity consumed in the production process of solid biomass fuels, the CO₂ intensity shall be assumed to be the fossil fuel comparator for electricity as defined in B19 of Annex VI, being 184 g CO₂_eq/MJ.

This means that pellet producers in a country or region with a lower CO₂-intensity of the national or regional electricity mix cannot use this lower value. This risks excluding pellet usage for sustainable bioenergy solutions in heat-only boilers starting operation after 1 January 2021.

We propose that pellet mills can use the actual value of the CO₂ intensity of their regional or national electricity mix. We note that this is currently also the rule in BioGrace II. We thereby also note that this would make the methodology for solid biomass fuels also fully consistent with the methodology for gaseous biomass fuels.

Draft amendment
Article 26 last paragraph

<i>Text proposed by the Commission</i>	<i>Amendment</i>
By 31 December 2023, the Commission shall assess whether the criteria set out in paragraphs 5 and 6 effectively minimise the risk of using unsustainable forest biomass and address LULUCF requirements, on the basis of available data. The Commission shall, if appropriate, present a proposal to modify the requirements laid down in paragraphs 5 and 6.	By 31 December 2023 In accordance with article 30 (3) of this Directive , the Commission shall assess in 2026 whether the criteria set out in paragraphs 5 and 6 effectively minimise the risk of using unsustainable forest biomass and address LULUCF requirements, on the basis of available data. The Commission shall, if appropriate, present a proposal to modify the requirements laid down in paragraphs 5 and 6 as part of the general review of the Directive.

Justification

The Directive just enters into force in January 2021 with national implementation by June 2021. A re-assessment and potential modification in 2023 is too early and would lead to uncertainty for market participants. Rather, the review of Art. 26 should be done in accordance with the general review of the Directive in 2026 (as outlined in Art. 30 (3)).

Van: [redacted]
Verzonden: dinsdag 31 januari 2017 11:45
Aan: [redacted]; [redacted]; [redacted]
CC: [redacted]
Onderwerp: Positie Nuon/Vattenfall Winterpakket
Bijlagen: 170111_the EU Winter Package and e-mobility_PRAS.docx

Hoi [redacted] en anderen,

Groet, [redacted]

Van: [redacted]@nuon.com [mailto:[redacted]@nuon.com]
Verzonden: vrijdag 20 januari 2017 16:46
Aan: [redacted]
CC: [redacted]; [redacted]@nuon.com
Onderwerp: RE: contactgegevens ETM

Beste [redacted]

Van [redacted] begreep ik dat je je actief bezig houdt met de voorstellen van de Europese Commissie die onder de noemer van het 'Winter Package' zijn gedaan.

Een deel van de voorgestelde wetwijzigingen is ook relevant voor e-mobility. Omdat de relevante artikelen nogal verspreid zijn over de verschillende directives, hebben we een overzicht gemaakt met ook een paar verbeter voorstellen.

Mochten jullie er nog een keer over willen sparen dan, kan je contact met mij of [redacted] opnemen.

Hartelijke groet en fijn weekend alvast,

[redacted]
Policy Advisor

PRA & Stakeholder Relations
 Corporate Communications

Adress: 10115 Berlin, DE
 Visit: Chausseestrasse 23
 Mobile: + 31 6 [redacted]
www.vattenfall.com

From: [redacted] [mailto:[redacted]@minez.nl]
Sent: Wednesday, January 18, 2017 4:06 PM
To: [redacted]
Cc: [redacted]
Subject: contactgegevens ETM

Hoi [redacted]

In vervolg op ons telefoontje vanochtend stuur ik je in cc het adres van [redacted]

@ [redacted] ik stel je graag even digitaal voor aan [redacted] die voor Nuon het Europese beleidsproces in de gaten houdt. Wij hebben elkaar uitgebreid gesproken over het winterpakket en onderdelen die van belang zijn voor elektrisch vervoer. Wellicht is het waardevol voor jullie om ook op andere thema's van gedachten te wisselen.

Hartelijke groet,

[redacted]
E-Mobility

.....
Ministerie van Economische Zaken
DG Bedrijfsleven en Innovatie
Directie Topsectoren en Industriebeleid

 Bezuidenhoutseweg 73 | 2595 AJ | Den Haag
M +31(0) [redacted]
.....

Dit bericht kan informatie bevatten die niet voor u is bestemd. Indien u niet de geadresseerde bent of dit bericht abusievelijk aan u is gezonden, wordt u verzocht dat aan de afzender te melden en het bericht te verwijderen.

De Staat aanvaardt geen aansprakelijkheid voor schade, van welke aard ook, die verband houdt met risico's verbonden aan het elektronisch verzenden van berichten.

This message may contain information that is not intended for you. If you are not the addressee or if this message was sent to you by mistake, you are requested to inform the sender and delete the message.

The State accepts no liability for damage of any kind resulting from the risks inherent in the electronic transmission of messages.

Legislative proposals in the EU 'Winter Package' affecting e-mobility

Analysis (draft – last update January 13th)

Background

On November 30th the EU Commission published its 'Winter Package' that should help to deliver 'Clean energy for all Europeans'. The package is a major compilation of measures to keep the European Union competitive as the clean energy transition is changing global energy markets. The proposals from the EU Commission have three main goals:

- putting energy efficiency first,
- achieving global leadership in renewable energies, and
- providing a fair deal for consumers.

Vattenfall analysis suggests that the measures, when implemented, will trigger: decentral energy generation, increased flexibility, and a further greening of the energy sector.

Main changes relevant for e-mobility:

Several of the measures proposed by the EU Commission in the 'Winter Package' would support the development of e-mobility. It mainly concerns change-proposals to the following directives:

Renewable Energy Directive (RED)

- A **renewables target for the transport sector** (1,5% in 2021 and 6,8% in 2030), in combination with stricter criteria for food- or feedstock based biofuels (max 7% of final energy consumption in 2021 and reducing to 3,8% in 2030), would result in e-mobility with RES-e being favored over biofuels to reach the RES target in the transport sector – RED; Article 7 & 25

Electricity Directive (ED)

- Member States should ensure that **national legislation does not unduly hamper e-mobility**, which is an extra trigger for Member States to improve market access for e-mobility – ED; Article 3
- **Restrictions on the DSOs to operate e-mobility infrastructure** and storage facilities, would require DSOs to operate more as neutral market facilitators, and provide less competition to our (commercial) market activities – ED; Article 33
- Additional triggers to **increase the flexibility of the energy system** (also by means of demand response), which will improve the role that e-mobility can play for integrating RES electricity in the energy system – ED and Electricity Regulation

Energy Performance of Buildings Directive (EPBD)

- On-site charging infrastructure for electric vehicles is added to the **definition of a technical building system**, making it possible to include requirements under this Directive on charging infrastructure – EPBD; Article 2
- Also, e-mobility is promoted, by **minimum requirements for charging infrastructure in the build environment**, for new builds and renovated buildings, from 2025 onwards. Residential buildings will have to prepare for electric transport by means of pre-cabling, while in commercial buildings one in every 10 parking spaces will have to be equipped with a charging box, capable of starting & stopping in reaction to price signals - EPBD, Article 8 (2,3,4)

Energy Efficiency Directive (EED)

- In case of the implementation of an obligation scheme, Member States may decide to **include transport fuel distributors or transport fuel retailers** operating in its territory. As electric vehicles have an efficiency that is far over that of conventional vehicles (95% vs. 60% final energy efficiency; tank-to-wheel), switching to e-mobility will make it easier for Member States to reach their annual 1,5% final energy saving target – EED; Article 7a and 7b
- **Electricity becomes more attractive as an energy carrier** by the change of the (EU) Primary Energy Factor from 2,5 to 2,0. This will allow e-mobility to make bigger contributions in terms of energy savings, as the assumed average efficiency of Europe's electricity generation increase from 40% to 50% (1/2,0) - Energy Efficiency Directive, Annex IV

When implemented at the national level as proposed, these new requirements will take effect around 2020 and speed up the roll-out of e-mobility.

All legislative proposal from the Commission that have been released as part of the Winter Package can be accessed under: <https://ec.europa.eu/energy/en/news/commission-proposes-new-rules-consumer-centred-clean-energy-transition>

Vattenfall position:

In general, the changes proposed by the EU Commission will support the market introduction of electric vehicles and can therefore be broadly supported. Some changes can however be made to clarify the text and increase the positive impact of the proposals:

Renewable Energy Directive (RED)

- A **target for the amount of renewable energy used in transport**, will help to drive the development of RES-e powered e-mobility, and can therefore be broadly supported. Equally it is good that the share of bio-energy from food- or feed crops (that does not fulfil the sustainability criteria) can be counted towards the RES-T target is limited. The proposed %-targets in both cases seem however in need of a reconsideration. In comparison with the current 10% renewable energy target for the transport sector in 2020 (RED, article 3), the proposed targets for the period 2021-2030 (1,5% to 6,8%) seem rather low. Contrary, the maximum share of bio-energy from food or feed crops for the period 2021-2020 seem rather high (reducing from 7% in 2020 to 3,8% in 2030). The share of food- and feed crop based biofuels in the EU is currently 4,9% ([link](#))
 - **Proposal:** We would propose that the Commissions reconsiders it's proposed 1,5% target for 2021 and 6,8% target for 2030 and bring them in line with the agreed CO2 reduction targets for the transport sector (20% in 2030 and 60% in 2050). RED; article 25(1)
 - **Proposal:** We doubt if a separate target for advanced bio fuels make sense. Such a target will most likely be too high or too low. We would argue that as long as the sustainability criteria for bio-energy are fulfilled it should be up to the market to decide if the RES-T target for the period 2021-2030 is met by advanced biofuels, RES electricity, or hydrogen from RES sources. The targets for advance biofuels should therefore be scrapped (RED; Article 25(1).
 - **Proposal:** Currently the Fuel Quality Directive (FQD) includes a 10% bio-fuels target and a 6% GHG-reduction target for 2020. The targets under the RED and the FQD should be aligned with each other to avoid overlap and conflicting requirements.
- The RES target for the transport sector should explicitly reward for the **use of renewable electricity in transport**; be it as end-fuel in electric vehicles or as fuel for the 'production' of hydrogen or biofuels. This will also lead to an additional trigger to develop RES-e capacity.

- **Proposal:** Renewable electricity used in electric vehicles should count towards the RES-T target if equivalent amount of Guarantees of Origin (GOO) of the electricity used are cancelled. Currently this is insufficiently clear (*article 7(3) of the RED*).
- **Proposal:** To determine the share of renewable electricity used in transport, fuel suppliers should rather take the 'national RES share' and refrain from using the 'average EU RES share' of total electricity production. This is more accurate (*article 25(3) of the RED*).

Energy Efficiency Directive (EED)

- The transport sector consumes about a third of EU energy consumption; mainly in the form of oil. So far, the efficiency gains in the transport sector have been rather limited. This can be changed when **energy efficiency measures also cover the transport sector**. In that way, also the higher efficiency of electric vehicles (~95% efficiency) in comparison to combustion engines (~30% efficiency) can be awarded. Even when fuelled with the average EU electricity mix electric vehicles are about 25% more efficient than their fossil fired counterparts¹.
 - **Proposal:** Article 7a and 7b of the EED should be amended in such a way that Member States are required to also cover the transport sector when implementing energy efficiency measures. The energy efficiency effect of these measures can then be counted towards their obligation to save 1,5% of final energy per year.
- The **change of the primary energy factor** (from 2,5 to 2,0) in the Annex of the Energy Efficiency Directive, will trigger the use of electricity as an energy carrier (also in transport). It would be even better if this factor is calculated at the national level (per country) and marginal. That would make the factor more accurate and trigger system integration.
 - **Proposal:** Require Member States to use their own, nationally differentiated, primary energy factor when calculating the energy efficiency benefits from switching to e-mobility (*EED; Annex IV*)

Energy Performance of Buildings Directive (EPBD)

- Without charging infrastructure e-mobility can – and will – not take off. The introduction of **minimum requirements for charging infrastructure in the build environment** (article 8 of the EPBD) can therefore be broadly supported. It should however be avoided that unnecessary cost need to be made. The goal should be to develop charging infrastructure in line with the (actual & expected) amount of electric vehicles on the road, so that the availability of charging infrastructure is not a bottleneck for EV up-take. As most charging is set to take place at work or at home (here vehicles will be parked longest), these are the locations where charging infrastructure should be developed with priority. For new- and renovated buildings, pre-cabling is therefore essential.
 - **Proposal:** The cost of pre-cabling in the building or renovation phase is substantially lower than when 'thicker' cables need to be added at a later stage. Therefore, the date for pre-cabling can be moved forward to 2020 (where technically feasible and cost effective) (*EPBD; Article 8 (4)*).
 - **Proposal:** The requirements for charging infrastructure in the build environment can be further improved by (partly) extending them to existing buildings as well. Something like an "EV owner right to recharge" meaning that charging infrastructure

¹ When electric vehicles are not powered by 100% RES electricity, the emissions and efficiency losses from power production also need to be taken into account. Because every country has a different generation mix, these numbers also differ from country to country. In general: the cleaner the electricity, the higher the emission reductions and efficiency improvements. The German Ministry of Environment (BMU) has calculated that CO2 reductions from switching to EVs already now add up to 23%. Vattenfall estimates show that emission reductions in the Netherlands are ~30% (having a higher share of clean gas generation), while Sweden's low CO2 mix achieves emission reductions >80% and primary energy savings of ~40%

in existing buildings needs to be facilitated if it is requested by e-mobility owners.
This is already embedded in for example French law (*EPBD; Article 8 (4)*)

- It is very good that charging boxes are required to be capable of **starting & stopping in reaction to (hourly) price signals**. This is an essential feature to ensure that batteries in electric vehicles can be used for flexibility and demand response actions (if customers agree), in case the supply- and demand balance on wholesale markets delivers triggers for this flexibility to be unlocked. The directive opens a window of opportunity for a giant leap in demand response services and management of reserves and even using electric vehicle batteries as energy storages and buffers, if the final version of the directive is ambitious enough. This has fundamental effect to the flexibility of the energy markets throughout Europe.
 - Proposal: Extend the requirement for charging boxes to be capable of starting & stopping in reaction to (hourly) price signals to all charging infrastructure - *EPBD, Article 8 (4)*

In addition, the development of electric vehicles can be triggered by additional triggers (for example under the electricity directive) that would support developments in the field of **interoperability**. Especially roaming (charging your car at the charging pole of a different operator than you have a contract with) is often still difficult (certainly outside of the Netherlands). According to Vattenfall the short term focus should be on ensuring that every EV-owner can charge at every charging pole the electricity that is offered by the operator of the charging pole. Having more than one operator at a charging pole is currently too expensive/ cumbersome and would deteriorate business cases.

Annex: legislative proposals

Below, the change-proposals from the EU Commission are copy-pasted from the Winter Package documents. Only the articles that are deemed relevant for e-mobility are presented. The analysis in this document is based on these text proposals.

Renewable Energy Directive

http://ec.europa.eu/energy/sites/ener/files/documents/1_en_act_part1_v7_1.pdf

Article 7

Calculation of the share of energy from renewable sources

1. The gross final consumption of energy from renewable sources in each Member State shall be calculated as the sum of:
 - a. gross final consumption of electricity from renewable energy sources;
 - b. gross final consumption of energy from renewable sources for heating and cooling; and
 - c. final consumption of energy from renewable sources in transport.

Gas, electricity and hydrogen from renewable energy sources shall be considered only once in point (a), (b), or (c) of the first subparagraph, for calculating the share of gross final consumption of energy from renewable sources.

Subject to the second subparagraph of Article 26 (1), biofuels, bioliquids and biomass fuels that do not fulfil the sustainability and greenhouse gas emissions saving criteria set out in Article 26(2) to (7) shall not be taken into account.

For the calculation of a Member State's gross final consumption of energy from renewable energy sources, the contribution from biofuels and bioliquids, as well as from biomass fuels consumed in transport, if produced from food or feed crops, shall be no more than 7% of final consumption of energy in road and rail transport in that Member State. This limit shall be reduced to 3,8% in 2030 following the trajectory set out in part A of Annex X. Member States may set a lower limit and may distinguish between different types of biofuels, bioliquids and biomass fuels produced from food and feed crops, for instance by setting a lower limit for the contribution from food or feed crop based biofuels produced from oil crops, taking into account indirect land use change.

2. For the purposes of paragraph 1(a), gross final consumption of electricity from renewable energy sources shall be calculated as the quantity of electricity produced in a Member State from renewable energy sources, including the production of electricity from renewable self-consumers and energy communities and excluding the production of electricity in pumped storage units from water that has previously been pumped uphill.

In multi-fuel plants using renewable and conventional sources, only the part of electricity produced from renewable energy sources shall be taken into account. For the purposes of this calculation, the contribution of each energy source shall be calculated on the basis of its energy content.

The electricity generated by hydropower and wind power shall be accounted for in accordance with the normalisation rules set out in Annex II.

[...] paragraph 3 is left out as they only apply to heating & cooling

3. For the purposes of paragraph 1(c), the following provisions shall apply:
 - (a) The gross final consumption of energy from renewable sources in transport shall be calculated as the sum of all biofuels, biomass fuels and renewable liquid and gaseous transport fuels of non-biological origin consumed in the transport sector. However, renewable liquid and gaseous transport fuels of non-biological origin that are produced from renewable electricity shall only be considered to be part of the calculation pursuant to paragraph 1(a) when calculating the quantity of electricity produced in a Member State from renewable energy sources.
 - (b) For the calculation of gross final consumption of energy in transport the values regarding the energy content of transport fuels, as set out in Annex III, shall be used.,

Article 25

Mainstreaming renewable energy in the transport sector

1. With effect from 1 January 2021, Member States shall require fuel suppliers to include a minimum share of energy from advanced biofuels and other biofuels and biogas produced from feedstock listed in Annex IX, from renewable liquid and gaseous transport fuels of non-biological origin, from waste-based fossil fuels and from renewable electricity in the total amount of transport fuels they supply for consumption or use on the market in the course of a calendar year.

The minimum share shall be at least equal to 1.5% in 2021, increasing up to at least 6.8% in 2030, following the trajectory set out in part B of Annex X. Within this total share, the contribution of advanced biofuels and biogas produced from feedstock listed in part A of Annex IX shall be at least 0.5% of the transport fuels supplied for consumption or use on the market as of 1 January 2021, increasing up to at least 3.6% by 2030, following the trajectory set out in part C of Annex X. The greenhouse gas emission savings from the use of advanced biofuels and other biofuels and biogas produced from feedstock listed in Annex IX shall be at least 70% as of 1 January 2021.

For the calculation of the shares referred to in the second sub-paragraph, the following provisions shall apply:

- a) for the calculation of the denominator, that is the energy content of road and rail transport fuels supplied for consumption or use on the market, petrol, diesel, natural gas, biofuels, biogas, renewable liquid and gaseous transport fuels of non-biological origin, waste-based fossil fuels and electricity, shall be taken into account;
 - b) for the calculation of the numerator, the energy content of advanced biofuels and other biofuels and biogas produced from feedstock listed in Annex IX, renewable liquid and gaseous transport fuels of non-biological origin, waste based fossil fuels supplied to all transport sectors, and renewable electricity supplied to road vehicles, shall be taken into account.
For the calculation of the numerator, the contribution from biofuels and biogas produced from feedstock included in part B of Annex IX shall be limited to 1.7% of the energy content of transport fuels supplied for consumption or use on the market and the contribution of fuels supplied in the aviation and maritime sector shall be considered to be 1.2 times their energy content.
 - c) For the calculation of both numerator and denominator, the values regarding the energy content of transport fuels, as set out in Annex III, shall be used. For the determination of the energy content of transport fuels not included in Annex III, the Member States shall use the respective ESOs standards for determination of calorific values of fuels. Where no ESOs standard has been adopted for this purpose, the respective ISO standards shall be used.
2. For the purpose of paragraph 1, Member States shall set up a system allowing fuel suppliers to transfer the obligation set out in paragraph 1 to other fuel suppliers and ensure that all transfers are documented in the national databases referred to in paragraph 4.
 3. To determine the share of renewable electricity for the purposes of paragraph 1 either the average share of electricity from renewable energy sources in the Union or the share of electricity from renewable energy sources in the Member State where the electricity is supplied, as measured two years before the year in question may be used. In both cases, an equivalent amount of guarantees of origin issued in accordance with Article 19 shall be cancelled.

The share of renewable energy in liquid and gaseous transport fuels shall be determined on the basis of the share of renewable energy in the total energy input used for the production of the fuel.

For the purposes of this paragraph, the following provisions shall apply:

- a) When electricity is used for the production of renewable liquid and gaseous transport fuels of non-biological origin, either directly or for the production of intermediate products, either the average share of electricity from renewable energy sources in the Union or the share of electricity from renewable energy sources in the country of production, as measured two years before the year in question, may be used to determine the share of renewable energy. In both cases, an equivalent amount of guarantees of origin issued in accordance with Article 19 shall be cancelled. However, electricity obtained from direct connection to an installation generating renewable electricity (i) that comes into operation after or at the same time as the installation producing the renewable liquid and gaseous transport fuel of non-biological origin and (ii) is not connected to the grid, can be fully counted as renewable electricity for the production of that renewable liquid and gaseous transport fuel of non-biological origin.

- b) When biomass is processed with fossil fuels in a common process, the amount of biofuel in the product shall be established applying adequate conversion factors to the biomass input. In case the process yields more than one product, all products stemming from the process shall be assumed to contain the same share of biofuel. The same rules shall apply for the purposes of Article 27(1).
- 4. Member States shall put in place a database enabling tracing of transport fuels that are eligible for counting towards the numerator set out in paragraph 1, point b, and require the relevant economic operators to enter information on the transactions made and the sustainability characteristics of the eligible fuels, including their life cycle greenhouse gas emissions, starting from their point of production to the fuel supplier that places the fuel on the market.
 - c) The database shall include information on the requirement placed on fuel suppliers described in paragraph 1 and how the requirement is fulfilled.
 - d) The national databases shall be interlinked so as to allow transactions of fuels between Member States to be traced. In order to ensure the compatibility of national databases, the Commission shall set out technical specifications of their content and use by means of
 - e) implementing acts adopted in accordance with the examination procedure referred to in Article 31.
- 5. Member States shall report on the aggregated information from the national databases, including fuels' life cycle greenhouse gas emissions, in accordance with Annex VII of Regulation [Governance].
- 6. The Commission is empowered to adopt delegated acts in accordance with Article 32 to further specify the methodology referred to in paragraph 3(b) of this Article to determine the share of biofuel resulting from biomass being processed with fossil fuels in a common process, to specify the methodology for assessing greenhouse gas emission savings from renewable liquid and gaseous transport fuels of non-biological origin and waste-based fossil fuels and to determine minimum greenhouse gas emission savings required for these fuels for the purpose of paragraph 1.
- 7. By 31 December 2025, in the context of the biennial assessment of progress made pursuant to the Regulation [Governance], the Commission shall assess whether the obligation laid down in paragraph 1 effectively stimulates innovation and promotes greenhouse gas savings in the transport sector, and whether the applicable greenhouse gas savings requirements for biofuels and biogas are appropriate. The Commission shall, if appropriate, present a proposal to modify the obligation laid down in paragraph 1.

Electricity Directive:

http://ec.europa.eu/energy/sites/ener/files/documents/1_en_act_part1_v7_864.pdf

Article 3

Competitive, consumer-centered, flexible and non-discriminatory electricity market

1. Member States shall ensure that their national legislation does not unduly hamper cross-border flows of electricity, consumer participation including through demand-side response, investments into flexible energy generation, energy storage, the deployment of electro-mobility or new interconnectors, and that electricity prices reflect actual demand and supply.
2. Member States shall ensure that no undue barriers exist for market entry and market exit of electricity generation and electricity supply undertakings.

Article 33

Integration of electro-mobility into the electricity network

1. Member States shall provide the necessary regulatory framework to facilitate the connection of publicly accessible and private recharging points to the distribution networks. Member States shall ensure that distribution system operators cooperate on a non-discriminatory basis with any undertaking that owns, develops, operates or manages recharging points for electric vehicles, including with regard to connection to the grid.
2. Member States may allow distribution system operators to own, develop, manage or operate recharging points for electric vehicles only if the following conditions are fulfilled:

- a) other parties, following an open and transparent tendering procedure, have not expressed their interest to own, develop, manage or operate recharging points for electric vehicles;
- b) the regulatory authority has granted its approval.
- 3. Articles 35 and 56 shall apply to distribution system operators engaged in ownership, development, operation or management of **recharging points**.
- 4. Member States shall perform at regular intervals or at least every five years a public consultation in order to re-assess the potential interest of market parties to own, develop, operate or manage **recharging points for electric vehicles**. In case the public consultation indicates that third parties are able to own, develop, operate or manage such points, Member States shall ensure that distribution system operators' activities in this regard are phased-out.

Energy Performance of Buildings Directive:

http://ec.europa.eu/energy/sites/ener/files/documents/1_en_act_part1_v10.pdf

Article 2

point 3 is replaced by the following:

- 3. 'technical building system' means technical equipment for space heating, space cooling, ventilation, domestic hot water, built-in lighting, building automation and control, on-site electricity generation, **on-site infrastructure for electro-mobility**, or a combination of such systems, including those using energy from renewable sources, of a building or building unit;

Article 8

is amended as follows:

- (a) in paragraph 1, the third subparagraph is deleted;
- (b) paragraph 2 is replaced by the following:

- 2. Member States shall ensure that in all new non-residential buildings and in all existing non-residential buildings undergoing major renovation with more than ten parking spaces, at least one of every ten is equipped with a recharging point within the meaning of Directive 2014/94/EU on the deployment of alternative fuels infrastructure, which is capable of starting and stopping charging in reaction to price signals. This requirement shall apply to all non-residential buildings, with more than ten parking spaces, as of 1 January 2025.
- 3. Member States may decide not to set or apply the requirements referred to in the previous subparagraph to buildings owned and occupied by small and medium-sized enterprises as defined in Title I of the Annex to Commission Recommendation 2003/361/EC of 6 May 2003.
- 4. Member States shall ensure that newly built residential buildings and those undergoing major renovations, with more than ten parking spaces, include the pre-cabling to enable the installation of recharging points for electric vehicles for every parking space.
- 5. Member States may decide not to set or apply the requirements referred to in paragraphs 2 and 3 to public buildings which are already covered by Directive 2014/94/EU.

Energy Efficiency Directive:

http://ec.europa.eu/energy/sites/ener/files/documents/1_en_annexe_proposition_part1_v13.pdf

Article 7a

Add article

Annex IV

Footnote 3 is replaced by the following

3. Applicable when energy savings are calculated in primary energy terms using a bottom-up approach based on final energy consumption. For savings in kWh electricity Member States may apply a default coefficient of 2,0. Member States may apply a different coefficient provided they can justify it.'.

Van: [redacted] <[redacted]@vattenfall.com>
Verzonden: maandag 24 april 2017 14:25
Aan: [redacted]
Onderwerp: Vattenfall positie RED
Bijlagen: Vattenfall Position Paper Renewable Energy Directive.pdf; Vattenfall Amendment Proposals Renewable Energy Directive.pdf

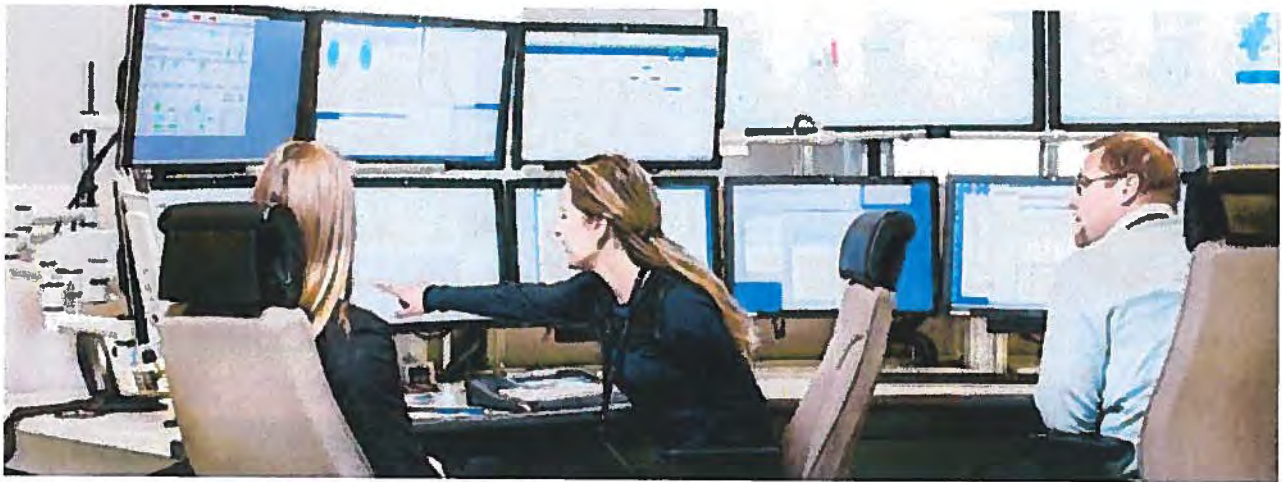
Hi [redacted] en [redacted],

Zoals ik jullie eerder beloofde, stuur ik hierbij Vattenfall positie tav de Renewable Energy Directive en de door ons voorgestelde aanpassingen. Ik begrijp dat het Maltese voorzitterschap een start zal maken met elementen van deze file. Wij zijn erg benieuwd naar de status van deze discussies, kunnen jullie hier iets over delen? Ik sta graag ter beschikking voor een nadere toelichting van onze positie.

Bovendien gebruik ik deze gelegenheid graag om ons evenement samen met EEX tav de electricity regulation onder de aandacht te brengen, jullie zijn van harte welkom.

Vriendelijke groet,

[redacted]



“What impact will the Clean Energy Package have on Energy Markets in Europe?”

The energy market is undergoing change towards a low carbon system with high shares of renewable energy, gradual decentralization of energy production and increasing customer involvement. The European Commission responds to this progress with the ‘Clean Energy for All Europeans’ Package.

We kindly invite you to join our experts;

Markus Bokermann (Vattenfall) and Maximilian Rinck (EEX) for an

Energetic Breakfast Roundtable

Wednesday 10th May 2017, 08h30 – 10h00

Hanse Office, Avenue Palmerston 20, 1000 Brussels

We will ask our experts and you, to reflect on the impact of proposals made for the future European electricity market:

- Will renewables be successfully integrated further into the electricity system?

- How important are freely moving prices and the market price signal?
- What role do large and liquid markets areas play?

Register before 3rd of May Please note that **seats are limited**.

We look forward to seeing you on the 10th of May

[REDACTED]
Head of Political & Regulatory Affairs
European Energy Exchange AG

[REDACTED]
Head of Brussels Office
Director Public & Regulatory Affairs EU
Vattenfall AB



EU Renewable Energy Directive (recast)

Position Paper

At Vattenfall, we focus on the increased development of renewable energy production in several areas. As one of the largest wind power developers and operators in Europe, we manage and conduct all key processes and have developed agreements on operations and maintenance with other parties along the supply chain. We plan to grow our wind energy portfolio by up to 600 MW and to invest up to EUR 5 billion until 2020. Moreover, we operate several assets running (partially) on solid biomass, e.g. wood and biogenic waste. As one of Europe's largest heat suppliers and district heating system operators, we provide sustainable and resource-efficient heating concepts, in particular for the urban building stock.

Make tenders the default system for financial renewable electricity support and concretize the design principles

- We highly welcome the intention to create a design framework for financial support in order to avoid unnecessary market distortions and to provide more certainty to investors. However, we are firmly convinced that **every renewable electricity support system** in Europe **should be transformed into a tender system**, above all in order to reduce the costs of the energy transition to the necessary minimum. More detailed criteria for financial support would be desirable. We therefore recommend a **concretion of the proposed principles** ("open, transparent, competitive, non-discriminatory, cost-effective") within Article 4, in particular with regard to tender design (yearly updated long-term schedule, reasonable bid preparation and project realization times, non-discriminatory and transparent pre-qualification criteria, basis for awarding support).
- We welcome the proposed 3-year schedule for public renewable electricity support, set out in Article 15(3), and we believe it should be incorporated in Article 4. Given the longer lead times for offshore wind projects, we call for an **additional provision requiring Member States to provide a 7-year schedule for offshore wind support**.
- We appreciate the inclusion of an investment protection clause in Article 6. However, the wording of the article **should clarify that**, even if support schemes are modified to comply with State aid rules, **the rights conferred to existing assets will remain intact**.

Recommendations:

- Make tenders the default system for awarding financial support for renewable electricity; concretize tender design principles [Article 4];
- add a provision requiring Member States to provide a 7-year schedule for offshore wind support [Articles 4 and 15];
- ensure that the rights for existing assets remain intact even if support schemes are modified to comply with State aid rules [Article 6].

Make the cross-border opening of support schemes for renewable electricity viable for Member States

- We appreciate the intention to open up renewable electricity support schemes to generators located in other Member States, as laid out in Article 5. This measure can trigger regional renewable energy cooperation, and it can lead to the exploitation of considerable cost reduction potentials.
- **Member States should however be given the flexibility to accumulate the volume of newly supported capacity to be opened over a longer period between 2021 and 2030.** This would avoid an inefficient and costly renewable energy deployment. Member States should be requested to **create transparency** on the tender schedule, in line with the currently proposed provisions in Article 15(3).
- It is difficult for Member States governments to anticipate the number and size of projects in their country, receiving financial support from other Member States. The opening of support schemes could thereby lead to national growth ambitions being fulfilled well ahead of schedule. This, again, would significantly impact the supply situation within a Member State in case of a lack of adequate transmission infrastructure development. To avoid those disruptive developments, **Member States should be required to integrate the interaction between possible foreign support for national renewables installations and grid development in their National Energy and Climate Plans** within the meaning of the Energy Union Governance Regulation.
- In order to avoid a patchwork of bilateral agreements between Member States, the **European Commission should issue a detailed blueprint** for such agreements **as well as biannual progress reports.**

Recommendations:

- Provide Member States with flexibility to accumulate the volume to be opened over several years between 2021 and 2030 [Article 5(2)];
- require Member States to consider the interaction between the opening of support and national grid development [Article 5];
- ensure European Commission blueprint for bilateral agreements and regular progress reports [Article 5].

Allow producers of financially supported renewable energy to retain their guarantees of origin

- We welcome the proposed disclosure of all renewable energy generated in Europe through the improved system of guarantees of origin (GOs) in Article 19(1).
- However, Vattenfall **disagrees with the provision completely abolishing the issuing of GOs to producers receiving financial support** for the same production of renewable energy and requesting Member States to auction those GOs instead.
- Giving those GOs to the national governments for centralized auctions would break the link between the renewable energy production of an installation and an end-consumer who is interested in purchasing renewable electricity from that specific installation. Consequently, various active renewable market players would not be able to continue their "asset-to-client" strategies, losing the value which GOs provide to renewable energy producers.
- The GO market has finally grown up and is stimulating multinational companies to sign power purchase agreements (PPAs) with operators of renewable energy installations. Not issuing any GOs for renewable energy installations receiving support from a support scheme would in particular be a step back with regard

to those large end-consumers' demand for renewable energy. The provision would thereby constrain the development of public acceptance for renewable energy projects.

Recommendation:

- Alter the provision abolishing the issuing of GOs to producers receiving financial support for the same production of renewable energy [Article 19(2)].

Increased renewables share in heating and cooling – provide more flexibility to Member States and improve prerequisites for the collaboration between heat suppliers

- We share the ambition to increase the renewable energy deployment in heating and cooling. However, such an increase has previously been achieved in different Member States through other policy measures than obligations. Any related **targets for Member States in Article 23 should be defined as individual national renewable energy share in heating and cooling (including waste heat) in the non-ETS sectors** for 2030. This would provide Member States with sufficient flexibility and investors with adequate certainty. Member States should be encouraged to consider dedicated policy measures in order for them to fulfill the above-mentioned targets and to provide for a level playing field within the heating and cooling sector.
- The **removal of any national obstacles to the envisioned increase of the renewable and waste heat share** in district heating systems at national level is key, in particular with regard to the urban building stock.
- We acknowledge the potential of Article 24 to trigger an increased collaboration between heat suppliers, in order to make use of renewables-based heat and heat which would otherwise be lost and to incentivize the further integration of the electricity and heat sectors by unlocking power-to-heat solutions. The proposed mandatory access however would lead to increased administrative costs for the system as a whole and to a technically complex situation with little increase in customer value. The collaboration must rather take place under **market-based conditions**, and based on a **bilateral agreement between the actors**. The provision needs to **take into account the varying characteristics between district heating systems**. District heating system improvements thereby directly reach all connected customers, in particular those in the building stock. Most importantly, the **contract with the customers must remain exclusively with the operator** of the district heating system.

Recommendations:

- Introduce individual national targets for the renewable energy share in heating and cooling (non-ETS sector) by 2030 and 2050 [Article 23];
- encourage Member States to develop specific policy measures for target achievement [Article 23];
- require the removal of any national obstacles for market-based collaboration between heat suppliers and for sector integration; provide for the contract to remain exclusively between customer and district heating system operator [Article 24].

Keep the proposed biomass sustainability criteria and adjust some details

- We strongly believe that harmonized EU sustainability criteria will considerably increase the credibility of the bioenergy sector and therefore **support the proposals in the Directive**. We are confident that we will meet the requirements and provide sustainable heating solutions to our customers. While the proposed

risk-based approach is reasonable and reflects our intentions, we see room for improvement on some details.

- The level on which the **verification and application of mitigation measures** take place in the value chain should be broadened in Article 26(5b). It **should also include biomass producers** (e.g. pellet mill or sawmill level).
- Demonstrating that management systems are in place at forest holding level – as outlined in Article 26(6) – is one method to prove compliance with requirements. Other, more economical, methods to be introduced include for example the **use of national forestry statistics to demonstrate that standing forest stocks are increasing over time**.
- The Directive is supposed to enter into force in January 2021, with national implementation by June 2021. A re-assessment and potential modification of the proposed criteria in 2023 is too early and would lead to uncertainty for market participants. **The review foreseen in Article 26 should rather be done in accordance with the general review of the Directive in 2026** (as outlined in Article 30 (3)).
- The proposed methodological choices in Annex VI/B(11) risk excluding pellet usage for sustainable bioenergy solutions in heat-only boilers starting operation after 1 January 2021. **Pellet mills should be enabled to use the actual value of the CO2 intensity of their regional or national electricity mix.**

Recommendations:

- Include biomass producer level as possible level for verification and application of mitigation measures [Article 26(5)];
- introduce national forestry statistics as method to prove compliance with the requirements [Article 26(6)];
- change review date for criteria to 2026 [Article 26];
- enable pellet mills to use the actual value of the CO2 intensity of their regional/national electricity mix [Annex VI].

Reward for the use of renewable electricity in transport

- We strongly support the target for the amount of renewable energy in transport fuels, as it will drive the development of renewable electricity-powered e-mobility. **We however doubt the need for a separate (sub-)target for advanced biofuels.** As long as transport fuels fulfil the proposed sustainability criteria, the market should decide about the fuel mix used to meet the desired renewable energy share in transport.
- We believe that **the renewable energy target for the transport sector should explicitly reward for the use of renewable electricity in transport** – be it as end-fuel in electric vehicles or as fuel for the ‘production’ of hydrogen or biofuels. This will also be an additional trigger for renewable electricity capacity.

Recommendations:

- Delete separate (sub-)target for advanced biofuels [Article 25(1)];
- determine the share of renewable electricity used in transport exclusively through the national share of electricity from renewable energy sources [Article 25(3)];
- ensure that renewable electricity used in electric vehicles only counts towards the target for the renewable energy share in transport if the equivalent amount of guarantees of origin of the electricity used is cancelled [Article 7(3)].



Renewable Energy Directive (recast)

Position Paper

Annex – Amendment Proposals

AMENDMENTS

Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL
on the promotion of the use of energy from renewable sources (recast)
2016/0382 (COD)

Financial support for electricity from renewable sources

Amendment 1

Proposal for a Directive
Article 4 - paragraph 3

<i>Text proposed by the Commission</i>	<i>Amendment</i>
(3) Member States shall ensure that support for renewable electricity is granted in an open, transparent, competitive , non-discriminatory and cost-effective manner .	(3) Member States shall ensure that support for renewable electricity is granted in an open, transparent, non-discriminatory tender procedure, under the conditions laid down in paragraph 4 .

Justification:

In order to reduce the costs of the energy transition to the necessary minimum, every renewable electricity support system in Europe should be transformed into a tender system.

Amendment 2

Proposal for a Directive
Article 4 - paragraph 4 a (new)

<i>Text proposed by the Commission</i>	<i>Amendment</i>
	<p><i>(4a) When organising tender procedures referred to in paragraph 3, Member States shall define and publish inter alia:</i></p> <ul style="list-style-type: none"> <i>a. a yearly updated long-term schedule in relation to expected tenders for support for electricity from renewable sources, covering at least the following 3 years, and at least the following 7 years for offshore wind, and including for each tender the indicative timing, the capacity, energy or budget expected to be tendered, as well as the technologies expected to be eligible;</i> <i>b. a reasonable time for bid preparation and a reasonable time for project realization taking into account the typical project development cycles of the eligible technologies;</i> <i>c. non-discriminatory and transparent pre-qualification criteria;</i> <i>d. on which basis the support is selected and awarded.</i>

Justification:

More detailed criteria for financial support are necessary, in particular with regard to tender design.

Amendment 3

**Proposal for a Directive
Article 6**

<i>Text proposed by the Commission</i>	<i>Amendment</i>
Without prejudice to adaptations necessary to comply with State aid rules, Member States shall ensure that the level of, and the conditions attached to, the support granted to renewable energy projects are not revised in a way that negatively impacts the rights conferred thereunder and the economics of supported projects.	Without prejudice to adaptations necessary to comply with State aid rules, Member States shall ensure that the level of, and the conditions attached to, the support granted to renewable energy projects are not revised in a way that negatively impacts the rights conferred thereunder and the economics of supported projects. <i>Even in case support schemes are modified to comply with State aid rules, Member States shall ensure that the rights conferred to existing assets will remain intact.</i>

Justification:

The provision is weakened by the allowed modifications under State aid rules. The Article should therefore clarify that, even if support schemes are modified to comply with State aid rules, the rights conferred to existing assets will remain intact.

Amendment 4

**Proposal for a Directive
Article 15 - paragraph 3**

<i>Text proposed by the Commission</i>	<i>Amendment</i>
<p><i>(3) Member States shall ensure that investors have sufficient predictability of the planned support for energy from renewable sources. To this aim, Member States shall define and publish a long-term schedule in relation to expected allocation for support, covering at least the following 3 years and including for each scheme the indicative timing, the capacity, the budget expected to be allocated, as well as a consultation of stakeholders on the design of the support.</i></p>	<p><i>deleted</i></p>

Justification:

The provisions of this paragraph should be incorporated in Article 4 of this Directive.

Guarantees of origin

Amendment 5

Proposal for a Directive

Article 19 - paragraph 2

<i>Text proposed by the Commission</i>	<i>Amendment</i>
<p>(2) To that end, Member States shall ensure that a guarantee of origin is issued in response to a request from a producer of energy from renewable sources. Member States may arrange for guarantees of origin to be issued for non-renewable energy sources. Issuance of guarantees of origin may be made subject to a minimum capacity limit. A guarantee of origin shall be of the standard size of 1 MWh. No more than one guarantee of origin shall be issued in respect of each unit of energy produced.</p> <p>Member States shall ensure that the same unit of energy from renewable sources is taken into account only once.</p> <p>Member States <i>shall ensure</i> that no <i>guarantees of origin are issued</i> to a producer that receives <i>financial support from a support scheme</i> for the same production of energy from renewable sources. <i>Member States shall issue such guarantees of origin and transfer them to the market by auctioning them. The revenues raised as a result of the auctioning shall be used to offset the costs of renewables support.</i></p> <p>The guarantee of origin shall have no function in terms of a Member State's compliance with Article 3. Transfers of guarantees of origin, separately or together with the physical transfer of energy, shall have no effect on the decision of Member States to use statistical transfers, joint</p>	<p>(2) To that end, Member States shall ensure that a guarantee of origin is issued in response to a request from a producer of energy from renewable sources. Member States may arrange for guarantees of origin to be issued for non-renewable energy sources. Issuance of guarantees of origin may be made subject to a minimum capacity limit. A guarantee of origin shall be of the standard size of 1 MWh. No more than one guarantee of origin shall be issued in respect of each unit of energy produced.</p> <p>Member States shall ensure that the same unit of energy from renewable sources is taken into account only once.</p> <p>Member States <i>may provide</i> that no <i>support be granted</i> to a producer <i>when that producer receives a guarantee of origin</i> for the same production of energy from renewable sources.</p> <p>The guarantee of origin shall have no function in terms of a Member State's compliance with Article 3. Transfers of guarantees of origin, separately or together with the physical transfer of energy, shall have no effect on the decision of Member States to use statistical transfers, joint projects or joint support schemes for target compliance or on the calculation of the gross final consumption of energy from renewable sources in accordance with Article 7.</p>

<p>projects or joint support schemes for target compliance or on the calculation of the gross final consumption of energy from renewable sources in accordance with Article 7.</p>	
--	--

Justification:

The mature GO market is stimulating multinational companies to sign power purchase agreements with operators of renewable power installations. The GOs are the main driver for this as they directly prove the link between the wind farm and the end-consumer. Not issuing any GOs for renewable power plants receiving support from a support scheme would be a step back with regard to large end-consumers' demand for renewable energy.

Amendment 6

Proposal for a Directive
Article 19 - paragraph 7 - point d

<i>Text proposed by the Commission</i>	<i>Amendment</i>
(d) whether the installation has benefited from investment support, whether the unit of energy has benefited in any other way from a national support scheme, and the type of support scheme	(d) whether and to what extent the installation has benefited from investment support, whether and to what extent the unit of energy has benefited in any other way from a national support scheme, and the type of support scheme

Justification:

Efficiency improvements in existing installations lead to increased production triggering support for the additional production. However, only the additional production should be labelled as supported on the guarantee of origin, and not the entire production of the installation.

Heating and cooling

Amendment 7

Proposal for a Directive

Article 15 - paragraph 5 - subparagraph 3

Text proposed by the Commission	Amendment
(5) Member States shall, in their building regulations and codes or by other means with equivalent effect, require the use of minimum levels of energy from renewable sources in new buildings and in existing buildings that are subject to major renovation, reflecting the results of the cost-optimal calculation carried out pursuant to Article 5(2) of Directive 2010/31/EU. Member States shall permit those minimum levels to be fulfilled, inter alia, using a significant proportion of renewable energy sources.	(5) Member States shall, in their building regulations and codes or by other means with equivalent effect, require the use of minimum levels of energy from renewable sources in new buildings and in existing buildings that are subject to major renovation, reflecting the results of the cost-optimal calculation carried out pursuant to Article 5(2) of Directive 2010/31/EU. Member States shall permit those minimum levels to be fulfilled, inter alia, through 'efficient district heating and cooling' within the meaning of Article 2(41) of Directive 2012/27/EU produced using a significant proportion of renewable energy sources and/or waste heat and cold .

Justification:

An Increased efficiency of the building stock and an increased utilization of renewable resources for heating purposes, in particular in densely populated urban areas, are key for the decarbonisation of the heating sector. In the mid-term horizon, both the rapid replacement of obsolete oil or gas boilers and the connection to efficient district heating/Combined Heat and Power (CHP) supply have to be adequately considered as solutions. Drawing on 'efficient district heating and cooling' as defined by Article 2(41) of Directive 2012/27/EU is an explicit, equal and challenging option to fulfill the requirement of increasing the share of renewable energy sources within the heating sector.

Amendment 8

**Proposal for a Directive
Article 23 - paragraph 1**

<i>Text proposed by the Commission</i>	<i>Amendment</i>
(1) In order to facilitate the penetration of renewable energy in the heating and cooling sector, each Member State shall <i>endeavour to increase</i> the share of renewable <i>energy</i> supplied for heating and cooling <i>by at least 1 percentage point (pp) every year</i> , expressed in terms of national share of final energy consumption and calculated according to the methodology set out in Article 7.	(1) In order to facilitate the penetration of renewable energy <i>and waste heat or cold</i> in the heating and cooling sector, each Member State shall <i>define the targets for 2030 for</i> the share of renewable <i>and waste heat or cold</i> supplied for heating and cooling <i>outside the scope of the EU Emissions Trading System</i> , expressed in terms of national share of final energy consumption and calculated according to the methodology set out in Article 7.

Justification:

Any targets related to the share of renewable energy in heating and cooling should be defined with regard to the specific target year 2030. This would be consistent with the other climate and energy targets, notably those for greenhouse gas emission savings and renewable energy, at EU and Member State level. It would provide Member States with sufficient flexibility and investors with adequate certainty, and it would avoid ambiguities about the calculation basis and the relevance of existing national renewable energy shares in heating and cooling. In order to avoid overlapping policy incentives, the targets for the share of renewable and waste heat or cold should address activities outside the scope of the EU Emissions Trading System.

Amendment 9

Proposal for a Directive
Article 23 - paragraph 2

<i>Text proposed by the Commission</i>	<i>Amendment</i>
<i>(2) Member States may designate and make public, on the basis of objective and non-discriminatory criteria, a list of measures and the implementing entities, such as fuel suppliers, which shall contribute to the increase set out in paragraph 1.</i>	<i>deleted</i>

Amendment 10

Proposal for a Directive
Article 23 - paragraph 2 a (new)

<i>Text proposed by the Commission</i>	<i>Amendment</i>
	<i>(2a) Member States should consider specific policy measures to reach the targets set out in paragraph 1.</i>

Justification:

Instead of being forced to apply potentially market-distortive and inefficient measures, including the nomination of 'implementing entities', Member States should be provided with the freedom to find individual solutions and targeted measures to reach higher shares of renewable energy in heating and cooling.

Amendment 11

**Proposal for a Directive
Article 23 - paragraph 3**

<i>Text proposed by the Commission</i>	<i>Amendment</i>
<p>(3) The increase set out in paragraph 1 may be implemented through one or more of the following options:</p> <ul style="list-style-type: none"> a. physical incorporation of renewable energy in the energy and energy fuel supplied for heating and cooling; b. direct mitigation measures such as installation of highly efficient renewable heating and cooling systems in buildings or renewable energy use for industrial heating and cooling processes; c. indirect mitigation measures covered by tradable certificates proving compliance with the obligation through support to indirect mitigation measures, carried out by another economic operator such as an independent renewable technology installer or energy service company – ESCO providing renewable installation services. 	<p>(3) The targets set out in paragraph 1 may be implemented through one or more of the following options:</p> <ul style="list-style-type: none"> a. physical incorporation of renewable energy or waste in the energy and energy fuel supplied for heating and cooling b. direct mitigation measures such as; installation of highly efficient renewable heating and cooling systems in buildings or renewable or waste energy use for industrial heating and cooling processes; c. indirect mitigation measures covered by tradable certificates proving compliance with the obligation through support to indirect mitigation measures, carried out by another economic operator such as an independent renewable technology installer or energy service company – ESCO providing renewable installation services; d. connecting to 'efficient district heating and cooling' systems within the meaning of Article 2(41) of Directive 2012/27/EU; e. other policy measures with an equivalent effect.

Justification:

The paragraph should refer to concrete national targets, as opposed to a fixed annual increase, and to the appropriate set of measures to meet those targets. An increased efficiency of the building stock and an increased utilization of renewable sources for heating purposes, in particular in dense urban areas, are key for a sufficient and sustainable decarbonisation of the heating sector. In the mid-term horizon, both the rapid replacement of obsolete oil or gas boilers and the connection to efficient district heating/Combined Heat and Power (CHP) supply have to be adequately considered. 'Efficient district heating and cooling' as defined by Article 2(41) of Directive 2012/27/EU is an explicit, equal and challenging option to fulfill the requirement of increasing the share of renewable energy sources within the heating sector.

Amendment 12

**Proposal for a Directive
Article 23 - paragraph 4**

<i>Text proposed by the Commission</i>	<i>Amendment</i>
<i>(4) Member States may use the established structures under the national energy efficiency obligation schemes set out in Article 7a of Directive 2012/27/EU to implement and monitor the measures referred to in Paragraph 2.</i>	<i>deleted</i>

Justification:

Setting overall targets for the entire sector will create a level playing field for actors as well as for concepts and solutions to be found in a market-orientated and thus efficient way. In order to contribute to the level playing field, Member States should consider specific and appropriate policy measures. While obligation schemes could lead to market distortions, a lack of innovation and the failure to guarantee cost-efficient solutions, this approach would provide flexibility to Member States' governments and market participants.

Amendment 13

**Proposal for a Directive
Article 23 - paragraph 5**

<i>Text proposed by the Commission</i>	<i>Amendment</i>
<p>(5) <i>The entities designated under paragraph 2</i> shall ensure that <i>their contribution is</i> measurable and verifiable <i>and</i> shall report annually <i>starting from 30 June 2021, to the authority designated by the Member State, on:</i></p> <ul style="list-style-type: none"> a. the total amount of energy supplied for heating and cooling; b. the total amount of renewable energy supplied for heating and cooling; c. the share of renewable energy in the total amount of energy supplied for heating and cooling; and d. the type of renewable energy source. 	<p>(5) <i>Member States</i> shall ensure that <i>the contributions of relevant market parties to the targets set out in paragraph 1 are</i> measurable and verifiable. <i>Member States shall introduce an appropriate reporting system by 31 January 2021. Relevant market parties</i> shall report annually, on:</p> <ul style="list-style-type: none"> a. the total amount of energy supplied for heating and cooling; b. the total amount of renewable energy <i>and waste heat or cold</i> supplied for heating and cooling; c. the share of renewable energy <i>and waste heat or cold</i> in the total amount of energy supplied for heating and cooling; and d. the type of renewable energy <i>and waste heat or cold</i> source.

Justification:

Any reporting requirements should be valid for all actors in the heating transition process. Member States shall set up an appropriate reporting system in accordance with their individual market structure.

Amendment 14

Proposal for a Directive

Article 24 - paragraph 1

<i>Text proposed by the Commission</i>	<i>Amendment</i>
(1) Member States shall ensure that district heating and cooling suppliers provide information to end-consumers on their energy performance and the share of renewable energy in their systems. Such information shall be in accordance with standards used under Directive 2010/31/EU.	(1) Member States shall ensure that district heating and cooling suppliers provide information to <i>the relevant contract parties and</i> end-consumers on their energy performance and the share of renewable energy <i>and waste heat or cold</i> in their systems. Such information shall be in accordance with standards used under Directive 2010/31/EU.

Justification:

*The district heating and cooling suppliers shall provide the required information to their contract partners.
The contract partner is not always identical with the end-consumer in all national district heating markets.*

Amendment 15

**Proposal for a Directive
Article 24 - paragraph 2**

<i>Text proposed by the Commission</i>	<i>Amendment</i>
(2) Member States shall lay down the necessary measures to allow customers of those district heating or cooling systems which are not 'efficient district heating and cooling' within the meaning of Article 2(41) of Directive 2012/27/EU to disconnect from the system in order to produce heating or cooling from renewable energy sources themselves or to switch to another supplier of heat or cold which has access to the system referred to in paragraph 4.	(2) Member States shall lay down the necessary measures to allow customers of those district heating or cooling systems which are not 'efficient district heating and cooling' within the meaning of Article 2(41) of Directive 2012/27/EU to terminate the contract with the district heating or cooling system operator in order to use heating or cooling from renewable energy sources produced by themselves or by parties acting on their behalf.

Justification:

Increased collaboration between district heating suppliers must be realized under market-based conditions and based on a bilateral agreement between the actors, taking into account the specific technical requirements of the individual district heating system. This would lead to an increasing share of renewable sources in heating, the utilization of waste heat and combined heat and power, and it would therefore drive the transition of district heating. Keeping the contract exclusively between customer and district heating system operator prevents an increase of administrative costs for the system as a whole as well as a technically complex situation with little increase in customer value.

Amendment 16

Proposal for a Directive
Article 24 - paragraph 3

<i>Text proposed by the Commission</i>	<i>Amendment</i>
(3) Member States may restrict the right to disconnect or switch supplier to customers who can prove that the planned alternative supply solution for heating or cooling results in a significantly better energy performance. The performance assessment of the alternative supply solution may be based on the Energy Performance Certificate as defined in Directive 2010/31/EU.	(3) Member States shall restrict the right to terminate the contract with the district heating or cooling system operator to customers who can prove that the planned alternative supply solution for heating or cooling results in a significantly better energy performance. The performance assessment of the alternative supply solution may be based on the Energy Performance Certificate as defined in Directive 2010/31/EU.

Justification:

The right to terminate the contract needs to be restricted to cases implying a verifiable performance increase.

Amendment 17

Proposal for a Directive
Article 24 - paragraph 4

<i>Text proposed by the Commission</i>	<i>Amendment</i>
(4) Member States shall lay down the necessary measures to ensure non-discriminatory access to district heating or cooling systems for heat or cold produced from renewable energy sources and for waste heat or cold. This non-discriminatory access shall enable direct supply of heating or cooling from such sources to customers connected to the district heating or cooling system by suppliers other than the operator of the district heating or cooling system.	(4) Member States shall lay down the necessary measures to ensure non-discriminatory access to district heating or cooling systems, which are not efficient in the meaning of Article 2(41) of Directive 2012/27/EU , for heat or cold produced from renewable energy sources and for waste heat or cold. This non-discriminatory access shall enable producers of heat or cold produced from renewable energy sources and of waste heat or cold to sell heat or cold from such sources to the district heating or cooling system operator when it is economically and technically feasible for the customers, the producer and the operator of the district heating or cooling system.

Justification:

Increased collaboration between heat suppliers must be realized under market-based conditions and based on a bilateral agreement between the actors, taking into account the specific technical requirements of the individual district heating system and the economic feasibility for customers, producers and district heating system operators. This will lead to an increasing share of renewable sources in heating, the utilization of waste heat and combined heat and power, in particular in non-efficient district heating systems. Keeping the contract exclusively between customer and district heating system operator prevents an increase of administrative costs for the system as a whole as well as a technically complex situation with little increase in customer value.

Amendment 18

Proposal for a Directive
Article 24 - paragraph 5

<i>Text proposed by the Commission</i>	<i>Amendment</i>
<p><i>(5) An operator of a district heating or cooling system may refuse access to suppliers where the system lacks the necessary capacity due to other supplies of waste heat or cold, of heat or cold from renewable energy sources or of heat or cold produced by high-efficiency cogeneration. Member States shall ensure that where such a refusal takes place the operator of the district heating or cooling system provides relevant information to the competent authority according to paragraph 9 on measures that would be necessary to reinforce the system.</i></p>	<p><i>deleted</i></p>

Justification:

In combination with the amended Article 24(4), exemptions are not necessary.

Amendment 19

Proposal for a Directive
Article 24 - paragraph 6

<i>Text proposed by the Commission</i>	<i>Amendment</i>
<i>(6) New district heating or cooling systems may, upon request, be exempted from the application of paragraph 4 for a defined period of time. The competent authority shall decide on such exemption requests on a case-by-case basis. An exemption shall only be granted if the new district heating or cooling system constitutes 'efficient district heating and cooling' within the meaning of Article 2(41) of Directive 2012/27/EU and if it exploits the potential for the use of renewable energy sources and of waste heat or cold identified in the comprehensive assessment made in accordance with Article 14 of Directive 2012/27/EU.</i>	<i>deleted</i>

Justification:

In combination with the amended Article 24(4), exemptions are not necessary.

Amendment 20

Proposal for a Directive

Article 24 - paragraph 7

<i>Text proposed by the Commission</i>	<i>Amendment</i>
(7) The right to disconnect or switch supplier may be exercised by individual customers, by joint undertakings formed by customers or by parties acting on behalf of customers . For multi-apartment blocks, such disconnection may only be exercised at whole building level.	(7) The right to terminate the contract with the district heating or cooling system operator may be exercised by individual customers or by joint undertakings formed by customers. For multi-apartment blocks, such disconnection shall only be exercised at whole building level.

Justification:

Keeping the contract exclusively between customer and district heating system operator prevents an increase of administrative costs for the system as a whole as well as a technically complex situation with little increase in customer value. 'Disconnection' should always be understood in the sense of terminating the contract within an appropriate time horizon and in both parties' interest, rather than in a technical sense. Disconnecting from district heating and cooling is practically only possible at the level of the entire building.

Amendment 21

Proposal for a Directive

Article 24 - paragraph 9

<i>Text proposed by the Commission</i>	<i>Amendment</i>
(9) Member States shall designate one or more <i>independent</i> authorities to ensure that the rights of consumers and the rules for operating district heating and cooling systems in accordance with this Article are clearly defined and enforced.	(9) Member States shall designate one or more <i>competent</i> authorities to ensure that the rights of consumers and the rules for operating district heating and cooling systems in accordance with this Article are clearly defined and enforced.

Justification:

The entire paragraph focuses on the “competent” authority. This should be consistently reflected in the wording.

Biomass sustainability criteria

Amendment 22

Proposal for a Directive

Article 26 - paragraph 5 – point b

<i>Text proposed by the Commission</i>	<i>Amendment</i>
(b) when evidence referred to in the first subparagraph is not available, the biofuels, bioliquids and biomass fuels produced from forest biomass shall be taken into account for the purposes referred to in points (a), (b) and (c) of paragraph 1 if management systems are in place at forest holding level to ensure that	(b) when evidence referred to in the first subparagraph is not available, the biofuels, bioliquids and biomass fuels produced from forest biomass shall be taken into account for the purposes referred to in points (a), (b) and (c) of paragraph 1 if management systems are in place at forest holding level and/or the biomass producer, such as the pellet mill, to ensure that

Justification:

The value chain level at which the verification and application of mitigation measures take place should be broadened and also include biomass producers (e.g. pellet mill or sawmill level). The goal of the paragraph is that feedstock for biomass production is legally and sustainably harvested. In order to achieve that goal, it is important that management systems and procedures are in place to ensure that all respective indicators in the forest are at low risk, but it is immaterial at which level in the value chain the verification and mitigation is carried out.

Amendment 23

Proposal for a Directive

Article 26 - paragraph 6 - subparagraph 2

<i>Text proposed by the Commission</i>	<i>Amendment</i>
(6) When evidence referred to in the first subparagraph is not available, the biofuels, bioliquids and biomass fuels produced from forest biomass shall be taken into account for the purposes referred to in points (a), (b) and (c) of paragraph 1 if management systems are in place at forest holding level to ensure that carbon stocks and sinks levels in the forest are maintained.	(6) When evidence referred to in the first subparagraph is not available, the biofuels, bioliquids and biomass fuels produced from forest biomass shall be taken into account for the purposes referred to in points (a), (b) and (c) of paragraph 1 if proof that national or regional forest carbon stocks are maintained can be delivered by demonstrating that carbon stocks are stable or increasing over time at the national or regional level.

Justification:

Demonstrating that management systems are in place at forest holding level is one method to demonstrate that carbon stocks are maintained. Other, more economical, methods are for example to show by use of national forestry statistics that standing forest stocks are increasing over time. Against this background, the means through which compliance can be demonstrated should not be limited to management systems at forest holding level.

In addition, carbon stocks at an individual forest holding level, especially smaller holdings, can vary strongly over time due to individual harvesting events while the carbon stock considered in a larger region or the country as a whole remains stable or increases. Therefore, carbon stocks should not be viewed at the individual forest holding level but rather at the national or regional level.

Amendment 24

Proposal for a Directive

Article 26 - paragraph 6 - subparagraph 4

<i>Text proposed by the Commission</i>	<i>Amendment</i>
(6) By 31 December 2023 , the Commission shall assess whether the criteria set out in paragraphs 5 and 6 effectively minimise the risk of using unsustainable forest biomass and address LULUCF requirements, on the basis of available data. The Commission shall, if appropriate, present a proposal to modify the requirements laid down in paragraphs 5 and 6.	(6) In accordance with Article 30(3) of this Directive , the Commission shall assess in 2026 whether the criteria set out in paragraphs 5 and 6 effectively minimise the risk of using unsustainable forest biomass and address LULUCF requirements, on the basis of available data. The Commission shall, if appropriate, present a proposal to modify the requirements laid down in paragraphs 5 and 6 as part of the general review of the Directive .

Justification:

The Directive is supposed to enter into force in January 2021, with national implementation by June 2021. A re-assessment and potential modification in 2023 is too early and would lead to uncertainty for market participants. Rather, the review foreseen in Article 26 should be done in accordance with the general review of the Directive in 2026, as outlined in Article 30(3).

Amendment 25

Proposal for a Directive

Annex VI - part B - paragraph 11 - subparagraph 2

<i>Text proposed by the Commission</i>	<i>Amendment</i>
(11) In accounting for the consumption of electricity not produced within the solid biomass fuel production plant, the greenhouse gas emission intensity of the production and distribution of that electricity shall be assumed to be equal to the <i>fossil fuel comparator ECF(el) set out in paragraph 19 of this Annex.</i>	(11) In accounting for the consumption of electricity not produced within the solid biomass fuel production plant, the greenhouse gas emission intensity of the production and distribution of that electricity shall be assumed to be equal to the <i>average emission intensity of the production and distribution of electricity in a defined region.</i>

Justification:

Pellet mills should be able to use the actual value of the CO2 intensity of their regional or national electricity mix. This would make the methodology for solid biomass fuels also fully consistent with the methodology for gaseous biomass fuels. Defining the CO2 intensity of electricity consumed in the production mix to be a fixed fossil fuel comparator otherwise neglects decarbonisation efforts within countries and risks excluding pellet usage in heat-only boilers starting operation after 2021.

Renewable energy in the transport sector

Amendment 26

Proposal for a Directive

Article 7 - paragraph 3 - point a

Text proposed by the Commission	Amendment
(a) The gross final consumption of energy from renewable sources in transport shall be calculated as the sum of all biofuels, biomass fuels and renewable liquid and gaseous transport fuels of non-biological origin consumed in the transport sector. However, renewable liquid and gaseous transport fuels of non-biological origin that are produced from renewable electricity shall only be considered to be part of the calculation pursuant to paragraph 1(a) when calculating the quantity of electricity produced in a Member State from renewable energy sources.	(a) The gross final consumption of energy from renewable sources in transport shall be calculated as the sum of all renewable electricity , biofuels, biomass fuels and renewable liquid and gaseous transport fuels of non-biological origin consumed in the transport sector. However, renewable liquid and gaseous transport fuels of non-biological origin that are produced from renewable electricity shall only be considered to be part of the calculation pursuant to paragraph 1(a) when calculating the quantity of electricity produced in a Member State from renewable energy sources. Renewable electricity used in electric vehicles should only count towards the target for the renewable energy share in transport if the equivalent amount of guarantees of origin of the electricity used is cancelled.

Justification:

The renewable energy target for the transport sector should explicitly reward for the use of renewable electricity in transport – be it as end-fuel in electric vehicles or as fuel for the ‘production’ of hydrogen or biofuels. This will also be an additional trigger for renewable electricity capacity. Renewable electricity used in electric vehicles should count towards the target for the renewable energy share in transport if an equivalent amount of guarantees of origin of the electricity used is cancelled. This is insufficiently clear in the Article text.

Amendment 27

Proposal for a Directive

Article 25 - paragraph 1 - subparagraph 2

<i>Text proposed by the Commission</i>	<i>Amendment</i>
(1) The minimum share shall be at least equal to 1.5% in 2021, increasing up to at least 6.8% in 2030, following the trajectory set out in part B of Annex X. <i>Within this total share, the contribution of advanced biofuels and biogas produced from feedstock listed in part A of Annex IX shall be at least 0.5% of the transport fuels supplied for consumption or use on the market as of 1 January 2021, increasing up to at least 3.6% by 2030, following the trajectory set out in part C of Annex X.</i>	(1) The minimum share shall be at least equal to 1.5% in 2021, increasing up to at least 6.8% in 2030, following the trajectory set out in part B of Annex X.

Justification:

As long as transport fuels fulfil the proposed sustainability criteria, the market should decide about the fuel mix used to meet the desired renewable energy share in transport. No separate targets for specific fuels are needed.

Amendment 28

Proposal for a Directive
Article 25 - paragraph 3

<i>Text proposed by the Commission</i>	<i>Amendment</i>
(3) To determine the share of renewable electricity for the purposes of paragraph 1 <i>either the average share of electricity from renewable energy sources in the Union or</i> the share of electricity from renewable energy sources in the Member State where the electricity is supplied, as measured two years before the year in question <i>may</i> be used. <i>In both cases,</i> an equivalent amount of guarantees of origin issued in accordance with Article 19 shall be cancelled.	(3) To determine the share of renewable electricity for the purposes of paragraph 1 the share of electricity from renewable energy sources in the Member State where the electricity is supplied, as measured two years before the year in question <i>shall</i> be used. An equivalent amount of guarantees of origin issued in accordance with Article 19 shall be cancelled.

Justification:

The renewables target for the transport sector should explicitly reward for the use of renewable electricity in transport – be it as end-fuel in electric vehicles or as fuel for the ‘production’ of hydrogen or biofuels. This will also be an additional trigger for renewable electricity capacity. Determining the share of renewable electricity used in transport through the national share of electricity from renewable energy sources is more accurate than using the average share at Union level. It will ensure that the development of e-mobility and the usage of renewable electricity go hand in hand.

Amendment 29

Proposal for a Directive
Article 25 - paragraph 3 - point a

<i>Text proposed by the Commission</i>	<i>Amendment</i>
(a) When electricity is used for the production of renewable liquid and gaseous transport fuels of non-biological origin, <i>either directly or for the production of intermediate products, either the average share of electricity from renewable energy sources in the Union or</i> the share of electricity from renewable energy sources in the country of production, as measured two years before the year in question, <i>may</i> be used to determine the share of renewable energy. <i>In both cases</i> , an equivalent amount of guarantees of origin issued in accordance with Article 19 shall be cancelled.	(a) When electricity is used for the production of renewable liquid and gaseous transport fuels of non-biological origin, the share of electricity from renewable energy sources in the country of production, as measured two years before the year in question, <i>shall</i> be used to determine the share of renewable energy. An equivalent amount of guarantees of origin issued in accordance with Article 19 shall be cancelled.

Justification:

The renewables target for the transport sector should explicitly reward for the use of renewable electricity in transport – be it as end-fuel in electric vehicles or as fuel for the ‘production’ of hydrogen or biofuels. This will also be an additional trigger for renewable electricity capacity. Determining the share of renewable electricity used in transport through the national share of electricity from renewable energy sources is more accurate than using the average share at Union level. It will ensure that the development of e-mobility and the usage of renewable electricity go hand in hand.

Van: [REDACTED]
Verzonden: vrijdag 10 maart 2017 15:13
Aan: [REDACTED] - DGMI; "[REDACTED] - DGMI"
Onderwerp: verslag energieraad + brief IUCN
Bijlagen: Brief Minister Kamp, Stas Dijksma inzake Energieraad 27 feb 17-1.docx; [RIJK]
Europa - EU - TTE - Energie - Verslag Energieraad 27 februari 2017

Hoi [REDACTED] en [REDACTED]

Hierbij zoals gisteren besproken de terugkoppeling die ik het gekregen van de energieraad en de brief die we hebben ontvangen van IUCN. [REDACTED]

Groet,
[REDACTED]

[Logo IUCN NL] Draft versie.

Onderwerp: Uw bijdrage aan de Energieraad 27 februari

Geachte Minister Kamp en Staatssecretaris Dijksema,

Minister, op 27 februari aanstaande zult u naast andere Europese ministers spreken over het "Winter Package" van de Europese commissie, inclusief de nieuwe plannen voor het hernieuwbare energie beleid post-2020.

Wij maken van de gelegenheid gebruik uw aandacht te vragen voor het volgende. Onlangs nam IUCN op haar congres een motie aan over palm olie, waarin regeringen en bedrijven opgeroepen worden zich sterker in te zetten voor het goed beheer van palm olie en beheersing van de expansie, en daarin ook terughoudendheid te betrachten in het gebruik ervan voor biobrandstoffen en energie. <https://portals.iucn.org/congress/motion/066>

Als Nederlandse tak van de International Union for the Conservation of Nature, 's werelds grootste en oudste unie voor natuurbescherming, werken wij al jaren samen met partners in Indonesië, ook op het gebied van palmolie, en kennen de lastige beheers realiteit ter plekke. Verontrust namen we verder kennis van het GLOBIOM rapport dat de directe en indirecte effecten van het gebruik van biofuels berekende voor de Europese Commissie. [https://ec.europa.eu/energy/sites/ener/files/documents/Final%20Report GLOBIOM publication.pdf](https://ec.europa.eu/energy/sites/ener/files/documents/Final%20Report%20GLOBIOM%20publication.pdf). Palmolie voor biodiesel veroorzaakt volgens dit rapport drie maal zoveel uitstoot als fossiele diesel en soja twee maal zoveel. Hoewel het o.i. mogelijk is de negatieve effecten van directe landgebruiksverandering te voorkomen door certificering van kwaliteit zoals die van de Roundtables, is het beduidend moeilijker de indirecte effecten van de extra druk op bos en veengronden te voorkomen.

De afgelopen jaren gebruikte Europa bijna de helft van de palmolie import voor biodiesel, daarnaast nog eens 15 procent voor warmteopwekking en elektriciteit. Vanuit klimaat oogpunt lijkt het ons gezien bovenstaande niet gerechtvaardigd en een aantal van onze leden, zoals Natuur en Milieu, Milieudefensie, Birdlife, bepleiten dan ook een rap afbouwscenario van deze grondstof. Soja is helaas geen beter alternatief, en ook in verband met de uitwisselbaarheid van de plantaardige oliën voor diverse toepassingen, is het additioneel gebruik voor bio-energie van deze oliën o.i. onwenselijk. Ook aan veel andere eerste generatie biobrandstoffen kleven zoals u bekend zal zijn nadelen in de actuele beheerssituaties.

Eerder leek de Europese Commissie zelf de conclusie getrokken te hebben dat een rap afbouwscenario noodzakelijk is, maar de cap voor conventionele biobrandstoffen voor 2030 is in het voorliggende voorstel alsnog op 3,8 procent gesteld. Wij hopen dat subsidies op gebruik van eerste generatie brandstoffen al in 2020 onmogelijk zullen worden, en dat het gebruik van voedselgewassen in 2030 geheel wordt uitgefaseerd. Waar mogelijk met extra aandacht of voorrang voor de eerste generatie biodiesels zoals die van palm olie. Ook het intensief gebruik van houtige biomassa (met name rondhout bruikbaar voor pulp of houtproducten en boomstronken) is onverstandig wil het de CO2 opname capaciteit en biodiversiteit van de bossen niet aantasten.

Wij weten dat Nederland een belangrijke stem heeft in het debat in Europa, en we hopen dat uw bijdrage er voor kan zorgen dat de EU een efficiënt beleid krijgt dat het gebruik van biomassa voor energie beperkt tot alleen echt duurzame bronnen, gebaseerd op afval en residuen, die werkelijke

broeikasgasreductie bieden en niet ten koste gaan van voedsellandbouw en natuur.

Wij en een aantal van onze leden zullen uw interventie de 27^e met interesse volgen en danken u bij voorbaat vriendelijk voor uw inzet,

Hoogachtend,

(eindversie te ondertekenen door)

[redacted], directeur

Voor verdere informatie

[redacted]@iucn.nl

Van: [redacted] <[redacted]@minbuza.nl>
Verzonden: woensdag 3 mei 2017 9:35
Aan: [redacted] - DGMI; [redacted]; 'I
 [redacted] - DGMI'; [redacted]
CC: [redacted]; [redacted]
Onderwerp: Verslag ePure
Bijlagen: 170222- DEF ePURE position on RED II.PDF

Beste collega's,

Een mail die ergens was blijven hangen, maar hierbij alsnog

Op 12 april kwamen twee vertegenwoordigers van ePure, [redacted] en [redacted], langs op de PV om te praten over RED, specifiek over de doelstellingen rondom het uitfasen van conventionele biobrandstoffen. Hieronder enkele hoofdpunten:

- ePure is een Europees bedrijf dat met name conventionele biobrandstoffen produceert en daarnaast een kleine tak heeft in geavanceerde biobrandstoffen.
- Het benadrukt dat de afgelopen periode er veel is geïnvesteerd in conventionele biobrandstoffen. De voorgestelde limiet voor 2030 is daarmee een grote zorg voor investeerders, die niet zeker zijn of ze hun investering kunnen terugverdienen. Ook geeft dergelijk wisselend beleid weinig zekerheid voor de toekomst.
- Conventioneel zou beoordeeld moeten worden op ILUC impact. Dat betekent dat bioethanol uit soja en palmolie best een strakke limiet mag krijgen, maar de in Europa geproduceerde conventionele biobrandstoffen met een laag ILUC risico gewoon door zouden moeten mogen gaan. Een alternatief is het stellen van strengere duurzaamheidseisen.
- Vooral nog is biodiesel uit palmolie veel goedkoper dan andere conventionele biobrandstoffen, daarmee drukt het andere producenten uit de markt.
- Emmanuel geeft aan dat hij van Estland heeft vernomen dat de REDII geen prioriteit heeft tijdens hun voorzitterschap. In het EP gebeurt nu wel veel, daar richt ePure zich voornamelijk op.

In de bijlage het position paper van ePure.

Met vriendelijke groet,

[redacted]
 Attaché Economic Affairs

.....
 Permanent Representation of the Netherlands to the EU
 Kortenberglaan 4 | 1040 Brussels

T +32 2 [redacted]

M +32 [redacted]

E [redacted]@minbuza.nl

W <http://eu.nl/vertegenwoordiging.org/>

.....
 Help save paper! Do you really need to print this email?

Dit bericht kan informatie bevatten die niet voor u is bestemd. Indien u niet de geadresseerde bent of dit bericht abusievelijk aan u is toegezonden, wordt u verzocht dat aan de afzender te melden en het bericht te verwijderen. De Staat aanvaardt geen aansprakelijkheid voor schade, van welke aard ook, die verband houdt

met risico's verbonden aan het elektronisch verzenden van berichten.

This message may contain information that is not intended for you. If you are not the addressee or if this message was sent to you by mistake, you are requested to inform the sender and delete the message. The State accepts no liability for damage of any kind resulting from the risks inherent in the electronic transmission of messages.

Van: [redacted] - DGMI <[redacted]@minienm.nl>
Verzonden: vrijdag 30 juni 2017 17:43
Aan: [redacted]
Onderwerp: Contact met Philips Lighting over buildings efficiency & energy efficiency

Beste [redacted] en [redacted]

Philips Lighting wil graag contact om de NL positie op het gebied van energy efficiency en buildings efficiency beter te begrijpen, mag ik naar jullie doorverwijzen?
 Verzoek kwam binnen via de directeur van het EU Green Growth Platform en de Prince of Wales's Corporate Leadership Group, zij onderhouden contacten met een groep progressieve bedrijven (waaronder NL bedrijven als Philips, Unilever en DSM) en zijn een belangrijke stem in Brussel voor ambitieus EU-beleid op het gebied van klimaat en energie. Vanuit IenM hebben we daarom regelmatig contact met ze.
 Laat maar even weten of ik bij jullie aan het goede adres ben, fijn weekend alvast!

Groet!

-----Oorspronkelijk bericht-----

Van: [redacted] [mailto:[redacted]@cisl.cam.ac.uk]
Verzonden: vrijdag 30 juni 2017 14:51
Aan: [redacted] - DGMI <[redacted]@minienm.nl>
CC: [redacted] <[redacted]@cisl.cam.ac.uk>; [redacted] <[redacted]@cisl.cam.ac.uk>; [redacted] <[redacted]@cisl.cam.ac.uk>
Onderwerp: RE: Thanks for joining us in The Hague

Hi [redacted]

Will definitely keep you updated about initiatives in the transport sector. In the meantime I think one of our Dutch members, Philips Lighting, would very much like to understand the Netherlands' position on buildings efficiency and energy efficiency. We would very much like to develop our relationships with the Dutch government and I wonder if you are able to put us in touch with the relevant policy officials. Perhaps we could meet them with Philips, to understand the Netherlands' objectives.

Hope to see you soon in Brussels.

Best

From: [redacted] - DGMI [redacted]@minienm.nl]
Sent: 27 June 2017 16:09
To: [redacted]
Subject: RE: Thanks for joining us in The Hague

Dear [redacted]

Many thanks again for having me, it's been a pleasure, and very interesting to get some perspectives from progressive businesses outside the Netherlands.
 It would be great if you could keep us updated about any initiatives in the transport sector (or others) that might follow on from this.
 Hopefully see you again soon!

Best,

[redacted]
 Policy Advisor

Directorate for Climate, Air Quality and Noise Ministry of Infrastructure and the Environment Rijnstraat 8 | Den Haag P.O. Box 20901 | 2500 EX | Den Haag
M +31 (0) [redacted]

Van: [redacted] [mailto:[redacted]@cisl.cam.ac.uk]
Verzonden: dinsdag 27 juni 2017 16:32
Aan: [redacted] - DGMI <[redacted]@minienm.nl>
Onderwerp: Thanks for joining us in The Hague

Dear [redacted]

Thank you for joining us for our CLG working Group meeting and dinner in The Hague. I hope you enjoyed your time with us and found the discussions interesting. I look forward to keeping the conversation going and seeing you again in the near future.

Kind regards,
[redacted]

[redacted], Director
The Prince of Wales's Corporate Leaders Group (CLG) The EU Green Growth Platform University of Cambridge
Institute for Sustainability Leadership, EU Office & Policy Platforms Head Office: 1 Trumpington Street, Cambridge
CB2 1QA, UK EU Office: The Periclès Building, Rue de la Science 23, Brussels 1040, Belgium

Direct: +44 (0) [redacted] | +32 (0)2 [redacted] | Mobile: +44 (0) [redacted]
| [redacted]@cisl.cam.ac.uk<mailto:[redacted]@cisl.cam.ac.uk>
Website: <http://www.cisl.cam.ac.uk>

[University of Cambridge Institute for Sustainability Leadership] Cambridge insight, policy influence, business impact

This email (together with any files transmitted with it) is intended only for the use of the individual(s) to whom it is addressed. It may contain information which is confidential and/or legally privileged. If you have received this email in error, please notify the sender by return email (or telephone) and delete the original message. The sender has taken reasonable precautions to check for viruses but the recipient opens this message at his or her own risk.

CISL#CB21QA

Dit bericht kan informatie bevatten die niet voor u is bestemd. Indien u niet de geadresseerde bent of dit bericht abusievelijk aan u is toegezonden, wordt u verzocht dat aan de afzender te melden en het bericht te verwijderen. De Staat aanvaardt geen aansprakelijkheid voor schade, van welke aard ook, die verband houdt met risico's verbonden aan het elektronisch verzenden van berichten.

This message may contain information that is not intended for you. If you are not the addressee or if this message was sent to you by mistake, you are requested to inform the sender and delete the message. The State accepts no liability for damage of any kind resulting from the risks inherent in the electronic transmission of messages.

[University of Cambridge Institute for Sustainability Leadership] Cambridge insight, policy influence, business impact

This email (together with any files transmitted with it) is intended only for the use of the individual(s) to whom it is addressed. It may contain information which is confidential and/or legally privileged. If you have received this email in error, please notify the sender by return email (or telephone) and delete the original message. The sender has taken reasonable precautions to check for viruses but the recipient opens this message at his or her own risk.

CISL#CB21QA

Van: [redacted]
Verzonden: woensdag 10 mei 2017 11:48
Aan: Record en Informatiebeheer DI
Onderwerp: [redacted] FW: Business call for ambitious revision of EDD and EPBD
Bijlagen: FINAL EU-ASE Position Papers CE4AE, EED, EPBD - digital.pdf; 170510_EU-ASE letter to Dutch Energy Minister.pdf

Goedemorgen,

Graag doorzetten naar ETM

Dank!

Met vriendelijke groet,
[redacted]

Van: [redacted] [[mailto:\[redacted\]@euase.eu](mailto:[redacted]@euase.eu)]
Verzonden: woensdag 10 mei 2017 11:18
Aan: [redacted]
Onderwerp: Business call for ambitious revision of EDD and EPBD

Dear Minister,

I am pleased to share with you the views of the European Alliance to Save Energy (EU-ASE) on the current revisions of the Energy Efficiency and Energy Performance of Building Directives (EED and EPBD).

The European Alliance to Save Energy is a multi-sectoral business organisation whose members have operations across the 28 Member States of the European Union, employ 340.000 people in Europe and have an aggregated annual turnover of €115 bn.

Considering the strategic relevance of the ongoing discussions on energy efficiency in the Council and the forthcoming Informal Energy Council (May 18-19), we would like to express our concern and call for an ambitious revision of EED and EPBD in order to provide the business and financial community with a long-term regulatory framework and clear market signals for investments.

Further details on our outlined in the letter and in the Positions Papers attached to this email.

I am at your complete disposal for any further clarifications you may need.

Your sincerely,

[redacted]

European Alliance to Save Energy

Creating an energy-efficient Europe

office [+32 2 123 456 789](tel:+322123456789)

cell. [+32 456 789 012 3](tel:+324567890123)

euase.eu

EU Transparency Register N. 37816636575-51



EUROPEAN ALLIANCE TO
SAVE ENERGY

Creating an Energy-Efficient Europe

To the kind attention of **Henk KAMP**
Minister
Ministry for Economic Affairs

President of the European Alliance to Save Energy (EU-ASE)
Square de Meeus, 22 A
1050 Brussels (Belgium)

Brussels, 10 May 2017

Dear Minister,

Re: European Alliance to Save Energy views on the current revisions of the Energy Efficiency and Energy Performance of Building Directives (EED and EPBD).

I am writing to you on behalf of the European Alliance to Save Energy (EU-ASE). EU-ASE is a multi-sectoral business organisation whose members have operations across the 28 Member States of the European Union, employ 340.000 people in Europe and have an aggregated annual turnover of €115 bn.

Considering the strategic relevance of the ongoing discussions on energy efficiency in the Council and the forthcoming Informal Energy Council (May 18-19), we would like to provide you with our views on the current revisions of the Energy Efficiency and Energy Performance of Building Directives (EED and EPBD).

Energy efficiency is the most cost-effective way to support the EU's energy transition:

- Energy Efficiency produces not only financial savings but also potential economic gains and represents a clear business opportunity with a high return on investment.
- In addition, it provides consumers with tangible benefits through reduced energy bills, generation of local jobs, improved air quality and comfort, strengthened energy security and higher economic productivity.

With these aspects in mind, **we call for an ambitious revision of EED and EPBD in order to provide the business and financial community with a long-term regulatory framework and clear market signals for investments.**

We would like to respectfully **express our concern in relation to the current discussions taking place in the Council**, and we hope you will take the necessary time to assess the implications of some of the changes proposed.

With regards to the EED:

- We urge you to **keep the binding nature of the EU energy efficiency target and increase the level of ambition towards 40%**. Far from imposing a burden on our economies, keeping the binding nature of the target is essential to create the needed certainty for investors and a common sense of direction enabling consistent investments and progress toward milestones. A 40% binding target for energy efficiency also represents the minimum effort required for the EU to remain on track with its commitment to the Paris Agreement.
- Furthermore, we would welcome **greater ambition concerning art.7 of the EED**. We support the need to keep an adequate level of flexibility for Member States, but we would like you to carefully consider the risks of not addressing existing loopholes and exemptions that, so far, have practically halved the annual cumulative energy savings that should have been delivered by the 1.5% national saving obligation target set by art. 7. According to recent calculations based on the Impact assessment of the Commission, keeping the 1,5% national saving obligation rate and removing loopholes and exemptions would save households 706€ per year and would reduce gas imports by 18,3%.
- We also believe that it is essential to **remove the sunset clause in art. 7**, to give long term certainty to investments in the energy efficiency market.

With regard to the EPBD:

- We would like to express our **concerns on the consistent weakening of the Commission proposal** presented in the latest compromise text of the Maltese Presidency. We would like to reiterate that increasing the rate, depth and quality of building renovations is one of the biggest challenges for the coming decades. The revision of the EPBD provides us with a **unique opportunity to put existing buildings at the centre of the EU's energy transition** and to address EU and national key priorities such as job creation, economic growth, improved health and energy security.
- In light of this perspective, we urge you to consider the strategic importance of **setting a clear and coherent EU 2050 pathway towards a highly efficient and decarbonized building stock**. Only such a reliable long term common vision will set the right framework for designing impactful national **long-term renovation strategies that will boost private investments** and will incentivize financing models, such as energy performance contracting, which can reduce the need of public financial support in building renovations.
- Long-term renovation strategies should include milestones for 2030 and 2040, in order to open up markets for energy efficient technologies and solutions ranging from services enabling enhanced management of buildings to insulation—and from heating and ventilation systems to lighting and control systems. With regards to the latter, it is essential to secure **meaningful improvements of the technical building systems, leveraging the potential of building automation and controls** for optimised energy performance.

Dear Minister, we are putting our trust in your political vision, and we hope that this important legislative process can lead to a clearer and more impactful regulatory framework tailored to preserve the EU-industry competitive advantage in the fast-growing and innovative field of energy efficiency.

Further details on our positions concerning the Energy Efficiency Directive (EED) and the Energy Performance of Buildings Directive (EPBD) are included in the Position Papers [enclosed](#) to this letter.

Yours sincerely,



President
European Alliance to Save Energy

Members



Honorary Members


MEP, Denmark, EPP


MEP, Netherland, Greens


MEP, Denmark, ALDE


MEP, Germany, EPP


MEP, Belgium, S&D

About the European Alliance to Save Energy (EU-ASE)

EU-ASE was established in December 2010 by some of Europe's leading multinational companies. The Alliance creates a platform from which our companies (1E, Danfoss, Ingersoll Rand, Kingspan, Knauf Insulation, Oracle Utilities, Philips Lighting, Schneider Electric, Saint-Gobain, Siemens and Veolia) can join with politicians and thought leaders to ensure the voice of energy efficiency is heard from across the business and political community. EU-ASE members have operations across the 28 Member States of the European Union, employ over 340.000 people in Europe and have an aggregated annual turnover of €115 billion.

info@euase.eu • www.euase.eu • @EU-ASE

Van: [redacted]
Verzonden: donderdag 8 februari 2018 16:53
Aan: ' [redacted] (VNCI)'
Onderwerp: RE: Dutch implementation article 7 energy efficiency directive

Hoi [redacted]

Jazeker, we hebben in 2013 aan de Commissie gerapporteerd hoe we artikel 7 in Nederland invullen: https://ec.europa.eu/energy/sites/ener/files/documents/article7_nl_netherlands.pdf. Op pagina 15 staan uitgelegd hoe we omgaan met de 25%-uitzondering.

We maken inderdaad volledig gebruik van deze mogelijkheid en doen dit door gebruik te maken van een gefaseerde doelstelling (1% in 2014 & 2015, 1,25% in 2016 & 2017, en 1,5% in 2018-2020) en door het gedeeltelijk uitsluiten van het energieverbruik van de ETS-ondernemingen. De fasering leidt tot een vermindering van 21%, uitsluiten ETS-ondernemingen leidt tot een vermindering van 4%.

Groet, [redacted]

Van: [redacted] (VNCI) [[mailto:\[redacted\]@vnci.nl](mailto:[redacted]@vnci.nl)]
Verzonden: woensdag 7 februari 2018 13:56
Aan: [redacted]
Onderwerp: FW: Dutch implementation article 7 energy efficiency directive

Hoi [redacted]

Kan jij mij helpen aan het antwoord op onderstaande vraag betreffende de EED? Alvast dank voor je hulp!

Groeten [redacted]

Met vriendelijke groet,

Vereniging van de Nederlandse Chemische Industrie | www.vnci.nl
[\[redacted\]@vnci.nl](mailto:[redacted]@vnci.nl) | T 070 [redacted] | F 070 [redacted] M 06 [redacted]
 Loire 150, 2491 AK Den Haag | Postbus 443, 2260 AK Leidschendam



Van: [redacted] [[mailto:\[redacted\]@bruessel.vci.de](mailto:[redacted]@bruessel.vci.de)]
Verzonden: dinsdag 30 januari 2018 12:14
Aan: [redacted] (VNCI) <[\[redacted\]@vnci.nl](mailto:[redacted]@vnci.nl)>
Onderwerp: Dutch implementation article 7 energy efficiency directive

Dear Mr. [redacted]

my name is [redacted] and I'm the policy advisor for energy and climate at the Brussels office for the **German Chemical Industry Association (VCI)**. I tried calling you earlier in your office, but was told you we're out of office. Hence, I'll briefly explain my request per email instead.

I've been working mainly on the Energy Efficiency Directive (EED), which is currently up for a revision in the Parliament. As you may know, the vote in plenary was on the 17th January, meaning that the trilogue will begin mid-February. In order to sharpen our outreach approach during this period, I've had a look on how the current directive – and mainly **article 7** – is implemented on national level, trying to collect some good examples. The implementation of article 7 itself includes three important aspects: 1) Reaching the target with Energy efficiency obligation schemes (EEOS) or alternative measures; 2) The allowed 25% exemption of energy from the annual saving target of 1,5%; 3) The measures used and recognised for this exemption.

Regarding point 2) and 3), there are different ways calculate the 25% exemption. These are inter alia energy sale used in transport, ETS activities and early actions. For example, Germany and Finland, fully take advantage of the 25% exemption, mainly by using and recognising so called "early actions". My questions concerns the Dutch implementation: As I've understood, the Netherlands use the 25% exemption fully. But do you know how they calculate it? Or in other words, which measures do they use in particular to reach the 25%?

I've attached a paper on this by Business Europe, which explains the situation of the national implementation. However, I couldn't find the corresponding information for the Dutch "case study". If you would happen to know this, I'd greatly appreciate if you'd answer me at a convenient time. In return, if I can be of any assistance to you, please don't hesitate to contact me.

Kind regards

Policy Advisor
Energy, Climate, Digitalisation

GERMAN CHEMICAL INDUSTRY ASSOCIATION
Brussels Office
Rue Marie de Bourgogne 58
B-1000 Brussels

Phone: +32 2
Fax: +32 2
E-Mail: [@brussels.vci.de](mailto:brussels.vci.de)

Websites: www.vci.de and www.chemiehoch3.de
Social Media: [VCI Twitter](#), [VCI YouTube](#), [VCI Facebook](#)
Register number of VCI in the EU-Transparency Register: 15423437054-40

Van: (VNCI) <@vnci.nl>
Verzonden: dinsdag 28 november 2017 8:59
Aan:)
Onderwerp: RE: EED ontwikkelingen

Hoi dank je wel

Als je het hebt over de raad van ministers en algemene oriëntatie van de raad, dan heb je het neem ik aan over EU?
 Als er stukken zijn die gedeeld kunnen worden dan houd ik me aanbevolen

Groeten

Van:) [mailto: @minez.nl]

Verzonden: maandag 27 november 2017 15:16

Aan: (VNCI)

CC:)

Onderwerp: RE: EED ontwikkelingen

Hoi

Excuus voor mijn late reactie, ik was er vorige week niet meer aan toegekomen. We hebben ons standpunt op de EED herziening al geventileerd in de Raad van Ministers en zijn akkoord gegaan met de Algemene Oriëntatie van de Raad.

De amendementen van het EPP en ECR komen grotendeels overeen met de voorgestelde wijzigingen in de Algemene Oriëntatie. De effecten van nieuwe instrumenten tellen m.i. sowieso mee in het Commissievoorstel, dus daarin zie ik geen beren op de weg met het voorstel dat voorligt. Wij hebben ons er ook hard voor gemaakt dat de effecten van het huidige beleidsinstrumentarium mee mogen tellen voor de 1,5%, zolang ze na 2020 nog tot nieuwe besparingsacties leiden. Dat is nu in de Algemene Oriëntatie van de Raad opgenomen.

Kun je hiermee verder?

Groet,

Van: (VNCI) [mailto: @vnci.nl]

Verzonden: donderdag 16 november 2017 13:05

Aan:););)

CC: (VNCI); (@vnoncw-mkb.nl); ;)

Onderwerp: EED ontwikkelingen

Beste

Ik weet niet meer zeker wie van jullie zich met de EED ontwikkelingen bezig houdt, maar ik was benieuwd naar hoe NL zich opstelt in de discussie over de amendementen zoals die nu met name in het Parlement afspelen.

Zien jullie nog beren op de weg in relatie tot wat wel en niet meetelt als beleidsacties om de 1,5% te behalen?

Formeel houden onze convenanten op per 2020 en als we wat nieuws starten dan zou dat mag ik hopen ook gezien worden als nieuw beleidsinstrument dat meetelt, maar wellicht is dat wat te optimistisch bezien.

Hoe kijken jullie hier tegenaan? Bijgevoegd de alternatieve amendementen vanuit EPP en ECR, die op dat vlak wel wat meer mogelijkheden openhouden.

Groeten en alvast dank voor het meedenken

Met vriendelijke groet,

Vereniging van de Nederlandse Chemische Industrie | www.vnci.nl

.nl | T 070 | F 070 | M 06

Loire 150, 2491 AK Den Haag | Postbus 443, 2260 AK Leidschendam



Responsible Care

25 jaar in Nederland

Dit bericht kan informatie bevatten die niet voor u is bestemd. Indien u niet de geadresseerde bent of dit bericht abusievelijk aan u is gezonden, wordt u verzocht dat aan de afzender te melden en het bericht te verwijderen.

De Staat aanvaardt geen aansprakelijkheid voor schade, van welke aard ook, die verband houdt met risico's verbonden aan het elektronisch verzenden van berichten.

This message may contain information that is not intended for you. If you are not the addressee or if this message was sent to you by mistake, you are requested to inform the sender and delete the message.

The State accepts no liability for damage of any kind resulting from the risks inherent in the electronic transmission of messages.

Van: [redacted] <[redacted]@philips.com>
Verzonden: maandag 1 mei 2017 10:37
Aan: [redacted]
CC: Secretariaat DG ETM
Onderwerp: RE: Opvolging kennismakingsgesprek

Beste [redacted]

Hartelijk dank voor jouw mail en de verstuurde gegevens. Daarnaast kijk ik ook terug op een prettige kennismaking en zal de gegevens vanuit Ecofys z.s.m. met jullie delen.

Met vriendelijke groet,

[redacted]
 Philips Lighting Benelux

Philips Lighting B.V. - Boschdijk 525, Gebouw VB 6, 5621 JG Eindhoven, Postbus 80062, 5600 KA, Eindhoven
 Tel +31 6 [redacted] [redacted] philips.com
www.lighting.philips.nl

PHILIPS Lighting

Contact with Philips Lighting



From: [redacted] ([mailto:\[redacted\]@minez.nl](mailto:[redacted]@minez.nl))
Sent: dinsdag 25 april 2017 17:05
To: [redacted]
Cc: Secretariaat DG ETM
Subject: Opvolging kennismakingsgesprek

Beste [redacted]

In navolging van het prettige kennismakingsgesprek van zojuist verstuur ik u hierbij, namens de heer [redacted] de door hem toegezegde contactgegevens door.

De thematrekker van de functionaliteit Kracht en Licht in de uitwerking van de transitiepaden is [redacted] van EZ, [redacted] [@minez.nl](mailto:[redacted]@minez.nl), 070 [redacted]

Inzake het TKI Urban Energy van de Topsector Energie, kunt u contact opnemen met de heer [redacted], secretaris Topsector Energie bij EZ, [redacted] [@minez.nl](mailto:[redacted]@minez.nl), 070 [redacted]. U kunt ook direct contact opnemen met [redacted], voorzitter TKI Urban Energy, [redacted] [@tki-urbanenergy.nl](mailto:[redacted]@tki-urbanenergy.nl)

Omtrent het thema duurzaam inkopen kunt u contact opnemen met de heer [redacted] van het Ministerie van Binnenlandse Zaken en Koninkrijksrelaties, [redacted] [@minbzk.nl](mailto:[redacted]@minbzk.nl), 06-[redacted]

Wij zijn uiteraard zeer geïnteresseerd in de studie van Ecofys naar het potentieel van LED-verlichting, waarnaar u tijdens het overleg heeft verwezen.

Alvast hartelijk dank,

Vriendelijke groet,

Beleidsmedewerker

.....
Ministerie van Economische Zaken
Directie Energiemarkt & Innovatie
Directoraat-Generaal Energie, Telecom en Mededinging
Bezuidenhoutseweg 73 | 2594 AC | Den Haag
Postbus 20401 | 2500 EK | Den Haag
.....

T +31 (0)6 [redacted]
[redacted]@minez.nl

Dit bericht kan informatie bevatten die niet voor u is bestemd. Indien u niet de geadresseerde bent of dit bericht abusievelijk aan u is gezonden, wordt u verzocht dat aan de afzender te melden en het bericht te verwijderen.

De Staat aanvaardt geen aansprakelijkheid voor schade, van welke aard ook, die verband houdt met risico's verbonden aan het elektronisch verzenden van berichten.

This message may contain information that is not intended for you. If you are not the addressee or if this message was sent to you by mistake, you are requested to inform the sender and delete the message.

The State accepts no liability for damage of any kind resulting from the risks inherent in the electronic transmission of messages.

The information contained in this message may be confidential and legally protected under applicable law. The message is intended solely for the addressee(s). If you are not the intended recipient, you are hereby notified that any use, forwarding, dissemination, or reproduction of this message is strictly prohibited and may be unlawful. If you are not the intended recipient, please contact the sender by return e-mail and destroy all copies of the original message.

Van: [redacted] <[redacted]@philips.com>
Verzonden: woensdag 19 juli 2017 14:32
Aan: [redacted]
Onderwerp: RE: Opvolging kennismakingsgesprek

Opvolgingsmarkering: Flag for follow up
Markeringsstatus: Gemarkeerd

Beste [redacted]

Naar aanleiding van onderstaande mail wil ik je hierbij graag een update geven van de lopende acties in het rood.

Daarnaast deel ik graag onderstaande link met je. In deze link kan je ons persbericht lezen omtrent een concrete actie om Nederland Duurzamer te maken:

<http://www.lighting.philips.nl/bedrijf/newsroom/persberichten/2017/20170711-oproep-philips-lighting-aan-nieuw-kabinet-verlaag-btw-tarief-op-led-verlichting>

Tevens zou ik graag een vervolgspraak met je willen inplannen om o.a. volgende punten met elkaar te bespreken:

- Initiatief Nederlandse Licht Associaties i.s.m. Uneto-VNI
- EU Energy Package en de rol van NL

Ik hoor graag van je en kijk uit naar enkele opties voor een afspraak.

Met vriendelijke groet,

[redacted]
[redacted]
Philips Lighting Benelux

Philips Lighting B.V. - Boschdijk 525, Gebouw VB 6, 5621 JG Eindhoven, Postbus 80062, 5600 KA, Eindhoven
 Tel +31 6 [redacted] [redacted]@philips.com
www.lighting.philips.nl

PHILIPS Lighting

Contact with Philips Lighting



From: [redacted] [mailto:[redacted]@minez.nl]
Sent: dinsdag 25 april 2017 17:05
To: [redacted]
Cc: Secretariaat DG ETM
Subject: Opvolging kennismakingsgesprek

Beste [REDACTED]

In navolging van het prettige kennismakingsgesprek van zojuist verstuur ik u hierbij, namens de heer [REDACTED] de door hem toegezegde contactgegevens door.

De thematrekker van de functionaliteit Kracht en Licht in de uitwerking van de transitiepaden is [REDACTED] van EZ, [REDACTED]@minez.nl, 070 [REDACTED]. Dit is ook besproken tijdens de meeting van TKI Urban Energy

Inzake het TKI Urban Energy van de Topsector Energie, kunt u contact opnemen met de heer [REDACTED], secretaris Topsector Energie bij EZ, [REDACTED]@minez.nl, 070 [REDACTED]. U kunt ook direct contact opnemen met [REDACTED], voorzitter TKI Urban Energy, [REDACTED]@tki-urbanenergy.nl. Deze afspraak heeft inmiddels plaatsgevonden en een vervolg is er geweest met o.a. [REDACTED]

Omtrent het thema duurzaam inkopen kunt u contact opnemen met de heer [REDACTED] van het Ministerie van Binnenlandse Zaken en Koninkrijksrelaties, [REDACTED]@minbzk.nl, 06-[REDACTED]. Afspraak is inmiddels geweest. Was constructief en zal een vervolg krijgen

Wij zijn uiteraard zeer geïnteresseerd in de studie van Ecofys naar het potentieel van LED-verlichting, waarnaar u tijdens het overleg heeft verwezen. Dit staat te lezen in ons persbericht. Mochten hier vragen over zijn dan verneem ik dat graag

Alvast hartelijk dank,

Vriendelijke groet,

[REDACTED]
Beleidsmedewerker

.....
Ministerie van Economische Zaken
Directie Energiemarkt & Innovatie
Directoraat-Generaal Energie, Telecom en Mededinging
Bezuidenhoutseweg 73 | 2594 AC | Den Haag
Postbus 20401 | 2500 EK | Den Haag
.....

T +31 (0)6 [REDACTED]

[REDACTED]@minez.nl

Dit bericht kan informatie bevatten die niet voor u is bestemd. Indien u niet de geadresseerde bent of dit bericht abusievelijk aan u is gezonden, wordt u verzocht dat aan de afzender te melden en het bericht te verwijderen.

De Staat aanvaardt geen aansprakelijkheid voor schade, van welke aard ook, die verband houdt met risico's verbonden aan het elektronisch verzenden van berichten.

This message may contain information that is not intended for you. If you are not the addressee or if this message was sent to you by mistake, you are requested to inform the sender and delete the message.

The State accepts no liability for damage of any kind resulting from the risks inherent in the electronic transmission of messages.

The information contained in this email may be confidential and/or legally protected under applicable law. The message is intended solely for the addressee(s). If you are not the intended recipient, you are hereby notified that any use, forwarding, dissemination, or reproduction of this email is strictly prohibited and may be unlawful. If you are not the intended recipient, please contact the sender by return e-mail and destroy all copies of the original email.

Van: [redacted]
 Verzonden: vrijdag 21 juli 2017 12:48
 Aan: [redacted]; [redacted]
 Onderwerp: RE: Opvolging kennismakingsgesprek

We hebben vorige week ook over verlichting gesproken in het kader van het intensiveringsprogramma 2020 bij RVO. Daar zat Phillips ook bij.
 Dat was overigens geen goed verhaal.
 Maar wij dachten dat de combinatie led verlichting en zonnepanelen (CO2 neutrale verlichting) wel iets leuks kon zijn.

Groet

Van: [redacted]
 Verzonden: donderdag 20 juli 2017 11:42
 Aan: [redacted]
 Onderwerp: FW: Opvolging kennismakingsgesprek

Ha [redacted]

[redacted] als aanvullende maatregel op nationaal niveau. Moet er nog even goed naar kijken, maar het zou eventueel een voorbeeld kunnen zijn van aanvullend nationaal beleid in transitiepad kracht en licht.

Groeten, [redacted]

Van: [redacted] [mailto:[redacted]@philips.com]
 Verzonden: woensdag 19 juli 2017 14:32
 Aan: [redacted]
 Onderwerp: RE: Opvolging kennismakingsgesprek

Beste [redacted]

Naar aanleiding van onderstaande mail wil ik je hierbij graag een update geven van de lopende acties in het rood.

Daarnaast deel ik graag onderstaande link met je. In deze link kan je ons persbericht lezen omtrent een concrete actie om Nederland Duurzamer te maken:

<http://www.lighting.philips.nl/bedrijf/newsroom/persberichten/2017/20170711-oproep-philips-lighting-aan-nieuw-kabinet-verlaag-btw-tarief-op-led-verlichting>

Tevens zou ik graag een vervolgspraak met je willen inplannen om o.a. volgende punten met elkaar te bespreken:

- Initiatief Nederlandse Licht Associaties i.s.m. Uneto-VNI
- EU Energy Package en de rol van NL

Ik hoor graag van je en kijk uit naar enkele opties voor een afspraak.

Met vriendelijke groet,

[redacted]

Philips Lighting Benelux

Philips Lighting B.V. - Boschdijk 525, Gebouw VB 6, 5621 JG Eindhoven, Postbus 80062, 5600 KA, Eindhoven
Tel +31 6 [redacted] [redacted]@philips.com
www.lighting.philips.nl

PHILIPS Lighting

Contact with Philips Lighting



From: [redacted] ([mailto:\[redacted\]@minez.nl](mailto:[redacted]@minez.nl))

Sent: dinsdag 25 april 2017 17:05

To: [redacted] <[\[redacted\]@philips.com](mailto:[redacted]@philips.com)>

Cc: Secretariaat DG ETM <SecretariaatDGETM@minez.nl>

Subject: Opvolging kennismakingsgesprek

Beste [redacted]

In navolging van het prettige kennismakingsgesprek van zojuist verstuur ik u hierbij, namens de heer [redacted] de door hem toegezegde contactgegevens door.

De thematrekker van de functionaliteit Kracht en Licht in de uitwerking van de transitiepaden is [redacted] van EZ, [\[redacted\]@minez.nl](mailto:[redacted]@minez.nl), 070 [redacted]. Dit is ook besproken tijdens de meeting van TKI Urban Energy

Inzake het TKI Urban Energy van de Topsector Energie, kunt u contact opnemen met de heer [redacted], secretaris Topsector Energie bij EZ, [\[redacted\]@minez.nl](mailto:[redacted]@minez.nl), 070 [redacted]. U kunt ook direct contact opnemen met [redacted], voorzitter TKI Urban Energy, [\[redacted\]@tki-urbanenergy.nl](mailto:[redacted]@tki-urbanenergy.nl). Deze afspraak heeft inmiddels plaatsgevonden en een vervolg is er geweest met o.a. [redacted]

Omtrent het thema duurzaam inkopen kunt u contact opnemen met de heer [redacted] van het Ministerie van Binnenlandse Zaken en Koninkrijksrelaties, [\[redacted\]@minbzk.nl](mailto:[redacted]@minbzk.nl), 06-[redacted]. Afspraak is inmiddels geweest. Was constructief en zal een vervolg krijgen

Wij zijn uiteraard zeer geïnteresseerd in de studie van Ecofys naar het potentieel van LED-verlichting, waarnaar u tijdens het overleg heeft verwezen. Dit staat te lezen in ons persbericht. Mochten hier vragen over zijn dan verneem ik dat graag

Alvast hartelijk dank,

Vriendelijke groet,

[redacted]
Beleidsmedewerker

Ministerie van Economische Zaken
Directie Energiemarkt & Innovatie
Directoraat-Generaal Energie, Telecom en Mededinging
Bezuidenhoutseweg 73 | 2594 AC | Den Haag

T +31 (0)6 [redacted]

[redacted]@minez.nl

Dit bericht kan informatie bevatten die niet voor u is bestemd. Indien u niet de geadresseerde bent of dit bericht abusievelijk aan u is gezonden, wordt u verzocht dat aan de afzender te melden en het bericht te verwijderen.

De Staat aanvaardt geen aansprakelijkheid voor schade, van welke aard ook, die verband houdt met risico's verbonden aan het elektronisch verzenden van berichten.

This message may contain information that is not intended for you. If you are not the addressee or if this message was sent to you by mistake, you are requested to inform the sender and delete the message.

The State accepts no liability for damage of any kind resulting from the risks inherent in the electronic transmission of messages.

The information contained in this email may be confidential and/or legally protected under applicable law. The message is intended solely for the addressee(s). If you are not the intended recipient, you are hereby notified that any use, forwarding, dissemination, or reproduction of this email is strictly prohibited and may be unlawful. If you are not the intended recipient, please contact the sender by return e-mail and destroy all copies of the original email.

Van: [redacted]@philips.com>
Verzonden: vrijdag 11 augustus 2017 8:40
Aan: [redacted]
CC: [redacted]
Onderwerp: RE: Opvolging kennismakingsgesprek

Goedemorgen [redacted]

Hartelijk dank voor jouw mail en jullie tijd gisteren. Ik kijk terug op een constructieve meeting met elkaar.

We houden contact!

Met vriendelijke groet,

[redacted]

From: [redacted] [mailto:[redacted]@minez.nl]
Sent: donderdag 10 augustus 2017 17:16
To: [redacted]
Cc: [redacted]
Subject: RE: Opvolging kennismakingsgesprek

Dag [redacted]

Bedankt voor het nuttige overleg dat we vanochtend hebben gevoerd. Hierbij verstuur ik je nog het e-mailadres van [redacted] van de NIA, die je meer kan vertellen over het ETFF: [redacted]@nia-nl.nl

Bij verdere vragen kun je contact opnemen,

Vriendelijke groet,

[redacted]

Van: [redacted] [mailto:[redacted]@philips.com]
Verzonden: donderdag 20 juli 2017 14:09
Aan: [redacted]
CC: [redacted]
Onderwerp: RE: Opvolging kennismakingsgesprek

Dag [redacted]

Hartelijk dank voor jouw snelle reactie. Graag 10 augustus in de ochtend. Kan jij mij een locatie en tijdstip bevestigen?

Alvast bedankt.

Met vriendelijke groet,

[redacted]

From: [redacted] [mailto:[redacted]@minez.nl]
Sent: donderdag 20 juli 2017 11:45
To: [redacted]@philips.com>
Cc: [redacted] <[redacted]@minbzk.nl>
Subject: RE: Opvolging kennismakingsgesprek

Beste [redacted]

Bedankt voor het versturen van je update, en goed om te horen dat er al een aantal vervolgesprekken hebben plaatsgevonden.

Het lijkt me goed om een vervolgspraak in te plannen. Ik betrek daarbij graag mijn collega [REDACTED] van het ministerie van BZK, die dossierhouder is op de Richtlijn voor Energieprestatie van Gebouwen (EPBD).

Zijn jullie in augustus beschikbaar voor een overleg? Ik ben m.u.v. 14 t/m 18 augustus beschikbaar voor overleg.

Voorkeursdata zijn:

Dinsdag 8 augustus middag
Donderdag 10 augustus ochtend & middag
Dinsdag 22 augustus middag
Woensdag 23 augustus hele dag

Vriendelijke groet,
[REDACTED]

Van: [REDACTED] [mailto:[REDACTED]@philips.com]

Verzonden: woensdag 19 juli 2017 14:32

Aan: [REDACTED]

Onderwerp: RE: Opvolging kennismakingsgesprek

Beste [REDACTED]

Naar aanleiding van onderstaande mail wil ik je hierbij graag een update geven van de lopende acties in het rood.

Daarnaast deel ik graag onderstaande link met je. In deze link kan je ons persbericht lezen omtrent een concrete actie om Nederland Duurzamer te maken:

<http://www.lighting.philips.nl/bedrijf/newsroom/persberichten/2017/20170711-oproep-philips-lighting-aan-nieuw-kabinet-verlaag-btw-tarief-op-led-verlichting>

Tevens zou ik graag een vervolgspraak met je willen inplannen om o.a. volgende punten met elkaar te bespreken:

- Initiatief Nederlandse Licht Associaties i.s.m. Uneto-VNI
- EU Energy Package en de rol van NL

Ik hoor graag van je en kijk uit naar enkele opties voor een afspraak.

Met vriendelijke groet,

[REDACTED]
[REDACTED]
[REDACTED]
Philips Lighting Benelux

Philips Lighting B.V. - Boschdijk 525, Gebouw VB 6, 5621 JG Eindhoven, Postbus 80062, 5600 KA, Eindhoven
Tel +31 6 [REDACTED] [REDACTED] [REDACTED]@philips.com
www.lighting.philips.nl

PHILIPS Lighting

Contact with Philips Lighting



From: [redacted] [mailto:[redacted]@minez.nl]
Sent: dinsdag 25 april 2017 17:05
To: [redacted] <[redacted]@philips.com>
Cc: Secretariaat DG ETM <SecretariaatDGETM@minez.nl>
Subject: Opvolging kennismakingsgesprek

Beste [redacted]

In navolging van het prettige kennismakingsgesprek van zojuist verstuur ik u hierbij, namens de heer [redacted] de door hem toegezegde contactgegevens door.

De thematrekker van de functionaliteit Kracht en Licht in de uitwerking van de transitiepaden is [redacted] van EZ, [redacted]@minez.nl, 070 [redacted] Dit is ook besproken tijdens de meeting van TKI Urban Energy

Inzake het TKI Urban Energy van de Topsector Energie, kunt u contact opnemen met de heer [redacted], secretaris Topsector Energie bij EZ, [redacted]@minez.nl, 070 [redacted]. U kunt ook direct contact opnemen met [redacted], voorzitter TKI Urban Energy, [redacted]@tki-urbanenergy.nl Deze afspraak heeft inmiddels plaatsgevonden en een vervolg is er geweest met o.a. [redacted]

Omtrent het thema duurzaam inkopen kunt u contact opnemen met de heer [redacted] van het Ministerie van Binnenlandse Zaken en Koninkrijksrelaties, [redacted]@minbzk.nl, 06-[redacted] Afspraak is inmiddels geweest. Was constructief en zal een vervolg krijgen

Wij zijn uiteraard zeer geïnteresseerd in de studie van Ecofys naar het potentieel van LED-verlichting, waarnaar u tijdens het overleg heeft verwezen. Dit staat te lezen in ons persbericht. Mochten hier vragen over zijn dan verneem ik dat graag

Alvast hartelijk dank,

Vriendelijke groet,

[redacted]
Beleidsmedewerker

.....
Ministerie van Economische Zaken
Directie Energiemarkt & Innovatie
Directoraat-Generaal Energie, Telecom en Mededinging
Bezuidenhoutseweg 73 | 2594 AC | Den Haag
Postbus 20401 | 2500 EK | Den Haag
.....

T +31 (0)6 [redacted]
[redacted]@minez.nl

Dit bericht kan informatie bevatten die niet voor u is bestemd. Indien u niet de geadresseerde bent of dit bericht abusievelijk aan u is gezonden, wordt u verzocht dat aan de afzender te melden en het bericht te verwijderen.

De Staat aanvaardt geen aansprakelijkheid voor schade, van welke aard ook, die verband houdt met risico's verbonden aan het elektronisch verzenden van berichten.

This message may contain information that is not intended for you. If you are not the addressee or if this message was sent to you by mistake, you are requested to inform the sender and delete the message.

The State accepts no liability for damage of any kind resulting from the risks inherent in the electronic transmission of messages.

The information contained in this email may be confidential and/or legally protected under applicable law. The message is intended solely for the addressee(s). If you are not the intended recipient, you are hereby notified that any use, forwarding, dissemination, or reproduction of this email is strictly prohibited and may be unlawful. If you are not the intended recipient, please contact the sender by return e-mail and destroy all copies of the original email.

Dit bericht kan informatie bevatten die niet voor u is bestemd. Indien u niet de geadresseerde bent of dit bericht abusievelijk aan u is gezonden, wordt u verzocht dat aan de afzender te melden en het bericht te verwijderen.

De Staat aanvaardt geen aansprakelijkheid voor schade, van welke aard ook, die verband houdt met risico's verbonden aan het elektronisch verzenden van berichten.

This message may contain information that is not intended for you. If you are not the addressee or if this message was sent to you by mistake, you are requested to inform the sender and delete the message.

The State accepts no liability for damage of any kind resulting from the risks inherent in the electronic transmission of messages.

The information contained in this email may be confidential and/or legally protected under applicable law. The message is intended solely for the addressee(s). If you are not the intended recipient, you are hereby notified that any use, forwarding, dissemination, or reproduction of this email is strictly prohibited and may be unlawful. If you are not the intended recipient, please contact the sender by return e-mail and destroy all copies of the original email.

Dit bericht kan informatie bevatten die niet voor u is bestemd. Indien u niet de geadresseerde bent of dit bericht abusievelijk aan u is gezonden, wordt u verzocht dat aan de afzender te melden en het bericht te verwijderen.

De Staat aanvaardt geen aansprakelijkheid voor schade, van welke aard ook, die verband houdt met risico's verbonden aan het elektronisch verzenden van berichten.

This message may contain information that is not intended for you. If you are not the addressee or if this message was sent to you by mistake, you are requested to inform the sender and delete the message.

The State accepts no liability for damage of any kind resulting from the risks inherent in the electronic transmission of messages.

The information contained in this email may be confidential and/or legally protected under applicable law. The message is intended solely for the addressee(s). If you are not the intended recipient, you are hereby notified that any use, forwarding, dissemination, or reproduction of this email is strictly prohibited and may be unlawful. If you are not the intended recipient, please contact the sender by return e-mail and destroy all copies of the original email.

Van: [redacted]
Verzonden: maandag 24 april 2017 16:13
Aan: [redacted]; [redacted]
CC: [redacted]
Onderwerp: RE: Voorbereiding [redacted] gesprek Philips

Hoi [redacted]

Zie bijgaand de voorbereiding die [redacted] heeft gemaakt voor het kennismakingsgesprek dat [redacted] aanstaande woensdag met [redacted] van Philips Lighting heeft.

Ik heb daar ook iets ingevoegd over Energielabelling. Ik stel voor om Ecodesign achterwege te laten (daarom roodgemarkeerd). Dit is een onderwerp dat bij I&M ligt.

@ [redacted] zou jij specifiek nog even naar het stukje over Energielabelling kunnen kijken?
 @ [redacted] kun jij een check doen op de gehele voorbereiding?

De voorbereiding moet vandaag in de tas van [redacted]

Is het de bedoeling dat iemand van ons nog aanschuift?

Groet,
 [redacted]

Van: [redacted]
Verzonden: maandag 24 april 2017 13:06
Aan: [redacted]
Onderwerp: Voorbereiding [redacted] gesprek Philips

Hé [redacted]

Kun jij aanvullingen doen voor energie-labelling en Ecodesign? Dan stuur ik het daarna aan [redacted] voor laatste check.

Dank alvast!
 [redacted]

Voorbereiding afspraak [redacted], Philips Lighting Benelux
 Dinsdag 25 april, 15.00 – 16.00

U heeft 25 april aanstaande een afspraak ter kennismaking met [redacted] Business Development Manager bij Philips Lighting Benelux. De heer [redacted] heeft aangegeven dat hij de volgende onderwerpen wil bespreken:

- De impact van licht op energiereductie en omgeving;
- Op welke wijze energiebesparing innovatie bevordert;
- De strategische route van Philips Lighting m.b.t. energie-efficiëntie.

U wordt geadviseerd kennis te nemen van de strategie van Philips Lighting op het gebied van energie-efficiëntie aan de hand van onderstaande punten. U kunt de heer [redacted] informeren over de beleidsmatige inzet van de Nederlandse overheid op het gebied van energie-efficiëntie en nieuwe innovaties.

Energie-efficiëntierichtlijn (EED):

De Commissie heeft eind 2016 een voorstel gedaan tot een gedeeltelijke herziening van de Richtlijn Energie-efficiëntie (EED). De Commissie stelt hierin een Europese bindende energie-efficiëntiedoelstelling voor van 30% (in artikel 3) en een continuering van een jaarlijkse energiebesparingsverplichting van 1,5% (in artikel 7). Het kabinet is voorstander van een ambitieus Europees kader op het gebied van energie-efficiëntie, hernieuwbare energie en andere CO2-emissiereducerende opties om de lange-termijn CO2-emissiereductiedoelen te kunnen halen, maar wil de ruimte behouden om op nationaal niveau hieraan een zo kosteneffectief mogelijke invulling aan te kunnen geven. Dit betekent dat lidstaten in de uitvoeringspraktijk van de EED richtlijn de flexibiliteit moeten behouden om te kiezen voor de meest kosteneffectieve CO2-emissiereductietechnologie en tussentijds de mogelijkheid moet krijgen om de bijdragen op het gebied van energie-efficiëntie en hernieuwbare energie aan te kunnen passen, in samenhang met andere CO2-emissiereducerende opties. Daarnaast wil het kabinet dat onder

de energiebesparingsverplichting van 1,5%, ook energiebesparing resulterend uit hernieuwbare energieopties mee moeten kunnen blijven tellen, zodat voor de meest effectieve CO₂-emissiereducerende technologie kan worden gekozen. Deze positie is in samenhang met de voorkeur van Nederland voor ambitieus Europees bronbeleid als invulling van de Europese energie-efficiëntiedoelstelling, dat wil zeggen het aanscherpen van normen en regelgeving op EU-niveau. Hieronder vallen bijvoorbeeld de richtlijnen Energie-labelling en Ecodesign.

Richtlijn Energie-labelling/Ecodesign:

Begin april is er op Europees niveau een akkoord bereikt over nieuwe wetgeving inzake Energielabels. De huidige richtlijn wordt vervangen door een verordening hetgeen het 'level playing field' tussen bedrijven die actief zijn op de Europese markt voor producten die onder de reikwijdte van deze wetgeving vallen, waaronder ook lighting-producten, moet versterken. De nieuwe verordening beoogt het potentieel van energie-efficiëntie van consumentengoederen beter te benutten door herschaling van het huidige A++(+) kleurenlabel naar de oorspronkelijke A-G schaal. Momenteel vallen de meeste producten immers in de hoogste klassen van het energielabel hetgeen de prikkel bij producenten om te innoveren vermindert. Het aangepaste label moet enerzijds de consument motiveren om de meest efficiënte producten te kopen en anderzijds leveranciers stimuleren om deze producten te ontwikkelen. Een ander belangrijk onderdeel van de nieuwe wetgeving is de verplichte productregistratie in een EU centrale databank waarmee productinformatie direct beschikbaar wordt voor de consument (om goed geïnformeerd keuzes te maken) en voor de nationale handhavingsautoriteiten (om toezicht op de naleving te versterken).

Energie-innovatie: SET-Plan, Mission Innovation & Clean Energy Ministerial

Strategic Energy Technology (SET)-Plan

Nederland is aangesloten bij het Europese SET Plan, het Europese samenwerkingsverband tussen de Europese Commissie, EU lidstaten (+geassocieerde landen), industrie en kennisinstellingen op het gebied van energie-innovatie. Binnen het SET-Plan zijn strategische doelstellingen geformuleerd voor strategische innovatie-onderwerpen, waaronder energie-efficiëntie in de gebouwde omgeving. Deze doelstellingen zijn opgenomen in Declarations of Intent en worden nu verder uitgewerkt in werkplan in een zogeheten Temporary Working Group (TWG). RVO en TKI Urban Energy (Topsector Energie) leveren hier namens Nederland aan de hand van de programmalijnen TKI Urban Energy een bijdrage aan. Voor Philips Lighting bestaat de mogelijkheid om via de TKI Urban Energy hier een bijdrage aan te leveren. Daarnaast kan Philips Lighting ook via Europese samenwerkingsverbanden, zoals de European Technology and Innovation Platforms (ETIPs) invloed op het werkplan uitoefenen.

Mission Innovation

- Nederland is in november 2016 tijdens COP22, de klimaatconferentie in Marrakesh, definitief aangesloten bij Mission Innovation. Dit is een mondiaal samenwerkingsverband tussen 22 landen en de Europese Commissie met als doel het versnellen van energie-innovatie op mondiaal niveau. Daarnaast is de Breakthrough Energy Coalition opgericht, een initiatief van private investeerders onder leiding van Bill Gates, dat een kapitaalfonds heeft opgericht van 1 miljard dollar ten behoeve van RD&D op schone energie. Eén van de thema's waar dit fonds zich op richt is High Efficiency Lighting.
- De leden van Mission Innovation hebben tijdens COP22 een zevental Innovation Challenges aangekondigd. Dit zijn thema's waarop zij op korte termijn mogelijkheden zien voor een versnelling van RD&D (Research, Development and Demonstration) activiteiten binnen de innovatieketen. Deelname aan de Innovation Challenges is vrijwillig. Voor Philips Lighting is de meest relevante Challenge 'off-grid access', wat erop is gericht om de energie-toegang in ontwikkelingslanden te verbeteren door middel van efficiëntere systemen en toepassing van nieuwe hernieuwbare energietechnologieën. Het doel van het werk binnen de Innovation Challenges is driedelig:
 - 1) In kaart brengen van huidige RD&D activiteiten en identificeren van de gebieden waarop extra RD&D activiteiten nodig zijn;
 - 2) Presenteren van mogelijkheden voor RD&D projecten en financiering hiervan naar kennisinstellingen, bedrijven en publieke/private investeerders;
 - 3) Verkennen van nieuwe mogelijkheden voor internationale samenwerking.
- EZ is momenteel in afstemming met betrokken departementen en partijen bezig met de keuzevorming voor deelname aan de Innovation Challenges. Concreet biedt deelname aan de Innovation Challenges binnen Mission Innovation de mogelijkheid voor Nederlandse partijen om hun RD&D activiteiten op het gebied van energie-innovatie goed te positioneren op de internationale agenda. Dit vergroot enerzijds een kans op financiering vanuit internationale partijen. Anderzijds kan goede aansluiting op een mondiaal kennisnetwerk de uitwisseling van kennis versterken en leiden tot een verdieping van Nederlandse projecten.
- U kunt de volgende vragen stellen aan de heer [REDACTED]
 - 1) In hoeverre is Philips Lighting mondiaal actief op dit vlak?
 - 2) Ziet Philips Lighting kansen in versterkte samenwerking op het gebied van RD&D met andere mondiale partijen voor het ontwikkelen van nieuwe systemen ter verbetering van de energietoegang?
 - 3) Welke bijdrage zou Philips Lighting hier aan kunnen leveren?
 - 4) Ziet Philips Lighting mogelijkheden tot samenwerking met de Breakthrough Energy Coalition? Welke rol zou de Nederlandse overheid hier in kunnen spelen?

Clean Energy Ministerial

- Het mondiale samenwerkingsverband de *Clean Energy Ministerial* (CEM) bestaat sinds 2010 en heeft als doel om de uitrol van bestaande schone energietechnologieën te stimuleren. Het is dus in tegenstelling tot Mission Innovation niet primair gericht op RD&D. CEM biedt een mondiaal platform voor landen om beleidservaringen uit te wisselen en 'best practices' te delen. 24 landen en de Europese Commissie zijn lid van CEM. CEM kent 12 werkgroepen ('CEM initiatives') en 5 campagnes ('CEM campaigns'). Een van de CEM campaigns heet de Global Lighting Challenge, waarvan Philips één van de trekkers is.
- In de Energieagenda heeft het Kabinet aangegeven dat in 2017 gezien wordt of lidmaatschap opportuun is. Dit biedt de kans voor Nederland de uitrol te vergroten van schone energietechnologieën en -diensten waarop zij een competitief voordeel heeft en hierin kennis op te doen van andere landen. Daartoe moet Nederland als 'observer' minimaal een jaar aan minimaal twee CEM-werkgroepen deelnemen. Nederland beziet nu aan welke werkgroepen ze als observer deel wil nemen.

Beleidsmedewerker

Ministerie van Economische Zaken
Directie Energiemarkt & Innovatie
Directoraat-Generaal Energie, Telecom en Mededinging
Bezuidenhoutseweg 73 | 2594 AC | Den Haag
Postbus 20401 | 2500 EK | Den Haag

T +31 (0)6

@minez.nl

Van: [redacted] <[redacted]@minbzk.nl>
Verzonden: dinsdag 15 augustus 2017 10:45
Aan: [redacted]; [redacted]
Onderwerp: RE: Opvolging kennismakingsgesprek

Hallo [redacted]

Naar aanleiding van ons gesprek heb ik contact gehad met [redacted] mijn collega die zich bezig houdt met de label C verplichting voor kantoren. [redacted] beantwoordt graag je vragen. Zijn e-mailadres is: [redacted]@minbzk.nl.

Vriendelijke groet,

Van: [redacted] [mailto:[redacted]@philips.com]
Verzonden: vrijdag 11 augustus 2017 13:45
Aan: [redacted]
CC: [redacted]
Onderwerp: RE: Opvolging kennismakingsgesprek

Dag [redacted]

Nog even een aanvulling op mijn eerdere mail. Vanuit UNETO-VNI en de lichtbranche praat met men vanuit RVO [redacted] en [redacted] en namens EZ zat [redacted] aan tafel. Kan jij dit initiatief nu beter plaatsten in jullie organisatie?

Met vriendelijke groet,

From: [redacted] [mailto:[redacted]@minez.nl]
Sent: donderdag 10 augustus 2017 17:16
To: [redacted] <[redacted]@philips.com>
Cc: [redacted] <[redacted]@minbzk.nl>
Subject: RE: Opvolging kennismakingsgesprek

Dag [redacted]

Bedankt voor het nuttige overleg dat we vanochtend hebben gevoerd. Hierbij verstuur ik je nog het e-mailadres van [redacted] van de NIA, die je meer kan vertellen over het ETFF: [redacted]@nia-nl.nl

Bij verdere vragen kun je contact opnemen,

Vriendelijke groet,

Van: [redacted] [mailto:[redacted]@philips.com]
Verzonden: donderdag 20 juli 2017 14:09
Aan: [redacted]
CC: [redacted]
Onderwerp: RE: Opvolging kennismakingsgesprek

Dag [redacted]

Hartelijk dank voor jouw snelle reactie. Graag 10 augustus in de ochtend. Kan jij mij een locatie en tijdstip bevestigen?

Alvast bedankt.

Met vriendelijke groet,

From: [redacted] ([mailto:[redacted]@minez.nl])
Sent: donderdag 20 juli 2017 11:45
To: [redacted] <[redacted]@philips.com>
Cc: [redacted] <[redacted]@minbzk.nl>
Subject: RE: Opvolging kennismakingsgesprek

Beste [redacted]

Bedankt voor het versturen van je update, en goed om te horen dat er al een aantal vervolggesprekken hebben plaatsgevonden.

Het lijkt me goed om een vervolgspraak in te plannen. Ik betrek daarbij graag mijn collega [redacted] van het ministerie van BZK, die dossierhouder is op de Richtlijn voor Energieprestatie van Gebouwen (EPBD).

Zijn jullie in augustus beschikbaar voor een overleg? Ik ben m.u.v. 14 t/m 18 augustus beschikbaar voor overleg.

Voorkeursdata zijn:

Dinsdag 8 augustus middag
Donderdag 10 augustus ochtend & middag
Dinsdag 22 augustus middag
Woensdag 23 augustus hele dag

Vriendelijke groet,
[redacted]

Van: [redacted] ([mailto:[redacted]@philips.com])
Verzonden: woensdag 19 juli 2017 14:32
Aan: [redacted]
Onderwerp: RE: Opvolging kennismakingsgesprek

Beste [redacted]

Naar aanleiding van onderstaande mail wil ik je hierbij graag een update geven van de lopende acties in het rood.

Daarnaast deel ik graag onderstaande link met je. In deze link kan je ons persbericht lezen omtrent een concrete actie om Nederland Duurzamer te maken:

<http://www.lighting.philips.nl/bedrijf/newsroom/persberichten/2017/20170711-oproep-philips-lighting-aan-nieuw-kabinet-verlaag-btw-tarief-op-led-verlichting>

Tevens zou ik graag een vervolgspraak met je willen inplannen om o.a. volgende punten met elkaar te bespreken:

- Initiatief Nederlandse Licht Associaties i.s.m. Uneto-VNI
- EU Energy Package en de rol van NL

Ik hoor graag van je en kijk uit naar enkele opties voor een afspraak.

Met vriendelijke groet,
[redacted]

[redacted]
Manager Government Affairs
Philips Lighting Benelux

Philips Lighting B.V. - Boschdijk 525, Gebouw VB 6, 5621 JG Eindhoven, Postbus 80062, 5600 KA, Eindhoven
Tel +31 6 [redacted] [redacted] [redacted]@philips.com
www.lighting.philips.nl

PHILIPS Lighting

Contact with Philips Lighting



From: [redacted] [mailto:[redacted]@minez.nl]
Sent: dinsdag 25 april 2017 17:05
To: [redacted] <[redacted]@philips.com>
Cc: Secretariaat DG ETM <SecretariaatDGETM@minez.nl>
Subject: Opvolging kennismakingsgesprek

Beste [redacted]

In navolging van het prettige kennismakingsgesprek van zojuist verstuur ik u hierbij, namens de heer [redacted] de door hem toegezegde contactgegevens door.

De thematrekker van de functionaliteit Kracht en Licht in de uitwerking van de transitiepaden is [redacted] van EZ, [redacted]@minez.nl, 070 [redacted]. Dit is ook besproken tijdens de meeting van TKI Urban Energy

Inzake het TKI Urban Energy van de Topsector Energie, kunt u contact opnemen met de heer [redacted], secretaris Topsector Energie bij EZ, [redacted]@minez.nl, 070 [redacted]. U kunt ook direct contact opnemen met [redacted], voorzitter TKI Urban Energy, [redacted]@tki-urbanenergy.nl. Deze afspraak heeft inmiddels plaatsgevonden en een vervolg is er geweest met o.a. [redacted].

Omtrent het thema duurzaam inkopen kunt u contact opnemen met de heer [redacted] van het Ministerie van Binnenlandse Zaken en Koninkrijksrelaties, [redacted]@minbzk.nl, 06-[redacted]. Afspraak is inmiddels geweest. Was constructief en zal een vervolg krijgen.

Wij zijn uiteraard zeer geïnteresseerd in de studie van Ecofys naar het potentieel van LED-verlichting, waarnaar u tijdens het overleg heeft verwezen. Dit staat te lezen in ons persbericht. Mochten hier vragen over zijn dan verneem ik dat graag.

Alvast hartelijk dank,

Vriendelijke groet,

Beleidsmedewerker

Ministerie van Economische Zaken
Directie Energiemarkt & Innovatie
Directoraat-Generaal Energie, Telecom en Mededinging
Bezuidenhoutseweg 73 | 2594 AC | Den Haag
Postbus 20401 | 2500 EK | Den Haag

T +31 (0)6 [redacted]
[redacted]@minez.nl

Dit bericht kan informatie bevatten die niet voor u is bestemd. Indien u niet de geadresseerde bent of dit bericht abusievelijk aan u is gezonden, wordt u verzocht dat aan de afzender te melden en het bericht te verwijderen.

De Staat aanvaardt geen aansprakelijkheid voor schade, van welke aard ook, die verband houdt met risico's verbonden aan het elektronisch verzenden van berichten.

This message may contain information that is not intended for you. If you are not the addressee or if this message was sent to you by mistake, you are requested to inform the sender and delete the message.

The State accepts no liability for damage of any kind resulting from the risks inherent in the electronic transmission of messages.

The information contained in this email may be confidential and/or legally protected under applicable law. The message is intended solely for the addressee(s). If you are not the intended recipient, you are hereby notified that any use, forwarding, dissemination, or reproduction of this email is strictly prohibited and may be unlawful. If you are not the intended recipient, please contact the sender by return e-mail and destroy all copies of the original email.

Dit bericht kan informatie bevatten die niet voor u is bestemd. Indien u niet de geadresseerde bent of dit bericht abusievelijk aan u is gezonden, wordt u verzocht dat aan de afzender te melden en het bericht te verwijderen.

De Staat aanvaardt geen aansprakelijkheid voor schade, van welke aard ook, die verband houdt met risico's verbonden aan het elektronisch verzenden van berichten.

This message may contain information that is not intended for you. If you are not the addressee or if this message was sent to you by mistake, you are requested to inform the sender and delete the message.

The State accepts no liability for damage of any kind resulting from the risks inherent in the electronic transmission of messages.

The information contained in this email may be confidential and/or legally protected under applicable law. The message is intended solely for the addressee(s). If you are not the intended recipient, you are hereby notified that any use, forwarding, dissemination, or reproduction of this email is strictly prohibited and may be unlawful. If you are not the intended recipient, please contact the sender by return e-mail and destroy all copies of the original email.

Dit bericht kan informatie bevatten die niet voor u is bestemd. Indien u niet de geadresseerde bent of dit bericht abusievelijk aan u is gezonden, wordt u verzocht dat aan de afzender te melden en het bericht te verwijderen.

De Staat aanvaardt geen aansprakelijkheid voor schade, van welke aard ook, die verband houdt met risico's verbonden aan het elektronisch verzenden van berichten.

This message may contain information that is not intended for you. If you are not the addressee or if this message was sent to you by mistake, you are requested to inform the sender and delete the message.

The State accepts no liability for damage of any kind resulting from the risks inherent in the electronic transmission of messages.

The information contained in this email may be confidential and/or legally protected under applicable law. The message is intended solely for the addressee(s). If you are not the intended recipient, you are hereby notified that any use, forwarding, dissemination, or reproduction of this email is strictly prohibited and may be unlawful. If you are not the intended recipient, please contact the sender by return e-mail and destroy all copies of the original email.

Dit bericht kan informatie bevatten die niet voor u is bestemd. Indien u niet de geadresseerde bent of dit bericht abusievelijk aan u is toegezonden, wordt u verzocht dat aan de afzender te melden en het bericht te verwijderen. De Staat aanvaardt geen aansprakelijkheid voor schade, van welke aard ook, die verband houdt met risico's verbonden aan het elektronisch verzenden van berichten.

This message may contain information that is not intended for you. If you are not the addressee or if this message was sent to you by mistake, you are requested to inform the sender and delete the message. The State accepts no liability for damage of any kind resulting from the risks inherent in the electronic transmission of messages.

Van: [redacted] <[redacted]@shvenergy.com>
Verzonden: donderdag 1 juni 2017 11:50
Aan: [redacted]
CC: [redacted]; [redacted]
Onderwerp: N.a.v. overleg Clean Energy Package - Nadere informatie m.b.t. Primary Energy Factor
Bijlagen: Primary Energy Factor - Its implications explained - 31052017.pdf; SHV Energy - Renewable Energy Directive revision - Position paper - 18042017.pdf; SHV Energy - Energy Performance of Buildings Directive - Position paper - 18042017.pdf; SHV Energy - Energy Efficiency Directive - Position paper - 18042017.pdf

Beste [redacted] beste [redacted]

Allereerst, hartelijk dank voor het ontvangst en overleg op 19 mei jl.

Naast het introduceren van onze kennis en ervaring op het gebied van decentrale energie, bood het tevens een goed kader om onze zienswijzen op de EED, EPBD en RED toe te lichten, alsmede de mogelijke gevolgen voor de burger, het klimaat en de sector toe te lichten. Desbetreffende position papers zijn in digitale versie bijgevoegd. Mag ik u vragen deze ook met uw collega's [redacted] en [redacted] te delen?

Ter aanvulling op ons overleg, voorzie ik u hierbij graag van nadere informatie m.b.t. de Primary Energy Factor (PEF). Deze informatie kan wellicht een ander licht werpen op de onderhandelingen in de Raad over de Energy Efficiency Directive (EED). We begrepen namelijk gisteren van de energieverantwoordelijke van het aankomend Estlandse EU voorzitterschap, dat Malta op de aanstaande raadsbijeenkomst van 26 juni zal trachten tot een algemene overeenkomst te komen op dit voorstel. Derhalve vragen we graag uw aandacht voor deze mogelijk tot op heden onderbelichte kwestie.

Met name de nadelige gevolgen voor direct beschikbare, energie efficiënte, lager CO2 uitstotende en ook kostenefficiënte brandstoffen en technologieën als gas zijn in onze ogen onderbelicht in het huidige voorstel van een PEF van 2.0. We vragen de Raad en het Europees Parlement dan ook, om een PEF van 2.3 te steunen, welke ook in de EED Impact Assessment wordt beargumenteerd. Met een PEF van 2.3 wordt immers vooruitgang geboekt en nagestreefd, terwijl er ruimte bestaat om de daadwerkelijke technologische ontwikkeling op te volgen. En dit, zonder alleen en onvoorwaardelijk de elektrificatie van warmte te bevorderen, aangezien de prestatie van dergelijke technologieën afhangt van het type (bijv. elektrische warmtepomp), de situatie (tijdens zomer of winter, een goed of slecht geïsoleerde woning) en de ligging (afgelegen landelijk gebied). Met een Primary Energy Factor van 2.3 heeft de burger en consument een vooruitstrevende, maar ook realistische keuze.

We hopen dat deze eenvoudige 2-pager de nodige duidelijkheid verschaft in deze nogal technische materie. We hebben bijgevoegd standpunt zorgvuldig besproken met de bredere Europese gas industrie (on & off-grid), als ook de co-generatie actoren. Mochten er op basis van dit stuk nog verdere vragen zijn, aarzel dan niet om contact op te nemen. We lichten bijvoorbeeld graag e.e.a. toe aan uw collega [redacted] die zich richt op de EED.

Met vriendelijke groet,

[redacted]
 Head of Group Public Affairs

M +32 (0) [REDACTED]

[REDACTED]@shvenergy.com

www.shvenergy.com, www.whylpg.com

The information transferred by this e-mail is solely for the intended recipient(s).
Any disclosure, copying, distribution of this e-mail by and to others is not allowed. If you are not an intended recipient, please delete this e-mail and notify the sender.

SHV Energy N.V.

Commercial Register 30098428

This email has been scanned by the Symantec Email Security.cloud service.

For more information please visit <http://www.symanteccloud.com>

The Primary Energy Factor – Its implications explained

31 May 2017

Summary of concerns

SHV Energy is concerned that the changes to the Primary Energy Factor (PEF) from a rating of 2.5 to 2.0 in the recast Energy Efficiency Directive (EED) will lead to an overestimation of the efficiency of electrical heating appliances in the EU, as the move to a factor of 2.0 is based on assumptions within the PRIMES model, and not real-life data from Eurostat. In order to reflect the actual situation on the ground, SHV Energy asks that the Council of Ministers and European Parliament support a Primary Energy Factor of 2.3, which is in line with the EED Impact Assessment, and reflects the advances made in the electrical appliances sector, alongside more regular updating of the Primary Energy Factor, to ensure future advances are taken into account.

How the Primary Energy Factor works, in detail

The main goal of the Energy Efficiency Directive is to reduce energy consumption in the EU by increasing the energy efficiency of the EU economy. EU citizens and enterprises use a range of different fuels to satisfy their energy needs. In order to ensure that uniform efforts to cut energy consumption are made regardless of the energy source used, energy saving targets are calculated both in amounts of primary and of final energy. The reason is that, if only final energy were taken into account, the amount of energy used for electricity generation and transmission would not be considered in the energy savings calculations. If this were the case, EU legislation would not satisfactorily stimulate increases in efficiency in the electricity generation sector.

For this reason, for many years, a Primary Energy Factor, estimating how much energy is needed to produce a unit of electricity, has been in place. EU legislation currently applies a PEF of 2.5, which means that for every single unit of electricity used, the current methodology assumes that two and a half times as much primary energy (the fuel used to generate the electricity) has been consumed. In other words, the current PEF assumes that power generation in the EU is delivered on average at 40% efficiency (100% divided by 2.5 = 40%). As well as the EED, the PEF applies to the EPBD, the Ecodesign and Energy Efficiency Labelling Directives.

With fuels that are delivered and consumed at the consumers' premises (i.e. gas, coal, oil etc.), calculating the "real" efficiency of an appliance is quite straightforward as the process whereby the fuel is converted to energy – normally combustion – has clear and measurable efficiency. As regards electric appliances, if a PEF were not used, they would look "artificially" more efficient than those fuelled by primary energy, as the energy required for producing the electricity that they use would not be taken into account. The practical consequence would be that electric appliances would be reputed the most efficient by EU legislation even if, from a lifecycle perspective, they would require much more energy to function than those running on primary energy. Similarly, if an inaccurate, too low PEF were included in the Energy Efficiency Directive, the legislation would not satisfactorily take into account the inefficiencies in power generation and transmission.

It is evident that, in order to promote efficient appliances and avoid distortions in the appliances market, it is fundamental to make sure that the primary energy factor set in EU legislation is accurate.

Proposed changes to the Primary Energy Factor

The new Energy Efficiency Directive (EED) proposes a new PEF of 2.0. This PEF is not based on actual Eurostat data, but on PRIMES projections that do not reflect the efficiency of the power generation sector today.¹ In addition, the EED impact assessment makes it clear that *"it appears appropriate for [...] the same PEF value for electricity to be used in all EU legislation where it is appropriate"*.² Hence, **in order to ensure that EU legislation keeps promoting efficient heating appliances, it is fundamental that an accurate PEF based on actual data is used.** Inserting a too low value in EU legislation would result in an unduly advantage to electric appliances. This would be connected to negative consequences such as:

- **An increased marginal electricity demand**, which is nearly always filled by fossil fuel central electricity generation. This method tends to have an efficiency of around 37% and high CO₂ emissions.
- **Providing European citizens with incorrect information**, as an artificial increase in the energy efficiency rating would push them to purchase electric appliances. This would result in an increase in consumers' energy bills.
- **A decrease in demand for low-carbon gas and biomass appliances.** These appliances can be over 90% efficient and represent an environmentally sensible and cost effective solution for millions of homes.
- **Increased electric heat load in rural areas.** Remote areas often struggle to have a robust supply of grid based electricity. An electric heating load in homes and businesses in these locations will put an additional strain on the infrastructure and increase blackouts.
- If the revision of the Ecodesign requirements does not satisfactorily consider the PEF decrease, **the most inefficient electricity appliances that are currently expected to be phased out of the EU market in September 2017 may stay in the market.** The reason is that, due to the new PEF, their efficiency would "mechanically" increase.

For these reasons, we believe that the revised PEF should be calculated by using actual data provided by Eurostat and should be regularly revised in order to reflect the improvement in the efficiency of the power generation sector. The EED impact assessment suggests that estimating the PEF by using real data would lead to a value close to 2.3.

We urge the EU institutions to set the PEF at the level of 2.3 to reflect the gains made by the electricity industry without understating the real environmental impact of electrical heating appliances.

¹ COMMISSION STAFF WORKING DOCUMENT - IMPACT ASSESSMENT Accompanying the document Proposal for a Directive of the European Parliament and of the Council amending Directive 2012/27/EU on Energy Efficiency, p. 168 (sourced online: <http://ec.europa.eu/transparency/regdoc/rep/10102/2016/EN/SWD-2016-405-F1-EN-MAIN-PART-3.PDF>)

² Ibid., p. 164.



The revision of the Renewable Energy Directive; an opportunity for a new energy mix in rural areas

March 2017

SHV Energy welcomes the Commission's ambition to reduce Europe's emissions by encouraging the uptake of sustainable renewable energy. SHV Energy in particular welcomes the new article on heating and cooling, which for the first time addresses the technologies and fuels of the heating sector.

Currently, heating oil and coal constitute more than 50% of the fuels used in rural heating. Alternative, lower carbon fuels are essential if rural areas are to transition to a low carbon economy, and will complement the uptake in renewable energies.

SHV Energy is a leading distributor of LPG, small-scale LNG and recently BioLPG across Europe. These gaseous fuels are immediately available, lower carbon energy sources. Furthermore, they emit almost no particulate matter and very low NOx. These qualities make them well-placed to contribute to a more sustainable European building stock and transport sector. Specifically, LPG can be used in highly efficient heating applications and in combination with micro-CHP. LPG is the most efficient, low-carbon fuel available today for buildings in rural areas not connected to the natural gas grid.

1. New, innovative biofuels can contribute to reduced GHG emissions and air quality savings; they should be further encouraged by the EU

Over the next four years, SHV Energy is committed to introduce to the European market 160,000 tonnes of BioLPG. This new product, is a 100% drop-in biofuel with the same properties as propane. It is produced from a certified sustainable renewable feedstock. Waste and residues comprise 60% of the feedstock, alongside vegetable oil. BioLPG is chemically identical to conventional propane and can be used in the full range of existing LPG applications without modification. These include road transport, fork lift trucks, commercial heating, retail leisure cylinders and industrial applications.

As such, this new advanced product in a pure form can offer up to 80% of greenhouse gas emission savings in comparison to conventional LPG. When BioLPG replaces petrol, diesel, heating oil or coal, the carbon savings is even more dramatic.

In view of the revision of the Renewable Energy Directive, SHV Energy would like to underline the importance of establishing a regulatory framework which guarantees investors' confidence and encourage further development of biofuels.

2. Heating and cooling system in off-grid (rural) areas needs to be urgently modernised, but take into consideration the vulnerability of these areas

According to a study by Ecuity Consulting LLP (Ecuity), the most common form of heating in rural-remote (off-grid) areas is coal (39%) followed by biomass (28%) and heating oil (12%). This overdependence on solid and liquid fuels contributed towards an estimated 292 million tonnes (Mt) of CO₂ emissions in 2016 in rural-remote areas. By 2030, a total of nearly 100 Mt CO₂ can be saved if the usage of coal is reduced to 15% and heating oil to 9% in the rural-remote energy mix, while the usage of cleaner and more efficient fuels such as LPG and BioLPG is increased to around 20% and heat pumps to 6%. Gaseous fuels such as LPG, LNG and BioLPG (biopropane), when linked to very high efficiency technologies such as heat pumps and micro-CHP, offer clean and reliable decentralised energy solutions for these remote areas, providing energy efficiently, close to the point of use.

While SHV Energy already invests in renewable energy, such as biomass in the UK, and will invest in BioLPG in a number of EU countries, the mandate to increase the level of renewable energy in heating and cooling would be difficult to achieve. LPG and BioLPG have a great role to play in rural areas, however an obligation introduced in Article 23 can in fact distort decarbonisation efforts rather than help them. For small energy distributors, such provision would not only be burdensome, but would also increase the cost of energy in off-grid areas, which are overall much more vulnerable towards energy poverty.

Article 23		
Text proposed by the Commission	Amendment	Justification
2. Member States may designate and make public, on the basis of objective and nondiscriminatory criteria, a list of measures and the implementing entities, such as fuel suppliers, which shall contribute to the increase set out in paragraph 1.	2. Member States may designate and make public, on the basis of objective and nondiscriminatory criteria, a list of measures and the implementing entities, such as fuel suppliers, which shall contribute to the increase set out in paragraph 1. Member States may exempt small energy suppliers and small energy sectors from this obligation, in order to avoid disproportionate administrative burdens.	<i>It is to be expected that the implementation of Article 23 will add disproportionate burden on small businesses and small energy sectors. In order not to undermine their competitiveness and to ensure the benefits they bring to reduction of GHG emissions are fully recognized, an exemption of small energy suppliers from the Article 23 obligation should be introduced.</i>

3. The Renewable Energy Directive can also help air quality

Poor air quality is a problem in many rural areas. People living in rural and mountainous areas are more likely to be exposed to high ozone levels caused largely by ozone precursor emissions from energy sources. Emissions of Particulate Matter (PM) and NO_x and SO_x gases can also be high in rural areas, because of the high use of coal, heating oil and biomass. For example, in the Italian mountainous region of Piedmont, the estimated exposure to small particulate matter (PM_{2.5}) is as high as 21.1 µg/m³ (the highest accepted value in Europe is 25 µg/m³). Not even London – where air pollution is considered a big problem – reaches this level. Similar statistics are available for other rural European regions, for example the Polish Podlaskie region (15.1 µg/m³).

Text proposed by the Commission	Amendment	Justification
(57) Several Member States have implemented measures in the heating and cooling sector to reach their 2020 renewable energy target. However, in the absence of binding national targets post-2020, the remaining national incentives may not be sufficient to reach the long-term decarbonisation goals for 2030 and 2050. In order to be in line with such goals, reinforce investor certainty and foster the development of a Union-wide renewable heating and cooling market, while respecting the energy efficiency first principle, it is appropriate to encourage the effort of Member States in the supply of renewable heating and cooling to contribute to the progressive increase of the share of renewable energy. Given the fragmented nature of some heating	(57) Several Member States have implemented measures in the heating and cooling sector to reach their 2020 renewable energy target. However, in the absence of binding national targets post-2020, the remaining national incentives may not be sufficient to reach the long-term decarbonisation goals for 2030 and 2050. In order to be in line with such goals, reinforce investor certainty and foster the development of a Union-wide renewable heating and cooling market, while respecting the energy efficiency first principle, it is appropriate to encourage the effort of Member States in the supply of renewable heating and cooling to contribute to the progressive increase of the share of renewable energy. Given the fragmented nature of some heating and cooling markets, it is of utmost importance to ensure flexibility	<i>It is important to ensure that the revised Directive encourages renewable fuels which are particularly beneficial not only for reduction of GHG emissions but also for air quality.</i>



and cooling markets, it is of utmost importance to ensure flexibility in designing such an effort. It is also important to ensure that a potential uptake of renewable heating and cooling does not have detrimental environmental side-effects.

in designing such an effort. It is also important to ensure that a potential uptake of renewable heating and cooling does not have detrimental environmental side-effects, *in particular as regards air quality.*

About SHV Energy

SHV Energy is a unique energy provider in a world where the climate is changing and air quality is a critical health issue for millions. The world's largest LPG distributor, SHV Energy also provides small-scale LNG and sustainable BioLPG to those without access to the grid. LPG is the most widely used gaseous fuel in the world, with users able to utilise large and small-scale individual storage solutions easily and safely. These cleaner energy sources help people to switch away from polluting oil and solid fuels, improving their quality of life and reducing their impact on the environment. Furthermore, SHV Energy is committed to being an active participant in the energy transition, with significant investments in renewable energy planned for the coming years. SHV Energy operates in more than 20 countries worldwide. In Europe our brands include Primagaz, Calor Gas, Liquigas, Gaspol and Ipragaz. A Dutch family owned company; we are committed to working sustainably with communities, stakeholders and policymakers to advance energy, together. For further information on SHV Energy and LPG please visit www.shvenergy.com.



Efficient Energy for Rural Communities

The SHV Energy position on the Energy Efficiency Directive

March 2017

SHV Energy welcomes the European Commission's proposal to review the Energy Efficiency Directive (EED) and believes this proposal provides an opportunity to encourage low carbon, efficient technologies in rural off-grid areas.

SHV Energy is a leading distributor of LPG, small-scale LNG and, from 2017, BioLPG across Europe. SHV Energy supplies these clean, lower carbon fuels to commercial and domestic customers in rural areas located off the natural gas grid. SHV Energy would like to share some suggestions on how the EED recast could take into account the specific situations of customers located in off-grid rural areas, and exploit the enormous energy saving potential of those areas.

1. Unlocking the energy efficiency potential in rural areas

In rural areas, the need for energy efficiency measures is particularly acute, representing a real challenge to the 40.7 million rural, off-grid households (19% of all EU households) located in Europe. As recognised by the European Parliament's report on an *EU Strategy for Heating and Cooling*, rural and intermediate areas consume 72% of the heating and cooling demand of single-family houses¹. Rural building stock is generally older and less energy-efficient, and households are twice as likely as their urban counterparts to struggle to afford to heat their homes. In addition, these areas are the most likely to use highly polluting solid and liquid fuels, which have contributed to 292 million tonnes (Mt) of CO₂ emissions from rural areas in 2016². SHV Energy strongly believes there is a considerable potential for energy savings. This can be exploited through the promotion of energy-efficient technologies such as micro-CHP or highly efficient boilers. With the right measures in place, there is a **potential to reduce rural carbon emissions by up to 100 Mt CO₂ by 2030**.

2. Gaseous fuels such as LPG, LNG, and BioLPG, combined with innovative technologies such as micro-CHP and condensing boilers, can save up to 100 Mt of CO₂ in rural areas by 2030

Technology switching, such as the replacement of existing conventional oil or coal boilers with condensing boilers, is a very efficient way to cut energy consumption with a reasonable upfront costs for users. For instance, replacing an ageing oil boiler with a new LPG condensing boiler would result in reducing the carbon footprint of the system by around 50%.³ On the other hand, micro-CHP represents an innovative application that can reduce carbon emissions even further.

In rural areas, there is a good record of projects utilising renewable solutions for heating and cooling in new buildings. This is, however, likely to entail considerable costs which very often cause investment inertia. Switching to immediately available solutions such as LPG, LNG, and BioLPG, all of which complement renewable systems, could lead to emissions cuts of up to 100 Mt of CO₂ between now and 2030 in rural areas.

¹ 2016 European Parliament report on an EU Strategy on Heating and Cooling

<http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+REPORT+A8-2016-0232+0+DOC+XML+VO//EN>

² The FREE initiative report on 'Rural Energy Matters', 2016, http://www.rural-energy.eu/uploads/SHV_RuralEnergyReport_2016_20161123.pdf

³ Elsevier, Carbon footprints of heating oil and LPG heating systems, in Environmental Impact Assessment Review 2012

3. SHV Energy would therefore ask Members of the European Parliament to support the following changes to the Energy Efficiency Directive:

Text proposed by the Commission	Amendment	Justification
Article 7a: Energy efficiency obligation schemes		
2. Member States shall designate, on the basis of objective and non-discriminatory criteria, obligated parties among energy distributors and/or retail energy sales companies operating in its territory and may include transport fuel distributors or transport fuel retailers operating in its territory. The amount of energy savings needed to fulfil the obligation shall be achieved by the obligated parties among final customers, designated by the Member State, independently of the calculation made pursuant to Article 7(1), or, if Member States so decide, through certified savings stemming from other parties as described in point (b) of paragraph 5.	2. Member States shall designate, on the basis of objective and non-discriminatory criteria, obligated parties among energy distributors and/or retail energy sales companies operating in its territory and may exclude transport fuel distributors or transport fuel retailers or fuel distributors active in small energy sectors operating in its territory. The amount of energy savings needed to fulfil the obligation shall be achieved by the obligated parties among final customers, designated by the Member State, independently of the calculation made pursuant to Article 7(1), or, if Member States so decide, through certified savings stemming from other parties as described in point 5.	<p><i>The current 2012 Directive gives the possibility to exempt small energy sectors from the Energy efficiency obligation scheme (EEOSs).</i></p> <p><i>This was explicit in Recital 20 ("Member States should in particular be allowed not to impose this obligation on small energy distributors, small retail energy sales companies and small energy sectors to avoid disproportionate administrative burdens"), but finds no correspondence in the recast proposal.</i></p> <p><i>To guarantee a continuation of the current situation, including a provision on small businesses and small energy sectors would provide clarity.</i></p> <p><i>This is because the energy saving that these sectors can achieve are smaller and disproportionate compared to the higher costs deriving from the EEOS implementation. Looking at small energy distributors, alternative measures remain a more effective tool to achieve energy savings.</i></p>
5. Within the energy efficiency obligation scheme, Member States: (a) shall include requirements with a social aim in the saving obligations they impose, including by requiring a share of energy efficiency measures to be implemented as a priority in households affected by energy poverty and in social housing;	5. Within the energy efficiency obligation scheme, Member States: (a) Shall include requirements with a social aim in the saving obligations they impose, including by requiring a share of energy efficiency measures to be implemented as a priority in households affected by energy poverty, in social housing and in rural areas.	<p><i>The obligations schemes have been effective in driving forward energy efficiency improvements in household, business and industry. However, they have had very limited impact on rural homes and business. Looking ahead, in the next phase the EEOSs should acknowledge the specific situation of the building stock in rural and disadvantaged areas to unlock the energy saving potential of these areas. More than 40 million households in Europe are located in rural areas, of which a majority of the building stock is more than 70 years old. If not amended properly, this provision risks continue overlooking the big energy saving potential of those areas.</i></p>

Annexes IV and V

1. Annexes IV and V are amended as follows:

(a) in Annex IV, footnote 3 is replaced by the following:

'(3) Applicable when energy savings are calculated in primary energy terms using a bottom-up approach based on final energy consumption. For savings in kWh electricity Member States may apply a default coefficient of 2.0. Member States may apply a different coefficient provided they can justify it.'

1. Annexes IV and V are amended as follows:

(a) in Annex IV, footnote 3 is replaced by the following:

'(3) Applicable when energy savings are calculated in primary energy terms using a bottom-up approach based on final energy consumption. For savings in kWh electricity Member States may apply a default coefficient of 2.3. Member States may apply a different coefficient provided they can justify it.'

The primary energy factor proposed in Annexes IV and V should ensure that efficient gaseous technologies and fuels play a positive role in transition of rural areas to clean energy.

The proposed 2.0 primary energy factor represents a too drastic reduction of the value, compared to the current one. Is a concern for the LPG industry as it will seriously disadvantage gas heating appliances compared to electric appliances, when assessing their energy efficiency rating.

We call on Members of the European Parliament to consider an increase of the primary energy factor from the current 2.0 to 2.3

About SHV Energy

SHV Energy is a unique energy provider in a world where the climate is changing and air quality is a critical health issue for millions. The world's largest LPG distributor, SHV Energy also provides small-scale LNG and sustainable BioLPG to those without access to the grid. LPG is the most widely used gaseous fuel in the world, with users able to utilise large and small-scale individual storage solutions easily and safely. These cleaner energy sources help people to switch away from polluting oil and solid fuels, improving their quality of life and reducing their impact on the environment. Furthermore, SHV Energy is committed to being an active participant in the energy transition, with significant investments in renewable energy planned for the coming years. SHV Energy operates in more than 20 countries worldwide. In Europe our brands include Primagaz, Calor Gas, Liquigas, Gaspol and Ipragaz. A Dutch family owned company; we are committed to working sustainably with communities, stakeholders and policymakers to advance energy, together. For further information on SHV Energy and LPG please visit www.shvenergy.com.

SHV Energy position on the Review the Energy Performance of Buildings Directive

March 2017

SHV Energy welcomes the European Commission's draft proposal to recast the Energy Performance of Buildings Directive (EPBD). As Europe looks to simultaneously address the dual challenge of air quality and climate change, the importance of enhancing energy efficiency in buildings is increasingly apparent.

SHV Energy is a leading distributor of LPG, small scale LNG and, from 2017, BioLPG across Europe. These gaseous fuels are immediately available and lower carbon than conventional alternatives. They emit almost no particulate matter and very low NOx. They are therefore well-placed to contribute to a more sustainable European rural building stock. Specifically, LPG can be used in highly efficient heating applications and in combination with low carbon technologies such as micro-CHP. When used in these technologies, it can be one of the most efficient, low-carbon fuels available today for buildings in off-grid rural areas.

SHV Energy would like to share some suggestions on how the EPBD recast can exploit the enormous energy saving opportunity of the rural building stock

1. Switching to efficient fuels and technologies to improve air quality

In rural areas, the building stock is generally older and less energy-efficient. When it comes to renovation and insulation, individual rural homes cannot benefit from the same advantages that urban homes with multiple tenants can have. When it comes to their heating, highly polluting coal and heating oil are still the predominant and widely used energy sources. LPG could replace these fuels in modern highly efficient applications such as micro-CHP or condensing boilers. This would contribute strongly to resolve the air quality problems and the high carbon emissions caused by the current old-fashioned energy mix in off grid rural areas. For instance, replacing an ageing oil boiler with a new LPG condensing boiler, would result in reducing the carbon footprint of the system by up to around 50%.¹ With the right measures in place, there is a potential to reduce carbon emissions by up to 100 Mt CO₂ by 2030 in rural areas.²

SHV Energy calls on decision-makers to put in place measures to exploit fully the energy saving potential of these rural areas through the promotion of energy-efficient technologies.

2. Funding schemes should benefit small scale projects

Energy efficiency funding schemes have almost completely bypassed rural and off-grid areas. Calls for proposals have been drafted in a way which allows mainly bigger, urban projects to benefit from funding opportunities.

SHV Energy therefore calls for funding schemes to be designed in a way to allow small-scale projects, which are more suitable to rural and disadvantaged areas, to apply for them. For instance, the European Regional Development Fund (ERDF) should in theory provide financing for energy efficiency projects in rural areas. However, because of economies of scale, this is not the case in Member States. Therefore, SHV Energy calls on EU co-legislators to tap into the significant potential of building renovation programmes at small scale and local levels, especially in rural areas.

¹ Elsevier, Carbon footprints of heating oil and LPG heating systems, in Environmental Impact Assessment Review 2012

² The FREE initiative report on 'Rural Energy Matters', 2016, http://www.rural-energy.eu/uploads/SHV_RuralEnergyReport_2016_20161123.pdf

3. In view of the above mentioned, we ask Members of the European Parliament to support the following amendments to the EPBD recast:

Text proposed by the Commission	Amendment	Justification
Article 2.2		
2. In their long-term renovation strategy referred to in paragraph 1, Member States shall set out a roadmap with clear milestones and measures to deliver on the long-term 2050 goal to decarbonise their national building stock, with specific milestones for 2030. In addition, the long term renovation strategy shall contribute to the alleviation of energy poverty	2. In their long-term renovation strategy referred to in paragraph 1, Member States shall set out a roadmap with clear milestones and measures to deliver on the long-term 2050 goal to decarbonise their national building stock, with specific milestones for 2030 and on the pollutant emission objectives set in the Directive (EU) 2016/2284 on the reduction of national emissions of certain atmospheric pollutants. In addition, the long term renovation strategy shall contribute to the alleviation of energy poverty	<i>Along with the decarbonisation objective, the EPBD recast should also aim to take into account the potential to cut air pollution in the building stock both in rural and urban areas. The recently approved NEC Directive sets the target to reduce PM2.5 emissions by 49% by 2030, compared to 2005 levels. The building sector has so far had a limited contribution to achieve particulate matter reduction, notwithstanding the big potential represented by cleaner sources such as LPG.</i>
Article 10: New Buildings		
	<p>New sub-paragraph: Paragraph 6 c</p> <p>Member States shall ensure financial measures are available also for small-scale renovations, with a particular emphasis on rural buildings.</p>	<i>So far, the calls for tenders have been written in a way to benefit only large scale renovation. With the right incentive in the EPBD, financing could be streamlined to benefits for instance renovations of heating systems or other small-scale renovations in rural areas.</i>

4. **Ensuring A level playing field for cleaner fuels: support of Commission's proposed Annex I**

In some Member States, the Energy Performance Certificates (EPCs) introduced by the current Directive have failed to recognise the far better environmental characteristics of LPG over more polluting fuels such as heating oil. At the same time the Directive disadvantages properties located in rural areas. This is caused by the fact that the EPCs, which are intended to provide owners, occupiers, landlords and buyers with information about the energy efficiency of buildings, places primary focus on running cost, rather than unit of energy or the impact on the environment. The adverse outcomes of the EPCs have been particularly visible in rural areas, where all fuel options are more expensive than natural gas available in cities. Properties located in rural areas are generally more difficult to heat, as they often require more units of fuel to heat when compared to households located in cities. The Energy Performance of Buildings should recognise the environmental benefits of cleaner fuels, especially those that could substantially contribute to decarbonisation of the countryside, such as LPG and LNG.

The proposed by the Commission Amendment to Annex I provides a clear signal that using current cost-based methodology for energy efficiency is not suitable. Therefore, SHV Energy calls on the Council and the Members of the European Parliament to **support the Commission proposal to amend Annex 1 "Energy performance of buildings shall be expressed by a numeric indicator of primary energy use in kWh (m2.y)".**

About SHV Energy

SHV Energy is a unique energy provider in a world where the climate is changing and air quality is a critical health issue for

millions. The world's largest LPG distributor, SHV Energy also provides small-scale LNG and sustainable BioLPG to those without access to the grid. LPG is the most widely used gaseous fuel in the world, with users able to utilise large and small-scale individual storage solutions easily and safely. These cleaner energy sources help people to switch away from polluting oil and solid fuels, improving their quality of life and reducing their impact on the environment. Furthermore, SHV Energy is committed to being an active participant in the energy transition, with significant investments in renewable energy planned for the coming years. SHV Energy operates in more than 20 countries worldwide. In Europe our brands include Primagaz, Calor Gas, Liquigas, Gaspol and Ipragaz. A Dutch family owned company; we are committed to working sustainably with communities, stakeholders and policymakers to advance energy, together. For further information on SHV Energy and LPG please visit www.shvenergy.com.