

**Question for written answer E-003138/2016**  
**to the Commission**  
Rule 130  
**Pavel Poc (S&D)**

Subject: Change of the investment environment for wind energy in Poland

The Polish authorities have adopted measures that have changed – unexpectedly and drastically – the investment environment for wind energy. The most serious are:

- A requirement that the minimal distance between a wind turbine and residential and natural areas should be at least 10 times the turbine ‘tip-height’;
- The redefinition of wind turbines as ‘structures’ under the Building Act, leading in practice to a substantial increase in real-estate tax to be paid by the operators;
- The creation of a new obligation for every wind turbine – a specific operation permit.

While the first new requirement could possibly be defended on safety grounds, it has been applied retroactively on many projects in preparation. This will cause significant losses to investors. Given that there is no sign that Polish authorities intend to compensate investors afflicted by this requirement, its imposition amounts to a breach of the principle of legal certainty. There is no justification for the second and third measures.

1. Does the Commission intend to assess the impact of these measures on investors in wind power in Poland?
2. How does the Commission intend to help investors in wind parks in Poland afflicted by these measures?