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DRAFT REPORT

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
(COM(2008)0019 – C6-0046/2008 – 2008/0016(COD))

Committee on Industry, Research and Energy

Rapporteur: Claude Turmes

Symbols for procedures

- * Consultation procedure
majority of the votes cast
- **I Cooperation procedure (first reading)
majority of the votes cast
- **II Cooperation procedure (second reading)
*majority of the votes cast, to approve the common position
majority of Parliament's component Members, to reject or amend
the common position*
- *** Assent procedure
*majority of Parliament's component Members except in cases
covered by Articles 105, 107, 161 and 300 of the EC Treaty and
Article 7 of the EU Treaty*
- ***I Codecision procedure (first reading)
majority of the votes cast
- ***II Codecision procedure (second reading)
*majority of the votes cast, to approve the common position
majority of Parliament's component Members, to reject or amend
the common position*
- ***III Codecision procedure (third reading)
majority of the votes cast, to approve the joint text

(The type of procedure depends on the legal basis proposed by the Commission.)

Amendments to a legislative text

In amendments by Parliament, amended text is highlighted in ***bold italics***. In the case of amending acts, passages in an existing provision that the Commission has left unchanged, but that Parliament wishes to amend, are highlighted in **bold**. Any deletions that Parliament wishes to make in passages of this kind are indicated thus: [...]. Highlighting in *normal italics* is an indication for the relevant departments showing parts of the legislative text for which a correction is proposed, to assist preparation of the final text (for instance, obvious errors or omissions in a given language version). Suggested corrections of this kind are subject to the agreement of the departments concerned.

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DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

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
(COM(2008)0019 – C6-0046/2008 – 2008/0016(COD))

(Codecision procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to the European Parliament and the Council (COM(2008)0019),
 - having regard to Articles 251(2), 175(1) and 95 of the EC Treaty, pursuant to which the Commission submitted the proposal to Parliament (C6-0046/2008),
 - having regard to Rule 51 of its Rules of Procedure,
 - having regard to the report of the Committee on Industry, Research and Energy and the opinions of the Committee on International Trade, the Committee on Economic and Monetary Affairs, the Committee on the Environment, Public Health and Food Safety, the Committee on Transport and Tourism, the Committee on Regional Development and the Committee on Agriculture and Rural Development (A6-0000/2008),
1. Approves the Commission proposal as amended;
 2. Calls on the Commission to refer the matter to Parliament again if it intends to amend the proposal substantially or replace it with another text;
 3. Instructs its President to forward its position to the Council and Commission.

Amendment 1

Proposal for a directive

Citation

Text proposed by the Commission

Having regard to the Treaty establishing the European Community, and in particular Article 175(1) thereof **and Article 95 thereof**,

Amendment

Having regard to the Treaty establishing the European Community, and in particular Article 175(1) thereof,

Or. en

Justification

Article 175(1) is the sole appropriate legal basis. A dual basis is reserved for extreme cases where several goals are equally important; yet, here the main aim is environmental protection -the current Directive on Energy from Renewable Sources and the Biofuels Directive have also been adopted under Article 175(1). Besides, biofuels provisions do not principally aim to facilitate trade- as the prescribed standards are far from harmonised- but to define sustainability criteria.

Amendment 2

Proposal for a directive

Recital 4

Text proposed by the Commission

(4) The Renewable Energy Roadmap demonstrated that a 20% target for the overall share of energy from renewable sources **and a 10% target for renewable energy in transport** would be **appropriate and** achievable **objectives**, and that a framework that includes mandatory targets should provide the business community with the long term stability it needs **to make rational investment decisions** in the renewable energy sector.

Amendment

(4) The Renewable Energy Roadmap demonstrated that **at least** a 20% target for the overall share of energy from renewable sources would be achievable **as objective**, and that a framework that includes mandatory targets should provide the business community with the long term stability it needs **towards a renewable energies based economy**.

Or. en

Justification

The Commission Renewable Energy Roadmap has been assessed by the Council and the Member States. This must be considered by the Commission when drafting this kind of recital. The amendment clarifies this.

Amendment 3

Proposal for a directive

Recital 8

Text proposed by the Commission

(8) In the light of the positions taken by the Commission, the Council and the European Parliament, it is appropriate to establish

Amendment

(8) In the light of the positions taken by the Commission, the Council and the European Parliament, it is appropriate to establish

mandatory targets for **an** overall 20% share of renewable energy **and a 10% share of renewable energy in transport** in the European Union's consumption in 2020.

mandatory targets for **minimum interim** **and** overall 20% share of renewable energy in the European Union's **final** consumption in 2020.

Or. en

Justification

The European Parliament is in favour of at least 25% share of renewable energies compared to the final energy consumption in 2020. The latest scientific and political evidence have shown that imposing a binding target on fuels for the transport sector coming from biomass of 10% cannot be achieved in a sustainable way. This target must therefore be dropped. Sustainable biomass will be more efficiently used for other energy purposes such as electricity combined with heat (or cool) production.

Amendment 4

Proposal for a directive

Recital 10

Text proposed by the Commission

(10) By contrast, it is appropriate for the 10% target for renewable energy in transport to be set at the same level for each Member State in order to ensure consistency in transport fuel specifications and availability. Because transport fuels are traded easily, Member States with low endowments of the relevant resources will easily be able to obtain renewable transport fuels from elsewhere. While it would technically be possible for the Community to meet its biofuel target solely from domestic production, it is both likely and desirable that the target will in fact be met through a combination of domestic production and imports. To this end, the Commission should monitor the supply of the Community market for biofuels, and should, as appropriate, propose relevant measures to achieve a balanced approach between domestic production and imports, taking into account the development of

Amendment

(10) While it is likely that the renewable energy targets will in fact be met through a combination of domestic production and imports. In this context, the Commission should monitor the supply of the Community market for renewable energies, including biomass for energy, taking into account the development of multilateral and bilateral trade negotiations as well as environmental, social, cost, energy security and other considerations.

multilateral and bilateral trade negotiations as well as environmental, cost, energy security and other considerations.

Or. en

Justification

The Commission must monitor import and export of all energy supply whether it is domestically produced (and consumed) or imported from / exported to third countries. Biomass for energy must in particular be carefully watched. However, the latest scientific and political evidence have shown that imposing a binding target on fuels for the transport sector coming from biomass of 10% cannot be achieved in a sustainable way. This target must therefore be dropped.

Amendment 5

Proposal for a directive Recital 48

Text proposed by the Commission

Amendment

(48) In order to permit the achievement of a 10% share of biofuels, it is necessary to ensure the placing on the market of higher blends of biodiesel in diesel than those envisaged by standard EN590/2004. ***deleted***

Or. en

Justification

This is covered by the Fuel Quality Directive.

Amendment 6

Proposal for a directive Recital 57

Text proposed by the Commission

Amendment

(57) Since the general objectives of achieving a 20% share of renewable energies in the Community's overall energy consumption *and a 10% share of biofuels*

(57) Since the general objectives of achieving a 20% share of renewable energies in the Community's overall energy consumption by 2020 cannot be

in each Member State's transport petrol and diesel consumption by 2020 cannot be sufficiently achieved by the Member States and can therefore, by reason of the scale of the action, be better achieved at Community level, the Community may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty. In accordance with the principle of proportionality, as set out in that Article, this Directive does not go beyond what is necessary in order to achieve those objectives.

sufficiently achieved by the Member States and can therefore, by reason of the scale of the action, be better achieved at Community level, the Community may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty. In accordance with the principle of proportionality, as set out in that Article, this Directive does not go beyond what is necessary in order to achieve those objectives.

Or. en

Justification

The 10% biofuels 2020 target in the Renewables Directive has been suggested by the European Council of March 2007. Heads of State and government put however specific pre-conditions to be fulfilled, i.e. a) the production must be sustainable and b) second generation must be commercially available. Since March 2007, evidence is growing that these conditions will not be fulfilled. The 10% target must therefore be abandoned.

Amendment 7

Proposal for a directive Article 1

Text proposed by the Commission

This Directive establishes a common framework for the promotion of energy from renewable sources. It sets mandatory targets for the overall share of energy from renewable sources in energy consumption *and for the share of energy from renewable sources in transport*. It lays down rules relating to *guarantees of origin*, administrative procedures and *electricity grid* connections in relation to energy from renewable sources. It establishes environmental sustainability criteria for *biofuels and other bioliquids*.

Amendment

This Directive establishes a common framework for the promotion of energy from renewable sources *and their integration into the EU internal energy market with a view to increase security of supply, environmental protection, competitiveness, and industrial leadership of the EU*. It sets mandatory *EU and national* targets for the overall share of energy from renewable sources in energy consumption *in order to make sure that in 2020 at least 20% of EU's final energy consumption will be covered by renewable sources of energy*. It lays down rules relating to *the protection of national*

support schemes and detailed national renewables action plans, and in addition creates flexibility mechanisms between Member States in achieving the targets, administrative procedures and infrastructure connections in relation to energy from renewable sources. It establishes environmental and social sustainability criteria for energy from biomass.

Or. en

Justification

The main features of the directive should be highlighted in the scope of the directive.

Amendment 8

Proposal for a directive Article 2 – point a

Text proposed by the Commission

(a) "energy from renewable sources" means renewable **non-fossil** energy sources: wind, solar, geothermal, wave, tidal, hydropower, biomass, landfill gas, sewage treatment plant gas and biogases;

Amendment

(a) "energy from renewable sources" means renewable energy sources: wind, solar, geothermal, wave, tidal, hydropower, biomass, landfill gas, sewage treatment plant gas and biogases;

Or. en

Justification

To be consistent with the new Eurostat and international definitions, this Directive covers only with energy sources that are renewables sources. Fossil and other categories of fuels not covered by these definitions are therefore excluded from this Directive.

Amendment 9

Proposal for a directive Article 2 – point b

Text proposed by the Commission

(b) "biomass" means the biodegradable fraction of products, waste and residues from agriculture (including vegetal and animal substances), forestry and related industries, as well as the biodegradable fraction of industrial and municipal waste;

Amendment

(b) "biomass" means the biodegradable fraction of products, waste and residues from agriculture (including vegetal and animal substances) **and aquaculture**, forestry and related industries, as well as the **separated collected** biodegradable fraction of industrial and municipal waste;

Or. en

Justification

The existing definition excludes biomass from aquacultural products such as algae. Furthermore, biodegradable waste is generally much better recycled or composted, while the process gases can of course be used for energy generation. Also, since the biodegradable fraction of municipal and industrial waste typically has a low net energy output, this Directive should therefore promote the separation of this type of waste.

Amendment 10

Proposal for a directive Article 2 – point d a (new)

Text proposed by the Commission

Amendment

(da) “geothermal energy” means the energy stored in form of heat beneath the surface of the solid earth;

Or. en

Justification

EU law does not have any harmonised definition of geothermal energy: there are heterogeneous national definitions. This leads to confusion. Therefore, the Directive should provide a definition of geothermal energy. The proposed definition is widely used by the geothermal industry as it is part of national standards.

Amendment 11

Proposal for a directive Article 2 – point e

Text proposed by the Commission

(e) "**bioliquids**" means liquid fuel for energy purposes produced from biomass;

Amendment

(e) "**biomass for energy**" means **solid, gaseous or** liquid fuel for energy purposes produced from biomass;

Or. en

Justification

This legislation covers all energy produced from biomass, not just that used as fuel in the transport sector or used as liquid fuel in heat and power generation. It is therefore essential that this overarching term is defined.

Amendment 12

Proposal for a directive Article 2 – point f

Text proposed by the Commission

(f) "**biofuels**" means liquid or gaseous fuel for transport produced from biomass;

Amendment

(f) "**transport fuels from biomass**" means liquid or gaseous fuel for transport produced from biomass;

Or. en

Justification

Biomass for energy can have many applications such as heat and electricity generation as well as transport fuels. This term clearly defines this distinction.

Amendment 13

Proposal for a directive Article 2 – point f a (new)

Text proposed by the Commission

Amendment

(fa) "**High Conservation Value land**"

means:

(i) areas containing globally, regionally or nationally significant concentrations of biodiversity values (e.g. endemism, endangered species, refugia);

(ii) globally, regionally or nationally significant large landscape-level areas where viable populations of most if not all naturally occurring species exist in natural patterns of distribution and abundance;

(iii) areas that are in or contain rare, threatened or endangered ecosystems;

(iv) areas that provide basic ecosystem services in critical situations (e.g. watershed protection, erosion control);

(v) areas fundamental to meeting basic needs of local communities (e.g. subsistence, health);

(vi) areas critical to local communities' traditional cultural identity (areas of cultural, ecological, economic or religious significance identified in cooperation with such local communities);

Or. en

Justification

High Conservation Value (HCV) must be defined as it forms a cornerstone of article 15 ensuring the sustainability of fuels from biomass, in particular preserving biodiversity and ecological integrity. HCV is defined by a network of organisations including the World Conservation Union (IUCN) and the World Bank and is already used by the Forestry Stewardship Council (FSC) international timber certification scheme.

Amendment 14

Proposal for a directive Article 2 – point f b (new)

Text proposed by the Commission

Amendment

(fb) "wetland" means land that is covered with or saturated by water permanently or for a significant part of the year;

Or. en

Justification

Wetland must be defined in this Directive. Wetlands are important carbon stores and if converted can result in the release of significant quantities of greenhouse gases. Non drained peatlands, e.g. pristine peatland, are definitely included in this definition.

Amendment 15

Proposal for a directive Article 2 – point f c (new)

Text proposed by the Commission

Amendment

(fc) "idle, degraded, or marginal land" land that is not, and has not been, forest or wetland since 1990, that is not of High Conservation Value or in direct proximity of such land, or inside valuable nature or government protected areas, and that has not been used for agricultural purposes for at least 10 years;

Or. en

Justification

Idle, marginal and degraded lands must be defined in this Directive. This definition needs to be set-out clearly to ensure that this land, if used for transport fuels from biomass, does not have conservation value or high carbon stock value or is otherwise used in the production of food. High Conservation Value is an internationally agreed status that protects biodiversity and ecological integrity. 1990 is the cut-off date for deforestation agreed under the Kyoto Protocol.

Amendment 16

Proposal for a directive Article 2 – point f d (new)

Text proposed by the Commission

Amendment

(fd) "agro-fuels" are fuels from biomass which are grown on arable land and which compete for the arable land with production for food or feed;

Or. en

Amendment 17

Proposal for a directive Article 2 – point g

Text proposed by the Commission

Amendment

(g) "guarantee of origin" means an electronic document which has the function of providing proof that a given quantity of energy was produced from renewable sources;

(g) "guarantee of origin" means an electronic document which has the function of providing proof that a given quantity of energy was produced from renewable sources ***notably for the purpose of the electricity disclosure obligation in Directive 2003/54/EC;***

Or. en

Justification

The role of this document must be clear. It serves the purpose of labelling the sources on how the electricity has been produced. The reference to the disclosure provisions of the Directive concerning the common rules for the internal market in electricity provides with this needed clarification.

Amendment 18

Proposal for a directive Article 2 – point g a (new)

Text proposed by the Commission

Amendment

(ga) "transfer accounting certificate" means a specially marked electronic document which can be used on a voluntary basis by Member States in order to transfer a given quantity of energy produced from renewable sources to another Member State exclusively for purposes of target accounting;

Or. en

Justification

A new flexible way for achieving the national renewable energy targets has been introduced in Articles 8 and 9 of this Directive for those Member States which want to opt-in for such a system. It is important to clearly distinguish between guarantees of origin, which are - if issued - for disclosure purposes only, and transfer accounting certificates, which are for target accounting purposes only.

Amendment 19

Proposal for a directive Article 2 – point h

Text proposed by the Commission

Amendment

(h) "support scheme" means a scheme, originating from a market intervention by a Member State, that helps energy from renewable sources to find a market by reducing the cost of production of this energy, increasing the price at which it can be sold, or increasing, by means of a renewable energy obligation or otherwise, the volume of such energy purchased;

(h) "support scheme" means a scheme, originating from a policy intervention through which incentives for the expansion and increased use of energy from renewable sources are created or strengthened. National support schemes include in particular renewable energy obligations, investment aid, tax exemptions or tax breaks, tax refunds and direct price support schemes, especially feed-in and premium schemes;

Or. en

Justification

The definition of "support scheme" must be clarified.

Amendment 20

**Proposal for a directive
Article 3 – paragraph 2**

Text proposed by the Commission

2. Member States shall introduce appropriate measures to ensure that the share of energy from renewable sources equals or exceeds ***that shown in the indicative trajectory*** set out in Part B of Annex I.

Amendment

2. Member States shall introduce appropriate measures to ensure that the share of energy from renewable sources equals or exceeds ***the mandatory minimal interim targets*** set out in Part B of Annex I.

Or. en

Justification

In order to ensure that the overall 2020 EC and Member States targets are met, it is necessary that obligatory interim targets are also adopted. The trajectory proposed under annex 1B is starting very low and leaves the biggest uptake of renewables for the last years before 2020. Not fulfilling this curb will make it very difficult for Member States to reach their 2020 target. In that sense it should be considered as the absolute necessary minimum.

Amendment 21

**Proposal for a directive
Article 3 – paragraph 2 a (new)**

Text proposed by the Commission

Amendment

2a. Two or more Member States can pursue the targets under paragraphs 1 and 2 jointly through flexible instruments as set out in Article 9 (1b).

Cooperation under this paragraph shall be notified to the Commission by all Member States involved and the new target for the group of Member States and the method for its calculation shall be subject to approval by the Commission.

Amendment 23

Proposal for a directive Article 4 – title

Text proposed by the Commission

Article 4

National action plans

Amendment

Article 4

Renewable energy action plans

Or. en

Justification

To distinguish with the other energy related action plans, the ones dealing specifically with renewable energies will be entitled: Renewable energy action plans (RAP), as already agreed by the European Parliament under the INI report of MEP Britta Thomsen on the road map for renewable energy in Europe (EP resolution P6-TA(2007)0406 of 25 September 2007).

Amendment 24

Proposal for a directive Article 4 – paragraph 1

Text proposed by the Commission

1. Each Member State shall adopt a **national** action plan. **The national action plans shall set out Member States' targets for the shares of energy from renewable sources in transport, electricity and heating and cooling in 2020, and adequate measures to be taken to achieve these targets, including national policies to develop existing biomass resources and mobilise new biomass resources for different uses, and the measures to be taken to fulfil the requirements of Articles 12 to 17.**

Amendment

1. Each Member State shall adopt a **renewable energy** action plan (**RAP**).

Or. en

Justification

To distinguish with the other energy related action plans, the ones dealing specifically with

renewable energies will be entitled: Renewable energy action plans (RAP), as already agreed by the European Parliament under the INI report of MEP Britta Thomsen on the road map for renewable energy in Europe (EP resolution P6-TA(2007)0406 of 25 September 2007).

Amendment 25

Proposal for a directive

Article 4 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. Where several Member States intend to pursue their targets jointly, each of these Member States shall lay down the details of the related agreements in its national renewable energy action plan.

Or. en

Justification

In addition to the national support scheme and in order to facilitate flexibility in achieving the interim and overall 2020 renewable energies targets, Member States, if they wish so, could cooperate on a voluntary basis through additional flexible instruments such as Transfer Accounting Certificates (TAC) or joints projects as set out in Article 9 paragraph c of this Directive. Each Member States that have decided so must then describe in details the joint agreement in its respective RAP.

Amendment 26

Proposal for a directive

Article 4 – paragraph 1 b (new)

Text proposed by the Commission

Amendment

1b. The Commission shall provide a binding template for renewable energy action plans , at latest for the 30 June 2009, in order to give Member States guidance, and containing the following minimum-requirements:

(a) Member States' reference statistics on the share of energy from renewable sources in final energy consumption for 2005 and the latest available year,

whereas the final energy consumption shall be defined by:

- solid fuels, oil, gas, renewable energy sources, electricity and heat (derived heat, district heat); heat and electricity produced from renewables and non renewables source;

- sectors: industry, household and services as well as transport;

- electricity (without electricity for heat and warm water), heat (with electricity for heat and warm water), and transport; in any case from renewable energy sources and non renewable energy sources;

(b) Member States' binding national overall target for the share of energy from renewable sources in final energy consumption of energy in 2020 as set out in Part A of Annex I;

(c) Member States' binding national minimum interim targets as set out in Part B of Annex I;

(d) Member States' binding national 2020 and interim targets for the shares of energy from renewable sources in electricity, heating and cooling and transport:

(i) binding targets for the share of energy from renewable sources in electricity:

- national target for the share of energy from renewable sources in electricity in 2020 in order to comply with Part A of Annex I;

- national interim targets for the share of energy from renewable sources in electricity in order to comply with Part B of Annex I;

(ii) binding targets for the share of energy from renewable sources in heating and cooling:

- national target for the share of energy from renewable sources in heating and cooling in 2020 in order to comply with

Part A of Annex I;

- national interim targets for the share of energy from renewable sources in heating and cooling in order to comply with Part B of Annex I;

(iii) binding targets for the share of energy from renewable sources in transport:

- national target for the share of energy from renewable sources in transport in 2020 in order to comply with Part A of Annex I;

- national interim targets for the share of energy from renewable sources in transport in order to comply with Part B of Annex I;

(e) Measures to achieve these targets:

(i) overview table of all measures concerning the promotion of the use of energy from renewable sources

(ii) measures on the promotion of the use of energy from renewable sources in electricity:

- general measures including tax-, financial-, legal- or other policies promoting the use of energy from renewable sources

- specific measures to fulfil the requirements of Articles 12 to 14

(iii) measures on the promotion of the use of energy from renewable sources in heating and cooling:

- general measures including tax-, financial-, legal- or other policies promoting the use of energy from renewable sources.

- specific measures to fulfil the requirements of Articles 12 and 13;

(iv) measures on the promotion of the use of energy from renewable sources in

transport:

- general measures including tax-, financial-, legal- or other policies promoting the use of energy from renewable sources

- specific measures to fulfil the requirements of Articles 12 and 13 and Articles 15 to 17;

(v) specific measures on the promotion of the use of energy from biomass:

- general measures including tax-, financial-, legal- or other policies promoting the use of energy from renewable sources

- specific measures for new biomass mobilization taking into account the following principles:

- the amount of biomass needed to meet the objectives*

- the type and origin of biomass shall be defined*

- biomass availability/potential/import and objective should fit together*

- Measures shall be defined to increase biomass availability, taking into account other biomass users (agriculture and forest based sectors).*

(f) Assessments:

(i) the total contribution expected of each renewable energy technology to meet the binding 2020 and binding interim targets for the shares of energy from renewable sources in electricity, heating and cooling and transport

(ii) the gross and final energy consumption for 2020 according to a business as usual scenario and an efficiency scenario

(iii) a Strategic Environmental Assessment as set out in the SEA Directive 2001/42/EC which incorporates the environmental benefits of the use of energy from renewable sources as well as the impacts.

Or. en

Justification

Most of the EU effort on renewable energies will be delivered through improving the national framework for the renewable energy investments. The Commission shall therefore make available to Member States by 31 March 2010 at the latest a clear harmonised format for the national renewable energy action plans, with a view to facilitating the presentation of the national action plans and their subsequent analysis.

Amendment 27

**Proposal for a directive
Article 4 – paragraph 2**

Text proposed by the Commission

2. Member States shall notify their **national** action plans to the Commission by 31 March 2010 at the latest.

Amendment

2. Member States shall notify their **Renewable energy** action plans to the Commission by 31 March 2010 at the latest.

Or. en

Justification

To distinguish with the other energy related action plans, the ones dealing specifically with renewable energies will be entitled: Renewable energy action plans (RAP), as already agreed by the European Parliament under the INI report of MEP Britta Thomsen on the road map for renewable energy in Europe (EP resolution P6-TA(2007)0406 of 25 September 2007).

Amendment 28

Proposal for a directive Article 4 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. Within three months of notification of a renewable energy action plan by a Member State under paragraph 2, the Commission may reject that plan, or any aspect thereof, on the basis that it does not contain all the elements required in paragraph 1b or it is incompatible with the mandatory targets set out in Annex I. In this case, the Member State shall propose amendments; the action plan shall not be deemed adopted before the Commission has accepted the amendments. Reasons shall be given for any rejection decision by the Commission.

Or. en

Justification

In order to ensure that the Member State progress will be properly monitored, and any failure to comply will be swiftly and effectively addressed, stricter procedures should be adopted concerning the submitted renewable energy action plans. The latter should be further binding on the Member States.

Amendment 29

Proposal for a directive Article 4 – paragraph 3

Text proposed by the Commission

Amendment

3. A Member State whose share of energy from renewable sources fell below the ***indicative trajectory*** in Part B of Annex 1 in the immediately preceding two-year period shall submit a new ***national action*** plan to the Commission by ***30 June*** of the following year at the latest, setting out adequate measures to ensure that in future the share of energy from renewable sources

3. A Member State whose share of energy from renewable sources fell below the ***mandatory interim targets*** in Part B of Annex 1 in the immediately preceding two-year period shall submit a new ***renewable energy*** plan to the Commission by ***31 March*** of the following year at the latest, setting out adequate measures to ensure that in future the share of energy from

equals or exceeds the *indicative trajectory* in Part B of Annex I.

renewable sources exceeds the *targets* in Part B of Annex I *by at least the percentage by which the Member State fell short of its interim target. It will also be subject to the direct penalty mechanism set out in Article 6a.*

Or. en

Justification

In order to ensure that the Member State progress will be properly monitored, and any failure to comply will be swiftly and effectively addressed, stricter procedures should be adopted concerning the submitted renewable energy action plans. The latter should be further binding on the Member States.

Amendment 30

Proposal for a directive Article 5 – paragraph 1 – subparagraph 2

Text proposed by the Commission

Biofuels and other bioliquids that *do* not fulfil the environmental sustainability criteria in Article 15 shall not be taken into account.

Amendment

Biomass for energy that *does* not fulfil the environmental *and social* sustainability criteria in Article 15 shall not be taken into account.

Or. en

Justification

Sustainability criteria should apply for all energy uses from biomass.

Amendment 31

Proposal for a directive Article 5 – paragraph 2

Text proposed by the Commission

2. Member States may apply to the Commission for account to be taken, for the purposes of paragraph 1, of the construction of renewable energy plants

Amendment

deleted

with very long lead-times on their territory under the following conditions:

(a) construction of the renewable energy plant must have started by 2016;

(b) the renewable energy plant must have a production capacity equal to or in excess of 5000 MW;

(c) it must not be possible for the plant to become operational by 2020;

(d) it must be possible for the plant to become operational by 2022.

The Commission shall decide what adjustment shall be made to the Member State's share of energy from renewable sources for the year 2020, taking into account the state of advancement of construction, the amount of financial support being provided to the plant, and the quantity of renewable energy to be produced by the plant in an average year when completed.

Acting in accordance with the procedure referred to in Article 21(2), the Commission shall develop rules for the implementation of this provision by 31 December 2012 at the latest.

Or. en

Justification

Member states should work intensively towards meeting their 2020 targets. Adjustments of the targets on the basis of “very long lead-times projects” and “force majeure” could be used by Member States to either water down the target, postpone or even avoid the achievement of their targets. It should therefore be deleted. 27 Member States have committed through their Heads of State to a mandatory 2020 target. It is not a 2022 or 2024 target. Member States should deliver on their commitment.

Amendment 32

Proposal for a directive Article 5 – paragraph 3

Text proposed by the Commission

Amendment

3. Where a Member State considers that, due to force majeure, it is under an impossibility to meet the share of energy from renewable sources in final consumption of energy in 2020 set out in the third column of the table in Annex 1, it shall inform the Commission as soon as possible. The Commission shall adopt a decision on whether force majeure has been demonstrated, in which case it shall decide what adjustment shall be made to the Member State's final consumption of energy from renewable sources for the year 2020.

deleted

Or. en

Justification

The European Court of Justice has repeatedly recognised the principle of "force majeure" as being part of EC law, and has applied it in different contexts without any need that EC legislation makes reference to it.

Amendment 33

Proposal for a directive Article 5 – paragraph 4 – subparagraph 3

Text proposed by the Commission

Amendment

The electricity generated by hydropower shall be accounted for in accordance with the normalisation rule in Annex II.

The electricity generated by hydropower **and wind** shall be accounted for in accordance with the normalisation rule in Annex II.

Or. en

Justification

As for hydro, wind resource can show substantial variations in certain years. In order not to bias the 2-year mandatory minimum intermediary targets, wind performance should be 'normalised' to make EU minimum intermediary targets comparable.

Amendment 34

Proposal for a directive

Article 5 – paragraph 5 – subparagraph 1

Text proposed by the Commission

5. For the purposes of paragraph 1(b), the final consumption of energy from renewable sources for heating and cooling shall be calculated as the consumption of energy from renewable sources delivered to manufacturing industry, **transport**, households, services, agriculture, forestry and fisheries for heating and cooling purposes, including consumption from district heating or cooling of renewable origin, adjusted in accordance with Article 10.

Amendment

5. For the purposes of paragraph 1(b), the final consumption of energy from renewable sources for heating and cooling shall be calculated as the consumption of energy from renewable sources delivered to manufacturing industry, households, services, agriculture, forestry and fisheries for heating and cooling purposes, including consumption from district heating or cooling of renewable origin, adjusted in accordance with Article 10.

Or. en

Justification

Heat pumps using ambient heat from air are an energy efficiency instrument which is covered under the existing energy end-use efficiency and energy services Directive 2006/32/EC of the European Parliament and of the Council of 5 April 2006.

Amendment 35

Proposal for a directive

Article 5 – paragraph 5 – subparagraph 2

Text proposed by the Commission

Thermal energy generated by **heat pumps** using geothermal energy from the ground or water shall be taken into account for the purposes of paragraph 1(b). **Thermal energy generated by heat pumps using**

Amendment

Thermal energy generated by **heating or cooling systems** using geothermal energy from the ground or water shall be taken into account for the purposes of paragraph 1(b) **only for its part which exceeds the**

ambient heat from the air shall be taken into account for the purposes of paragraph 1(b), provided that the energy efficiency of such heat pumps meets the minimum requirements of eco-labelling laid down pursuant to Regulation (EC) No 1980/2000, where applicable, in particular the minimum coefficient of performance established in Decision 2007/742/EC, and reviewed in accordance with that Regulation.

non-renewables primary energy input required to operate the systems.

Or. en

Justification

Heat pumps using ambient heat from air are an energy efficiency instrument which is covered under the existing energy end-use efficiency and energy services Directive 2006/32/EC of the European Parliament and of the Council of 5 April 2006.

Amendment 36

Proposal for a directive

Article 5 – paragraph 5 – subparagraph 3

Text proposed by the Commission

Thermal energy generated by passive energy systems, under which lower energy consumption is achieved passively through building design or from heat generated by energy from non-renewable sources, shall not be taken into account for the purposes of paragraph 1(b).

Amendment

Thermal energy generated by passive energy systems, under which lower energy consumption is achieved passively through building design **or heat pumps using ambient heat form the air** or from heat generated by energy from non-renewable sources, shall not be taken into account for the purposes of paragraph 1(b).

Or. en

Justification

Heat pumps using ambient heat from air are an energy efficiency instrument which is covered under the existing energy end-use efficiency and energy services Directive 2006/32/EC of the European Parliament and of the Council of 5 April 2006.

Amendment 37

Proposal for a directive

Article 5 – paragraph 6 – subparagraph -1 (new)

Text proposed by the Commission

Amendment

For the purposes of paragraph 1(c), petroleum products other than petrol and diesel shall not be taken into account.

Or. en

Justification

Air and maritime transport fuels from biomass are not covered under this Directive.

Amendment 38

Proposal for a directive

Article 5 – paragraph 9 – point a

Text proposed by the Commission

Amendment

(a) it is consumed in the Community;

(a) it is ***physically imported and*** consumed in the Community;

Or. en

Justification

This addition is discussed in the Council Energy Working Group, and is an improvement of the Commission proposal.

Amendment 39

Proposal for a directive

Article 5 – paragraph 9 – point a a (new)

Text proposed by the Commission

Amendment

(aa) the third country has adopted binding interim and 2020 targets for the expansion of energy from renewable energy sources with a similar level of

ambition as the targets set out in Part A and Part B of Annex I;

Or. en

Justification

The development of renewable energies is crucial for energy security of concerned countries and of the EU. The potential imports of renewables from these countries to the EU makes only sense if the generated renewables are additional.

Amendment 40

Proposal for a directive

Article 5 – paragraph 9 – point a b (new)

Text proposed by the Commission

Amendment

(ab) the third country complied with the requirements of Part A and Part B of Annex I in the immediately preceding compliance period, if any;

Or. en

Justification

The development of renewable energies is crucial for energy security of concerned countries and of the EU. The potential imports of renewables from these countries to the EU makes only sense if the generated renewables are additional.

Amendment 41

Proposal for a directive

Article 5 – paragraph 9 – point c

Text proposed by the Commission

Amendment

(c) the electricity is issued with a guarantee of origin ***that forms part of a system of guarantee of origin*** equivalent to ***that*** laid down by this Directive.

(c) the electricity is issued with a guarantee of origin ***and a transfer accounting certificate which both form part of systems which are*** equivalent to ***those*** laid down by this Directive.

Justification

The development of renewable energies is crucial for energy security of concerned countries and of the EU. The potential imports of renewables from these countries to the EU makes only sense if the generated renewables are additional and if they follow equivalent rules.

Amendment 42**Proposal for a directive****Article 6 – paragraph 1 – subparagraph 1***Text proposed by the Commission*

1. Member States shall ensure that the origin of electricity produced from renewable energy sources, and of heating or cooling produced from renewable energy sources in plants with a capacity of at least 5 MW_{th}, can be guaranteed as such within the meaning of this Directive.

Amendment

1. Member States shall ensure that **for the purpose of disclosure** the origin of electricity produced from renewable energy sources, and of heating or cooling produced from renewable energy sources in plants with a capacity of at least 5 MW_{th}, can be guaranteed as such within the meaning of this Directive.

Justification

As describe in the Directive on the internal electricity market, the guarantee of origin has the function of providing proof that a given quantity of energy was produced from renewable sources for the purpose of electricity disclosure.

Amendment 43**Proposal for a directive****Article 6 – paragraph 2 – point e a (new)***Text proposed by the Commission**Amendment*

(ea) the type of any support scheme used for the production of the respective unit of energy; and

Justification

To avoid possible double counting and increase transparency, it is necessary that each guarantee of origin specifies also the type of support scheme the specific RES production unit has received, if any.

Amendment 44

Proposal for a directive

Article 6 – paragraph 2 – point e b (new)

Text proposed by the Commission

Amendment

(eb) whether or not the renewable energy installation in question has lead to additional renewable energy production, in accordance with Article 11a.2.

Or. en

Amendment 45

Proposal for a directive

Article 6 – paragraph 2 – subparagraph 2 a (new)

Text proposed by the Commission

Amendment

Guarantees of origin shall also specify whether transfer accounting certificates have been issued for the respective unit of energy.

Or. en

Justification

Guarantees of origin and transfer accounting certificates having two different functions, it must be clear when both electronic documents have been issued for the same MWh of renewable energy.

Amendment 46

Proposal for a directive Article 6 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. Member States shall ensure that if a guarantee of origin has been issued under the regulations of Directive 2004/8/EC in respect of renewable energy generated in a cogeneration plant no additional guarantee of origin will be issued under this Article. This shall also apply if any other evidence has been issued, which can be used for purposes of the electricity disclosure obligation in Directive 2003/54/EC.

Or. en

Justification

In order to avoid double counting, only one Guarantee of origin must be issued for the part of renewable energy.

Amendment 47

Proposal for a directive Article 6 – paragraph 4 b (new)

Text proposed by the Commission

Amendment

4b. Member States may restrict exports of guarantee of origin if the respective unit of energy has been supported by a national support scheme.

Or. en

Justification

Renewable energies that are supported by any support scheme should not be sold as cheap green energy to other countries.

Amendment 48

Proposal for a directive Article 6 – paragraph 4 c (new)

Text proposed by the Commission

Amendment

4c. Guarantees of origin do not by themselves imply a right to benefit from national support schemes.

Or. en

Amendment 49

Proposal for a directive Article 6 a (new)

Text proposed by the Commission

Amendment

Article 6a

Transfer accounting certificates of electricity, heating and cooling produced from renewable energy sources

1. Those Member States which voluntarily decide to use the flexibility scheme foreseen in Article 9(1b)(a) shall establish a system which ensures that a transfer accounting certificate is issued in response to a request from a producer of renewable energy. Member States agreeing voluntarily to use target accounting certificates for the accounting of joint projects under the option in Article 9(1b)(c) shall establish a system which ensures that a transfer accounting certificate is issued for the joint renewable energy projects in question.

A transfer accounting certificate shall be of the standard size of 1 MWh. No more than one transfer accounting certificate shall be issued in respect of each MWh of energy produced.

2. Transfer accounting certificates shall be issued, transferred and cancelled

electronically. They shall be accurate, reliable and fraud-resistant.

Transfer accounting certificates shall specify, at least:

(a) the energy source from which the energy was produced and the starting and ending dates of its production;

(b) whether the transfer accounting certificate relates to:

(i) electricity; or

(ii) heating and/or cooling;

(c) the identity, location, type and capacity of the installation where the energy was produced, and the date of the installation's becoming operational;

(d) the date and country of issue and a unique identification number for each transfer accounting certificate;

(e) the amount and type of any investment aid that has been given for the installation; and

(f) the type of any support scheme used for the production of the respective unit of energy.

Transfer accounting certificates shall also specify whether guarantees of origin have been issued for the respective unit of energy.

3. The Member States referred to in Article 9(1b)(a) shall recognise transfer accounting certificates issued by other Member States referred to Article 9(1b)(a) in accordance with this Directive.

Member States referred to in Article 9.(1b)(c) shall recognise the transfer accounting certificates for the joint projects in question. Any refusal by a Member State referred to in this paragraph to recognise a transfer accounting certificate shall be based on objective, transparent and non-discriminatory criteria.

In the event of refusal to recognise a transfer accounting certificate by a Member State referred to in this paragraph, the Commission may adopt a Decision requiring the Member State in question to recognise it.

However, Member States which are not using the option referred to Article 9 (1b)(a) are not required to recognise target accounting certificates issued by other Member States.

4. Member States shall ensure that all transfer accounting certificates to be issued in respect of renewable energy generated in a given calendar year are issued, at the latest, three months after the end of that year.

5. Transfer accounting certificates do not by themselves imply a right to benefit from national support schemes.

Or. en

Justification

Transfer accounting certificates (TAC) of electricity, heating and cooling produced from renewable energy sources are a voluntary scheme which might be adopted by certain Member States to organise their flexibility with other Member States.

Amendment 50

Proposal for a directive Article 7 – title

Text proposed by the Commission

Competent bodies and registers of
guarantees of origin

Amendment

Competent bodies and registers of
guarantees of origin **and transfer
accounting certificates**

Or. en

Justification

A single competent body should be responsible for guarantees of origin and, if chosen voluntarily by a Member State, for transferring accounting certificates.

Amendment 51

**Proposal for a directive
Article 7 – paragraph 1 – point a**

Text proposed by the Commission

(a) establish and maintain a national register of guarantees of origin;

Amendment

(a) establish and maintain a national register of guarantees of origin ***and, if they rely on the flexible instruments as set out in Article 9(1b)(a) or (c), transfer accounting certificates;***

Or. en

Justification

A single competent body should be responsible for guarantees of origin and, if chosen voluntarily by a Member State, for transferring accounting certificates.

Amendment 52

**Proposal for a directive
Article 7 – paragraph 1 – point b**

Text proposed by the Commission

(b) issue guarantees of origin;

Amendment

(b) issue guarantees of origin ***and, if they rely on the flexible instruments as set out in Article 9(1b)(a) or (c), transfer accounting certificates;***

Or. en

Justification

A single competent body should be responsible for guarantees of origin and, if chosen voluntarily by a Member State, for transferring accounting certificates.

Amendment 53

Proposal for a directive

Article 7 – paragraph 1 – point c

Text proposed by the Commission

(c) record any transfer of guarantees of origin;

Amendment

(c) record any transfer of guarantees of origin ***and, if they rely on the flexible instruments as set out in Article 9(1b)(a) or (c), transfer accounting certificates;***

Or. en

Justification

A single competent body should be responsible for guarantees of origin and, if chosen voluntarily by a Member State, for transferring accounting certificates.

Amendment 54

Proposal for a directive

Article 7 – paragraph 1 – point d

Text proposed by the Commission

(d) cancel guarantees of origin;

Amendment

(d) cancel guarantees of origin ***and, if they rely on the flexible instruments as set out in Article 9(1b)(a) or (c), transfer accounting certificates;***

Or. en

Justification

A single competent body should be responsible for guarantees of origin and, if chosen voluntarily by a Member State, for transferring accounting certificates.

Amendment 55

Proposal for a directive

Article 7 – paragraph 1 – point e

Text proposed by the Commission

(e) publish an annual report on the quantities of guarantees of origin issued, transferred to or from each of the other competent bodies and cancelled.

Amendment

(e) publish an annual report on the quantities of guarantees of origin ***and, if they rely on the flexible instruments as set out in Article 9(1b)(a) or (c), transfer accounting certificates*** issued, transferred to or from each of the other competent bodies and cancelled.

Or. en

Justification

A single competent body should be responsible for guarantees of origin and, if chosen voluntarily by a Member State, for transferring accounting certificates.

Amendment 56

Proposal for a directive

Article 7 – paragraph 3

Text proposed by the Commission

3. The national register of guarantees of origin shall record the guarantees of origin held by each person. A guarantee of origin shall only be held in one register at one time.

Amendment

3. The national register of guarantees of origin ***and, if they rely on the flexible instruments as set out in Article 9(1b)(a) or (c), transfer accounting certificates*** shall record the guarantees of origin ***and transfer accounting certificates*** held by each person. A guarantee of origin shall only be held in one register at one time.

Or. en

Justification

A single competent body should be responsible for guarantees of origin and, if chosen voluntarily by a Member State, for transferring accounting certificates.

Amendment 57

Proposal for a directive

Article 7 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. The national competent body shall be the single competent body for guarantees of origin and for transfer accounting certificates if chosen voluntarily by a Member State and for all plants using renewable energy sources in the respective Member State. The competent body shall not be responsible for issuing guarantees of origin and transfer accounting certificates for plants using renewable energy sources in other Member States. Member States shall ensure that the sphere of responsibilities of the competent bodies established in other Member States pursuant to this Directive are not infringed.

Or. en

Justification

A single competent body should be responsible for guarantees of origin and, if chosen voluntarily by a Member State, for transferring accounting certificates.

Amendment 58

Proposal for a directive

Article 8 – paragraph 1 – point a

Text proposed by the Commission

Amendment

(a) the production of a unit of electricity from renewable energy sources, or the production of a unit of heating or cooling from renewable energy sources in a plant with a capacity of at least 5 MW_{th}, receives support in the form of feed-in tariff payments, premium payments, tax reductions or payments resulting from calls for tenders, in which case the

deleted

guarantee shall be submitted to the competent body designated by the Member State that established the system of support;

Or. en

Justification

As defined, a guarantee of origin is an electronic document which has the function of providing proof that a given quantity of energy was produced from renewable sources for the purpose of the electricity disclosure obligation. The amendment provides with this clarification.

Amendment 59

**Proposal for a directive
Article 8 – paragraph 1 – point b**

Text proposed by the Commission

Amendment

(b) a unit of electricity produced from renewable energy sources, or a unit of heating or cooling produced from renewable energy sources in a plant with a capacity of at least 5 MW_{th}, is taken into account for the purposes of assessing an entity's compliance with a renewable energy obligation, in which case the guarantee of origin shall be submitted to the competent body designated by the Member State that established the obligation; or

deleted

Or. en

Justification

As defined, a guarantee of origin is an electronic document which has the function of providing proof that a given quantity of energy was produced from renewable sources for the purpose of the electricity disclosure obligation. The amendment provides with this clarification.

Amendment 60

Proposal for a directive

Article 8 – paragraph 1 – point c

Text proposed by the Commission

(c) an energy supplier or energy consumer chooses to use a guarantee of origin for the purpose of proving the share or quantity of renewable energy in its energy mix, ***without claiming the benefits of a support scheme in accordance with points (a) and (b)***; in this case, the guarantee of origin shall be submitted to the competent body designated by the Member State in which the energy described by the energy mix in question is consumed.

Amendment

an energy supplier or energy consumer chooses to use a guarantee of origin for the purpose of proving the share or quantity of renewable energy in its energy mix ***notably to comply with the electricity disclosure obligation in [Directive 2003/54/EC]***; in this case, the guarantee of origin shall be submitted to the competent body designated by the Member State in which the energy described by the energy mix in question is consumed.

Or. en

Justification

As defined, a guarantee of origin is an electronic document which has the function of providing proof that a given quantity of energy was produced from renewable sources for the purpose of the electricity disclosure obligation. The amendment provides with this clarification.

Amendment 61

Proposal for a directive

Article 8 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. Member States can require the energy supplier or energy consumer in question to submit a transfer accounting certificate for cancellation together with each guarantee of origin, if the guarantee of origin specifies that a target accounting certificate has been issued for the respective unit of energy.

Or. en

Justification

It makes sense to allow Member States that are importing electricity from renewable energy sources to require these imports to contribute to the national target.

Amendment 62

Proposal for a directive Article 8 – paragraph 2

Text proposed by the Commission

2. Where an operator has submitted one or more guarantees of origin to a competent body in accordance with paragraphs 1(a) or (b), the operator shall:

(a) request guarantees of origin, in accordance with Article 6(1), for all future production of renewable energy sources from the same installation;

(b) submit these guarantees of origin for cancellation to the same competent body.

Amendment

2. The competent body shall *cancel guarantees of origin submitted under paragraph 1 immediately after their submission.*

Or. en

Justification

Guarantees of origin must be cancelled as soon as they have been submitted to the competent authority.

Amendment 63

Proposal for a directive Article 8 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. When a competent body cancels a guarantee of origin, an equivalent quantity of energy from renewable energy sources shall, for the purposes of ensuring compliance with the requirements of this Directive concerning disclosure of electricity and heating and cooling, be removed from the register.

This cancellation prevents double counting of disclosed electricity and heating and cooling from renewable energy sources.

Or. en

Justification

Guarantees of origin must be cancelled as soon as they have been submitted to the competent authority in order to avoid double counting of disclosure certificates.

Amendment 64

**Proposal for a directive
Article 8 a (new)**

Text proposed by the Commission

Amendment

Article 8a

Submission of transfer accounting certificates for cancellation

1. Member States which decide to opt into the flexibilities schemes foreseen in Article 9(1b)(a) or (c) and as long as they rely on such schemes shall require the submission of a transfer accounting certificate for cancellation to a competent body designated in accordance with Article 7, corresponding to the unit of energy in question, if:

(a) the production of a unit of electricity from renewable energy sources, or the production of a unit of heating or cooling from renewable energy sources in a plant with a capacity of at least 5 MW_{th}, receives support in the form of feed-in tariff payments, premium payments, tax reductions or payments resulting from calls for tenders, in which case the transfer accounting certificate shall be submitted to the competent body designated by the Member State that established the system of support;

(b) a unit of electricity produced from renewable energy sources, or a unit of heating or cooling produced from renewable energy sources in a plant with a capacity of at least 5 MW_{th}, is taken into account for the purposes of assessing an entity's compliance with a renewable energy obligation, in which case the transfer accounting certificate shall be submitted to the competent body designated by the Member State that established the obligation.

2. For purposes of paragraph 1, Member States can require the transfer accounting certificate to be submitted to the competent body together with a guarantee of origin which has been issued for the unit of energy in question.

3. Where an operator has submitted one or more transfer accounting certificates to a competent body in accordance with paragraph 1(a) or (b), the operator shall:

(a) request transfer accounting certificates, in accordance with Article 6a (1), for all future production of energy from renewable sources from the same installation;

(b) submit these transfer accounting certificates for cancellation to the same competent body.

4. Member States shall also enable operators to submit transfer accounting certificates to a competent body for cancellation on a voluntary basis, e.g. in order to ensure additionality of a green power product offered to consumers.

5. The competent body shall cancel transfer accounting certificates submitted under paragraph 1, paragraph 3 and Article 8 (1a) immediately after their submission.

6. Transfer accounting certificates shall not be submitted to a competent body for cancellation more than 1 year after their date of issue.

Justification

For those Member States which opt-in for certain flexibility schemes, transfer accounting certificates (TAC) can act as a tool to account for the transfers.

Amendment 65

**Proposal for a directive
Article 9 – title**

Text proposed by the Commission

Amendment

Transfer of guarantees of origin

National support schemes and flexibility instruments

Justification

Article as amended is about national support schemes and flexible instruments that Member States can use.

Amendment 66

**Proposal for a directive
Article 9 – paragraph 1 and 1 a (new)**

Text proposed by the Commission

Amendment

1. Member States whose share of energy from renewable sources equalled or exceeded the indicative trajectory in Part B of Annex I in the immediately preceding two-year period may request the competent bodies designated in accordance with Article 7 to transfer the guarantees of origin submitted for cancellation under Article 8(1) to another Member State. Such guarantees of origin shall immediately be cancelled by the competent body in the receiving Member State.

1. National support schemes for the promotion of renewable energies are the most important instrument to reach the targets as described in Article 3. Member States are free to choose different support schemes for energy from renewable sources.

1a. As long as there is no EU-wide support scheme and in order to guarantee that national support schemes are able to pursue the purposes of this Directive effectively, it must be left to Member States to decide if and to what extent they grant energy from renewable sources which is produced in other Member States the right to benefit from their national support scheme.

Or. en

Justification

In order to promote renewable energies, the key instrument is the support schemes that are in place in Member States. Support schemes have to carry the largest part of reaching the targets and it is up to subsidiarity.

Amendment 67

Proposal for a directive Article 9 – paragraph 1 b (new)

Text proposed by the Commission

Amendment

1b. In addition to the national support schemes and in order to facilitate flexibility in achieving national targets pursuant to Article 3, Member States may cooperate on a voluntary basis under one or more of the following options:

(a) Member States may decide to issue transfer accounting certificates (TAC) in accordance with Article 6a (1) in order to make them transferable between persons. Such transfers may accompany the transfer of the energy to which the transfer accounting certificate relates, or may be separate from any such transfer. Transfers of TACs between persons in different Member States shall only be possible provided:

- the TAC emitting Member State has exceeded its mandatory interim minimum

targets as set out in Part B of Annex I in the two-year period immediately preceding the period for which the transfer is valid,

- they have been issued in relation to energy produced from renewable sources by installations that became operational after the date of entry into force of this Directive.

(b) Two or more Member States may agree to transfer energy from renewable sources statistically between themselves with the effect of counting towards their national targets. The volume which a Member State can transfer to other Member States under this option is restricted to the total volume of energy from renewable sources which has benefited from a support scheme operated by the Member State in question. A Member State can only transfer energy from renewable sources statistically to another Member State, if its share of energy from renewable sources exceeded the mandatory interim minimum targets as set out in Part B of Annex I in the two-year period immediately preceding the period for which the transfer is valid. Such transfers shall be only become effective after all Member States involved in the transfer have notified the transfer to the Commission.

(c) Member States may agree on joint projects where one or several Member States (investor countries) support a renewable energy project in another Member State (host country). In this case the host country and the investor country may statistically transfer energy from renewable energy sources among themselves or the host country will issue transfer accounting certificates for the energy produced in the renewable energy project in question and will transfer these certificates to the investor countries. A Member State can only become the host country for joint projects under this

option (c) if its share of energy from renewable sources in the two-year period immediately preceding the period in which the joint project is being agreed exceeded the indicative trajectory in Part B of Annex I for at least the volume of energy from renewable sources to be produced in the joint project in question.

(d) Two or more Member States may agree on joint target compliance as set out in Article 3 (3), e.g. by establishing joint cross-border schemes or opening their support schemes to energy from other Member States.

If two or more Member States decide, on voluntary basis, to pursue the targets under paragraphs 1 and 2 of Article 3 jointly, the overall target and the mandatory interim targets will be calculated jointly for the group of Member States involved as an average of their individual interim and overall minimum targets under Part A and Part B of Annex I, which is weighted with the expected final consumption of energy in each of the Member States involved in the years until 2020.

Or. en

Justification

The bulk of the effort to reach the overall target will have to come from national measures. In that respect, it is crucial that governments are able to design support schemes which fit best the national conditions. Transfer between persons, statistical transfer, joint projects or joint cross-border schemes might be used as flexible instruments by Member States that might decide voluntarily to reach together their respective targets.

Amendment 68

Proposal for a directive Article 9 – paragraph 1 c (new)

Text proposed by the Commission

Amendment

1c. Member States which are using the options (a) or (d) in paragraph 1b may decide in derogation from Article 8a (3) to allow operators to submit transfer accounting certificates for cancellation to different competent bodies in Member States which are using the same flexibility options.

Or. en

Justification

This addition is necessary to ensure coherence between Articles 9 and 8a.

Amendment 69

Proposal for a directive Article 9 – paragraph 2

Text proposed by the Commission

Amendment

2. Member States may provide for a system of prior authorisation for the transfer of ***guarantees of origin*** to or from persons in other Member States if, in the absence of such a system, the transfer ***of guarantees of origin to or from the Member State concerned*** is likely to impair their ability to ensure a secure and balanced energy supply ***or is likely*** to undermine the achievement of the environmental objectives underlying their support scheme.

2. Member States may provide for a system of prior authorisation for the transfer of ***transfer accounting certificate*** to or from persons in other Member States if, in the absence of such a system, the transfer is likely to impair their ability to ensure a secure and balanced energy supply, to undermine the achievement of the environmental objectives underlying their support scheme ***or to impair their ability to comply with Article 3(1) and (2).***

Or. en

Justification

As national actions and national support schemes will provide for the bulk of the overall

target, the good functioning of these has to be safeguarded.

Amendment 70

Proposal for a directive

Article 9 – paragraph 2 – subparagraph 2

Text proposed by the Commission

Amendment

Member States may provide for a system of prior authorisation for the transfer of guarantees of origin to persons in other Member States if in the absence of such a system, the transfer of guarantees of origin is likely to impair their ability to comply with Article 3(1) or to ensure that the share of energy from renewable sources equals or exceeds the indicative trajectory in Part B of Annex I. ***deleted***

Or. en

Justification

As national actions and national support schemes will provide for the bulk of the overall target, the good functioning of these has to be safeguarded.

Amendment 71

Proposal for a directive

Article 9 – paragraph 3

Text proposed by the Commission

Amendment

3. Subject to the provisions adopted pursuant to paragraph 2, guarantees of origin may be transferred between persons in different Member States provided they have been issued in relation to energy produced from renewable sources by installations that became operational after the date of entry into force of this Directive. ***deleted***

Such transfer may accompany the transfer of the energy to which the

guarantee of origin relates, or may be separate from any such transfer.

Or. en

Justification

These parts of Commission's proposal are no longer needed.

Amendment 72

**Proposal for a directive
Article 9 – paragraph 5**

Text proposed by the Commission

5. By 31 December 2014 at the latest, depending on data availability, the Commission shall assess the implementation of the provisions of this Directive for the ***transfer of guarantees of origin*** between Member States and the costs and benefits of this. It shall, if appropriate, submit proposals to the European Parliament and to the Council.

Amendment

5. By 31 December 2014 at the latest, depending on data availability, the Commission shall assess the implementation of the provisions of this Directive for the ***flexibility instruments*** between Member States and the costs and benefits of this. It shall, if appropriate, submit proposals to the European Parliament and to the Council.

Or. en

Justification

The flexibility instruments created by this Directive have to be evaluated.

Amendment 73

**Proposal for a directive
Article 10**

Text proposed by the Commission

Article 10

Effects of the cancellation of ***the guarantees of origin***

When a competent body cancels a ***guarantee of origin*** that it did not itself

Amendment

Article 10

Effects of the cancellation of ***transfer accounting certificates***

1. When a competent body cancels a ***transfer accounting certificate*** that it did

issue, an equivalent quantity of energy from renewable sources shall, for the purposes of measuring compliance with the requirements of this Directive concerning national targets:

(a) be deducted from the quantity of energy from renewable sources that is taken into account, in relation to the year of production of the energy specified in the ***guarantee of origin***, in measuring compliance by the Member State of the competent body that issued the ***guarantee of origin***; and

(b) be added to the quantity of energy from renewable sources that is taken into account, in relation to the year of production of the energy specified in the ***guarantee of origin***, in measuring compliance by the Member State of the competent body that cancelled the ***guarantee of origin***.

not itself issue, an equivalent quantity of energy from renewable sources shall, for the purposes of measuring compliance with the requirements of this Directive concerning national targets:

(a) be deducted from the quantity of energy from renewable sources that is taken into account, in relation to the year of production of the energy specified in the ***transfer accounting certificate***, in measuring compliance by the Member State of the competent body that issued the ***transfer accounting certificate***; and

(b) be added to the quantity of energy from renewable sources that is taken into account, in relation to the year of production of the energy specified in the ***transfer accounting certificate***, in measuring compliance by the Member State of the competent body that cancelled the ***transfer accounting certificate***.

Or. en

Justification

This article explains how the flexibility instruments are accounted for.

Amendment 74

Proposal for a directive Article 10 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. Transfer accounting certificates which have been submitted to competent bodies on a voluntary basis according to Article 8a (4) shall not contribute to measuring compliance of any Member State with the requirements of this Directive concerning national targets. Therefore the equivalent quantity of energy from renewable sources shall be deducted according to paragraph 1 (a) of this Article, but shall not be added to any Member State

according to paragraph 1 (b).

Or. en

Justification

This article explains how the flexibility instruments are accounted for.

Amendment 75

**Proposal for a directive
Article 10 – paragraph 1 b (new)**

Text proposed by the Commission

Amendment

1b. In case that an agreement between two or more Member States to transfer energy from renewable sources statistically among themselves in accordance with the option referred to in Article 9(1b)(b) has become effective, such transfers will have the same effect in measuring compliance with the requirements of this Directive concerning national targets under paragraph 1 of this Article as a transfer of a corresponding number of transfer accounting certificates relating to the respective years of energy production.

Or. en

Justification

This article explains how the flexibility instruments are accounted for.

Amendment 76

**Proposal for a directive
Article 10 a (new)**

Text proposed by the Commission

Amendment

Article 10a

Direct penalty mechanism

1. In order to ensure clear and robust compliance by the Member States with the objectives of this Directive the Commission shall establish a direct penalty mechanism against them.

2. The Commission shall impose direct penalties on Member States which fail to comply with the objectives of the Directive, by falling short of mandatory interim targets set out in Part B of Annex I in the immediately preceding two-year period and which cannot prove having received transfer accounting certificates from a third Member State (which has exceeded its targets) in line with Articles 3 and 9. In case of joint projects or joint National Plans of two or more Member States, the Commission shall jointly impose fines on those Member States which participate in the respective joint implementation or joint Plan, and which have fallen short of the joint mandatory trajectory targets.

3. The Commission shall adopt the necessary measures to implement paragraph 1, and more particularly to establish by the end of 2010 at the latest the necessary guidelines, methods for the calculation and the collection of non-compliance penalties and to adopt detailed provisions for the administrative handling and the establishment of a specific fund, where these revenues should be allocated, according to Article 18(2) of the Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities (assigned revenue). These implementing measures should also contain provisions on the management and use of the fund to support renewable energy projects in Member States which have exceeded their targets, and generally to enhance and strengthen the research, production and use of renewable energies and increased

energy efficiency in the European Union.

4. The Commission shall start a direct penalty procedure immediately after the evaluation of a Member State's report has disclosed that the said Member State has failed to comply, or after any evidence has been gathered at any time that a Member State does not comply with its obligations.

5. The penalty should be calculated on the basis of the Member State's shortfall of MWh of renewable energy compared with its mandatory target, and should be set at an appropriate level to provide a strong incentive for Member States to invest in renewable energy, with view to complying with, and even exceeding, the national targets.

6. The measures designed to amend non-essential elements of this Directive, inter alia, by supplementing it, shall be adopted in accordance with the regulatory procedure with scrutiny provided for in Article 5a of Decision 1999/468/EC.

7. Payment of the penalty shall not release the Member State from the obligation to fulfil its mandatory interim targets set out in Part B of Annex I and the overall target set out in the third column of the table in Annex I. Article 4(3) will also apply in this case.

Or. en

Justification

Quotas and levies have long been used as regulatory tools in EC law; now, as part of environmental policy, a penalty should be adopted to provide incentives for Member State compliance. This should be calculated so as to ensure that Member States have a strong incentive to invest in renewable energy, in order to comply with, and even go beyond, their targets. According to current economic considerations, 90 Euros per missed MWh of renewable energy would be an appropriate penalty basis.

Amendment 77

Proposal for a directive Article 11 a (new)

Text proposed by the Commission

Amendment

Article 11a

Protection of consumers

1. Member States which operate support schemes for energy from renewable sources shall require the issuing of guarantees of origin for the supported energy production. Member States shall also clarify how these guarantees of origin are allocated to the final consumers of energy or to their suppliers.

2. Member States shall require suppliers which sell energy from renewable sources to final consumers to submit annually a number of transfer accounting certificates to the competent body of the Member State in question on a voluntary basis according to Article 8a (4), which corresponds to at least one third of the share of energy from renewable sources sold to final consumers.

Member States shall take all necessary steps to ensure compliance with these requirements.

Or. en

Justification

"Green labelled" electricity should guarantee the consumer "additionality" to the anyway existing national support schemes This can be done by buying transfer accounting certificates (TACs) on a voluntary basis.

Amendment 78

Proposal for a directive Article 12 – title

<i>Text proposed by the Commission</i>	<i>Amendment</i>
Article 12	Article 12
Administrative procedures, regulations <i>and</i> codes	Administrative procedures, regulations, codes <i>and finances</i>
	Or. en

Justification

Access to financing is key in the needed development of renewables in Europe.

Amendment 79

Proposal for a directive Article 12 – paragraph 1 – subparagraph 2, introductory part

<i>Text proposed by the Commission</i>	<i>Amendment</i>
Member States shall, in particular, ensure that:	Member States shall, in particular, ensure <i>before 31 December 2010</i> that:
	Or. en

Justification

A clear deadline must be set for Member States to come forward with concrete measures on the administrative procedures, regulations and rules for the promotion of renewable energies.

Amendment 80

Proposal for a directive Article 12 – paragraph 1 – subparagraph 2 –point a a (new)

<i>Text proposed by the Commission</i>	<i>Amendment</i>
	<i>(aa) a single administrative body responsible for processing authorisation, certification and licensing applications for renewable energy installations and</i>

providing assistance to applicants is established;

Or. en

Justification

A "one stop shop" which will coordinate all necessary authorizations of the different levels of governance will allow better streamlining of renewables investments. Each Member State should establish such a single administrative body by 31 December 2010 at the latest.

Amendment 81

Proposal for a directive

Article 12 – paragraph 1 – subparagraph 2 – point c

Text proposed by the Commission

(c) rules governing authorisation, certification and licensing are objective, transparent and non-discriminatory, and take fully into account the particularities of individual renewable energy technologies;

Amendment

(c) rules ***and their applications*** governing authorisation, certification and licensing are objective, transparent, non-discriminatory, ***proportionate and necessary***, and take fully into account the particularities of individual renewable energy technologies;

Or. en

Justification

Any abuse or artificially created burden for renewable energy projects as for instance an unjustified treatment similar to projects which represent a high health risk cannot be accepted. The responsible administration for governing authorisation, certification and licensing must be objective, transparent, non-discriminatory and proportionate when ruling specific projects.

Amendment 82

Proposal for a directive

Article 12 – paragraph 1 – subparagraph 2 – point f

Text proposed by the Commission

(f) less burdensome authorisation procedures are established for smaller

Amendment

(f) less burdensome authorisation procedures are established for smaller

projects; and

projects *and for decentralized renewable devices like PV, solar thermal, small biomass stovens, small biogas microcogen, authorizations will be replaced by a simple notification to the competent government body*; and

Or. en

Justification

Simple notification instead of burdensome authorisations will speed up penetration of small and decentralised renewables.

Amendment 83

**Proposal for a directive
Article 12 – paragraph 2**

Text proposed by the Commission

2. Member States shall clearly define any technical specifications which must be met by renewable energy equipment and systems in order to benefit from support schemes. Where European standards exist, including eco-labels, energy labels and other technical reference systems established by the European standardisation bodies, such technical specifications shall be expressed in terms of those standards. Such technical specifications shall not prescribe where the equipment and systems are to be certified.

Amendment

2. Member States shall clearly define any technical specifications which must be met by renewable energy equipment and systems in order to benefit from support schemes. Where European standards exist, including eco-labels, energy labels and other technical reference systems established by the European standardisation bodies, such technical specifications shall be expressed in terms of those standards. Such technical specifications shall not prescribe where the equipment and systems are to be certified *and should not foreclose national markets*.

Or. en

Justification

National technical specification should not be used to protect national markets.

Amendment 84

Proposal for a directive Article 12 – paragraph 3

Text proposed by the Commission

3. Member States shall require local and regional administrative bodies to **consider** the installation of equipment and systems for the use of heating, cooling and electricity from renewable sources and for district heating and cooling when planning, designing, building and refurbishing industrial or residential areas.

Amendment

3. Member States shall require local and regional administrative bodies to **ensure** the installation of equipment and systems for the use of heating, cooling and electricity from renewable sources and for district heating and cooling when planning, designing, building and refurbishing industrial or residential areas.

Or. en

Justification

Local and regional administrations need to implement European and national decisions regarding the development of renewable energies - and are crucial players in the creation of investment security by setting clear rules.

Amendment 85

Proposal for a directive Article 12 – paragraph 4

Text proposed by the Commission

4. In their building regulations and codes Member States shall require the use of minimum levels of energy from renewable sources in new or refurbished buildings.

Any exemption from those minimum levels shall be transparent and based on criteria relating to:

(a) the use of passive, low or zero energy buildings; or

(b) local limitations in the availability of renewable energy resources.

Amendment

4. In their building regulations and codes Member States shall require the use of minimum levels of energy from renewable sources in new or refurbished buildings.

Or. en

Justification

Mandatory installation of renewables into all new buildings and major refurbishments are key to speed up penetration of renewable energies.

Amendment 86

Proposal for a directive

Article 12 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. Member States will pro-actively promote plus-energy housing concepts for administrative and private home buildings from 2010 onwards and make plus energy buildings a requirement at latest in 2015. Member States require that their own buildings and the buildings of public or near public authorities at the national, regional and local level will be turned into flagship project for the use of renewables energies and apply the plus energy standards from 2012 onwards. Roofs of all public or near public buildings will be put at the disposal of third persons for investments for the installations of renewables energy production.

Or. en

Justification

Member States will coordinate with their local and regional authorities concepts for the renovation of existing building stock, modernisation of existing or building of new district heating and cooling and phasing in of renewable energies.

Amendment 87

Proposal for a directive

Article 12 – paragraph 5 – subparagraph 2

Text proposed by the Commission

Amendment

In the case of biomass, Member States

In the case of biomass, Member States

shall ***promote*** conversion technologies that achieve a conversion efficiency of at least 85% for residential and commercial applications and at least 70% for industrial applications.

shall ***pay special attention to*** conversion technologies that achieve a conversion efficiency of at least 85% for residential and commercial applications and at least 70% for industrial applications.

Or. en

Justification

In designing national support schemes Member States should give special attention to technologies which allow highest efficiencies in conversion of biomass.

Amendment 88

Proposal for a directive

Article 12 – paragraph 5 – subparagraph 3

Text proposed by the Commission

Amendment

In the case of heat pumps, Member States shall promote heat pumps which achieve the minimum requirements of eco-labelling established in Decision 2007/742/EC.

deleted

Or. en

Justification

Heat pumps for ambient air are not considered to be renewable energy source. Instead they are considered as energy efficiency requirement under Directive 2006/32/EC (energy end-use efficiency and energy services).

Amendment 89

Proposal for a directive

Article 12 – paragraph 5 – subparagraph 4

Text proposed by the Commission

Amendment

In the case of solar energy, Member States shall promote equipment and systems that achieve a conversion

deleted

efficiency of at least 35%.

Or. en

Justification

The idea of the European Commission is counter-productive because it would discriminate against un-glazed warm water solar heating and against larger solar home heating systems.

Amendment 90

Proposal for a directive

Article 12 – paragraph 5 a (new)

Text proposed by the Commission

Amendment

5a. Easy access to public and private financing and renewables projects of European interest must be guaranteed.

In order to ease the financing of the achievement of the 20% target, the EU Commission and the Member States will present at latest in 2009 an analysis and plan aiming notably at:

- a better use of structural funds for renewable energies***
- a better and increased use of funds from the European Investment Bank and other public finance institutions***
- a better access to risk capital notably by analysing the feasibility of a risk sharing facility for investments in renewables energies in the EU similar to the GEEREF initiative which is reserved to renewables and energy efficiency investments outside the EU.***

The EU Commission will notably analyse how these new financing possibilities could be used for the speeding up of "renewables projects of European interest" especially through the
- speeding up of the development of 100% or high renewables energy communities and cities in the framework of the

"covenant of majors initiative"
- speeding up the development of the required network infrastructure to develop off-shore wind and marine energy potentials in the North Sea and Baltic Sea
- speeding up the take-up of biomass based district heating and cooling networks in Northern and Eastern EU in combination with a major retrofitting program of the existing building stock
- speeding up of the development of interconnectors with Mediterranean countries in order to fully tap into the vast potential of wind and solar thermal electricity potential in Southern EU and neighbouring countries.

Or. en

Justification

The effort to achieve the 20% overall target will be easier achieved if the financing possibilities which are at the disposal of the EU Institutions are better used. These finance possibilities should above all help to trigger quick development of the 4 projects of European interest.

Amendment 91

Proposal for a directive Article 13 – paragraph 3

Text proposed by the Commission

3. Member States shall develop certification schemes for installers of small-scale biomass boilers and stoves, solar photovoltaic and solar thermal systems **and heat pumps**. Those schemes shall be based on the criteria laid down in Annex IV. Each Member State shall recognise certification awarded by other Member States in accordance with these criteria.

Amendment

3. Member States shall develop certification schemes for installers of small-scale biomass boilers and stoves, solar photovoltaic and solar thermal systems **and geothermal systems**. Those schemes shall be based on the criteria laid down in Annex IV. Each Member State shall recognise certification awarded by other Member States in accordance with these criteria.

Or. en

Justification

Heat pumps for ambient air do not qualify under the renewables Directive. Instead heat pumps for geothermal energy do.

Amendment 92

**Proposal for a directive
Article 13 – paragraph 4**

Text proposed by the Commission

4. Member States shall develop guidance for planners and architects so that they are able properly to consider the use of energy from renewable sources and of district heating and cooling when planning, designing, building and renovating industrial or residential areas.

Amendment

4. Member States shall develop guidance for planners, ***social housing companies, real estate managers, local decision makers*** and architects so that they are able properly to consider the use of energy from renewable sources and of district heating and cooling when planning, designing, building and renovating industrial or residential areas.

Or. en

Justification

All actors of the decision-making chain on buildings need to be involved.

Amendment 93

**Proposal for a directive
Article 14 – title**

Text proposed by the Commission

Article 14

Access to ***the electricity*** grid

Amendment

Article 14

Access to ***and operation of*** grid, ***pipelines and district heating and cooling networks***

Or. en

Justification

Access to infrastructure is important for all renewables, not only for electricity.

Amendment 94

Proposal for a directive Article 14 – paragraph 1

Text proposed by the Commission

1. Member States shall take the necessary steps to develop grid infrastructure to accommodate the further development of electricity production from renewable energy sources, including interconnectors between Member States.

Amendment

1. Member States shall take the necessary steps to develop grid infrastructure, ***new storage facilities and appropriate information and communication tools*** to accommodate the further development of electricity production from renewable energy sources, ***in due time and in line with the targets set in annexes 1A and 1B***, including interconnectors between Member States, ***as well as third countries. In their national action plans they will assess the necessities to extend and/or to reinforce existing infrastructure to facilitate the integration of the quantities of renewables needed to achieve the 2020 national target.***

Or. en

Justification

Additional storage capacities and use of IT devices to enhance grid management systems will ease the uptake of renewable electricity generation.

Amendment 95

Proposal for a directive Article 14 – paragraph 2

Text proposed by the Commission

2. Without prejudice to the maintenance of the reliability and safety of the grid, Member States shall ensure that transmission system operators and distribution system operators in their territory guarantee the transmission and distribution of electricity produced from

Amendment

2. Without prejudice to the maintenance of the reliability and safety of the grid, Member States shall ensure that transmission system operators and distribution system operators in their territory guarantee the ***priority*** transmission and distribution of electricity

renewable energy sources. **They** shall also provide for priority access to the grid system of electricity produced from renewable energy sources. When dispatching electricity generating installations, **transmission** system operators shall give priority to generating installations using renewable energy sources insofar as the security of the national electricity system permits.

produced from renewable energy sources. **Member States and competent regulatory authorities** shall also provide for priority access to the grid system of electricity produced from renewable energy sources. When dispatching electricity generating installations, **network** system operators **and power exchanges** shall give priority to generating installations using renewable energy sources insofar as the security of the national electricity system permits **and according to operational rules to be approved by the competent authority**. **Deviations from this principle are only possible if the security of the national electricity system is under threat. The burden of proof of not respecting the principle of priority dispatching lies with the relevant network operator or power exchange and must be accompanied by a compensation scheme for the renewables producer which is hurt.**

The network operator and/or the power exchange operator should report on the internet on issues and on measures taken.

Or. en

Justification

The role of national regulatory authorities in establishing grid rules must be stressed. The burden of proof for not giving priority access is with TSOs or the power exchange and has to be communicated in a transparent way.

Amendment 96

Proposal for a directive Article 14 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. Member States or the competent regulatory authorities shall ensure that transmission and distribution network operators publish every two years a report describing the amount of capacity that

can be connected at each node, without and with restrictions. In this case, indicating the possibility and the probability of partial curtailments.

Or. en

Justification

Transparency on the capacities of the different nodal points of an electricity grid is crucial for investors.

Amendment 97

Proposal for a directive

Article 14 – paragraph 3 – subparagraph 1

Text proposed by the Commission

3. Member States shall require transmission system operators and distribution system operators to set up and publish their standard rules relating to the bearing and sharing of costs of technical adaptations, such as grid **connections and grid reinforcements**, which are necessary in order to integrate new producers feeding electricity produced from renewable energy sources into the interconnected grid.

Amendment

3. Member States **or the competent regulatory authorities** shall require transmission system operators and distribution system operators to publish their standard rules relating to the bearing and sharing of costs of technical adaptations, such as **improved operation of the grid**, which are necessary in order to integrate new producers feeding electricity produced from renewable energy sources into the interconnected grid. **These rules shall be published by 30 June 2010 at the latest.**

Or. en

Justification

Day-to-day grid operations is different from grid reinforcements.

Amendment 98

Proposal for a directive

Article 14 – paragraph 3 – subparagraph 2

Text proposed by the Commission

These rules shall be based on objective, transparent and non-discriminatory criteria taking particular account of all the costs and benefits associated with the connection of these producers to the grid and of the particular circumstances of producers located in peripheral regions and in regions of low population density. The rules may provide for different types of connection.

Amendment

These rules shall be based on objective, transparent and non-discriminatory criteria taking particular account of all the costs and **long-term** benefits associated with the connection of these producers to the grid and of the particular circumstances of producers located in peripheral regions and in regions of low population density. The rules may provide for different types of connection **and must be set up or approved by the national regulatory authority.**

Or. en

Justification

Day-to-day grid operations is different from grid reinforcements.

Amendment 99

Proposal for a directive

Article 14 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. The sharing of costs referred in paragraph 3 shall be enforced by a regulatory mechanism based on objective, transparent and non-discriminatory criteria taking into account the benefits which initially and subsequently connected producers as well as transmission system operators and distribution system operators derive from the connections.

Or. en

Justification

Transparency is needed when calculating the costs referred to in Article 3.

Amendment 100

Proposal for a directive Article 14 – paragraph 4

Text proposed by the Commission

4. *Where appropriate*, Member States *may* require transmission system operators and distribution system operators to bear, *in full or in part*, the costs *referred to in paragraph 3*. *Member States shall review and take the necessary measures to improve the frameworks and rules for bearing and sharing of costs referred to in paragraph 3 by 30 June 2011 at the latest and every two years thereafter to ensure the integration of new producers as referred to in that paragraph.*

Amendment

4. Member States *shall* require transmission system operators and distribution system operators to bear the costs *for grid reinforcements related to the extension of both large scale and small scale renewable energies* necessary to *achieve the minimum national target established in annex 1*. *These costs will be authorized by the national regulators and socialized to all energy consumers.*

Or. en

Justification

In the European energy market it would be unfair that renewables investors should pay for the adaptation of the grid whereas their competitors - the operators of installed large scale generation - were allowed to socialise those costs during the massive grid extensions needed for their integration from the 60s to the 80s.

Amendment 101

Proposal for a directive Article 14 – paragraph 5

Text proposed by the Commission

5. Member States shall require transmission system operators and distribution system operators to provide any new producer wishing to be connected to the system with a comprehensive and detailed estimate of the costs associated

Amendment

5. Member States *or the competent regulatory authorities* shall require transmission system operators and distribution system operators to provide any new producer wishing to be connected to the system with a comprehensive and

with the connection. Member States may allow producers of electricity from renewable energy sources wishing to be connected to the grid to **issue a call for tender** for the connection work.

detailed estimate of the costs associated with the connection. Member States **or the competent regulatory authorities** may allow producers of electricity from renewable energy sources wishing to be connected to the grid to **provide for their own** for the connection work.

Or. en

Justification

National regulators are the competent authority. Renewable investors should be allowed to provide on their own for the grid connection.

Amendment 102

**Proposal for a directive
Article 14 – paragraph 6**

Text proposed by the Commission

Amendment

6. The sharing of costs referred in paragraph 3 shall be enforced by a mechanism based on objective, transparent and non-discriminatory criteria taking into account the benefits which initially and subsequently connected producers as well as transmission system operators and distribution system operators derive from the connections.

deleted

Or. en

Justification

As over the past 40 years, grid reinforcement and extension will be socialised among all the grid users.

Amendment 103

Proposal for a directive Article 14 – paragraph 7

Text proposed by the Commission

7. **Member States** shall ensure that the charging of transmission and distribution fees does not discriminate against electricity from renewable energy sources, including in particular electricity from renewable energy sources produced in peripheral regions, such as island regions, and in regions of low population density.

Amendment

7. **National regulatory authorities** shall ensure that the charging of transmission and distribution fees does not discriminate against electricity from renewable energy sources, including in particular electricity from renewable energy sources produced in peripheral regions, such as island regions, and in regions of low population density.

Or. en

Amendment 104

Proposal for a directive Article 14 – paragraph 8

Text proposed by the Commission

8. **Member States** shall ensure that fees charged by transmission system operators and distribution system operators for the transmission and distribution of electricity from plants using renewable energy sources reflect realisable cost benefits resulting from the plant's connection to the network. Such cost benefits could arise from the direct use of the low-voltage grid.

Amendment

8. **National regulatory authorities** shall ensure that fees charged by transmission system operators and distribution system operators for the transmission and distribution of electricity from plants using renewable energy sources reflect realisable cost benefits resulting from the plant's connection to the network. Such cost benefits could arise from the direct use of the low-voltage grid.

Or. en

Amendment 105

Proposal for a directive Article 14 – paragraph 8 a (new)

Text proposed by the Commission

Amendment

8a. EU Commission and Member States will develop a coordinated approach to the development of off-shore wind and marine energies in the North and in the Baltic Sea. This plan will comprise streamlined authorisation procedure and the necessary grid infrastructure both off-shore and on-shore will be a priority project in the Trans-European Network (TEN) initiative.

EU Commission and Member States will develop a coordinated approach to the development of wind and solar thermal electricity capacities in the Mediterranean region both in EU and in non-EU countries. The necessary grid infrastructure will be a priority project in the Trans-European Network (TEN) initiative.

Or. en

Justification

The development of the off-shore wind and marine potentials in the North Sea and Baltic Sea and the development of the solar thermal and wind energy potentials in the Mediterranean region will be eased by a coordinated approach and should be a priority in the TEN initiative.

Amendment 106

Proposal for a directive Article 14 – paragraph 8 b (new)

Text proposed by the Commission

Amendment

8b. Member States shall assess the necessities to extend existing gas network infrastructure to facilitate the integration of gas from renewable sources.

Justification

Gas networks should be opened for feed-in from gas produced from biomass in order to maximise the energy use of biogas by using it in places where heating and cooling demands exist.

Amendment 107**Proposal for a directive****Article 14 – paragraph 8 c (new)***Text proposed by the Commission**Amendment*

8c. Without prejudice to the maintenance of the reliability and safety of the gas network system, Member States shall ensure that transmission system operators and distribution system operators of gas networks in their territory guarantee the transmission and distribution of gas from renewable sources. The costs of the network connection, including the conjunction with the connecting point, the gas-pressure-measuring system, installations for pressure increase and the calibratable measurement, have to be borne by the network operator and socialised to consumers. Deviations from this principle are possible if the installation producing gas from renewable energy sources is more than 15km away from the next available gas pipeline.

Transmission system operators and distribution system operators shall also provide for priority access to the network system of gas produced from renewable energy sources, if the gas is compatible with the network system.

Or. en

Justification

A similar system to the priority access for renewables for electricity should be designed for gas from renewables sources.

Amendment 108

**Proposal for a directive
Article 14 – paragraph 8 d (new)**

Text proposed by the Commission

Amendment

8d. Member States shall oblige transmission system operators and distribution system operators in their territory to make available the quality requirements for gas from renewable energy sources for network integration, based on transparent and non-discriminatory standards. The network operator is responsible for the odorization and the measurement of the quality of the gas.

Or. en

Amendment 109

**Proposal for a directive
Article 14 – paragraph 8 e (new)**

Text proposed by the Commission

Amendment

8e. Member States shall provide financial incentives for the construction and expansion of heating networks for the transmission of heat and cooling from renewable energy sources.

Or. en

Justification

The large-scale uptake of renewables in heating and cooling will depend on the availability of the necessary district heating and cooling infrastructure. National, regional and local

authorities have a crucial role to play in this respect.

Amendment 110

Proposal for a directive

Article 14 – paragraph 8 f (new)

Text proposed by the Commission

Amendment

8f. Member States shall take the necessary steps to develop a district heating infrastructure to accommodate the development of central heating and cooling production from large biomass, solar and geothermal facilities. In their national action plans they will assess the necessities to build new infrastructure in order to facilitate the integration of the quantities of centrally produced renewable heating and cooling needed to achieve the 2020 national target.

Or. en

Justification

The large-scale uptake of renewables in heating and cooling will depend on the availability of the necessary district heating and cooling infrastructure. National, regional and local authorities have a crucial role to play in this respect.

Amendment 111

Proposal for a directive

Article 14 – paragraph 8 g (new)

Text proposed by the Commission

Amendment

8g. Member States will develop mandatory obligations and incentives for existing and new to build district heating and cooling networks in order to facilitate the uptake of heating and cooling from renewables energy sources.

Or. en

Justification

The huge biomass, geothermal and solar potential for heating and cooling needs to be faced in quicker into existing or to be build district heating and cooling infrastructure

Amendment 112

Proposal for a directive Annex I – point B - introductory part

Text proposed by the Commission

The ***indicative trajectory*** referred to in Article 3(2) shall respect the following shares of energy from renewable sources:

Amendment

The ***mandatory minimum interim targets*** referred to in Article 3(2) shall respect the following shares of energy from renewable sources:

Or. en

Justification

In order to ensure that the overall 2020 ECand Member States targets are met, it is necessary that mandatory interim targets are also adopted. The trajectory proposed under this annex 1B is starting very low and leaves the biggest uptake of renewables for the last years before 2020. Not fulfilling this curb will make it very difficult for Member States to reach their 2020 target. In that sense it should be considered as the absolute necessary minimum.

Amendment 113

Proposal for a directive Annex II

Text proposed by the Commission

*Annex II – Normalisation rule for
accounting for electricity generated from
hydropower*

The following rule shall be applied for the purpose of accounting for electricity generated from hydropower in a given

Amendment

Annex II –

*A. Normalisation rule for accounting for
electricity generated from hydropower*

The following rule shall be applied for the purpose of accounting for electricity generated from hydropower in a given

Member State:

$$Q_{N(norm)} = C_N * \left[\sum_{i=N-14}^N \frac{Q_i}{C_i} \right] / 15$$

where

$N =$ reference year;

$Q_{N(norm)}$ = normalised electricity generated by all hydropower plants of the Member State in year N , for accounting purposes;

Q_i = the quantity of electricity actually generated in year i by all plants of the Member State measured in GWh;

C_i = the total installed capacity of all the plants of the Member State in year i , measured in MW.

Member State:

$$Q_{N(norm)} = C_N * \left[\sum_{i=N-14}^N \frac{Q_i}{C_i} \right] / 15$$

where

$N =$ reference year;

$Q_{N(norm)}$ = normalised electricity generated by all hydropower plants of the Member State in year N , for accounting purposes;

Q_i = the quantity of electricity actually generated in year i by all plants of the Member State measured in GWh;

C_i = the total installed capacity of all the plants of the Member State in year i , measured in MW.

B. Normalisation rule for accounting for electricity generated from wind-power

The following rule shall be applied for the purpose of accounting for electricity generated from wind-power in a given Member State:

$$Q_{N(norm)} = C_N * \left[\sum_{i=N-6}^N \frac{Q_i}{C_i} \right] / 7$$

where

$N =$ reference year;

$Q_{N(norm)}$ = normalised electricity generated by all wind-power plants of the Member State in year N , for accounting purposes;

Q_i = the quantity of electricity actually generated in year i by all plants of the Member State measured in GWh;

C_i = the total installed capacity of all the plants of the Member State in year i , measured in MW.

Or. en

Justification

As for hydro, wind resource can show substantial variations in certain years. In order not to bias the 2-year mandatory minimum intermediary targets, wind performance should be 'normalised' to make EU minimum intermediary targets comparable.

EXPLANATORY STATEMENT

Stepping into the renewable energy century

This report is written at a moment when the oil price is around 120 \$/barrel and where the world governments are preparing for the 2009 Copenhagen climate conference. The world energy regime is in a major crisis but as Jeremy Rifkin describes eloquently - this crisis situation can also trigger new opportunities - the ***third industrial revolution*** through the development of sun raise technologies.

The EU can be the industrial leader of that revolution under three conditions: getting this directive right, bringing "resource intelligence" and renewables to the heart of our future energy and climate security strategy and creating the framework conditions for 4 renewables projects of European interest, which are:

- a ***strategic alliance with progressive cities and regions*** for a "bottom up" deployment of the huge diversity of technologies described in the report for the EP "21 renewables energy technologies for the XXI century" notably the "buildings as power plants cluster"
- a coordinated approach to harvest the enormous ***off-shore wind and marine energy in the North and Baltic Sea***
- a master plan for ***large scale renovation of the cities in Central/Eastern Europe*** (building stock, district heating systems, public transport) combined with the ***phasing in of their big biomass potential***
- a partnership with the ***Mediterranean countries on energy efficiency and solar thermal electric and wind power plants.***

These four projects have to get priority in the TEN - Energy infrastructure revision and in EU finances (Structural Funds, EIB,...).

Some will argue that such a strategy comes with too high costs for the EU economy. But these voices often underestimate the future price for oil and they ignore recent academic findings on the huge indirect benefits of quick renewable energy penetration like reduced prices on the electricity power exchanges through the merit order effect (Bode & Groscurth - 2006 (1 & 2); Sensfuß.- 2008 (3))

The Rapporteur's view on the proposal of Commission

The proposal is welcomed for the way in which targets have been set i.e. the mandatory nature of targets both at the EU and at national level and that the heating and cooling sector is finally incorporated. Furthermore, good proposals have also been made for reducing administrative burdens for renewable investments and on grid related issues.

The weakest points of the proposal are clearly in the area of the so called goO's (guarantees of origin) and in the area of agro-fuels.

The key issues and changes proposed by the Rapporteur

1) Step by step to the 20% - strengthening the nature of the targets

On the Spring Summit 2007 the 27 Heads of State have clearly underlined the binding nature of their engagement to achieve the 20% renewable energy target. We are proposing to make this even clearer by creating a more binding nature for the 2020 and the intermediary targets. In addition we ask the Commission to introduce a scheme to give those over-achieving Member States a financial reward and those which fail a financial penalty.

2) National frameworks matter: the key role of national renewables action plans

The EU success story on renewable energies is today reliant on a too small number of countries that have introduced effective policy. The achievement of the new directive will depend on broadening these positive experiences to all EU countries. The rapid deployment of renewable energies needs a well developed national framework including; potential analyses; reliable support schemes; planning; access to infrastructure; but also soft factors like appropriate authorisation process and knowledge/skills.

The disappointing results of the national energy efficiency action plans triggered by loose wording in the respective directive shows the importance of detailed and ambitious blueprints in the national action plans being enshrined and enforced in the directive's text. The Commission will receive the power to reject badly designed national renewables action plans.

3) Effective flexibility instead of legal uncertainty and windfall profits

As governments are under a legal obligation to achieve their national targets and as target will be met above all by national efforts, a priority is to enable governments to keep control of their national support schemes. The legal uncertainties arising from the flexibility instruments introduced by the Commission text through its confusing and complex new concept of goO (guaranties of origin) have been well analysed by a number of legal expertises (Neuhoff and others 2008 (4); EFET open letter (5)).

The triple function given in Article 8 to the goOs – disclosure, support accounting/trade and target accounting generates legal difficulties and undermines national support schemes by creating a mandatory good for which trade can not be limited, as foreseen in Article 9, without impeding the fundamental rights as guaranteed in the EU Treaty Articles 28 and 30. Such legal uncertainties could potentially trigger huge uncertainties for investors.

However, the concept favoured by the large power producers (e.g. EURELECTRIC) and the traders of electricity (EFET) to bring legal certainty by creating an EU wide renewables certificate market is not the way forward. Such a scheme would not only undermine the existing national support schemes, but also potentially generate €30 billion in windfall profits for traders and generators by moving from the technology specific average price support

schemes to a marginal market where the most expensive marginal renewable certificate would set the price. This would by far exceed the potential €8 billion "flexibility" benefits identified in Commission's impact assessment. The EU wide certificate market approach has been refuted by a number of academics (Ragwitz, 2008 (6)), consumers (e.g. German Chemical Industry) and by a number of governments (e.g. Poland, Germany, Spain, Greece, France...).

The solution to this legal problem is to separate the three functions given to goO's:

- GoO's should be limited to their original "disclosure" function as foreseen in the 2001 renewables electricity directive and for the labelling of green electricity (internal electricity market). The system has to be improved in order to exclude the "double trading" with goO's and to guarantee the "additionality" of voluntary green electricity purchases. Misleading consumers by allowing cheap electricity from existing hydropower plants to be re-packaged as "green electricity" and suggesting added value for the consumer and therefore requiring a premium price must end,
- Target accounting should not be done through goO's but on the basis of verified data from EUROSTAT. Early availability and detailed data will be substantially enhanced by the recent agreement on a new EU regulation for energy statistics,
- Transfer accounting certificates (TACs) will be introduced for those governments wanting to achieve flexibility by transfers between companies and by joint projects. These TACs allow the same facilities as foreseen by the Commission text, but without the legal uncertainties.

4) Creating additional flexibilities to achieve the targets

The flexibility schemes foreseen in the directive should also be broadened. Governments should have the option to cooperate by exchanging volumes of renewables based on energy statistics, because this is simpler, robust, results in lower transaction costs and can be extended to all renewable technologies. Two or more governments may create regionally integrated renewables markets by sharing their targets and support schemes.

Imports of electricity from non-EU neighbouring countries should be allowed on the basis of physical exchanges and be dependent on concrete national renewable energy and energy efficiency policy targets of the selling countries. Creating a scheme importing hydro or wind electricity into the EU while building coal power plants in neighbourhood countries to meet their demand would neither serve the EU's climate nor security of supply policy. For Norway, Iceland and Lichtenstein as EEA countries the provisions of the directive will apply.

Finally it is important to remind that the biggest and cheapest "flexibility" instrument for Member States is national efficiency measures in buildings, transport, industry and electricity use. Governments should link their national efficiency and renewables energy policies.

5) Development of infrastructures and priority access to them are key for renewable energies

We welcome the Commission's proposal to guarantee priority access and dispatching for electricity from renewables. This concept must be broadened to gas in order to favour biogas

feed-in to the gas pipelines, a concept which enables the highest of all biomass conversion efficiencies.

The directive must address a major point of discrimination against renewable energies investors, the non-socialisation of grid adaptation costs for renewables. In order to harvest the huge potential of on-shore and off-shore wind and to take up power from embedded renewables generators the grid infrastructure has to be adapted and extended. This is part of our future energy system. Why should these costs be paid exclusively by renewables investors whereas in the 1960s, 70s and 80s the costly grid infrastructure for the big centralised systems were not paid by the energy companies?

The development of heating and cooling renewables will depend on two infrastructures: district systems and buildings. The big large scale potential of biomass, geothermal and solar will depend on the extension of district heating and cooling systems. They must be a key focus of this directive. The notion of infrastructure development should also be extended to buildings. The interface between building materials, decentralised solar and biomass based renewables, smart metering and grids will create a change of paradigm to buildings as power generators. Strict obligations on the building codes will speed this development. The roofs of public buildings should be made available for renewable energies third party investors.

6) Organisational innovation instead of red tape

Investments are often hindered by unnecessary and over-bureaucratic procedures. Learning from positive experiences with "one stop shops" in other areas of policy making, governments should establish coordinating offices for authorisations above all for larger scale wind and biomass production facilities. A maximum deadline for granting permissions should be introduced. Decentralised smaller renewable investments should no longer be subjected to heavy authorisations but fall under a notification scheme.

The development of renewable energies also requires knowledge and skills. The human factor is important and the obligations on governments play the role of catalysers for training and life-long learning needs to be strengthened.

7) From a badly designed agro-fuel to a sustainable use of energy from biomass policy

The rapporteur considers that there is overwhelming evidence to drop the mandatory 10% target for fuels from renewables. The focus on fuels from biomass should be a qualitative rather than purely quantitative. Through the implementation of ambitious and dynamic sustainability criteria the use of biomass should be orientated into non contentious areas - so called "go" -categories and to those conversion technologies like biogas and biomass for electricity and heating which have far higher efficiencies than first and second generation of fuels from biomass. Such a policy will have the advantage to make it easier and cheaper to achieve the 20% overall target.

We need a clear hierarchy for the use of biomass for energy:

A) define "go" categories

a lot of biomass uses are not problematic and should be identified as “go-categories” in order to attract necessary investments. This would apply to

- biomass from waste streams (organic fraction from household and industry),
- residues (from agriculture, fisheries and forestry)
- use of degraded land, dual land use like biodiversity/flooding or forest fire management regimes and
- new non-food/feed raw materials like algae.

B) Define "no-go" categories

the limitation of competition between energy and food/feed can only be achieved through the definition of a no-go category e.g. agro-fuel. Depending on the world food situation, a complete restriction on the use of arable land for energy production or a limitation to certain volumes will be requested. The level of use will be fixed on a yearly basis by the EU Commission in consultation with the respective responsible organisations like FAO, UNDP and the World Food Program.

C) Define "no-go" areas

"no-go" areas stand for special non-use. Protection of biodiversity or of cultural value related landscapes can only be achieved by a strict bottom-up regime of protection. For that efforts outside this directive will be needed to strengthening the international biodiversity convention and proposals to halt deforestation at a global scale.

D) Define strict sustainability criteria

A set of sustainability criteria has to be enforced notably:

- A dynamic GHG threshold should be introduced (requiring minimum overall GHG savings) which should target at least 55 or 60% GHG savings combined with a system, like the one foreseen in the fuel quality directive, that creates a financial incentive for the best performing GHG fuels. The indirect land use changes (LUC) have also to be part of this methodology.
- Minimum requirements for “good agricultural practice” have to be more specific than the proposed cross-compliance regime (notably on water, pesticide and fertilizer use). The Commission’s proposal for using the existing cross-compliance regime is too vague to be applied to non-EU-27 imports and creates a competitive disadvantage for EU farmers.
- Social criteria to protect e.g. small farmers in third world countries.

The details on sustainability criteria will be defined in close partnership with Mr. Wijkman (EPP) the draftsman of the ENVI opinion on renewables and with Mrs Corbey (PSE), the Rapporteur for the fuel quality directive (ENVI committee).

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- (4) Neuhoff & al, 2008 - The proposed new EU renewables directive: an interpretation
- (5) EFET - open letter to Claude Turmes, 16 April 2008 - The risk of Internal Energy Market distortions arising from the Commission proposal for a RES Directive
- (6) Ragwitz (April 2008) note produced for the EP Policy department economic and scientific policy.

Annex I - List of consulted independent experts & non exhaustive list of stakeholders

The Author would like to thank the following list of independent experts for their contributions during the preparation of the draft report, as well as the numerous stakeholders that have been providing their views and suggestions to the rapporteur.

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Jorge Vasconcelos - former chairman of the Portuguese Energy Regulator and of ERGEG

Karsten Neuhoff - faculty of economics - University of Cambridge, UK

Mario Ragwitz - Fraunhofer Institute Systems and Innovation Research

Peter Lund (Prof.) - Helsinki University of Technology

Uwe Leprich (Prof. Dr.) - Fachbereichsvorsitzender - Fachbereich
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Other stakeholders consulted (non-exhaustive list)

ADEME, BEE-ev (German Renewable Energy Federation), Bundesverband Wind-Energie, Birdlife, Corporate Europe Observatory, Danish Energy Industries Federation, Danish renewable energy resources network, Business Europe, Econcern, EFET, Energie-Control GmbH Austria, EPAGMA, EPIA, EREC, EREF, ESTIF, EUREC, Eurelectric, Eurosolar, EWEA, FoE, Greenpeace, Iberdrola, International Fuel Quality Center (IFQC), Misereor, Oxfam, UEPA, NSF - Bureau of Nordic Family Forestry, Vattenfall, Verbund - Österreichische Elektrizitätswirtschafts-Aktiengesellschaft, WWF, and many more