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2009 - 2014

Committee on Industry, Research and Energy

2009/0108(COD)

19.1.2010

AMENDMENTS 44 - 207

Draft report
Alejo Vidal-Quadras
(PE430.654v01-00)

on the proposal for a regulation of the European Parliament and of the Council concerning measures to safeguard security of gas supply and repealing Directive 2004/67/EC

Proposal for a regulation
(COM(2009)0363 – C7-0097/2009 – 2009/0108(COD))

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United in diversity

EN

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Amendment 44
Anni Podimata

Proposal for a regulation
Recital 1

Text proposed by the Commission

(1) Natural gas (hereinafter: gas) is an essential component in the energy supply of the Community, constituting one quarter of primary energy supply and contributing mainly to power generation, heating, feedstock for industry and fuel for transportation.

Amendment

(1) Natural gas (hereinafter: gas) is an essential component in the energy supply of the Community, constituting one quarter of primary energy supply and contributing mainly to power generation, heating, feedstock for industry and fuel for transportation. ***Natural gas is the most environmentally friendly fossil fuel and is a reliable and tried and tested solution for backing up RES technologies at periods of peak demand.***

Or. el

Amendment 45
Takis Hadjigeorgiou

Proposal for a regulation
Recital 4

Text proposed by the Commission

(4) However, under the current measures regarding the security of gas supply that have been taken at *Community* level, Member States still enjoy a large margin of discretion as to the choice of measures. ***Where the security of supply of a Member State is threatened, there is a clear risk that measures developed unilaterally by that Member State may jeopardise the proper functioning of the internal gas market. Recent experience has demonstrated the reality of that risk.*** To allow the internal gas market to function even in the face of a shortage of supply, it

Amendment

(4) However, under the current measures regarding the security of gas supply that have been taken at *Union* level, Member States still enjoy a large margin of discretion as to the choice of measures. To allow the internal gas market to function even in the face of a shortage of supply, it is therefore necessary to provide for a more coordinated response to supply crises, both concerning preventive action and the reaction to concrete disruptions of supply. ***However it is critical not to jeopardise the ability of Member States to develop measures according to their specific***

is therefore necessary to provide for a more coordinated response to supply crises, both concerning preventive action and the reaction to concrete disruptions of supply.

characteristics.

Or. en

Amendment 46
Silvia-Adriana Țicău

Proposal for a regulation
Recital 4

Text proposed by the Commission

(4) However, under the current measures regarding the security of gas supply that have been taken at Community level, Member States still enjoy a large margin of discretion as to the choice of measures. Where the security of supply of a Member State is threatened, there is a clear risk that measures developed unilaterally by that Member State may jeopardise the proper functioning of the internal gas market. Recent experience has demonstrated the reality of that risk. To allow the internal gas market to function even in the face of a shortage of supply, it is therefore necessary to provide for a more coordinated response to supply crises, **both** concerning preventive action and the reaction to concrete disruptions of supply.

Amendment

(4) However, under the current measures regarding the security of gas supply that have been taken at Community level, Member States still enjoy a large margin of discretion as to the choice of measures. Where the security of supply of a Member State is threatened, there is a clear risk that measures developed unilaterally by that Member State may jeopardise the proper functioning of the internal gas market. Recent experience has demonstrated the reality of that risk. To allow the internal gas market to function even in the face of a shortage of supply, it is therefore necessary to provide for a more coordinated response to supply crises, **especially** concerning preventive action **such as the reduction of consumption and the integration and connection of renewable energy sources with the power grid**, and the reaction to concrete disruptions of supply.

Or. ro

Justification

Preventive action is less costly, and it is essential to reduce consumption and harness alternative sources in every circumstance. Their promotion should therefore become an imperative.

Amendment 47
Zigmantas Balčytis

Proposal for a regulation
Recital 4

Text proposed by the Commission

(4) However, under the current measures regarding the security of gas supply that have been taken at Community level, Member States still enjoy a large margin of discretion as to the choice of measures. Where the security of supply of a Member State is threatened, there is a clear risk that measures developed unilaterally by that Member State may jeopardise the proper functioning of the internal gas market. Recent experience has demonstrated the reality of that risk. To allow the internal gas market to function even in the face of a shortage of supply, it is therefore necessary to provide for a more coordinated response to supply crises, both concerning preventive action and the reaction to concrete disruptions of supply.

Amendment

(4) However, under the current measures regarding the security of gas supply that have been taken at Community level, Member States still enjoy a large margin of discretion as to the choice of measures. Where the security of supply of a Member State is threatened, there is a clear risk that measures developed unilaterally by that Member State may jeopardise the proper functioning of the internal gas market. Recent experience has demonstrated the reality of that risk. To allow the internal gas market to function even in the face of a shortage of supply, it is therefore necessary to provide for a more coordinated, ***solidarity-based*** response to supply crises, both concerning preventive action and the reaction to concrete disruptions of supply.

Or. It

Amendment 48
Takis Hadjigeorgiou

Proposal for a regulation
Recital 4 a (new)

Text proposed by the Commission

Amendment

(4a) In recognition of the central role of international cooperation in securing the gas supply for the citizens of the EU Member States, all relevant EU policies and Action Plans must be based on the principle of mutual respect with the third countries involved; the settlement of any

problems that might occur should be sought through political dialogue and negotiations.

Or. en

Amendment 49
Silvia-Adriana Țicău

Proposal for a regulation
Recital 5

Text proposed by the Commission

(5) **Gas** routes and sources for the Community *should support* the security of supply of the Community as a whole and its Member States individually. Security of supply will depend in the future on the evolution of the fuel mix, the development of production in the Community and in third countries supplying the Community, investments in storage facilities and in routes within and outside the Community including Liquefied Natural Gas facilities.

Amendment

(5) *The diversification of gas* routes and sources for the Community *is essential for strengthening* the security of supply of the Community as a whole and its Member States individually. Security of supply will depend in the future on *the increase in energy efficiency*, the evolution of the fuel mix, the development of production in the Community and in third countries supplying the Community, investments in storage facilities and in *the diversification of routes and sources of supply* within and outside the Community, including Liquefied Natural Gas facilities.

Or. ro

Justification

The reduction in gas consumption and the replacement of gas, as a primary source, by alternatives must become a permanent priority.

Amendment 50
Marian-Jean Marinescu

Proposal for a regulation
Recital 5

Text proposed by the Commission

(5) Gas routes and sources for the *Community* should support the security of supply of the *Community* as a whole and its Member States individually. Security of supply will depend in the future on the evolution of the fuel mix, the development of production in the *Community* and in third countries supplying the *Community*, investments in storage facilities and in routes within and outside the *Community* including Liquefied Natural Gas facilities.

Amendment

(5) Gas routes and sources for the *Union* should support the security of supply of the *Union* as a whole and its Member States individually. Security of supply will depend in the future on the evolution of the fuel mix, the development of production in the *Union* and in third countries supplying the *Union*, investments in storage facilities and in ***diversification of routes and sources, with a particular focus on Nabucco***, within and outside the *Union* including Liquefied Natural Gas facilities.

Or. en

Amendment 51
Fiorello Provera, Lara Comi

Proposal for a regulation
Recital 8

Text proposed by the Commission

(8) The failure of the largest single gas infrastructure ***or gas supply source***, the so-called N-1 principle, ***is*** a realistic scenario. ***Using*** the failure of such infrastructure ***or supply source as a benchmark of what Member States should be able to compensate is a valid starting point for ensuring their*** security of ***gas*** supply.

Amendment

(8) The failure of the largest single gas infrastructure, the so-called N-1 principle, ***may well be*** a realistic scenario. The failure of such infrastructure ***is one of the scenario analyses that may help in evaluating a Member State's*** security of supply.

Or. en

Justification

Despite the draft Regulation defining infrastructure and supply indicators in specifically

dedicated Articles (Article 6 / Annex I and Article 7 respectively), there are still cross references and links between the proposed indicators. This leads to confusion and for this reason the draft Regulation should be amended to clearly distinguish between both types of indicators. The risk and impact assessment shall include running various scenarios of exceptionally high demand and/or supply disruption, taking into account all relevant national and regional circumstances.

Amendment 52

Bogdan Kazimierz Marcinkiewicz

Proposal for a regulation

Recital 8

Text proposed by the Commission

(8) The failure of the largest single gas infrastructure **or gas supply source**, the so-called N-1 principle, **is** a realistic scenario. **Using** the failure of such infrastructure **or supply source as a benchmark of what Member States should be able to compensate is a valid starting point for ensuring their** security of **gas** supply.

Amendment

(8) The failure of the largest single gas infrastructure, the so-called N-1 principle, **may well be** a realistic scenario. The failure of such infrastructure **is one of the scenario analyses that may help in evaluating a Member State's** security of supply.

Or. en

Justification

Despite the draft Regulation defining infrastructure and supply indicators in specifically dedicated Articles (Article 6 / Annex I and Article 7 respectively), there are still cross references and links between the proposed indicators. This leads to confusion and for this reason the draft Regulation should be amended to clearly distinguish between both types of indicators. The risk and impact assessment shall include running various scenarios of exceptionally high demand and/or supply disruption, taking into account all relevant national and regional circumstances.

Amendment 53
Teresa Riera Madurell

Proposal for a regulation
Recital 8

Text proposed by the Commission

(8) The failure of the largest single gas infrastructure or gas supply source, the so-called N-1 principle, is a realistic scenario. Using the failure of such infrastructure or supply source as a benchmark of what Member States should be able to compensate is ***a valid starting point for ensuring their security of gas supply.***

Amendment

(8) The failure of the largest single gas infrastructure or gas supply source, the so-called N-1 principle, is a realistic scenario. Using the failure of such infrastructure or supply source as a benchmark of what ***the EU as a whole and the*** Member States ***individually*** should be able to compensate is ***a good yardstick for an initial assessment of the security of gas supply, both for the EU as a whole and for each Member State.***

Or. es

Justification

Since it is common for different Member States to procure their supplies from the same geographical source or through the same infrastructure, any failure in these would exacerbate the consequences for them all, as they could not turn to their neighbouring Member States for support. Hence, an assessment of the N-1 criterion at EU level is necessary.

Amendment 54
Gaston Franco

Proposal for a regulation
Recital 8

Text proposed by the Commission

(8) The failure of the largest single gas infrastructure ***or gas supply source***, the so-called N-1 principle, is a realistic scenario. Using the failure of such infrastructure ***or supply source*** as a benchmark of what Member States should be able to compensate is a valid starting point for

Amendment

(8) The failure of the largest single gas infrastructure, the so-called N-1 principle, is a realistic scenario. Using the failure of such infrastructure as a benchmark of what Member States should be able to compensate is a valid starting point for ***an analysis of the*** security of gas supply ***of***

ensuring their security of gas supply.

each Member State.

Or. en

Justification

The N-1 rule, as defined in the regulation, only concerns infrastructures.

Amendment 55

Bogdan Kazimierz Marcinkiewicz, Bogusław Sonik

Proposal for a regulation

Recital 9

Text proposed by the Commission

(9) Sufficient gas infrastructure within a Member State and across the *Community* is essential for tackling supply interruptions. Common minimum criteria on security of gas supply **should ensure** a level playing field for security of gas supply and should create significant incentives to build the necessary infrastructure and to improve the level of preparedness in case of crisis. Demand side measures such as fuel switching may have a valuable role to play in ensuring energy security where they can be applied quickly and reduce demand appreciably to react to a supply disruption.

Amendment

(9) Sufficient gas infrastructure within a Member State and across the *Union* is essential for tackling supply interruptions. ***Risk and impact assessments based on a common methodology should ensure effective and efficient implementation of*** minimum criteria on security of gas supply ***and*** a level playing field for security of gas supply ***while taking into account national or regional specificities*** and should create significant incentives to build the necessary infrastructure and to improve the level of preparedness in case of crisis. Demand side measures such as fuel switching may have a valuable role to play in ensuring energy security where they can be applied quickly and reduce ***gas*** demand appreciably to react to a supply disruption. ***It should be noted, however, that switching to fossil fuel would result in higher greenhouse gas emissions. The efficient use of energy as a demand-side measure should be further promoted. The environmental impact of the proposed demand and supply-side measures should be taken into due account and preference should be given to measures with the least impact on the environment. Any investment in the infrastructure should be made with due***

*respect to the environment and the related
acquis communautaire.*

Or. en

Justification

Rather than setting up mandatory EU standards the Regulation should focus on the requirement for Member States to carry out a thorough risk and impact assessment on the basis of a sound common methodology, whilst allowing to take into account particular national circumstances and specificities where appropriate. The results shall be reflected in preventive action and emergency plans subject to review to ensure their appropriateness. Similar plans could also be prepared at the regional level.

Amendment 56

Fiorello Provera, Lara Comi

Proposal for a regulation

Recital 9

Text proposed by the Commission

(9) Sufficient gas infrastructure within a Member State and across the *Community* is essential for tackling supply interruptions. Common minimum criteria on security of gas supply **should ensure** a level playing field for security of gas supply and should create significant incentives to build the necessary infrastructure and to improve the level of preparedness in case of crisis. Demand side measures such as fuel switching may have a valuable role to play in ensuring energy security where they can be applied quickly and reduce demand appreciably to react to a supply disruption.

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(9) Sufficient gas infrastructure within a Member State and across the *Union* is essential for tackling supply interruptions. **Risk and impact assessments based on a common methodology should ensure effective and efficient implementation of** minimum criteria on security of gas supply **and** a level playing field for security of gas supply **while taking into account national or regional specificities** and should create significant incentives to build the necessary infrastructure and to improve the level of preparedness in case of crisis. Demand side measures such as fuel switching may have a valuable role to play in ensuring energy security where they can be applied quickly and reduce **gas** demand appreciably to react to a supply disruption.

Or. en

Justification

Rather than setting up mandatory EU standards the Regulation should focus on the requirement for Member States to carry out a thorough risk and impact assessment on the basis of a sound common methodology, whilst allowing to take into account particular national circumstances and specificities where appropriate. The results shall be reflected in preventive action and emergency plans subject to review to ensure their appropriateness. Similar plans could also be prepared at the regional level.

Amendment 57

Patrizia Toia, Anni Podimata

Proposal for a regulation

Recital 9

Text proposed by the Commission

(9) Sufficient gas infrastructure within a Member State and across the *Community* is essential for tackling supply interruptions. Common minimum criteria on security of gas supply **should ensure** a level playing field for security of gas supply and should create significant incentives to build the necessary infrastructure and to improve the level of preparedness in case of crisis. Demand side measures such as fuel switching may have a valuable role to play in ensuring energy security where they can be applied quickly and reduce demand appreciably to react to a supply disruption.

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(9) Sufficient gas infrastructure within a Member State and across the *Union* is essential for tackling supply interruptions. ***Risk and impact assessments based on a common methodology should ensure effective and efficient implementation of*** minimum criteria on security of gas supply ***and*** a level playing field for security of gas supply ***while taking into account national or regional specificities*** and should create significant incentives to build the necessary infrastructure and to improve the level of preparedness in case of crisis. Demand side measures such as fuel switching may have a valuable role to play in ensuring energy security where they can be applied quickly and reduce ***gas*** demand appreciably to react to a supply disruption.

Or. en

Justification

Rather than setting up mandatory EU standards the Regulation should focus on the requirement for Member States to carry out a thorough risk and impact assessment on the basis of a sound common methodology, whilst allowing to take into account particular national circumstances and specificities where appropriate. The results shall be reflected in preventive action and emergency plans subject to review to ensure their appropriateness. Similar plans could also be prepared at the regional level.

Amendment 58
Silvia-Adriana Țicău

Proposal for a regulation
Recital 9

Text proposed by the Commission

(9) Sufficient gas infrastructure within a Member State and across the Community is essential for tackling supply interruptions. Common minimum criteria on security of gas supply should ensure a level playing field for security of gas supply and should create significant incentives to build the necessary infrastructure and to improve the level of preparedness in case of crisis. Demand side measures such as fuel switching may have a valuable role to play in ensuring energy security where they can be applied quickly and reduce demand appreciably to react to a supply disruption.

Amendment

(9) Sufficient gas infrastructure within a Member State and across the Community is essential for tackling supply interruptions. Common minimum criteria on security of gas supply should ensure a level playing field for security of gas supply and should create significant incentives to build the necessary infrastructure and to improve the level of preparedness in case of crisis. Demand side measures such as fuel switching may have a valuable role to play in ensuring energy security where they can be applied quickly and reduce demand appreciably to react to a supply disruption. ***Efficient energy use (such as improved energy efficiency for buildings and industrial consumers) should be a permanent priority, as a demand-side measure.***

Or. ro

Justification

Demand-side measures must be a permanent concern. The efficient use of energy, as well as the diversification of energy sources, must not only be of concern at times of crisis.

Amendment 59
Ioannis A. Tsoukalas

Proposal for a regulation
Recital 9

Text proposed by the Commission

(9) Sufficient gas infrastructure within a

Amendment

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Member State and across the *Community* is essential for tackling supply interruptions. Common minimum criteria on security of gas supply should ensure a level playing field for security of gas supply and should create significant incentives to build the necessary infrastructure and to improve the level of preparedness in case of crisis. Demand side measures such as fuel switching may have a valuable role to play in ensuring energy security where they can be applied quickly and reduce demand appreciably to react to a supply disruption.

Member State and across the *Union* is essential for tackling supply interruptions. Common minimum criteria on security of gas supply should ensure a level playing field for security of gas supply ***while taking into account national or regional specificities*** and should create significant incentives to build the necessary infrastructure and to improve the level of preparedness in case of crisis. Demand side measures such as fuel switching may have a valuable role to play in ensuring energy security where they can be applied quickly and reduce demand appreciably to react to a supply disruption.

Or. en

Amendment 60
Zigmantas Balčytis

Proposal for a regulation
Recital 9

Text proposed by the Commission

(9) Sufficient gas infrastructure ***within a Member State and across the Community*** is essential for tackling supply interruptions. Common minimum criteria on security of gas supply should ensure a level playing field for security of gas supply and should create significant incentives to build the necessary infrastructure and to improve the level of preparedness in case of crisis. Demand side measures such as fuel switching may have a valuable role to play in ensuring energy security where they can be applied quickly and reduce demand appreciably to react to a supply disruption.

Amendment

(9) Sufficient ***and diversified*** gas infrastructure ***in the Member States, particularly in regions that are isolated from sources of energy supply***, is essential for tackling supply interruptions. Common minimum criteria on security of gas supply should ensure a level playing field for security of gas supply and should create significant incentives to build the necessary infrastructure and to improve the level of preparedness in case of crisis. Demand side measures such as fuel switching may have a valuable role to play in ensuring energy security where they can be applied quickly and reduce demand appreciably to react to a supply disruption.

Or. It

Amendment 61
Fiona Hall

Proposal for a regulation
Recital 9 a (new)

Text proposed by the Commission

Amendment

(9a) Investments in energy efficiency should be strongly promoted in supplier and transit countries as well as within the EU.

Or. en

Amendment 62
Fiona Hall

Proposal for a regulation
Recital 9 b (new)

Text proposed by the Commission

Amendment

(9b) The launch of the Eastern Europe Energy Efficiency and Environment Partnership should encourage the development of concrete proposals to reduce gas demand through energy efficiency improvements such as the upgrading of district heating systems in the Ukraine, thereby contributing to EU gas security.

Or. en

Amendment 63
Zigmantas Balčytis

Proposal for a regulation
Recital 10

Text proposed by the Commission

Amendment

(10) Investments in new gas infrastructure ***should*** be strongly promoted. ***They should***

(10) Investments in new gas infrastructure ***must*** be strongly promoted, ***particularly in***

enhance the security of gas supply *while ensuring the proper* functioning of the internal market in natural gas. Where an infrastructure investment is of cross-border nature the Agency for the Cooperation of Energy Regulators established by Regulation (EC) No .../... of the European Parliament and of the Council ("ACER") and the European Network of Transmission System Operators for Gas ("ENTSO-G") should be closely involved in order to take better account of the cross-border implications.

regions that are isolated from sources of energy supply. Such investments would reduce dependency on a single supplier and better ensure the security of gas supply *and improved* functioning of the internal market in natural gas. Where an infrastructure investment is of cross-border nature the Agency for the Cooperation of Energy Regulators established by Regulation (EC) No .../... of the European Parliament and of the Council ("ACER") and the European Network of Transmission System Operators for Gas ("ENTSO-G") should be closely involved in order to take better account of the cross-border implications.

Or. It

Amendment 64
Silvia-Adriana Țicău

Proposal for a regulation
Recital 10

Text proposed by the Commission

(10) Investments in new gas infrastructure should be strongly promoted. They should enhance the security of gas supply while ensuring the proper functioning of the internal market in natural gas. Where an infrastructure investment is of cross-border nature the Agency for the Cooperation of Energy Regulators established by Regulation (EC) No .../... of the European Parliament and of the Council ("ACER") and the European Network of Transmission System Operators for Gas ("ENTSO-G") should be closely involved in order to take better account of the cross-border implications.

Amendment

(10) Investments in new gas infrastructure should be strongly promoted. They should enhance the security of gas supply while ensuring the proper functioning of the internal market in natural gas. ***Facilitating the integration of gas from renewable energy sources into the gas network infrastructure should be a permanent concern.*** Where an infrastructure investment is of cross-border nature the Agency for the Cooperation of Energy Regulators established by Regulation (EC) No .../... of the European Parliament and of the Council ("ACER") and the European Network of Transmission System Operators for Gas ("ENTSO-G") should be closely involved in order to take better account of the cross-border implications.

Justification

The Commission and Council should draw up European regulations that encourage the use of alternative sources of energy and provide incentives for fresh investment.

Amendment 65

Silvia-Adriana Țicău

Proposal for a regulation

Recital 11

Text proposed by the Commission

(11) Different sources of Community funding are available to support Member States to finance the necessary investment in ***indigenous*** production ***and*** infrastructure, notably loans and guarantees from the European Investment Bank or funding from regional, structural or cohesion funds. The European Investment Bank as well as the Community external instruments such as ENPI, IPA and DCI can also finance actions in third countries in order to improve security of energy supply.

Amendment

(11) Different sources of Community funding are available to support Member States to finance the necessary investment in production, infrastructure ***and energy efficiency measures at regional and local level***, notably loans and guarantees from the European Investment Bank or funding from regional, structural or cohesion funds.

Justification

Investments in more efficient energy consumption and in alternative energy sources not only make for a reduction in CO2 emissions, but also less dependency on gas imports and reduced investment in crisis responses.

Amendment 66
Takis Hadjigeorgiou

Proposal for a regulation
Recital 12

Text proposed by the Commission

(12) This Regulation should *enable natural gas undertakings and customers to rely on market mechanisms for as long as possible when coping with disruptions. It should also provide for emergency mechanisms to be used when markets are no longer able to deal adequately with a gas supply disruption. Even in an Emergency, market based instruments should be given priority to mitigate the effects of the supply disruption.*

Amendment

(12) This Regulation should *take into consideration the national characteristics of each Member State in the field of gas and provide instruments which would be based on safeguarding consumer protection and would give priority to mitigating the effects of the supply disruption. However the Member States will continue to be responsible for their security and will enjoy considerable flexibility in the choice of arrangements and instruments to ensure security of supply.*

Or. en

Amendment 67
Fiorello Provera, Lara Comi

Proposal for a regulation
Recital 12

Text proposed by the Commission

(12) This Regulation should enable natural gas undertakings and customers to rely on market mechanisms for as long as possible when coping with disruptions. It should also provide for emergency mechanisms to be used when markets are no longer able to deal adequately with a gas supply disruption. Even in an Emergency, market based instruments should be given priority to mitigate the effects of the supply disruption.

Amendment

(12) This Regulation should enable natural gas undertakings and customers to rely on market mechanisms for as long as possible when coping with disruptions. It should also provide for emergency mechanisms to be used when markets *alone* are no longer able to deal adequately with a gas supply disruption. Even in an Emergency, market based instruments should be given priority to mitigate the effects of the supply disruption.

Or. en

Justification

During the first two crisis stages, the market is fully expected to solve the problem, but during a real crisis/emergency, when market mechanisms alone are insufficient to cope with the crisis, the Member States should be involved. Market based mechanisms and non-market based mechanisms may operate alongside each other in the Emergency phase.

Amendment 68

Amalia Sartori, Lara Comi

Proposal for a regulation

Recital 12

Text proposed by the Commission

(12) This Regulation should enable natural gas undertakings and customers to rely on market mechanisms for as long as possible when coping with disruptions. It should also provide for emergency mechanisms to be used when markets are no longer able to deal adequately with a gas supply disruption. Even in an Emergency, market based instruments should be given priority to mitigate the effects of the supply disruption.

Amendment

(12) This Regulation should enable natural gas undertakings and customers to rely on market mechanisms for as long as possible when coping with disruptions. It should also provide for emergency mechanisms to be used when markets *alone* are no longer able to deal adequately with a gas supply disruption. Even in an Emergency, market based instruments should be given priority to mitigate the effects of the supply disruption.

Or. en

Justification

During the first two crisis stages, the market is fully expected to solve the problem, but during a real crisis/emergency, when market mechanisms alone are insufficient to cope with the crisis, the Member States should be involved. Market based mechanisms and non-market based mechanisms may operate alongside each other in the Emergency phase.

Amendment 69
Bogdan Kazimierz Marcinkiewicz

Proposal for a regulation
Recital 12

Text proposed by the Commission

(12) This Regulation should enable natural gas undertakings and customers to rely on market mechanisms for as long as possible when coping with disruptions. It should also provide for emergency mechanisms to be used when markets are no longer able to deal adequately with a gas supply disruption. Even in an Emergency, market based instruments should be given priority to mitigate the effects of the supply disruption.

Amendment

(12) This Regulation should enable natural gas undertakings and customers to rely on market mechanisms for as long as possible when coping with disruptions. It should also provide for emergency mechanisms to be used when markets **alone** are no longer able to deal adequately with a gas supply disruption. Even in an Emergency, market based instruments should be given priority to mitigate the effects of the supply disruption.

Or. en

Justification

During the first two crisis stages, the market is fully expected to solve the problem, but during a real crisis/emergency, when market mechanisms alone are insufficient to cope with the crisis, the Member States should be involved. Market based mechanisms and non-market based mechanisms may operate alongside each other in the Emergency phase.

Amendment 70
Lambert van Nistelrooij, Angelika Niebler

Proposal for a regulation
Recital 12

Text proposed by the Commission

(12) This Regulation should enable natural gas undertakings and customers to rely on market mechanisms for as long as possible when coping with disruptions. It should also provide for emergency mechanisms to be used when markets are no longer able to deal adequately with a gas supply disruption. Even in an Emergency, market based instruments should be given priority

Amendment

(12) This Regulation should enable natural gas undertakings and customers to rely on market mechanisms for as long as possible when coping with disruptions. It should also provide for emergency mechanisms to be used when markets **alone** are no longer able to deal adequately with a gas supply disruption. Even in an Emergency, market based instruments should be given priority

to mitigate the effects of the supply disruption.

to mitigate the effects of the supply disruption.

Or. en

Justification

During the first two crisis stages, the market is fully expected to solve the problem, but during a real crisis/emergency, when market mechanisms alone are insufficient to cope with the crisis, the Member States should be involved. Market based mechanisms and non-market based mechanisms may operate alongside each other in the Emergency phase.

Amendment 71

Bogdan Kazimierz Marcinkiewicz, Jacek Saryusz-Wolski

Proposal for a regulation

Recital 12 a (new)

Text proposed by the Commission

Amendment

(12a) EU investment in indigenous production and infrastructure should be backed by efforts of the Member States and the Commission to promote within the EU neighbourhood, in cooperation with third countries, the extension of the principles and norms of the internal market as stipulated in the Energy Charter Treaty. The Commission should consider extending the European Energy Community, comprising the EU and the countries of South-Eastern Europe, to other third countries, as appropriate, and creating new regional energy markets modelled thereon, such as a Euro-Mediterranean energy community, to ensure security of supply.

Or. en

Amendment 72
Paul Rübige

Proposal for a regulation
Recital 12 a (new)

Text proposed by the Commission

Amendment

(12a) In order to increase security of natural gas supply, it is also necessary to make provision for strategic supplies of natural gas to be maintained in the Member States. On account of the priority assigned to market-based instruments, these supplies should be maintained using public-private partnerships.

Or. de

Justification

With regard to security of supply, not only is it necessary to ensure it: public-private partnerships should also result in independent and market-based supply.

Amendment 73
Takis Hadjigeorgiou

Proposal for a regulation
Recital 14

Text proposed by the Commission

Amendment

(14) The ***completion of the*** internal gas market ***and effective competition within that market*** offer the Community the highest level of security of supply for all Member States, provided that the market is allowed to work fully in case of disruption of supply affecting a part of the Community, whatever the cause of the disruption. To this end, a comprehensive and effective common approach to security of supply is required, particularly through transparent and non-discriminatory policies compatible with the ***requirements of the market, avoiding market distortions and***

(14) The internal gas market offers the Community the highest level of security of supply for all Member States, provided that the market is allowed to work fully, ***and safeguards consumers' interests*** in case of disruption of supply affecting a part of the Community, whatever the cause of the disruption. To this end, a comprehensive and effective common approach to security of supply is required, particularly through transparent and non-discriminatory policies compatible with the ***needs and the protection of consumers through controls on prices which, in periods of crisis, tend***

undermining of market responses to disruptions.

to increase very sharply owing to reduced supply and increased demand (law of supply and demand).

Or. el

Amendment 74
Fiorello Provera, Lara Comi

Proposal for a regulation
Recital 14

Text proposed by the Commission

(14) The completion of the internal gas market and effective competition within that market offer the *Community* the highest level of security of supply for all Member States, provided that the market is allowed to work fully in case of disruption of supply affecting a part of the *Community*, whatever the cause of the disruption. To this end, a comprehensive and effective common approach to security of supply is required, particularly through transparent and non-discriminatory policies compatible with the **requirements** of the market, avoiding market distortions and undermining of market responses to disruptions.

Amendment

(14) The completion of the internal gas market and effective competition within that market offers the *Union* the highest level of security of supply for all Member States, provided that the market is allowed to work fully in case of disruption of supply affecting a part of the *Union*, whatever the cause of the disruption. To this end, a comprehensive and effective common approach to security of supply is required, particularly through transparent and non-discriminatory policies compatible with the **functioning** of the **internal** market, avoiding market distortions and the undermining of market responses to disruptions.

Or. en

Justification

The amendment clarifies that policies should be compatible with the functioning of the internal market instead of with the 'requirements' of the market.

Amendment 75
Bogdan Kazimierz Marcinkiewicz

Proposal for a regulation
Recital 14

Text proposed by the Commission

(14) The completion of the internal gas market and effective competition within that market offer the *Community* the highest level of security of supply for all Member States, provided that the market is allowed to work fully in case of disruption of supply affecting a part of the *Community*, whatever the cause of the disruption. To this end, a comprehensive and effective common approach to security of supply is required, particularly through transparent and non-discriminatory policies compatible with the **requirements** of the market, avoiding market distortions and undermining of market responses to disruptions.

Amendment

(14) The completion of the internal gas market and effective competition within that market offers the *Union* the highest level of security of supply for all Member States, provided that the market is allowed to work fully in case of disruption of supply affecting a part of the *Union*, whatever the cause of the disruption. To this end, a comprehensive and effective common approach to security of supply is required, particularly through transparent and non-discriminatory policies compatible with the **functioning** of the **internal** market, avoiding market distortions and the undermining of market responses to disruptions.

Or. en

Justification

The amendment clarifies that policies should be compatible with the functioning of the internal market instead of with the 'requirements' of the market.

Amendment 76
Bogdan Kazimierz Marcinkiewicz

Proposal for a regulation
Recital 15

Text proposed by the Commission

(15) The precise definition of the roles and responsibilities of **all** natural gas undertakings and Competent Authorities is therefore crucial **in maintaining** the well-functioning of the internal market, particularly in supply disruptions and crisis

Amendment

(15) The precise definition of the roles and responsibilities of natural gas undertakings and Competent Authorities is therefore crucial **to avoid conflicting competences and to maintain** the well-functioning of the internal market, particularly in supply

situations.

disruptions and crisis situations.

Or. en

Justification

The three-level-approach defined in the 2004 Directive to ensure security of supply (I: companies; II: Member States; III: the Commission), is no longer clearly reflected in the draft Regulation. This principle should be reinstated in the draft Regulation, also to avoid conflicting competences.

Amendment 77

Fiorello Provera, Lara Comi

Proposal for a regulation

Recital 15

Text proposed by the Commission

(15) The precise definition of the roles and responsibilities of all natural gas undertakings and Competent Authorities is therefore crucial **in maintaining** the well-functioning of the internal market, particularly in supply disruptions and crisis situations.

Amendment

(15) The precise definition of the roles and responsibilities of all natural gas undertakings and Competent Authorities is therefore crucial **to avoid conflicting competences and to maintain** the well-functioning of the internal market, particularly in supply disruptions and crisis situations.

Or. en

Justification

The three-level-approach defined in the 2004 Directive to ensure security of supply (I: companies; II: Member States; III: the Commission), is no longer clearly reflected in the draft Regulation. This principle should be reinstated in the draft Regulation, also to avoid conflicting competences.

Amendment 78

Lambert van Nistelrooij, Angelika Niebler

Proposal for a regulation

Recital 15

Text proposed by the Commission

(15) The precise definition of the roles and responsibilities of all natural gas undertakings and Competent Authorities is therefore crucial **in maintaining** the well-functioning of the internal market, particularly in supply disruptions and crisis situations.

Amendment

(15) The precise definition of the roles and responsibilities of all natural gas undertakings and Competent Authorities is therefore crucial **to avoid conflicting competences and to maintain** the well-functioning of the internal market, particularly in supply disruptions and crisis situations.

Or. en

Justification

The three-level-approach defined in the 2004 Directive to ensure security of supply (I: companies; II: Member States; III: the Commission), is no longer clearly reflected in the draft Regulation. This principle should be reinstated in the draft Regulation, also to avoid conflicting competences.

Amendment 79

Algirdas Saudargas

Proposal for a regulation

Recital 17

Text proposed by the Commission

(17) It is essential for the well-functioning of the market that the necessary investments in indigenous production and infrastructures, such as interconnections, equipment allowing physical bidirectional flows on pipelines, storage, and LNG re-gasification facilities, are made by the natural gas undertakings in time, bearing in mind possible supply disruptions such as the one that occurred in January 2009.

Amendment

(17) It is essential for the well-functioning of the market that the necessary investments in indigenous production and infrastructures, such as interconnections, **in particular those providing access to the EU gas network**, equipment allowing physical bidirectional flows on pipelines, storage, and LNG re-gasification facilities, are made by the natural gas undertakings in time, bearing in mind possible supply disruptions such as the one that occurred in January 2009. **In case the necessary**

interconnections are not financially viable for the gas undertakings, but have a clear added value in terms of security of gas supply, the Commission should propose appropriate financial incentives in order to ensure that all Member States are physically connected to the EU gas network.

Or. en

Amendment 80
Hannes Swoboda

Proposal for a regulation
Recital 18

Text proposed by the Commission

(18) It is important that gas supply is maintained, particularly as regards household customers, as well as *other protected* customers *such as schools and hospitals*, in cases in which the market cannot continue to supply them. It is essential that the measures to be taken during a crisis are defined in advance of any crisis.

Amendment

(18) It is important that gas supply is maintained particularly as regards household customers, as well as *a limited amount of additional* customers, *especially customers delivering important public services, which can be defined by the Member States concerned*, in cases in which the market cannot continue to supply them. It is essential that the measures to be taken during a crisis are defined in advance of any crisis.

Or. en

Amendment 81
Amalia Sartori, Lara Comi

Proposal for a regulation
Recital 18

Text proposed by the Commission

(18) It is important that gas supply is maintained, *particularly as regards household customers, as well as other*

Amendment

(18) It is important that gas supply *to protected customers* is maintained, in cases in which the market *alone* cannot continue

protected customers such as schools and hospitals, in cases in which the market cannot continue to supply them. It is essential that the measures to be taken during a crisis are defined in advance of any crisis.

to supply them. It is essential that the measures to be taken during a crisis are defined in advance of any crisis.

Or. en

Justification

While household customers certainly require protection, a possible extension of the category of protected customers at EU level is a highly complex and sensitive topic requiring sound impact assessments. Moreover, extending the scope of protected consumers should remain a national prerogative since its appropriateness and adequacy should be assessed in light of national circumstances, notably the structure of the energy mix and the importance of gas in this mix. Therefore, the draft Regulation should not extend mandatory EU protection beyond households.

Amendment 82

Lambert van Nistelrooij, Angelika Niebler, Gaston Franco

Proposal for a regulation

Recital 18

Text proposed by the Commission

(18) It is important that gas supply is maintained, ***particularly as regards household customers, as well as other protected customers such as schools and hospitals***, in cases in which the market cannot continue to supply them. It is essential that the measures to be taken during a crisis are defined in advance of any crisis.

Amendment

(18) It is important that gas supply ***to protected customers*** is maintained, in cases in which the market ***alone*** cannot continue to supply them. It is essential that the measures to be taken during a crisis are defined in advance of any crisis.

Or. en

Justification

While household customers certainly require protection, a possible extension of the category of protected customers at EU level is a highly complex and sensitive topic requiring sound impact assessments. Moreover, extending the scope of protected consumers should remain a national prerogative since its appropriateness and adequacy should be assessed in light of

national circumstances, notably the structure of the energy mix and the importance of gas in this mix. Therefore, the draft Regulation should not extend mandatory EU protection beyond households.

Amendment 83
Takis Hadjigeorgiou

Proposal for a regulation
Recital 19

Text proposed by the Commission

(19) A large choice of instruments is available to comply with security of supply obligations. These instruments should be used in a national, regional and Community context, as appropriate, to ensure that they deliver a consistent and cost-effective result.

Amendment

(19) A large choice of instruments is available to comply with security of supply obligations. These instruments should be used in a national, regional and Community context, as appropriate, ***so as to provide security primarily for consumers and*** to ensure that they deliver a consistent and cost-effective result.

Or. el

Amendment 84
Fiorello Provera, Lara Comi

Proposal for a regulation
Recital 22

Text proposed by the Commission

(22) In order to ensure the highest level of preparedness in case of supply disruption, Emergency Plans should be established by ***all natural gas undertakings together with*** the Competent Authorities. Such plans should be mutually consistent. Their content should follow best practices among existing plans and should define clear roles and responsibilities for all concerned natural gas undertakings and Competent Authorities. Joint emergency plans at regional level, should be established where possible and necessary.

Amendment

(22) In order to ensure the highest level of preparedness in case of supply disruption, Emergency Plans should be established by the Competent Authorities, ***after consultation of the natural gas undertakings***. Such plans should be mutually consistent. Their content should follow best practices among existing plans and should define clear roles and responsibilities for all concerned natural gas undertakings and Competent Authorities. Joint emergency plans at regional level, should be established where

possible and necessary.

Or. en

Justification

The three-level-approach defined in the 2004 Directive to ensure security of supply (I: companies; II: Member States; III: the Commission), is no longer clearly reflected in the draft Regulation. This principle should be reinstated in the draft Regulation. Competent Authorities are responsible for establishing the plans but shall consult natural gas undertakings.

Amendment 85

Bogdan Kazimierz Marcinkiewicz

Proposal for a regulation

Recital 22

Text proposed by the Commission

(22) In order to ensure the highest level of preparedness in case of supply disruption, Emergency Plans should be established by ***all natural gas undertakings together with*** the Competent Authorities. Such plans should be mutually consistent. Their content should follow best practices among existing plans and should define clear roles and responsibilities for all concerned natural gas undertakings and Competent Authorities. Joint emergency plans at regional level, should be established where possible and necessary.

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Or. en

Justification

The three-level-approach defined in the 2004 Directive to ensure security of supply (I: companies; II: Member States; III: the Commission), is no longer clearly reflected in the draft Regulation. This principle should be reinstated in the draft Regulation. Competent Authorities are responsible for establishing the plans but shall consult natural gas undertakings.

Amendment 86
Paul Rübige

Proposal for a regulation
Recital 22

Text proposed by the Commission

(22) In order to ensure the highest level of preparedness in case of supply disruption, Emergency Plans should be established by **all natural gas undertakings together with** the Competent Authorities. Such plans should be mutually consistent. Their content should follow best practices among existing plans and should define clear roles and responsibilities for all concerned natural gas undertakings and Competent Authorities. Joint emergency plans at regional level, should be established where possible and necessary.

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Justification

The three-level-approach defined in the 2004 Directive to ensure security of supply (I: companies; II: Member States; III: the Commission), is no longer clearly reflected in the draft Regulation. This principle should be reinstated in the draft Regulation. Competent Authorities are responsible for establishing the plans but shall consult natural gas undertakings.

Amendment 87
Gaston Franco

Proposal for a regulation
Recital 22

Text proposed by the Commission

(22) In order to ensure the highest level of preparedness in case of supply disruption, Emergency Plans should be established by **all natural gas undertakings together with the Competent Authorities**. Such plans should be mutually consistent. Their

Amendment

(22) In order to ensure the highest level of preparedness in case of supply disruption, Emergency Plans should be established by **the Competent Authorities, after consultation of the natural gas undertakings**. Such plans should be

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mutually consistent. Their content should follow best practices among existing plans and should define clear roles and responsibilities for all concerned natural gas undertakings and Competent Authorities. Joint emergency plans at regional level, should be established where possible and necessary.

Or. en

Justification

This recital is not consistent with the rest of the regulation. It belongs to the competent authorities to establish the Emergency Plans.

Amendment 88

Amalia Sartori, Lara Comi

Proposal for a regulation

Recital 23

Text proposed by the Commission

(23) To strengthen the solidarity between Member States in the case of a *Community* Emergency and in particular to support Member States which are exposed to less favourable geographical or geological conditions, Member States should devise *specific* measures to exercise solidarity, *including* measures such as commercial agreements *between natural gas undertakings, compensation mechanisms*, increased gas exports or increased releases from storages. Solidarity measures may be particularly appropriate between Member States for which the Commission recommends the establishment of joint preventive actions plans or emergency plans at regional level.

Amendment

(23) To strengthen the solidarity between Member States in the case of a *Union* Emergency and in particular to support Member States which are exposed to less favourable geographical or geological conditions, Member States should devise measures to exercise solidarity. *Natural gas undertakings should devise* measures such as commercial agreements, *which may comprise* increased gas exports or increased releases from storages. *It is important to encourage the conclusion of prior arrangements between natural gas undertakings. Natural gas undertakings should always be compensated in a fair and equitable manner for any measures they are asked to take in preparation for an emergency situation. Obligations for solidarity measures should be limited to the supply of household customers.* Solidarity measures may be particularly

appropriate between Member States for which the Commission recommends the establishment of joint preventive actions plans or emergency plans at regional level.

Or. en

Justification

The three-level-approach defined in the 2004 Directive to ensure security of supply (I: companies; II: Member States; III: the Commission), is no longer clearly reflected in the draft Regulation. This principle should be reinstated in the draft Regulation.

Amendment 89

Lambert van Nistelrooij, Angelika Niebler

Proposal for a regulation

Recital 23

Text proposed by the Commission

(23) To strengthen the solidarity between Member States in the case of a *Community* Emergency and in particular to support Member States which are exposed to less favourable geographical or geological conditions, Member States should devise **specific** measures to exercise solidarity, **including** measures such as commercial agreements **between natural gas undertakings, compensation mechanisms**, increased gas exports or increased releases from storages. Solidarity measures may be particularly appropriate between Member States for which the Commission recommends the establishment of joint preventive actions plans or emergency plans at regional level.

Amendment

(23) To strengthen the solidarity between Member States in the case of a *Union* Emergency and in particular to support Member States which are exposed to less favourable geographical or geological conditions, Member States should devise measures to exercise solidarity. **Natural gas undertakings should devise** measures such as commercial agreements, **which may comprise** increased gas exports or increased releases from storages. **It is important to encourage the conclusion of prior arrangements between natural gas undertakings. Natural gas undertakings should always be compensated in a fair and equitable manner for any measures they are asked to take in preparation for an emergency situation. Obligations for solidarity measures should be limited to household customers.** Solidarity measures may be particularly appropriate between Member States for which the Commission recommends the establishment of joint preventive actions plans or emergency

plans at regional level.

Or. en

Justification

The three-level-approach defined in the 2004 Directive to ensure security of supply (I: companies; II: Member States; III: the Commission), is no longer clearly reflected in the draft Regulation. This principle should be reinstated in the draft Regulation.

Amendment 90

Fiorello Provera, Lara Comi

Proposal for a regulation

Recital 23

Text proposed by the Commission

(23) To strengthen the solidarity between Member States in the case of a *Community* Emergency and in particular to support Member States which are exposed to less favourable geographical or geological conditions, Member States should devise *specific* measures to exercise solidarity, *including* measures such as commercial agreements *between natural gas undertakings, compensation mechanisms*, increased gas exports or increased releases from storages. Solidarity measures may be particularly appropriate between Member States for which the Commission recommends the establishment of joint preventive actions plans or emergency plans at regional level.

Amendment

(23) To strengthen the solidarity between Member States in the case of a *Union* Emergency and in particular to support Member States which are exposed to less favourable geographical or geological conditions, Member States should devise measures to exercise solidarity. *Natural gas undertakings should devise* measures such as commercial agreements, *which may comprise* increased gas exports or increased releases from storages. *It is important to encourage the conclusion of prior arrangements between natural gas undertakings. Natural gas undertakings should always be compensated in a fair and equitable manner for any measures they are asked to take in preparation for an emergency situation.* Solidarity measures may be particularly appropriate between Member States for which the Commission recommends the establishment of joint preventive actions plans or emergency plans at regional level.

Or. en

Justification

The three-level-approach defined in the 2004 Directive to ensure security of supply (I: companies; II: Member States; III: the Commission), is no longer clearly reflected in the draft Regulation. This principle should be reinstated in the draft Regulation.

Amendment 91

Silvia-Adriana Țicău

Proposal for a regulation

Recital 23

Text proposed by the Commission

(23) *To strengthen the solidarity* between Member States in the case of a Community Emergency and in particular to support Member States which are exposed to less favourable geographical or geological conditions, Member States should devise specific measures to exercise solidarity, including measures such as commercial agreements between natural gas undertakings, compensation mechanisms, increased gas exports or increased releases from storages. Solidarity measures may be particularly appropriate between Member States for which the Commission recommends the establishment of joint preventive actions plans or emergency plans at regional level.

Amendment

(23) ***The Treaty on the Functioning of the European Union provides for the strengthening of solidarity*** between Member States in the case of a Community Emergency and in particular to support Member States which are exposed to less favourable geographical or geological conditions, Member States should devise specific measures to exercise solidarity, including measures such as commercial agreements between natural gas undertakings, compensation mechanisms, increased gas exports or increased releases from storages. Solidarity measures may be particularly appropriate between Member States for which the Commission recommends the establishment of joint preventive actions plans or emergency plans at regional level.

Or. ro

Justification

It is important to refer to Article 194 of the Lisbon Treaty, which provides that EU energy policy should be applied in a spirit of solidarity.

Amendment 92

Paul Rübige

Proposal for a regulation

Recital 28

Text proposed by the Commission

(28) The Gas Coordination Group, established by Directive 2004/67/EC of 26 April 2004 concerning the measures to safeguard security of natural gas supply, should act as adviser to the Commission to facilitate the coordination of security of supply measures in the case of a Community emergency. It should also monitor the adequacy and appropriateness of measures to be taken according to this Regulation.

Amendment

(28) The Gas Coordination Group, established by Directive 2004/67/EC of 26 April 2004 concerning the measures to safeguard security of natural gas supply, should act as adviser to the Commission ***when it is considering whether a Community emergency exists and*** to facilitate the coordination of security of supply measures in the case of a Community emergency. It should also monitor the adequacy and appropriateness of measures to be taken according to this Regulation.

Or. de

Justification

In view of its composition, consisting of representatives of the EU Member States, the energy industry and consumers, the Gas Coordination Group is in the best position to assess the supply situation and, in the event of a Community emergency, to serve as a platform for cooperation between industry, the State and the Commission. On the basis of its expertise, therefore, the Group should also be consulted at an earlier stage, namely when the Commission is assessing whether a Community emergency exists.

Amendment 93

Takis Hadjigeorgiou

Proposal for a regulation

Recital 29

Text proposed by the Commission

(29) This Regulation aims at empowering natural gas undertakings and Competent Authorities of the Member States to ensure that the internal gas market works effectively for as long as possible in the

Amendment

deleted

case of a supply disruption, prior to measures being taken by Competent Authorities to address the situation in which the market can no longer deliver the required gas supplies. Such exceptional measures should be fully compliant with Community rules and should be notified to the Commission.

Or. en

Amendment 94
Fiorello Provera, Lara Comi

Proposal for a regulation
Recital 29

Text proposed by the Commission

(29) This Regulation aims at empowering natural gas undertakings and Competent Authorities of the Member States to ensure that the internal gas market works effectively for as long as possible in the case of a supply disruption, prior to measures being taken by Competent Authorities to address the situation in which the market can no longer deliver the required gas supplies. Such exceptional measures should be fully compliant with *Community* rules and should be notified to the Commission.

Amendment

(29) This Regulation aims at empowering natural gas undertakings and Competent Authorities of the Member States to ensure that the internal gas market works effectively for as long as possible in the case of a supply disruption, prior to measures being taken by Competent Authorities to address the situation in which the market **alone** can no longer deliver the required gas supplies. Such exceptional measures should be fully compliant with *Union* rules and should be notified to the Commission **and to the Gas Coordination Group**.

Or. en

Justification

Market based mechanisms and non-market based mechanisms may both operate in the Emergency phase. As an expert Body of various stakeholders, the Gas Coordination Group (GCG) seems to be the best forum for discussion, sharing of experiences, as well as formal consultations and coordination with interested parties. Therefore, the GCG should facilitate the coordination of measures relating to security of supply. To that extent the GCG should be routinely consulted by the Commission, in accordance with the provisions of this Regulation.

Amendment 95
Paul Rübiger

Proposal for a regulation
Recital 29

Text proposed by the Commission

(29) This Regulation aims at empowering natural gas undertakings and Competent Authorities of the Member States to ensure that the internal gas market works effectively for as long as possible in the case of a supply disruption, prior to measures being taken by Competent Authorities to address the situation in which the market can no longer deliver the required gas supplies. Such exceptional measures should be fully compliant with *Community* rules and should be notified to the Commission.

Amendment

(29) This Regulation aims at empowering natural gas undertakings and Competent Authorities of the Member States to ensure that the internal gas market works effectively for as long as possible in the case of a supply disruption, prior to measures being taken by Competent Authorities to address the situation in which the market ***alone*** can no longer deliver the required gas supplies. Such exceptional measures should be fully compliant with *Union* rules and should be notified to the Commission ***and to the Gas Coordination Group***.

Or. en

Justification

Market based mechanisms and non-market based mechanisms may both operate in the Emergency phase. As an expert Body of various stakeholders, the Gas Coordination Group (GCG) seems to be the best forum for discussion, sharing of experiences, as well as formal consultations and coordination with interested parties. Therefore, the GCG should facilitate the coordination of measures relating to security of supply. To that extent the GCG should be routinely consulted by the Commission, in accordance with the provisions of this Regulation.

Amendment 96
Ioannis A. Tsoukalas

Proposal for a regulation
Recital 29

Text proposed by the Commission

(29) This Regulation aims at empowering natural gas undertakings and Competent

Amendment

(29) This Regulation aims at empowering natural gas undertakings and Competent

Authorities of the Member States to ensure that the internal gas market works effectively for as long as possible in the case of a supply disruption, prior to measures being taken by Competent Authorities to address the situation in which the market can no longer deliver the required gas supplies. Such exceptional measures should be fully compliant with *Community* rules and should be notified to the Commission.

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Or. en

Amendment 97
Zigmantas Balčytis

Proposal for a regulation
Recital 29

Text proposed by the Commission

(29) This Regulation aims at empowering natural gas undertakings and Competent Authorities of the Member States to ensure that the internal gas market works effectively for as long as possible in the case of a supply disruption, prior to measures being taken by Competent Authorities to address the situation in which the market can no longer deliver the required gas supplies. Such exceptional measures should be fully compliant with Community rules and should be notified to the Commission.

Amendment

(29) This Regulation aims at empowering natural gas undertakings and Competent Authorities of the Member States to ensure that the internal gas market works effectively for as long as possible in the case of a supply disruption, prior to measures being taken by Competent Authorities to address the situation in which the market can no longer deliver the required gas supplies. Such exceptional measures should be fully compliant with Community rules and should be notified to the Commission ***and to the Gas Coordination Group***.

Or. It

Amendment 98
Takis Hadjigeorgiou

Proposal for a regulation
Recital 30

Text proposed by the Commission

(30) Since gas supplies from third countries are central to the security of gas supply of the *Community*, the Commission ***should coordinate the actions with regard to third countries, working with producer and transit countries on arrangements to handle crisis situations and to ensure a stable gas flow to the Community. The Commission should be entitled to deploy a task force to monitor gas flows in crisis situations within and, in consultation with the third countries involved, outside the Community and, where a crisis arises due to difficulties in a third country, to assume a mediation and facilitation role.***

Amendment

(30) Since gas supplies from third countries are central to the security of gas supply of the *Union*, the Commission ***could undertake*** to deploy ***an advisory force*** to monitor gas flows in crisis situations within *the Union in consultation with and after the permission of the Member State concerned* and, *outside the Union in consultation with and after the permission of* the third countries involved.

Or. en

Amendment 99
Bogdan Kazimierz Marcinkiewicz, Jacek Saryusz-Wolski

Proposal for a regulation
Recital 30

Text proposed by the Commission

(30) Since gas supplies from third countries are central to the security of gas supply of the *Community*, the Commission should coordinate the actions with regard to third countries, working with producer and transit countries on arrangements to handle crisis situations and to ensure a stable gas flow to the *Community*. The Commission should be entitled to deploy a task force to monitor gas flows in crisis situations within and, in consultation with the third countries involved, outside the

Amendment

(30) Since gas supplies from third countries are central to the security of gas supply of the *Union*, the Commission should ***include an "energy security clause" in trade, association, and partnership and cooperation agreements with producer and transit countries. The Commission should*** coordinate the actions with regard to third countries, working with producer and transit countries on arrangements to handle crisis situations and to ensure a stable gas flow to the *Union*.

Community and, where a crisis arises due to difficulties in a third country, to assume a mediation and facilitation role.

The Commission should be entitled to deploy a task force to monitor gas flows in crisis situations within and, in consultation with the third countries involved, outside the *Union* and, where a crisis arises due to difficulties in a third country, to assume a mediation and facilitation role ***through the Vice-President of the Commission/High Representative.***

Or. en

Amendment 100
Ioannis A. Tsoukalas

Proposal for a regulation
Recital 30

Text proposed by the Commission

(30) Since gas supplies from third countries are central to the security of gas supply of the *Community*, the Commission should coordinate the actions with regard to third countries, working with producer and transit countries on arrangements to handle crisis situations and to ensure a stable gas flow to the *Community*. The Commission should be entitled to deploy a task force to monitor gas flows in crisis situations within and, in consultation with the third countries involved, outside the *Community* and, where a crisis arises due to difficulties in a third country, to assume a mediation and facilitation role.

Amendment

(30) Since gas supplies from third countries are central to the security of gas supply of the *Union*, ***particularly in the event of a Union Emergency***, the Commission, ***after consultation with the Gas Coordination Group*** should coordinate the actions with regard to third countries, working with producer and transit countries on arrangements to handle crisis situations and to ensure a stable gas flow to the *Union*. The Commission, ***after consultation with the Gas Coordination Group***, should be entitled to deploy a task force to monitor gas flows in crisis situations within and, in consultation with the third countries involved, outside the *Union* and, where a crisis arises due to difficulties in a third country, to assume a mediation and facilitation role.

Or. en

Amendment 101
Fiorello Provera, Lara Comi

Proposal for a regulation
Recital 30

Text proposed by the Commission

(30) Since gas supplies from third countries are central to the security of gas supply of the *Community*, the Commission should coordinate the actions with regard to third countries, working with producer and transit countries on arrangements to handle crisis situations and to ensure a stable gas flow to the *Community*. The Commission should be entitled to deploy a task force to monitor gas flows in crisis situations within and, in consultation with the third countries involved, outside the *Community* and, where a crisis arises due to difficulties in a third country, to assume a mediation and facilitation role.

Amendment

(30) Since gas supplies from third countries are central to the security of gas supply of the *Union*, ***in the event of a Union Emergency***, the Commission, ***after consultation of the Gas Coordination Group***, should coordinate the actions with regard to third countries, working with producer and transit countries on arrangements to handle crisis situations and to ensure a stable gas flow to the *Union*. The Commission, ***after consultation of the Gas Coordination Group***, should be entitled to deploy a task force to monitor gas flows in crisis situations within and, in consultation with the third countries involved, outside the *Union* and, where a crisis arises due to difficulties in a third country, to assume a mediation and facilitation role.

Or. en

Justification

As an expert Body composed of different stakeholders (gas industry representatives, ENTSO-G, the relevant customers, the national competent authorities and ACER), the Gas Coordination Group (GCG) seems to be the best forum for discussion, sharing of experiences, as well as formal consultations and coordination with interested parties. Therefore, the GCG should facilitate the coordination of the measures relating to security of supply. To that extent the GCG should be routinely consulted by the Commission in accordance with the provisions of this Regulation.

Amendment 102
Amalia Sartori, Lara Comi

Proposal for a regulation
Recital 30

Text proposed by the Commission

(30) Since gas supplies from third countries are central to the security of gas supply of the *Community*, the Commission should coordinate the actions with regard to third countries, working with producer and transit countries on arrangements to handle crisis situations and to ensure a stable gas flow to the *Community*. The Commission should be entitled to deploy a task force to monitor gas flows in crisis situations within and, in consultation with the third countries involved, outside the *Community* and, where a crisis arises due to difficulties in a third country, to assume a mediation and facilitation role.

Amendment

(30) Since gas supplies from third countries are central to the security of gas supply of the *Union*, ***in the event of a Union Emergency***, the Commission, ***after consultation of the Gas Coordination Group***, should coordinate the actions with regard to third countries, working with producer and transit countries on arrangements to handle crisis situations and to ensure a stable gas flow to the *Union*. The Commission, ***after consultation of the Gas Coordination Group***, should be entitled to deploy a task force to monitor gas flows in crisis situations within and, in consultation with the third countries involved, outside the *Union* and, where a crisis arises due to difficulties in a third country, to assume a mediation and facilitation role.

Or. en

Justification

As an expert Body composed of different stakeholders (gas industry representatives, ENTSO-G, the relevant customers, the national competent authorities and ACER), the Gas Coordination Group (GCG) seems to be the best forum for discussion, sharing of experiences, as well as formal consultations and coordination with interested parties. Therefore, the GCG should facilitate the coordination of the measures relating to security of supply. To that extent the GCG should be routinely consulted by the Commission in accordance with the provisions of this Regulation.

Amendment 103

Lambert van Nistelrooij, Angelika Niebler

Proposal for a regulation

Recital 30

Text proposed by the Commission

(30) Since gas supplies from third countries are central to the security of gas supply of the *Community*, the Commission should coordinate the actions with regard to third countries, working with producer and transit countries on arrangements to handle crisis situations and to ensure a stable gas flow to the *Community*. The Commission should be entitled to deploy a task force to monitor gas flows in crisis situations within and, in consultation with the third countries involved, outside the *Community* and, where a crisis arises due to difficulties in a third country, to assume a mediation and facilitation role.

Amendment

(30) Since gas supplies from third countries are central to the security of gas supply of the *Union*, ***in the event of a Union Emergency*** the Commission, ***after consultation of the Gas Coordination Group***, should coordinate the actions with regard to third countries, working with producer and transit countries on arrangements to handle crisis situations and to ensure a stable gas flow to the *Union*. The Commission, ***after consultation of the Gas Coordination Group***, should be entitled to deploy a task force to monitor gas flows in crisis situations within and, in consultation with the third countries involved, outside the *Union* and, where a crisis arises due to difficulties in a third country, to assume a mediation and facilitation role.

Or. en

Justification

As an expert Body composed of different stakeholders (gas industry representatives, ENTSO-G, the relevant customers, the national competent authorities and ACER), the Gas Coordination Group (GCG) seems to be the best forum for discussion, sharing of experiences, as well as formal consultations and coordination with interested parties. Therefore, the GCG should facilitate the coordination of the measures relating to security of supply. To that extent the GCG should be routinely consulted by the Commission in accordance with the provisions of this Regulation.

Amendment 104

Paul Rübige

Proposal for a regulation

Recital 30

Text proposed by the Commission

(30) Since gas supplies from third countries are central to the security of gas supply of the *Community*, the Commission should coordinate the actions with regard to third countries, working with producer and transit countries on arrangements to handle crisis situations and to ensure a stable gas flow to the *Community*. The Commission should be entitled to deploy a task force to monitor gas flows in crisis situations within and, in consultation with the third countries involved, outside the *Community* and, where a crisis arises due to difficulties in a third country, to assume a mediation and facilitation role.

Amendment

(30) Since gas supplies from third countries are central to the security of gas supply of the *Union*, ***in the event of a Union Emergency*** the Commission, ***after consultation of the Gas Coordination Group***, should coordinate the actions with regard to third countries, working with producer and transit countries on arrangements to handle crisis situations and to ensure a stable gas flow to the *Union*. The Commission, ***after consultation of the Gas Coordination Group***, should be entitled to deploy a task force to monitor gas flows in crisis situations within and, in consultation with the third countries involved, outside the *Union* and, where a crisis arises due to difficulties in a third country, to assume a mediation and facilitation role.

Or. en

Justification

As an expert Body composed of different stakeholders (gas industry representatives, ENTSO-G, the relevant customers, the national competent authorities and ACER), the Gas Coordination Group (GCG) seems to be the best forum for discussion, sharing of experiences, as well as formal consultations and coordination with interested parties. Therefore, the GCG should facilitate the coordination of the measures relating to security of supply. To that extent the GCG should be routinely consulted by the Commission in accordance with the provisions of this Regulation.

Amendment 105
Hannes Swoboda

Proposal for a regulation
Recital 30

Text proposed by the Commission

(30) Since gas supplies from third countries are central to the security of gas supply of the *Community*, the Commission should coordinate the actions with regard to third countries, working with producer and transit countries on arrangements to handle crisis situations and to ensure a stable gas flow to the *Community*. The Commission should be entitled to deploy a task force to monitor gas flows in crisis situations within and, in consultation with the third countries involved, outside the *Community* and, where a crisis arises due to difficulties in a third country, to assume a mediation and facilitation role.

Amendment

(30) Since gas supplies from third countries are central to the security of gas supply of the *Union*, ***in the event of a Union Emergency*** the Commission, ***after consultation of the Gas Coordination Group***, should coordinate the actions with regard to third countries, working with producer and transit countries on arrangements to handle crisis situations and to ensure a stable gas flow to the *Union*. The Commission, ***after consultation of the Gas Coordination Group***, should be entitled to deploy a task force to monitor gas flows in crisis situations within and, in consultation with the third countries involved, outside the *Union* and, where a crisis arises due to difficulties in a third country, to assume a mediation and facilitation role.

Or. en

Amendment 106
Christian Ehler, Markus Pieper

Proposal for a regulation
Recital 30

Text proposed by the Commission

(30) Since gas supplies from third countries are central to the security of gas supply of the *Community*, the Commission should coordinate ***the*** actions with regard to third countries, working with producer and transit countries on arrangements to handle crisis situations and to ensure a stable gas flow to the *Community*. The

Amendment

(30) Since gas supplies from third countries are central to the security of gas supply of the *Union*, the Commission should coordinate ***emergency*** actions with regard to third countries, working with producer and transit countries on arrangements to handle crisis situations and to ensure a stable gas flow to the *Union*.

Commission should be entitled to **deploy** a task force to monitor gas flows in crisis situations within and, in consultation with the third countries involved, outside the *Community* and, where a crisis arises due to difficulties in a third country, to assume a mediation and facilitation role.

The Commission should be entitled to **request the deployment of** a task force to monitor gas flows in crisis situations within and, in consultation with the third countries involved, outside the *Union* and, where a crisis arises due to difficulties in a third country, to assume a mediation and facilitation role **through the Energy Commissioner and the Vice-President of the Commission /High Representative**.

Or. en

Justification

The High Representative/Vice-president and the Energy Commissioner should be associated at each stage of the implementation of the Regulation. S/he should in particular be responsible for mediation and negotiation with third countries and industry representatives on behalf of the Member States in crisis situation. The Energy Commissioner in particular should coordinate the activities of the Gas Coordination Group that should be consulted in case of crisis situation on an obligatory basis.

Amendment 107
Takis Hadjigeorgiou

Proposal for a regulation
Recital 30 a (new)

Text proposed by the Commission

Amendment

(30a) Calls on the Commission to draw up a proposal to protect consumers effectively as a preventive measure from any price agreements between the economic bodies involved.

Or. el

Amendment 108
Claude Turmes

Proposal for a regulation
Recital 30 a (new)

Text proposed by the Commission

Amendment

(30a) Contracts concerning gas supplies from third countries may not contain provisions violating EU internal market rules, notably restrictions to re-export or clauses having the same effect as a so-called "destination clause".

Or. en

Amendment 109
Bogdan Kazimierz Marcinkiewicz, Jacek Saryusz-Wolski, Rafał Trzaskowski

Proposal for a regulation
Article 1

Text proposed by the Commission

Amendment

This Regulation establishes measures aimed at safeguarding the security of gas supply ***so as to ensure*** the proper and continuous functioning of the internal market for gas by providing for a clear definition and attribution of responsibilities and for a coordination of the response at the level of the Member States and the *Community* regarding both preventive action and the reaction to concrete disruptions of supply.

This Regulation establishes measures aimed at safeguarding the security of gas supply ***by ensuring*** the proper and continuous functioning of the internal market for gas ***and establishing exceptional measures to be implemented when the market can no longer deliver the required gas supplies*** by providing for a clear definition and attribution of responsibilities and for a coordination of the response at the level of the Member States and the *Union* regarding both preventive action and the reaction to concrete disruptions of supply ***or serious and reliable threats of such disruptions in the spirit of solidarity between the Member States.***

Or. en

Justification

Actual disruptions of supply should not be the only grounds for reaction; serious and reliable threats of disruptions should also be a trigger. The spirit of solidarity should be emphasised in the Regulation, in accordance with the European Council conclusions of March 2009 and the article 176 A of the Lisbon Treaty. This solidarity should be vital for the building of a common EU policy on energy and should be developed both internally and externally at the political level in dialogue with third countries during and outside supply crisis situations.

Amendment 110

Konrad Szymański

Proposal for a regulation

Article 1

Text proposed by the Commission

This Regulation establishes measures aimed at safeguarding the security of gas supply *so as to ensure* the proper and continuous functioning of the internal market for gas by providing for a clear definition and attribution of responsibilities and for a coordination of the response at the level of the Member States and the *Community* regarding both preventive action and the reaction to concrete disruptions of supply.

Amendment

This Regulation establishes measures aimed at safeguarding the security of gas supply *by ensuring* the proper and continuous functioning of the internal market for gas *and establishing exceptional measures to be implemented when the market can no longer deliver required gas supplies* by providing for a clear definition and attribution of responsibilities and for a coordination of the response at the level of the Member States and the *Union* regarding both preventive action and the reaction to concrete disruptions of supply *or serious and reliable threat of them in the spirit of solidarity between the Member States.*

Or. en

Amendment 111

Takis Hadjigeorgiou

Proposal for a regulation

Article 1

Text proposed by the Commission

This Regulation establishes measures

Amendment

This Regulation establishes measures

aimed at safeguarding the security of gas supply so as to ensure the proper and continuous functioning of the internal market for gas by providing for a clear definition and attribution of responsibilities and for a coordination of the response at the level of the Member States and the Community regarding both preventive action and the reaction to concrete disruptions of supply.

aimed at safeguarding the security of gas supply so as to ensure the proper and continuous functioning of the internal market for gas by ***always taking the benefit of consumers as a criterion and*** providing for a clear definition and attribution of responsibilities and for a coordination of the response ***with transparent procedures*** at the level of the Member States and the Community regarding both preventive action and the reaction to concrete disruptions of supply.

Or. el

Amendment 112 **Werner Langen**

Proposal for a regulation **Article 1**

Text proposed by the Commission

This Regulation establishes measures aimed at safeguarding the security of gas supply so as to ensure the proper and continuous functioning of the internal market for gas by providing for a clear definition and attribution of responsibilities and for a coordination of the response at the level of the Member States and the Community regarding both preventive action and the reaction to concrete disruptions of supply.

Amendment

This Regulation establishes measures aimed at safeguarding the security of gas supply so as to ensure the proper and continuous functioning of the internal market for gas by providing for a clear definition and attribution of responsibilities and for a coordination of the response at the level of ***natural gas undertakings***, the Member States, ***the relevant regional cooperation bodies*** and the Community regarding both preventive action and the reaction to concrete disruptions of supply.

Or. de

Justification

Statt der vorgeschlagenen zentralen Rolle der Kommission als Koordinator im Krisenfall, sollte ein mehrstufiger bottom-up Ansatz (1. Industrie 2. Mitgliedstaaten 3. regionale Kooperationen 4. im äußersten Notfall die EU) mit stärkerer Unternehmensbeteiligung gewählt werden. Letztendlich Handelnde werden bei einer Versorgungsstörung die Erdgasunternehmen sein, da bei diesen Transportkapazitäten, Gasmengen und Kenntnisse

über Verbrauchsmengen vorhanden sind. Ein solcher Ansatz ist effizienter, weniger bürokratisch und sorgt für die Wahrung des Subsidiaritätsprinzips.

Amendment 113

Fiorello Provera, Lara Comi

Proposal for a regulation

Article 1

Text proposed by the Commission

This Regulation establishes measures aimed at safeguarding the security of gas supply so as to ensure the proper and continuous functioning of the internal market for gas by providing for a clear definition and attribution of responsibilities and for a coordination of the response at the level of the Member States and the *Community* regarding both preventive action and the reaction to concrete disruptions of supply.

Amendment

This Regulation establishes measures aimed at safeguarding the security of gas supply so as to ensure the proper and continuous functioning of the internal market for gas by providing for a clear definition and attribution of responsibilities and for a coordination of the response at the level of ***natural gas undertakings***, the Member States and the *Union* regarding both preventive action and the reaction to concrete disruptions of supply.

Or. en

Justification

The three-level-approach defined in the 2004 Directive to ensure security of supply (I: companies; II: Member States; III: the Commission), is no longer clearly reflected in the draft Regulation. This principle should be reinstated in the draft Regulation.

Amendment 114

Fiorello Provera, Lara Comi

Proposal for a regulation

Article 1 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

The measures indicated in paragraph 1 shall apply only in the event of acute crisis situations for which Member States shall design an appropriate national framework to secure gas supply.

Justification

The European Commission should define just minimum common requirements at EU level while allowing Member States to design appropriate national frameworks taking into account their specificities and current situations. Indeed security of supply should be addressed at regional level as to be compatible with the provisions in the third energy liberalisation package.

Amendment 115**Alejo Vidal-Quadras****Proposal for a regulation****Article 2 – point 1***Text proposed by the Commission*

(1) "protected customers" means all household customers ***already*** connected to a gas distribution network, ***and, if the Member State concerned so decides, can also include small and medium-sized enterprises, schools and hospitals provided that they are already connected to a gas distribution network;***

Amendment

(1) "protected customers" means all household customers connected to a gas distribution network;

Justification

Amendment to be considered with the amendments to art. 5 and art. 8. The concept "Protected customers" is directly linked to the obligations by all Member States in terms of solidarity. By making a wide definition there is a risk of distortions of the internal market and freeloading if one MS declares protected customers a lot of sectors and another only households. A uniform definition is necessary. However, if a MS has the capacity to take further measures for other sectors, it should be allowed (see amendments to art. 8 and art. 5).

Amendment 116
Claude Turmes

Proposal for a regulation
Article 2 – point 1

Text proposed by the Commission

(1) "protected customers" means all household customers **already** connected to a gas distribution network, **and, if the Member State concerned so decides, can also include small and medium-sized enterprises, schools and hospitals provided that they are already connected to a gas distribution network;**

Amendment

(1) "protected customers" means all household customers connected to a gas distribution network;

Or. en

Justification

The definition of protected customers should be as clear-cut as possible and also as restricted as possible. It would neither help the security of supply nor the customers if a too large group of customers is protected.

Amendment 117
Lambert van Nistelrooij, Angelika Niebler

Proposal for a regulation
Article 2 – point 1

Text proposed by the Commission

(1) "protected customers" means all household customers already connected to a gas distribution network, **and, if the Member State concerned so decides, can also include small and medium-sized enterprises, schools and hospitals provided that they are already connected to a gas distribution network;**

Amendment

(1) "protected customers" means all household customers already connected to a gas distribution network;

Or. en

Justification

While household customers certainly require protection, a possible extension of the category of protected customers at EU level is a highly complex and sensitive topic requiring sound impact assessments. Moreover, extending the scope of protected consumers should remain a national prerogative since its appropriateness and adequacy should be assessed in light of national circumstances, notably the structure of the energy mix and the importance of gas in this mix. Therefore, the draft Regulation should not extend mandatory EU protection beyond households.

Amendment 118 **Hannes Swoboda**

Proposal for a regulation **Article 2 – point 1**

Text proposed by the Commission

(1) "protected customers" means all household customers *already* connected to a gas distribution network, *and, if* Member State concerned *so* decide, *can also* include *small and medium-sized enterprises, schools and hospitals provided that they are already connected to gas distribution network;*

Amendment

(1) "protected customers" means all household customers connected to a gas distribution network. Member States concerned, *may* decide *to* include *a limited amount of additional customers especially customers delivering important public services; but in any case, these extensions must not interfere with the principles of European or regional solidarity towards countries with supply problems.*

Or. en

Amendment 119 **Werner Langen**

Proposal for a regulation **Article 2 – point 1**

Text proposed by the Commission

(1) "protected customers" means all household customers already connected to a gas distribution network, *and, if the Member State concerned so decides, can also include small and medium-sized enterprises, schools and hospitals*

Amendment

(1) "protected customers" means all household customers already connected to a gas distribution network;

provided that they are already connected to a gas distribution network;

Or. de

Justification

The Community rules should be confined to those customers who would have no alternative in the event of a disruption of supply and who are dependent on the gas supply to meet their basic needs. Any extension of the definition of 'protected customers' would undermine the purpose of the supply standard, which also permits demand-side measures in preventive action and emergency plans. A too far-reaching definition would render the protective mechanism ineffective and limit the scope for demand-side measures.

Amendment 120
Silvia-Adriana Țicău

Proposal for a regulation
Article 2 – point 1

Text proposed by the Commission

(1) "protected customers" means all household customers already connected to a gas distribution network, and, if the Member State concerned so decides, can also include *small and medium-sized enterprises*, schools *and* hospitals provided that they are already connected to a gas distribution network;

Amendment

(1) "protected customers" means all household customers already connected to a gas distribution network, and, if the Member State concerned so decides, can also include schools, hospitals *and other establishments providing emergency services or public-sector medical, social and educational services, as well as enterprises supplying basic food necessities to the public*, provided that they are already connected to a gas distribution network;

Or. ro

Justification

The supplying of gas to households, hospitals and other protected consumers should also continue in times of crisis.

Amendment 121
Marian-Jean Marinescu

Proposal for a regulation
Article 2 – point 1

Text proposed by the Commission

(1) "protected customers" means all household customers **already** connected to a gas distribution network, and, if the Member State concerned so decides, can also include small and medium-sized enterprises, schools **and** hospitals **provided that they are already connected to a gas distribution network**;

Amendment

(1) "protected customers" means all household customers connected to a gas distribution network, and, if the Member State concerned so decides, can also include **customers where gas is necessary to fulfil an essential public service such as** small and medium-sized enterprises, schools **or** hospitals;

Or. en

Amendment 122
Teresa Riera Madurell

Proposal for a regulation
Article 2 – point 1

Text proposed by the Commission

(1) "protected customers" means all **household customers already** connected to a gas **distribution** network, **and, if** the Member State concerned **so** decides, **can also include small and medium-sized enterprises, schools and hospitals provided that they are already connected to a gas distribution network**;

Amendment

(1) "protected customers" means all **clients** connected to a gas network **which** the Member State concerned decides **upon, taking into account the specific energy market features, and complying with the established criteria**;

Or. en

Justification

The definition of protected customers should allow for some flexibility for Member States to adjust to their national circumstances with clearly defined criteria. In the case of Spain, for instance, the fired gas power has a relevant role and the Spanish Gas System has been designed with the adequate skills to support the thermal back-up power required by renewables development and integration.

Amendment 123

Paul Rübiger

Proposal for a regulation

Article 2 – point 1

Text proposed by the Commission

(1) "protected customers" means all household customers already connected to a gas distribution network, and, if the Member State concerned so decides, can also include small and medium-sized enterprises, schools and hospitals provided that they are already connected to a gas distribution network;

Amendment

(1) "protected customers" means all household customers connected to a gas distribution network **and the power stations, cogeneration plants and district heating plants relevant to guaranteed supply**, and, if the Member State concerned so decides, can also include small and medium-sized enterprises, schools and hospitals provided that they are connected to a gas distribution network;

Or. de

Justification

The provision of heat and electricity to maintain basic services to customers is guaranteed by taking account of relevant production units.

Amendment 124

Fiorello Provera, Lara Comi

Proposal for a regulation

Article 2 – point 1

Text proposed by the Commission

(1) "protected customers" means all household customers **already** connected to a gas distribution network, and, if the Member State concerned so decides, can also include small and medium-sized enterprises, schools and hospitals provided that they are **already** connected to a gas distribution network;

Amendment

(1) "protected customers" means all household customers connected to a gas distribution network, and, if the Member State concerned so decides, can also include small and medium-sized enterprises, schools and hospitals provided that they are connected to a gas distribution network, **and gas-fired thermal power plants if they are strictly necessary for the**

supply of electricity to such customers;

Or. it

Justification

It is necessary to insert a reference to gas-fired thermal power stations to ensure that a situation does not paradoxically arise in which protected customers are supplied with gas but not electricity; 'already' should be deleted because the Regulation ought to apply not only to customers who are connected to a network when the Regulation enters into force but also to those who are connected when a crisis arises.

Amendment 125
Takis Hadjigeorgiou

Proposal for a regulation
Article 2 – point 1

Text proposed by the Commission

(1) "protected customers" means all household customers already connected to a gas distribution network, and, if the Member State concerned so decides, can also include ***small and medium-sized enterprises, schools and hospitals*** provided that they are already connected to a gas distribution network;

Amendment

(1) "protected customers" means all household customers, ***small and medium-sized enterprises, schools and hospitals*** already connected to a gas distribution network, and, if the Member State concerned so decides, can also include ***any other customers in the public interest*** provided that they are already connected to a gas distribution network;

Or. en

Amendment 126
András Gyürk

Proposal for a regulation
Article 2 – point 1

Text proposed by the Commission

(1) "protected customers" means all household customers already connected to a gas distribution network, and, if the Member State concerned so decides, can

Amendment

(1) "protected customers" means all household customers already connected to a gas distribution network, and, if the Member State concerned so decides, can

also include small and medium-sized enterprises, *schools and hospitals* provided that they are already connected to a gas distribution network;

also include small and medium-sized enterprises *and public institutions*, provided that they are already connected to a gas distribution network;

Or. hu

Justification

It is appropriate to make it possible to assign protected status to any public institution.

Amendment 127

Fiorello Provera, Lara Comi

Proposal for a regulation

Article 2 – point 1

Text proposed by the Commission

(1) "protected customers" means all household customers already connected to a gas distribution network, and, if the Member State concerned so decides, can also include small and medium-sized enterprises, schools and hospitals provided that they are already connected to a gas distribution network;

Amendment

(1) "protected customers" means all household customers already connected to a gas distribution network, and, if the Member State concerned so decides, can also include :

a) small and medium-sized enterprises, schools and hospitals provided that they are already connected to a gas distribution network, and

b) electrical power plants for the limited quantity - established by the Competent Authority on a national needs basis - necessary to avoid interruption of electricity to customers in the event of gas supply disruption;

Or. en

Amendment 128
Claude Turmes

Proposal for a regulation
Article 2 – point 2

Text proposed by the Commission

(2) “Competent Authority” means the national regulatory authority *or national governmental authority designated by the Member States to be responsible for security of gas supply*. This is without prejudice to the choice of Member States to allocate certain tasks in this Regulation to other *authorities* than the Competent Authority. These tasks shall be performed under the supervision of the Competent Authority and shall be specified in the plans referred to in Article 4.

Amendment

(2) “Competent Authority” means the national regulatory authority. This is without prejudice to *general policy guidelines issued by the government not related to the regulatory powers and duties under Article 41 of Directive 2009/73/EC of the European Parliament and of the Council of 13 July 2009 concerning common rules for the internal market in natural gas¹* and the choice of Member States to allocate certain tasks in this Regulation to other *entities* than the Competent Authority. These tasks shall be performed under the supervision of the Competent Authority and shall be specified in the plans referred to in Article 4.

¹ *OJ L 211, 14.8.2009, p. 94.*

Or. en

Justification

The national regulatory authorities should be the competent authorities in the MS as they are already set up for the energy market, are independent and have the necessary knowledge to deal with the issues at stake. However, the final responsibility still lies with the MS Government which will have to bear the political responsibility, which is in line with the wording of Art. 39(4) (b)(ii) of the above mentioned Directive 2009/73/EC. National entities could be governmental authorities, system operators as established under Article 1 last subparagraph of the Gas Regulation No. 715/2009.

Amendment 129

Paul Rübzig

Proposal for a regulation

Article 2 – point 2

Text proposed by the Commission

(2) “Competent Authority” means the national regulatory authority *or national governmental authority designated by the Member States to be responsible for security of gas supply*. This is without prejudice to the choice of Member States to allocate certain tasks in this Regulation to other authorities than the Competent Authority. These tasks shall be performed under the supervision of the Competent Authority and shall be specified in the plans referred to in Article 4.

Amendment

(2) “Competent Authority” means *the national governmental authority designated by the Member States to be responsible for security of gas supply and/or* the national regulatory authority. This is without prejudice to the choice of Member States to allocate certain tasks in this Regulation to other authorities than the Competent Authority. These tasks shall be performed under the supervision of the Competent Authority and shall be specified in the plans referred to in Article 4. *The national governmental authority shall retain the lead role.*

Or. de

Justification

Maintaining the gas supply in a crisis is the key task of the State. At all events, no authority should be assigned powers which serve interests contrary to security of supply.

Amendment 130

Takis Hadjigeorgiou

Proposal for a regulation

Article 3 – paragraph 1

Text proposed by the Commission

1. Security of gas supply is a task of the natural gas undertakings, *Competent Authorities of the Member States*, the industrial gas customers, *and the Commission* within their respective areas of responsibility. It requires a high degree of cooperation between them.

Amendment

1. *Security of gas supply is a task primarily of the Member States and the Competent Authorities of the Member States.* Security of gas supply is *also* a task of the natural gas undertakings *and* the industrial gas customers within their respective areas of responsibility. It requires a high degree of cooperation

between them.

Or. en

Amendment 131

Paul Rübiger

Proposal for a regulation

Article 3 – paragraph 1

Text proposed by the Commission

1. Security of gas supply is a task of the natural gas undertakings, Competent Authorities *of the* Member States, the *industrial gas customers, and the* Commission within their respective areas of responsibility. It requires a high degree of cooperation between them.

Amendment

1. Security of supply is a shared task of the natural gas undertakings, Competent Authorities, Member States, the Commission *and, where appropriate, customers other than protected customers,* within their respective areas of responsibility. It requires a high degree of cooperation between them.

Or. en

Justification

The three-level-approach defined in the 2004 Directive to ensure security of supply (I: companies; II: Member States; III: the Commission), is no longer clearly reflected in the draft Regulation. This principle should be reinstated in the draft Regulation.

Amendment 132

Lambert van Nistelrooij, Angelika Niebler

Proposal for a regulation

Article 3 – paragraph 1

Text proposed by the Commission

1. Security of gas supply is a task of the natural gas undertakings, Competent Authorities of the Member States, *the industrial gas customers,* and the Commission within their respective areas of responsibility. *It* requires a high degree

Amendment

1. Security of gas supply is *first of all* a task of the natural gas undertakings. Competent Authorities of the Member States and the Commission *shall support the natural gas undertakings* within their respective areas of responsibility. *This* requires a high degree of cooperation

of cooperation between them.

between them.

Or. en

Justification

The three-level-approach defined in the 2004 Directive to ensure security of supply (I: companies; II: Member States; III: the Commission), is no longer clearly reflected in the draft Regulation. This principle should be reinstated in the draft Regulation.

Amendment 133

Francisco Sosa Wagner

Proposal for a regulation

Article 3 – paragraph 1

Text proposed by the Commission

1. Security of gas supply is a task of the natural gas undertakings, Competent Authorities of the Member States, *the industrial gas customers*, and the Commission within their respective areas of responsibility. It requires a high degree of cooperation between them.

Amendment

1. Security of gas supply is a task of the natural gas undertakings, Competent Authorities of the Member States and the Commission within their respective areas of responsibility. It requires a high degree of cooperation between them.

Or. en

Amendment 134

Arturs Krišjānis Kariņš

Proposal for a regulation

Article 3 – paragraph 1

Text proposed by the Commission

1. Security of gas supply is a task of the natural gas undertakings, Competent Authorities of the Member States, the industrial gas customers, and the Commission within their respective areas of responsibility. It requires a high degree of cooperation between them.

Amendment

1. Security of gas supply *and the proper functioning of the internal market* is a task of the natural gas undertakings, Competent Authorities of the Member States, the industrial gas customers, and the Commission within their respective areas of responsibility. It requires a high degree

of cooperation between them.

Or. en

Justification

The precondition of security of gas supply is proper functioning of the internal market.

Amendment 135

Werner Langen

Proposal for a regulation

Article 3 – paragraph 1

Text proposed by the Commission

1. Security of gas supply is a task of the natural gas undertakings, Competent Authorities of the Member States, the industrial gas customers, and the Commission within their respective areas of responsibility. It requires a high degree of cooperation between them.

Amendment

1. Security of gas supply is a task of the natural gas undertakings, Competent Authorities of the Member States, the industrial gas customers, and the Commission within their respective areas of responsibility. It requires a high degree of cooperation between them. ***Regarding the handling of a major gas supply disruption, this Regulation provides for a system based on a bottom-up approach. During the first stage, it is individual gas undertakings or groups of gas undertakings that respond to the disruption of supply; if that proves insufficient, Member States should take measures to remedy the supply disruption. Only if the measures taken at stages one and two seem unlikely to succeed should appropriate measures be taken at Community level. Preferential consideration should be given to regional cross-border solutions.***

Or. de

Justification

The amendment is intended to clarify the response to crises in accordance with the multi-stage bottom-up approach (1. industry, 2. Member States, 3. regional cooperation bodies, 4.

in the last resort, as required by an emergency, the EU). In the event of a disruption of supply, those ultimately taking action will be the natural gas undertakings, as it is they that have the transport capacity, the quantities of gas and knowledge of the quantities consumed. This approach is more efficient and less bureaucratic and will ensure compliance with the subsidiarity principle.

Amendment 136

Bogdan Kazimierz Marcinkiewicz

Proposal for a regulation

Article 3 – paragraph 2

Text proposed by the Commission

2. Each Member State shall designate **a** Competent Authority responsible for the implementation of the security of gas supply measures **provided in** this Regulation. The measures shall include the biennial risk assessment, the establishment of the Preventive Action Plans, the establishment of the Emergency Plan, and the continuous monitoring of security of gas supply at national level. Competent Authorities shall cooperate with each other to prevent a supply disruption and to limit damages in case it occurs.

Amendment

2. Each Member State shall designate **on transparent terms an independent** Competent Authority responsible for the implementation of the security of gas supply measures **in line with the provisions of** this Regulation. The measures shall include the biennial risk **and impact** assessment **including geopolitical risks**, the establishment of the Preventive Action Plans, the establishment of the Emergency Plan, and the continuous monitoring of security of gas supply at national level. Competent Authorities shall cooperate with each other to prevent a supply disruption and to limit damages in case it occurs.

Or. en

Justification

The future Regulation should focus on the requirement for Member States to carry out a thorough risk and impact assessment and analyse their situation on the basis of a sound common methodology taking into account particular national circumstances and specificities where appropriate. The results shall be reflected in preventive action and emergency plans subject to review to ensure their appropriateness. Similar plans could also be prepared at the regional level.

Amendment 137
Gaston Franco

Proposal for a regulation
Article 3 – paragraph 2

Text proposed by the Commission

2. Each Member State shall designate a Competent Authority responsible for the implementation of the security of gas supply measures provided in this Regulation. The measures shall include the biennial risk assessment, the establishment of the Preventive Action Plans, the establishment of the Emergency Plan, and the continuous monitoring of security of gas supply at national level. Competent Authorities shall cooperate with each other to prevent a supply disruption and to limit damages in case it occurs.

Amendment

2. Each Member State shall designate **on transparent terms** a Competent Authority **independent from the market players and** responsible for the implementation of the security of gas supply measures provided in this Regulation. The measures shall include the biennial risk assessment, the establishment of the Preventive Action Plans, the establishment of the Emergency Plan, and the continuous monitoring of security of gas supply at national level. Competent Authorities shall cooperate with each other to prevent a supply disruption and to limit damages in case it occurs.

Or. en

Justification

Gas supply of the EU is considered by several Member States as a state prerogative. It must thus remain possible to entrust management and control of the gas supply to the services of the State and not to delegate these competences to an ad hoc national authority.

Amendment 138
Fiorello Provera, Lara Comi

Proposal for a regulation
Article 3 – paragraph 2

Text proposed by the Commission

2. Each Member State shall designate a Competent Authority responsible for the implementation of the security of gas supply measures **provided in** this Regulation. The measures shall include the biennial risk assessment, the establishment of the Preventive Action Plans, the

Amendment

2. Each Member State shall designate a Competent Authority responsible for the implementation of the security of gas supply measures **in line with the provisions of** this Regulation. The measures shall include the biennial risk **and impact** assessment, the establishment

establishment of the Emergency Plan, and the continuous monitoring of security of gas supply at national level. Competent Authorities shall cooperate with each other to prevent a supply disruption and to limit damages in case it occurs.

of the Preventive Action Plans, the establishment of the Emergency Plan, and the continuous monitoring of security of gas supply at national level. Competent Authorities shall cooperate with each other to prevent a supply disruption and to limit damages in case it occurs.

Or. en

Justification

Rather than setting up mandatory EU standards the Regulation should focus on the requirement for Member States to carry out a thorough risk and impact assessment on the basis of a sound common methodology, whilst allowing to take into account particular national circumstances and specificities where appropriate. The results shall be reflected in preventive action and emergency plans subject to review to ensure their appropriateness. Similar plans could also be prepared at the regional level.

Amendment 139 **Claude Turmes**

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

Text proposed by the Commission

2. Each Member State shall designate a Competent Authority responsible for the implementation of the security of gas supply measures provided in this Regulation. The measures shall include the biennial risk assessment, the establishment of the Preventive Action Plans, the establishment of the Emergency Plan, and the continuous monitoring of security of gas supply at national level. Competent Authorities shall cooperate with each other to prevent a supply disruption and to limit damages in case it occurs.

Amendment

2. The Competent Authority **shall be** responsible for the implementation of the security of gas supply measures provided in this Regulation. The measures shall include the biennial risk assessment, the establishment of the Preventive Action Plans, the establishment of the Emergency Plan, and the continuous monitoring of security of gas supply at national level. Competent Authorities shall cooperate with each other to prevent a supply disruption and to limit damages in case it occurs.

Or. en

Justification

Follow-up of amendment to Article 2(2). If it is clarified in the definition that the NRAs shall be the competent authority, it has to be deleted in Article 3(2) that the MS designates the competent authority.

Amendment 140

Lambert van Nistelrooij, Ria Oomen-Ruijten

Proposal for a regulation

Article 3 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. Under the terms of this Regulation and having regard to Article 176a of the Treaty, the Commission and the Member States shall step up their monitoring of the security of gas supplies from third countries and shall propose specific emergency measures in the event of any disruption of supply. The Commission shall coordinate dispute settlement systems with third countries and intensify the energy dialogue, inter alia in the context of the Energy Charter and the Energy Community.

Or. nl

Amendment 141

Claude Turmes

Proposal for a regulation

Article 3 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. The responsibilities defined in paragraph 2 shall be without prejudice to the Member States' responsibility to declare the emergency level according to Article 9(2)(3) or in the case of an emergency to enact the emergency measures as provided for in the

Emergency Plan established according to Article 9.

Or. en

Justification

The competent authority, i.e. the NRA, shall be responsible for carrying out the majority of tasks provided for in this Regulation. However, the political responsibility for declaring an emergency and enacting specific emergency measures in line with the defined actions in the emergency plan shall remain with the competent minister or the government of a MS in case of a crisis.

Amendment 142
Amalia Sartori, Lara Comi

Proposal for a regulation
Article 3 – paragraph 4

Text proposed by the Commission

4. The Commission shall ***coordinate the*** Competent Authorities at the *Community* level through the Gas Coordination Group in particular in the case of a *Community* Emergency.

Amendment

4. The Commission shall ***ensure coordination among*** Competent Authorities at the *Union* level through the Gas Coordination Group in particular in case of a *Union* Emergency.

Or. en

Justification

The powers of the Commission shall be aimed at the highest effectiveness of the actions without affecting on the other hand the possibility for Member States to identify the most appropriate measures according their specific national situations. Competitive distortions as well as limitation of Member States and European undertakings project and infrastructural initiatives shall be avoided. Finally, the role of the Gas Coordination Group shall be fully recognised.

Amendment 143
Patrizia Toia, Anni Podimata

Proposal for a regulation
Article 3 – paragraph 4

Text proposed by the Commission

4. The Commission shall **coordinate the** Competent Authorities at the *Community* level through the Gas Coordination Group in particular in the case of a *Community* Emergency.

Amendment

4. The Commission shall **ensure coordination among** Competent Authorities at the *Union* level through the Gas Coordination Group in particular in case of a *Union* Emergency.

Or. en

Justification

The powers of the Commission shall be aimed at the highest effectiveness of the actions without affecting on the other hand the possibility for Member States to identify the most appropriate measures according their specific national situations. Competitive distortions as well as limitation of Member States and European undertakings project and infrastructural initiatives shall be avoided. Finally, the role of the Gas Coordination Group shall be fully recognised.

Amendment 144
Aldo Patriciello

Proposal for a regulation
Article 3 – paragraph 4

Text proposed by the Commission

4. The Commission shall **coordinate the** Competent Authorities at the *Community* level through the Gas Coordination Group in particular in the case of a *Community* Emergency.

Amendment

4. The Commission shall **ensure coordination among** Competent Authorities at the *Union* level through the Gas Coordination Group in particular in case of a *Union* Emergency.

Or. en

Justification

The powers of the Commission shall be aimed at the highest effectiveness of the actions without affecting on the other hand the possibility for Member States to identify the most

appropriate measures according to their specific national situations. Competitive distortions as well as limitation of Member States and European undertakings project and infrastructural initiatives shall be avoided. Finally, the role of the Gas Coordination Group shall be fully recognised.

Amendment 145

Bogdan Kazimierz Marcinkiewicz, Jacek Saryusz-Wolski

Proposal for a regulation

Article 3 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. The Commission shall implement the measures provided for in this Regulation. The measures shall include the biennial risk assessment, the continuous monitoring of security of gas supply as well as the establishment of Preventive and Emergency Action Plans at Union level.

Or. en

Amendment 146

Ioan Enciu

Proposal for a regulation

Article 3 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. The Commission, with the relevant Community-level authorities, shall take all the measures needed to put into practice and complete, as swiftly as possible, existing projects approved by the European Union for the diversification of gas sources and routes.

Or. ro

Justification

This refers directly to the Nabucco Project, which is the only European Union project meeting all these conditions.

Amendment 147
Takis Hadjigeorgiou

Proposal for a regulation
Article 3 – paragraph 5

Text proposed by the Commission

5. The measures to ensure the security of supply shall be clearly defined, transparent, proportionate, non-discriminatory, verifiable, and ***shall not unduly distort competition and the effective functioning of the internal market.***

Amendment

5. The measures to ensure the security of supply shall be clearly defined, transparent, proportionate, non-discriminatory, verifiable, and ***take into account the economic interests of consumers.***

Or. en

Amendment 148
Fiorello Provera, Lara Comi

Proposal for a regulation
Article 3 – paragraph 5

Text proposed by the Commission

5. The measures to ensure the security of supply shall be clearly defined, transparent, proportionate, non-discriminatory, verifiable, and shall not unduly distort competition and the effective functioning of the internal market.

Amendment

5. The measures to ensure the security of supply shall be ***based on the risk and impact assessment carried out according to Article 8,*** clearly defined, transparent, proportionate, non-discriminatory, verifiable, and shall not unduly distort competition and the effective functioning of the internal market.

Or. en

Justification

Rather than setting up mandatory EU standards the Regulation should focus on the

requirement for Member States to carry out a thorough risk and impact assessment on the basis of a sound common methodology, whilst allowing to take into account particular national circumstances and specificities where appropriate. The results shall be reflected in preventive action and emergency plans subject to review to ensure their appropriateness. Similar plans could also be prepared at the regional level.

Amendment 149

Bogdan Kazimierz Marcinkiewicz

Proposal for a regulation

Article 3 – paragraph 5

Text proposed by the Commission

5. The measures to ensure the security of supply shall be clearly defined, transparent, proportionate, non-discriminatory, verifiable, and shall not unduly distort competition and the effective functioning of the internal market.

Amendment

5. The measures to ensure the security of supply shall be ***based on the risk and impact assessment carried out according to Article 8***, clearly defined, transparent, proportionate, non-discriminatory, verifiable, and shall not unduly distort competition and the effective functioning of the internal market.

Or. en

Justification

Rather than setting up mandatory EU standards the Regulation should focus on the requirement for Member States to carry out a thorough risk and impact assessment on the basis of a sound common methodology, whilst allowing to take into account particular national circumstances and specificities where appropriate. The results shall be reflected in preventive action and emergency plans subject to review to ensure their appropriateness. Similar plans could also be prepared at the regional level.

Amendment 150

Arturs Krišjānis Kariņš

Proposal for a regulation

Article 3 – paragraph 5

Text proposed by the Commission

5. The measures to ensure the security of supply shall be clearly defined, transparent,

Amendment

5. The measures to ensure the security of supply shall be clearly defined, transparent,

proportionate, non-discriminatory, verifiable, and shall not unduly distort competition and the effective functioning of the internal market.

proportionate, non-discriminatory, verifiable, and shall not unduly distort, **but on the contrary promote** competition and the effective functioning of the internal market.

Or. en

Justification

The internal market and competition is a guarantee of safe gas supplies.

Amendment 151
Claude Turmes

Proposal for a regulation
Article 3 – paragraph 5

Text proposed by the Commission

5. The measures to ensure the security of supply shall be clearly defined, transparent, proportionate, non-discriminatory, verifiable, and shall not unduly distort competition and the effective functioning of the internal market.

Amendment

5. The measures to ensure the security of supply shall be clearly defined, transparent, proportionate, non-discriminatory, verifiable, and shall not unduly distort competition and the effective functioning of the internal market. ***The Commission together with the Competent Authority shall ensure that no clauses having the effect of a destination clause exist in contracts for natural gas concluded between Member States or their natural gas undertakings and third countries. This is without prejudice to the competences of competition authorities.***
Such measures shall further be without prejudice to existing EU market mechanisms concerning GHG emissions, in case of industrial sectors falling under such mechanisms.

Or. en

Amendment 152
Silvia-Adriana Țicău

Proposal for a regulation
Article 3 – paragraph 5 a (new)

Text proposed by the Commission

Amendment

5a. To reduce the impact of potential crises triggered by the disruption of gas deliveries, the Member States shall develop a common strategy for ensuring the diversification of energy sources and gas delivery routes and supply sources.

Or. ro

Justification

If they are to reduce their dependence on external gas sources, Member States must not focus solely on gas, but also on other energy sources.

Amendment 153
Hannes Swoboda

Proposal for a regulation
Article 3 a (new)

Text proposed by the Commission

Amendment

Article 3a

Long-term security of supply measures
At the latest one year after the entry into force of this Regulation, the Commission shall present a report containing proposed regulatory measures that could be implemented in order to diversify, at Union level, the geographical sources of gas and the routes of supply into the EU. The report should include proposals to the different Member States concerning activities and measures in order to enhance security of gas supply. The report shall, in particular, include an assessment of the role of LNG installations. An

overview of storage capacities for gas for and in different Member States shall be added.

In addition, the report shall make proposals for stronger regional cooperation in setting up regional preventive action and emergency plans. Any regional cooperation for the purpose of the implementation of this Regulation shall be conducted by the Competent Authorities of the Member States, involving the natural gas undertakings, the regulatory authorities and the industrial consumers and in close cooperation with the Commission. This regional cooperation shall support and must not interfere with the general European solidarity obligations.

Or. en

Amendment 154
Konrad Szymański

Proposal for a regulation
Article 3 a (new)

Text proposed by the Commission

Amendment

Article 3a

Long-term security of supply measures

1. By [30 September 2010; 6 months after entry into force] Commission shall prepare the basis for an Early Warning Mechanism in the gas sector. This mechanism should be established comprising bilateral agreements between the EU and third countries on common pre-emptive and rapid reaction to an emergency situation or to a threat of it.

2. The Commission shall introduce a comprehensive plan comprising appropriate incentives enabling fulfilment of the obligation stemming from Article 6.

Amendment 155
Fiona Hall

Proposal for a regulation
Article 3 a (new)

Text proposed by the Commission

Amendment

Article 3a

Long-term security of supply measures

At the latest one year after the entry into force of this Regulation, the Commission shall present the following reports:

(i) a report containing proposed regulatory measures that could be implemented in order to diversify, at Union level, the geographical sources of gas and the routes of supply into the EU. The report shall, in particular, include an assessment of the role of LNG installations.

(ii) a report containing proposals to reduce demand for gas in supply and transit countries, notably through implementation of energy efficiency measures.

Or. en

Amendment 156
Paul Rübzig

Proposal for a regulation
Article 3 a (new)

Text proposed by the Commission

Amendment

Article 3a

1. Member States shall be required to establish a strategic natural gas supply covered by public-private partnerships for

a 60-day period by (12 months after the entry into force of this Regulation).
2. The costs of maintaining the stocks shall be borne by the respective natural gas importers and producers and passed on to the final consumer.

Or. de

Justification

In order to safeguard energy supplies in the European Union it is necessary, besides drawing up preventive action and emergency plans, to build up compulsory stocks of natural gas in the Member States.

Amendment 157
Werner Langen

Proposal for a regulation
Article 3 a (new)

Text proposed by the Commission

Amendment

Article 3a

At the latest one year after the entry into force of this Regulation, the Commission shall, as an element in the development of a long-term supply strategy, present a report on instruments and measures to increase the diversification of gas supply sources for the EU and the routes of supply into the Community. The report shall, in particular, discuss the role of LNG installations.

Or. de

Justification

Going beyond the scope of the Regulation, a long-term gas supply strategy should be developed at EU level.

Amendment 158
Bogdan Kazimierz Marcinkiewicz

Proposal for a regulation
Article 4 – paragraph 1 – introductory part

Text proposed by the Commission

1. By [31 March 2011; 12 months from entry into force] at the latest, the Competent Authority, after consultation of the natural gas undertakings, of the relevant organisations representing the interests of household and industrial customers and of the regulatory authority, where it is not the Competent Authority, shall establish:

Amendment

1. By [30 September 2011; 18 months from entry into force] at the latest, **on the basis of the risk and impact assessment carried out according to Article 8**, the Competent Authority, after consultation of the natural gas undertakings, of the relevant organisations representing the interests of household and industrial customers and of the regulatory authority, where it is not the Competent Authority, shall establish:

Or. en

Justification

The establishment of the plans requires a significant co-ordination effort, particularly in Member States or regions with a multitude of bordering Member States. An establishment of the plans in just one year would jeopardise comprehensive consultations and effective co-ordination with neighbouring entities.

Amendment 159
Amalia Sartori, Lara Comi

Proposal for a regulation
Article 4 – paragraph 1 – introductory part

Text proposed by the Commission

1. By [31 March 2011; 12 months from entry into force] at the latest, the Competent Authority, after consultation of the natural gas undertakings, of the relevant organisations representing the interests of household and industrial customers and of the regulatory authority, where it is not the Competent Authority,

Amendment

1. By [31 March 2011; 12 months from entry into force] at the latest, **on the basis of the risk and impact assessment carried out according to Article 8**, the Competent Authority, after consultation of the natural gas undertakings, **of gas-powered generators**, of the relevant organisations representing the interests of household and industrial customers and of the regulatory

shall establish:

authority, where it is not the Competent Authority, shall establish:

Or. en

Justification

The future Regulation should focus on the requirement for Member States to carry out a thorough risk and impact assessment and analyse their situation on the basis of a sound common methodology.

The risk and impact assessment shall be carried out by each Member State in accordance with the common methodology, whilst allowing the Member State to take into account particular national circumstances and specificities where appropriate. The results shall be reflected in preventive action and emergency plans. These plans should be subject to review to ensure their appropriateness.

Amendment 160
Aldo Patriciello

Proposal for a regulation
Article 4 – paragraph 1 – introductory part

Text proposed by the Commission

1. By [31 March 2011; 12 months from entry into force] at the latest, the Competent Authority, after consultation of the natural gas undertakings, of the relevant organisations representing the interests of household and industrial customers and of the regulatory authority, where it is not the Competent Authority, shall establish:

Amendment

1. By [31 March 2011; 12 months from entry into force] at the latest, ***on the basis of the risk and impact assessment carried out according to Article 8***, the Competent Authority, after consultation of the natural gas undertakings, ***of gas-powered generators***, of the relevant organisations representing the interests of household and industrial customers and of the regulatory authority, where it is not the Competent Authority, shall establish:

Or. en

Justification

The future Regulation should focus on the requirement for Member States to carry out a thorough risk and impact assessment and analyse their situation on the basis of a sound common methodology.

The risk and impact assessment shall be carried out by each Member State in accordance with the common methodology, whilst allowing the Member State to take into account particular national circumstances and specificities where appropriate. The results shall be reflected in preventive action and emergency plans. These plans should be subject to review to ensure their appropriateness.

Amendment 161

Patrizia Toia, Anni Podimata

Proposal for a regulation

Article 4 – paragraph 1 – introductory part

Text proposed by the Commission

1. By [31 March 2011; 12 months from entry into force] at the latest, the Competent Authority, after consultation of the natural gas undertakings, of the relevant organisations representing the interests of household and industrial customers and of the regulatory authority, where it is not the Competent Authority, shall establish:

Amendment

1. By [31 March 2011; 12 months from entry into force] at the latest, ***on the basis of the risk and impact assessment carried out according to Article 8***, the Competent Authority, after consultation of the natural gas undertakings, ***of gas-powered generators***, of the relevant organisations representing the interests of household and industrial customers and of the regulatory authority, where it is not the Competent Authority, shall establish:

Or. en

Justification

Rather than setting up mandatory EU standards the Regulation should focus on the requirement for Member States to carry out a thorough risk and impact assessment on the basis of a sound common methodology, whilst allowing to take into account particular national circumstances and specificities where appropriate. The results shall be reflected in preventive action and emergency plans subject to review to ensure their appropriateness. Similar plans could also be prepared at the regional level.

Amendment 162
Fiorello Provera, Lara Comi

Proposal for a regulation
Article 4 – paragraph 1 – introductory part

Text proposed by the Commission

1. By [31 March 2011; 12 months from entry into force] at the latest, the Competent Authority, after consultation of the natural gas undertakings, of the relevant organisations representing the interests of household and industrial customers and of the regulatory authority, where it is not the Competent Authority, shall establish:

Amendment

1. By [31 March 2011; 12 months from entry into force] at the latest, ***on the basis of the risk and impact assessment carried out according to Article 8***, the Competent Authority, after consultation of the natural gas undertakings, of the relevant organisations representing the interests of household and industrial customers and of the regulatory authority, where it is not the Competent Authority, shall establish:

Or. en

Justification

Rather than setting up mandatory EU standards the Regulation should focus on the requirement for Member States to carry out a thorough risk and impact assessment on the basis of a sound common methodology, whilst allowing to take into account particular national circumstances and specificities where appropriate. The results shall be reflected in preventive action and emergency plans subject to review to ensure their appropriateness. Similar plans could also be prepared at the regional level.

Amendment 163
Miloslav Ransdorf

Proposal for a regulation
Article 4 – paragraph 1 – introductory part

Text proposed by the Commission

1. By [31 March 2011; 12 months from entry into force] at the latest, the Competent Authority, after consultation of the natural gas undertakings, of the relevant organisations representing the interests of household and industrial customers and of the regulatory authority,

Amendment

1. By [31 March 2011; 12 months from entry into force] at the latest, ***on the basis of the risk and impact assessment carried out according to Article 8***, the Competent Authority, after consultation of the natural gas undertakings, of the relevant organisations representing the interests of

where it is not the Competent Authority, shall establish:

household and industrial customers and of the regulatory authority, where it is not the Competent Authority, shall establish:

Or. en

Justification

A risk and impact assessment shall be carried out by each Member State when preparing preventive action and emergency plans based on a common EU methodology, allowing the Member State to take into account particular national circumstances where appropriate.

Amendment 164

Paul Rübiger

Proposal for a regulation

Article 4 – paragraph 1 – introductory part

Text proposed by the Commission

1. By [31 March 2011; 12 months from entry into force] at the latest, the Competent Authority, after consultation of the natural gas undertakings, of the relevant organisations representing the interests of household and industrial customers **and of the regulatory authority, where it is not the Competent Authority**, shall establish:

Amendment

1. By [31 March 2011; 12 months from entry into force] at the latest, the Competent Authority, after consultation of the natural gas undertakings, of the relevant organisations representing the interests of household and industrial customers, shall establish:

Or. en

Justification

In order to ensure consistency between security of supply measures and network regulation within the competence of national regulatory authorities (NRAs), it is important to strengthen the NRAs' role during the preparation of the Preventive Action Plan and the Emergency Plan.

Amendment 165
Hannes Swoboda

Proposal for a regulation
Article 4 – paragraph 1 – introductory part

Text proposed by the Commission

1. By [31 March 2011; 12 months from entry into force] at the latest, the Competent Authority, after consultation of the natural gas undertakings, of the relevant organisations representing the interests of household and industrial customers **and of the regulatory authority, where it is not the Competent Authority**, shall establish:

Amendment

1. By [31 March 2011; 12 months from entry into force] at the latest, the Competent Authority, after consultation of the natural gas undertakings, of the relevant organisations representing the interests of household and industrial customers, shall establish:

Or. en

Amendment 166
Marian-Jean Marinescu

Proposal for a regulation
Article 4 – paragraph 1 – introductory part

Text proposed by the Commission

1. By [31 March 2011; **12 months** from entry into force] at the latest, the Competent Authority, after consultation of the natural gas undertakings, of the relevant organisations representing the interests of household and industrial customers and of the regulatory authority, where **it** is not the Competent Authority, shall establish:

Amendment

1. By [31 March 2011; **18 months** from entry into force] at the latest, the Competent Authority, after consultation of the natural gas undertakings, of the relevant organisations representing the interests of household and industrial customers and of the regulatory authority, where **this** is not the Competent Authority, shall establish:

Or. en

Amendment 167
Paul Rübige

Proposal for a regulation
Article 4 – paragraph 1 – subparagraph 1 a (new)

Text proposed by the Commission

Amendment

Where the regulatory authority is not the Competent Authority, the regulatory authority shall be formally involved in the processes of establishing the Preventive Action Plan and the Emergency Plan. The Competent Authority shall take utmost account of the assessments made by the regulatory authority insofar as they refer to network-related regulatory issues in particular concerning the development of the impact assessment regarding the fulfilment of infrastructure standards according to Article 6 with regards to future approval of tariffs and the consistency with network development plans.

Or. en

Justification

In order to ensure consistency between security of supply measures and network regulation within the competence of national regulatory authorities (NRAs), it is important to strengthen the NRAs' role during the preparation of the Preventive Action Plan and the Emergency Plan.

Amendment 168
Hannes Swoboda

Proposal for a regulation
Article 4 – paragraph 1 – subparagraph 1 a (new)

Text proposed by the Commission

Amendment

Where the regulatory authority is not the Competent Authority, the regulatory authority shall be formally involved in the processes of establishing the Preventive Action Plan and the Emergency Plan. The

Competent Authority shall take utmost account of the assessments made by the regulatory authority insofar as they refer to network-related regulatory issues in particular concerning the development of the impact assessment regarding the fulfilment of infrastructure standards according to Article 6 with regards to future approval of tariffs and the consistency with network development plans.

Or. en

Amendment 169
Anni Podimata

Proposal for a regulation
Article 4 – paragraph 1 – point b

Text proposed by the Commission

(b) An Emergency Plan containing the measures to be taken to mitigate the impact of a gas supply disruption.

Amendment

(b) An Emergency Plan containing the measures to be taken to mitigate the impact of a gas supply disruption, *especially for the most vulnerable consumers.*

Or. el

Amendment 170
Algirdas Saudargas

Proposal for a regulation
Article 4 – paragraph 2

Text proposed by the Commission

2. Before adopting those Plans the Competent Authorities shall exchange information and consult each other and the Commission to ensure that their Plans and measures are mutually consistent at the appropriate regional level. These consultations shall cover, as a minimum,

Amendment

2. Before adopting those Plans the Competent Authorities shall exchange information and consult each other and the Commission to ensure that their Plans and measures are mutually consistent at the appropriate regional level. These consultations shall cover, as a minimum,

interconnections, cross-border supplies, storage across borders and the physical capacity to transport gas in both directions.

interconnections, *in particular those providing access to the EU gas network*, cross-border supplies, storage across borders and the physical capacity to transport gas in both directions. *The Gas Coordination Group shall be informed of these consultations and their results.*

Or. en

Amendment 171
Francisco Sosa Wagner

Proposal for a regulation
Article 4 – paragraph 2

Text proposed by the Commission

2. Before adopting those Plans the Competent Authorities shall exchange information and consult each other and the Commission to ensure that their Plans and measures are mutually consistent at the appropriate regional level. These consultations shall cover, as a minimum, interconnections, cross-border supplies, storage across borders and the physical capacity to transport gas in both directions.

Amendment

2. Before adopting those Plans the Competent Authorities shall exchange information and consult each other and the Commission to ensure that their Plans and measures are mutually consistent at the appropriate regional level. These consultations shall cover, as a minimum, interconnections, cross-border supplies, *rules regarding access to strategic and commercial* storage across borders and the physical capacity to transport gas in both directions.

Or. en

Amendment 172
Amalia Sartori, Lara Comi

Proposal for a regulation
Article 4 – paragraph 2

Text proposed by the Commission

2. Before adopting those Plans the Competent Authorities shall exchange information and consult each other *and* the

Amendment

2. Before adopting those Plans the Competent Authorities shall exchange information and consult each other, the

Commission to ensure that their Plans and measures are mutually consistent at the appropriate regional level. These consultations shall cover, as a minimum, interconnections, cross-border supplies, storage across borders and the physical capacity to transport gas in both directions.

Commission **and the Gas Coordination Group** to ensure that their Plans and measures are mutually consistent at the appropriate regional level. These consultations shall cover, as a minimum, interconnections, cross-border supplies, storage across borders and the physical capacity to transport gas in both directions.

Or. en

Justification

As an expert Body composed of stakeholders (gas industry representatives, ENTSO-G, the relevant customers, national competent authorities and ACER), the Gas Coordination Group (GCG) seems to be the best forum for discussion, sharing of experiences, as well as formal consultations and coordination with interested parties. Therefore, the GCG should facilitate the coordination of measures relating to security of supply. To that extent the GCG should be routinely consulted.

Amendment 173 **Fiorello Provera, Lara Comi**

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

Text proposed by the Commission

2. Before adopting those Plans the Competent Authorities shall exchange information and consult each other **and** the Commission to ensure that their Plans and measures are mutually consistent at the appropriate regional level. These consultations shall cover, as a minimum, interconnections, cross-border supplies, storage across borders and the physical capacity to transport gas in both directions.

Amendment

2. Before adopting those Plans the Competent Authorities shall exchange information and consult each other, the Commission **and the Gas Coordination Group** to ensure that their Plans and measures are mutually consistent at the appropriate regional level. These consultations shall cover, as a minimum, interconnections, cross-border supplies, storage across borders and the physical capacity to transport gas in both directions.

Or. en

Justification

As an expert Body composed of stakeholders (gas industry representatives, ENTSO-G, the

relevant customers, national competent authorities and ACER), the Gas Coordination Group (GCG) seems to be the best forum for discussion, sharing of experiences, as well as formal consultations and coordination with interested parties. Therefore, the GCG should facilitate the coordination of measures relating to security of supply. To that extent the GCG should be routinely consulted.

Amendment 174

Bogdan Kazimierz Marcinkiewicz, Andrzej Grzyb

Proposal for a regulation

Article 4 – paragraph 2

Text proposed by the Commission

2. Before adopting those Plans the Competent Authorities shall exchange information and consult each other **and** the Commission to ensure that their Plans and measures are mutually consistent at the appropriate regional level. These consultations shall cover, as a minimum, interconnections, cross-border supplies, storage across borders and the physical capacity to transport gas in both directions.

Amendment

2. Before adopting those Plans the Competent Authorities shall exchange information and consult each other, the Commission **and the Gas Coordination Group** to ensure that their Plans and measures are mutually consistent at the appropriate regional level. These consultations shall cover, as a minimum, interconnections, cross-border supplies, storage across borders and the physical capacity to transport gas in both directions.

Or. en

Justification

As an expert Body composed of stakeholders (gas industry representatives, ENTSO-G, the relevant customers, national competent authorities and ACER), the Gas Coordination Group (GCG) seems to be the best forum for discussion, sharing of experiences, as well as formal consultations and coordination with interested parties. Therefore, the GCG should facilitate the coordination of measures relating to security of supply. To that extent the GCG should be routinely consulted.

Amendment 175

Lambert van Nistelrooij, Angelika Niebler

Proposal for a regulation

Article 4 – paragraph 2

Text proposed by the Commission

2. Before adopting those Plans the Competent Authorities shall exchange information and consult each other **and** the Commission to ensure that their Plans and measures are mutually consistent at the appropriate regional level. These consultations shall cover, as a minimum, interconnections, cross-border supplies, storage across borders and the physical capacity to transport gas in both directions.

Amendment

2. Before adopting those Plans the Competent Authorities shall exchange information and consult each other, the Commission **and the Gas Coordination Group** to ensure that their Plans and measures are mutually consistent at the appropriate regional level. These consultations shall cover, as a minimum, interconnections, cross-border supplies, storage across borders and the physical capacity to transport gas in both directions.

Or. en

Justification

As an expert Body composed of stakeholders (gas industry representatives, ENTSO-G, the relevant customers, national competent authorities and ACER), the Gas Coordination Group (GCG) seems to be the best forum for discussion, sharing of experiences, as well as formal consultations and coordination with interested parties. Therefore, the GCG should facilitate the coordination of measures relating to security of supply. To that extent the GCG should be routinely consulted.

Amendment 176

Ioannis A. Tsoukalas

Proposal for a regulation

Article 4 – paragraph 2

Text proposed by the Commission

2. Before adopting those Plans the Competent Authorities shall exchange information and consult each other **and** the Commission to ensure that their Plans and measures are mutually consistent at the appropriate regional level. These consultations shall cover, as a minimum,

Amendment

2. Before adopting those Plans the Competent Authorities shall exchange information and consult each other, the Commission and **the Gas Coordination Group** to ensure that their Plans and measures are mutually consistent at the appropriate regional level. These

interconnections, cross-border supplies, storage across borders and the physical capacity to transport gas in both directions.

consultations shall cover, as a minimum, interconnections, cross-border supplies, storage across borders and the physical capacity to transport gas in both directions.

Or. en

Amendment 177
Zigmantas Balčytis

Proposal for a regulation
Article 4 – paragraph 2

Text proposed by the Commission

2. Before adopting those Plans the Competent Authorities shall exchange information and consult each other and the Commission to ensure that their Plans and measures are mutually consistent at the appropriate regional level. These consultations shall cover, as a minimum, interconnections, cross-border supplies, storage across borders and the physical capacity to transport gas in both directions.

Amendment

2. Before adopting those Plans the Competent Authorities shall exchange information and consult each other and the Commission, ***with the involvement of the Gas Coordination Group***, to ensure that their Plans and measures are mutually consistent at the appropriate regional level. These consultations shall cover, as a minimum, interconnections, cross-border supplies, storage across borders and the physical capacity to transport gas in both directions.

Or. It

Amendment 178
Arturs Krišjānis Kariņš

Proposal for a regulation
Article 4 – paragraph 2

Text proposed by the Commission

2. Before adopting those Plans the Competent Authorities shall exchange information and consult each other and the Commission to ensure that their Plans and measures are mutually consistent at the appropriate regional level. These

Amendment

2. Before adopting those Plans the Competent Authorities shall exchange information and consult each other and the Commission to ensure that their Plans and measures are mutually consistent at the appropriate regional level. These

consultations shall cover, as a minimum, interconnections, cross-border supplies, storage across borders and the physical capacity to transport gas in both directions.

consultations shall cover, as a minimum, **existing and necessary future** interconnections, cross-border supplies, storage across borders and the physical capacity to transport gas in both directions.

Or. en

Justification

To improve the security of supply, consultations on the Preventive Action Plan and Emergency Plan should also cover future infrastructure projects.

Amendment 179

Fiorello Provera, Lara Comi

Proposal for a regulation

Article 4 – paragraph 3

Text proposed by the Commission

3. During the process mentioned in paragraph 2 the Commission may recommend at which regional level the exchange of information and consultations shall take place. The Commission, after consultation of the European Network of Transmission System Operators for Gas ("ENTSO-G") and the Agency for the Cooperation of Energy Regulators ("ACER"), may also recommend the establishment of a joint Plan at regional level.

Amendment

3. During the process mentioned in paragraph 2 the Commission may recommend at which regional level the exchange of information and consultations shall take place. The Commission, after consultation of the European Network of Transmission System Operators for Gas ("ENTSO-G" and the Agency for the Cooperation of Energy Regulators ("ACER")) **and the Gas Coordination Group**, may also recommend the establishment of a joint Plan at regional level, **giving specific indications concerning the allocation of the costs and concerning any grants.**

Or. it

Justification

It is necessary to specify more satisfactorily: the possibility of introducing grants payable by one country to another in the same area; the institutionalisation of such grants without leaving it to individual initiative to decide details thereof; allocation of the costs arising from flexibility or the implementation of the appropriate measures on a basis of solidarity.

Amendment 180
Paul Rübiger

Proposal for a regulation
Article 4 – paragraph 3

Text proposed by the Commission

3. During the process mentioned in paragraph 2 the Commission may recommend at which regional level the exchange of information and consultations shall take place. The Commission, after consultation of the European Network of Transmission System Operators for Gas ("ENTSO-G") and the Agency for the Cooperation of Energy Regulators ("ACER"), may also recommend the establishment of a joint Plan at regional level.

Amendment

3. During the process mentioned in paragraph 2 the Commission may recommend at which regional level the exchange of information and consultations shall take place. The Commission, after consultation of the European Network of Transmission System Operators for Gas ("ENTSO-G") and the Agency for the Cooperation of Energy Regulators ("ACER"), may also recommend the establishment of a joint Plan at regional level, ***establishing the regions in the light of the infrastructure relevant to the security of natural gas supply.***

Or. de

Justification

If regions are formed, they must be established in accordance with the natural gas infrastructure and gas flows. The existing regions (regional initiatives), which were originally devised by the regulators, do not necessarily meet the requirements of security of supply.

Amendment 181
Gaston Franco

Proposal for a regulation
Article 4 – paragraph 3

Text proposed by the Commission

3. During the process mentioned in paragraph 2 the Commission may recommend at which regional level the exchange of information and consultations shall take place. The Commission, after

Amendment

3. During the process mentioned in paragraph 2 the Commission, ***after consultation of the European Network of Transmission System Operators ("ENTSO-G"), the regulators and the gas***

consultation of *the European Network of Transmission System Operators for Gas ("ENTSO-G") and the Agency for the Cooperation of Energy Regulators ("ACER")*, may also recommend the establishment of a joint Plan at regional level.

undertakings may recommend at which regional level the exchange of information and consultations shall take place. The Commission, after consultation of ENTSO-G, *the regulators and the gas undertakings* may also recommend the establishment of a joint Plan at regional level.

Or. en

Justification

All the relevant actors for the identification of regional areas for cooperation should be listed.

Amendment 182
Amalia Sartori, Lara Comi

Proposal for a regulation
Article 4 – paragraph 3

Text proposed by the Commission

3. During the process mentioned in paragraph 2 the Commission may recommend at which regional level the exchange of information and consultations shall take place. The Commission, after consultation of *the European Network of Transmission System Operators for Gas ("ENTSO-G") and the Agency for the Cooperation of Energy Regulators ("ACER")*, may also recommend the establishment of a joint Plan at regional level.

Amendment

3. During the process mentioned in paragraph 2 the Commission *after consultation with the Gas Coordination Group* may recommend at which regional level the exchange of information and consultations shall take place. The Commission, after consultation of *the Gas Coordination Group* may also recommend the establishment of a joint Plan at regional level.

Or. en

Justification

As an expert Body composed of stakeholders (gas industry representatives, ENTSO-G, the relevant customers, national competent authorities and ACER), the Gas Coordination Group (GCG) seems to be the best forum for discussion, sharing of experiences, as well as formal consultations and coordination with interested parties. Therefore, the GCG should facilitate

the coordination of measures relating to security of supply. To that extent the GCG should be routinely consulted.

Amendment 183

Lambert van Nistelrooij, Angelika Niebler

Proposal for a regulation

Article 4 – paragraph 3

Text proposed by the Commission

3. During the process mentioned in paragraph 2 the Commission may recommend at which regional level the exchange of information and consultations shall take place. The Commission, after consultation of *the European Network of Transmission System Operators for Gas ("ENTSO-G") and the Agency for the Cooperation of Energy Regulators ("ACER")*, may also recommend the establishment of a joint Plan at regional level.

Amendment

3. During the process mentioned in paragraph 2 the Commission *after consultation with the Gas Coordination Group* may recommend at which regional level the exchange of information and consultations shall take place. The Commission, after consultation of *the Gas Coordination Group* may also recommend the establishment of a joint Plan at regional level.

Or. en

Justification

As an expert Body composed of stakeholders (gas industry representatives, ENTSO-G, the relevant customers, national competent authorities and ACER), the Gas Coordination Group (GCG) seems to be the best forum for discussion, sharing of experiences, as well as formal consultations and coordination with interested parties. Therefore, the GCG should facilitate the coordination of measures relating to security of supply. To that extent the GCG should be routinely consulted.

Amendment 184

Ioan Enciu

Proposal for a regulation

Article 4 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. The Member States shall increase

their gas storage capacities. The Commission shall take the necessary steps, and negotiate the launch of projects with Member States where this is geologically possible, to construct regional storage facilities that will serve as EU strategic supplies in times of crisis. The Commission shall directly monitor consumption of the gas stored at those facilities. The funds for the construction of those facilities shall be allocated from the Community budget.

Or. ro

Justification

Natural gas storage facilities are a priority for improving the situation during energy crises. This version of the amendment applies if the funds for the construction of the facilities are to be allocated from the Community budget.

Amendment 185

Ioan Enciu

Proposal for a regulation

Article 4 – paragraph 3 b (new)

Text proposed by the Commission

Amendment

3b. The Member States shall increase their gas storage capacities. The Commission shall take the necessary steps, and negotiate the launch of projects with Member States where this is geologically possible, to construct regional storage facilities that will serve as EU strategic supplies in times of crisis. Regional Member State committees shall be created to manage the projects and consumption of the gas stored at the facilities. The Member States, grouped by region, that are to receive supplies from those facilities, shall establish the necessary funds for their construction.

Justification

Natural gas storage facilities are a priority for improving the situation during energy crises. This version of the amendment applies if the funds for the construction of the facilities are to be allocated from the Member States' budgets.

Amendment 186

Claude Turmes

Proposal for a regulation

Article 4 – paragraph 4

Text proposed by the Commission

4. Member States may also decide to establish joint Plans at regional level, instead of or in addition to separate national Plans.

Amendment

4. Member States may also decide to establish joint Plans at regional level, instead of or in addition to separate national Plans, ***by means of a binding agreement between the Competent Authorities. Such joint plans shall be subject to the same provisions and have the same legal force as a national plan.***

Justification

It has to be ensured that the (national) competent authorities as well as all other concerned parties are bound the same way by a regional preventive action or emergency plan as it would be the case if national plans are adopted.

Amendment 187

Amalia Sartori, Lara Comi

Proposal for a regulation

Article 4 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. The joint Plan at regional level established according to paragraph 3 or 4

may be developed by the Competent Authorities concerned after consultation on issues regarding regional interests within the Gas Coordination Group.

Or. en

Justification

Defining the regional boundaries best suited to address security of supply concerns will not be straightforward. The location and the level of interconnection between Member States are not static, nor do energy markets always mirror political borders. It should therefore be explored to what extent these regions could be best defined by the GCG after consultation with the gas industry. The process for establishing a joint Plan at regional level should be clarified.

Amendment 188

Lambert van Nistelrooij, Angelika Niebler

Proposal for a regulation

Article 4 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. The joint Plan at regional level established according to paragraph 3 or 4 may be developed by the Competent Authorities concerned after consultation of the regional interests within the Gas Coordination Group.

Or. en

Justification

Defining the regional boundaries best suited to address security of supply concerns will not be straightforward. The location and the level of interconnection between Member States are not static, nor do energy markets always mirror political borders. It should therefore be explored to what extent these regions could be best defined by the GCG after consultation with the gas industry. The process for establishing a joint Plan at regional level should be clarified.

Amendment 189
Miloslav Ransdorf

Proposal for a regulation
Article 4 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. The joint Plan at regional level established according to paragraph 3 or 4 may be developed by the Competent Authorities concerned after consultation of regional interests within the Gas Coordination Group.

Or. en

Justification

The process for establishing a joint Plan at regional level should be clarified involving regional interests within the Gas Coordination Group as the expert body representing all relevant stakeholders.

Amendment 190
Gaston Franco

Proposal for a regulation
Article 4 – paragraph 5

Text proposed by the Commission

Amendment

5. The Competent Authority shall publish its Plans, including amended versions according to paragraph 6, and notify them to the Commission without delay.

5. The Competent Authority shall publish ***a non confidential version of*** its Plans, including amended versions according to paragraph 6, and notify them to the Commission ***and the Gas Coordination Group*** without delay.

Or. en

Justification

As an expert body composed of different stakeholders (gas industry representatives, ENTSO-G, the relevant customers, the national competent authorities and ACER), the Gas Coordination Group is the best forum for discussion, sharing of experiences, as well as

formal consultations and coordination with interested parties. Therefore, the gas Coordination Group should be involved in the identification of regional areas for cooperation.

Amendment 191

Fiorello Provera, Lara Comi

Proposal for a regulation

Article 4 – paragraph 5

Text proposed by the Commission

5. The Competent Authority shall publish its Plans, including amended versions according to paragraph 6, and notify them to the Commission without delay.

Amendment

5. The Competent Authority shall publish **a non confidential version of** its Plans, including amended versions according to paragraph 6, and notify them to the Commission **and the Gas Coordination Group** without delay. .

Or. en

Justification

The public versions of the preventive action plan and the emergency plan shall not contain any confidential information. The communication of confidential information may seriously undermine the implementation of contracts, lead to market distortions and even be prejudicial to security of supply (notably as regards the necessity to preserve the bargaining power of EU gas suppliers in their negotiations with external producers).

Amendment 192

Bogdan Kazimierz Marcinkiewicz, Andrzej Grzyb

Proposal for a regulation

Article 4 – paragraph 5

Text proposed by the Commission

5. The Competent Authority shall publish its Plans, including amended versions according to paragraph 6, and notify them to the Commission without delay.

Amendment

5. The Competent Authority shall publish **a non confidential version of** its Plans, including amended versions according to paragraph 6, and notify them to the Commission **and the Gas Coordination Group** without delay.

Justification

The public versions of the preventive action plan and the emergency plan shall not contain any confidential information. The communication of confidential information may seriously undermine the implementation of contracts, lead to market distortions and even be prejudicial to security of supply (notably as regards the necessity to preserve the bargaining power of EU gas suppliers in their negotiations with external producers).

Amendment 193

Amalia Sartori, Lara Comi

Proposal for a regulation

Article 4 – paragraph 5

Text proposed by the Commission

5. The Competent Authority shall publish its Plans, including amended versions according to paragraph 6, and notify them to the Commission without delay.

Amendment

5. The Competent Authority shall publish its Plans, including amended versions according to paragraph 6, and notify them to the Commission **and the Gas Coordination Group** without delay.

Justification

As an expert Body composed of stakeholders (gas industry representatives, ENTSO-G, the relevant customers, national competent authorities and ACER), the Gas Coordination Group (GCG) seems to be the best forum for discussion, sharing of experiences, as well as formal consultations and coordination with interested parties. Therefore, the GCG should facilitate the coordination of measures relating to security of supply. To that extent the GCG should be routinely consulted.

Amendment 194
Lambert van Nistelrooij, Angelika Niebler

Proposal for a regulation
Article 4 – paragraph 5

Text proposed by the Commission

5. The Competent Authority shall publish its Plans, including amended versions according to paragraph 6, and notify them to the Commission without delay.

Amendment

5. The Competent Authority shall publish its Plans, including amended versions according to paragraph 6, and notify them to the Commission **and the Gas Coordination Group** without delay.

Or. en

Justification

As an expert Body composed of stakeholders (gas industry representatives, ENTSO-G, the relevant customers, national competent authorities and ACER), the Gas Coordination Group (GCG) seems to be the best forum for discussion, sharing of experiences, as well as formal consultations and coordination with interested parties. Therefore, the GCG should facilitate the coordination of measures relating to security of supply. To that extent the GCG should be routinely consulted.

Amendment 195
Zigmantas Balčytis

Proposal for a regulation
Article 4 – paragraph 5

Text proposed by the Commission

5. The Competent Authority shall publish its Plans, including amended versions according to paragraph 6, and notify them to the Commission without delay.

Amendment

5. The Competent Authority shall publish its Plans, including amended versions according to paragraph 6, and notify them to the Commission **and to the Gas Coordination Group** without delay.

Or. It

Amendment 196
Fiorello Provera, Lara Comi

Proposal for a regulation
Article 4 – paragraph 6

Text proposed by the Commission

6. Within six months after the notification of the Plans by the Competent Authorities, the Commission **shall assess the Plans of all Member States. The Commission** shall consult ENTSO-G, ACER, the Gas Coordination Group and other concerned stakeholders on those plans. Where the Commission considers that a Plan is not effective to mitigate the risks **as identified in the risk assessment or inconsistent with the risk scenarios or the Plans of other Member States**, or that it does not comply with the provisions of this Regulation or other provisions of *Community* law, it shall **require** the revision of the Plan.

Within 2 months from notification of the Commission's request, the Competent Authority concerned **shall** amend its Plan and notify the amended Plan to the Commission **or shall set out to the Commission why it does not agree with the request. In that case, the Commission may amend or withdraw its request.**

If within 2 months the Commission decides not to amend or withdraw its request, the Competent Authority shall comply with the Commission's request within 3 months after notification of the Commission's decision.

Amendment

6. Within six months after the notification of the Plans by the Competent Authorities, the Commission shall consult ENTSO-G, ACER, the Gas Coordination Group and other concerned stakeholders on those plans. Where the Commission considers that a Plan is not effective to mitigate the risks or that it does not comply with the provisions of this Regulation or other provisions of *Union* law, it shall **recommend** the revision of the Plan.

Within 2 months from notification of the Commission's request, the Competent Authority concerned **may** amend its Plan and notify the amended Plan to the Commission.

Or. en

Justification

Preventive action and emergency plans are tailored to national and regional market situation in order to supersede the event of gas supply emergency. Commission shall not have excessively wide authority for the assessment of such plans nor shall instruct national competent authorities to change their actions. Such transfer of authority to the Commission

does not seem to be compatible with art. 5 and 6 of Directive 2009/73/CE which assigns a main role to Member States on safeguard security of gas supply.

Amendment 197

Bogdan Kazimierz Marcinkiewicz, Andrzej Grzyb, Konrad Szymański

Proposal for a regulation

Article 4 – paragraph 6

Text proposed by the Commission

6. Within six months after the notification of the Plans by the Competent Authorities, the Commission shall assess the Plans of all Member States. The Commission shall consult **ENTSO-G, ACER**, the Gas Coordination Group and other concerned stakeholders on those plans. Where the Commission considers that a Plan is not effective to mitigate the risks as identified in the risk assessment or inconsistent with the risk scenarios or the Plans of other Member States, or that it does not comply with the provisions of this Regulation or other provisions of *Community* law, it shall require the revision of the Plan.

Within 2 months from notification of the Commission's request, the Competent Authority concerned shall amend its Plan and notify the amended Plan to the Commission or shall set out to the Commission why it does not agree with the request. In that case, the Commission may amend or withdraw its request.

If within 2 months the Commission decides not to amend or withdraw its request, the Competent Authority shall comply with the Commission's request within 3 months after notification of the Commission's decision.

Amendment

6. Within six months after the notification of the Plans by the Competent Authorities, the Commission shall assess the Plans of all Member States. The Commission shall consult the Gas Coordination Group and other concerned stakeholders on those plans. Where the Commission, ***after duly taking into account the opinion of the Gas Coordination Group***, considers that a Plan is not effective to mitigate the risks as identified in the risk ***and impact*** assessment or inconsistent with the risk scenarios ***or with the Union Plan*** or the Plans of other Member States, or that it does not comply with the provisions of this Regulation or other provisions of *Union* law, it shall require the revision of the Plan.

Within 2 months from notification of the Commission's request, the Competent Authority concerned shall amend its Plan and notify the amended Plan to the Commission ***and the Gas Coordination Group*** or shall set out to the Commission why it does not agree with the request. In that case, the Commission may amend or withdraw its request.

If within 2 months, ***after consultation of the Gas Coordination Group***, the Commission decides not to amend or withdraw its request, the Competent Authority shall comply with the Commission's request within 3 months after notification of the Commission's

decision.

Or. en

Justification

As an expert Body composed of stakeholders (gas industry representatives, ENTSO-G, the relevant customers, national competent authorities and ACER), the Gas Coordination Group (GCG) seems to be the best forum for discussion, sharing of experiences, as well as formal consultations and coordination with interested parties. Therefore, the GCG should facilitate the coordination of measures relating to security of supply. To that extent the GCG should be routinely consulted.

Amendment 198 **Gaston Franco**

Proposal for a regulation **Article 4 – paragraph 6**

Text proposed by the Commission

6. Within six months after the notification of the Plans by the Competent Authorities, the Commission shall assess the Plans of all Member States. The Commission shall consult **ENTSO-G, ACER**, the Gas Coordination Group and other concerned stakeholders on those plans. Where the Commission considers that a Plan is not effective to mitigate the risks as identified in the risk assessment or inconsistent with the risk scenarios or the Plans of other Member States, or that it does not comply with the provisions of this Regulation or other provisions of *Community* law, it shall require the revision of the Plan.

Within **2 months** from notification of the Commission's request, the Competent Authority concerned shall amend its Plan and notify the amended Plan to the Commission or shall set out to the Commission why it does not agree with the request. In that case, the Commission may

Amendment

6. Within six months after the notification of the Plans by the Competent Authorities, the Commission shall assess the Plans of all Member States. The Commission shall consult the Gas Coordination Group and other concerned stakeholders on those plans. Where the Commission, **after duly taking into account the opinion of the Gas Coordination Group** considers that a Plan is not effective to mitigate the risks as identified in the risk assessment or inconsistent with the risk scenarios or the Plans of other Member States, or that it does not comply with the provisions of this Regulation or other provisions of *Union* law, it shall require the revision of the Plan.

Within **4 months** from notification of the Commission's request, the Competent Authority concerned shall amend its Plan and notify the amended Plan to the Commission **and the Gas Coordination Group** or shall set out to the Commission why it does not agree with the request. In

amend or withdraw its request.

If within **2 months** the Commission decides not to amend or withdraw its request, the Competent Authority shall comply with the Commission's request within 3 months after notification of the Commission's decision.

that case, the Commission may amend or withdraw its request.

If within **4 months** the Commission, **after consultation of the Gas Coordination Group**, decides not to amend or withdraw its request, the Competent Authority shall comply with the Commission's request within 3 months after notification of the Commission's decision.

Or. en

Justification

The foreseen delays foreseen are too short for a real conciliation between the Commission and the Member States.

Amendment 199

Lambert van Nistelrooij, Angelika Niebler

Proposal for a regulation

Article 4 – paragraph 6

Text proposed by the Commission

6. Within six months after the notification of the Plans by the Competent Authorities, the Commission shall assess the Plans of all Member States. The Commission shall consult **ENTSO-G, ACER**, the Gas Coordination Group and other concerned stakeholders on those plans. Where the Commission considers that a Plan is not effective to mitigate the risks as identified in the risk assessment or inconsistent with the risk scenarios or the Plans of other Member States, or that it does not comply with the provisions of this Regulation or other provisions of *Community* law, it shall require the revision of the Plan.

Within 2 months from notification of the Commission's request, the Competent Authority concerned shall amend its Plan and notify the amended Plan to the Commission or shall set out to the

Amendment

6. Within six months after the notification of the Plans by the Competent Authorities, the Commission shall assess the Plans of all Member States. The Commission shall consult the Gas Coordination Group and other concerned stakeholders on those plans. Where the Commission considers that a Plan is not effective to mitigate the risks as identified in the risk **and impact** assessment or inconsistent with the risk scenarios or the Plans of other Member States, or that it does not comply with the provisions of this Regulation or other provisions of *Union* law, it shall require the revision of the Plan.

Within 2 months from notification of the Commission's request, the Competent Authority concerned shall amend its Plan and notify the amended Plan to the Commission **and the Gas Coordination**

Commission why it does not agree with the request. In that case, the Commission may amend or withdraw its request.

If within 2 months the Commission decides not to amend or withdraw its request, the Competent Authority shall comply with the Commission's request within 3 months after notification of the Commission's decision.

Group or shall set out to the Commission why it does not agree with the request. In that case, the Commission may amend or withdraw its request.

If within 2 months, *after consultation of the Gas Coordination Group*, the Commission decides not to amend or withdraw its request, the Competent Authority shall comply with the Commission's request within 3 months after notification of the Commission's decision.

Or. en

Justification

As an expert Body composed of stakeholders (gas industry representatives, ENTSO-G, the relevant customers, national competent authorities and ACER), the Gas Coordination Group (GCG) seems to be the best forum for discussion, sharing of experiences, as well as formal consultations and coordination with interested parties. Therefore, the GCG should facilitate the coordination of measures relating to security of supply. To that extent the GCG should be routinely consulted.

Amendment 200 **Fiorello Provera, Lara Comi**

Proposal for a regulation **Article 4 – paragraph 6**

Text proposed by the Commission

6. Within six months after the notification of the Plans by the Competent Authorities, the Commission shall assess the Plans of all Member States. The Commission shall consult ENTSO-G, ACER, the Gas Coordination Group and other concerned stakeholders on those plans. Where the Commission considers that a Plan is not effective to mitigate the risks as identified in the risk assessment or inconsistent with the risk scenarios or the Plans of other Member States, or that it does not comply with the provisions of this Regulation or

Amendment

6. Within six months after the notification of the Plans by the Competent Authorities, the Commission shall assess the Plans of all Member States. The Commission shall consult ENTSO-G, ACER, the Gas Coordination Group and other concerned stakeholders on those plans. Where the Commission considers that a Plan is not effective to mitigate the risks as identified in the risk *and impact* assessment or inconsistent with the risk scenarios or the Plans of other Member States, or that it does not comply with the provisions of this

other provisions of *Community* law, it shall require the revision of the Plan.

Within 2 months from notification of the Commission's request, the Competent Authority concerned shall amend its Plan and notify the amended Plan to the Commission or shall set out to the Commission why it does not agree with the request. In that case, the Commission may amend or withdraw its request.

If within 2 months the Commission decides not to amend or withdraw its request, the Competent Authority shall comply with the Commission's request within 3 months after notification of the Commission's decision.

Regulation or other provisions of *Union* law, it shall require the revision of the Plan.

Within 2 months from notification of the Commission's request, the Competent Authority concerned shall amend its Plan and notify the amended Plan to the Commission **and the Gas Coordination Group** or shall set out to the Commission why it does not agree with the request. In that case, the Commission may amend or withdraw its request.

If within 2 months, **after consultation of the Gas Coordination Group**, the Commission decides not to amend or withdraw its request, the Competent Authority shall comply with the Commission's request within 3 months after notification of the Commission's decision.

Or. en

Justification

As an expert Body composed of stakeholders (gas industry representatives, ENTSO-G, the relevant customers, national competent authorities and ACER), the Gas Coordination Group (GCG) seems to be the best forum for discussion, sharing of experiences, as well as formal consultations and coordination with interested parties. Therefore, the GCG should facilitate the coordination of measures relating to security of supply. To that extent the GCG should be routinely consulted.

Amendment 201

Paul Rübzig

Proposal for a regulation

Article 4 – paragraph 6 – subparagraph 1

Text proposed by the Commission

6. Within six months after the notification of the Plans by the Competent Authorities, the Commission shall assess the Plans of all Member States. The Commission shall consult ENTSO-G, ACER, the Gas

Amendment

6. Within six months after the notification of the Plans by the Competent Authorities, the Commission shall assess the Plans of all Member States. The Commission shall consult ENTSO-G, ACER, the Gas

Coordination Group and other concerned stakeholders on those plans. Where the Commission considers that a Plan is ***not effective to mitigate the risks as identified in the risk assessment or*** inconsistent with the risk scenarios or the Plans of other Member States, ***or that it does not comply with the provisions of this Regulation or other provisions of Community law, it shall require the revision of the Plan.***

Coordination Group and other concerned stakeholders on those plans. Where the Commission considers that a Plan is inconsistent with the risk scenarios or the Plans of other Member States, ***it may call upon the Member States concerned to coordinate their plans.***

Or. de

Justification

Empowering the Commission to require modification of the preventive action and emergency plans would go too far, violating both the subsidiarity principle and the proportionality principle provided for by Article 5 of the ECT. As a milder measure, the Commission should only be empowered to call upon the Member States to coordinate their plans.

Amendment 202 **Francisco Sosa Wagner**

Proposal for a regulation **Article 4 – paragraph 6 – subparagraph 1**

Text proposed by the Commission

6. Within six months after the notification of the Plans by the Competent Authorities, the Commission shall assess the Plans of all Member States. The Commission shall consult ENTSO-G, ACER, the Gas Coordination Group and other concerned stakeholders on those plans. Where the Commission considers that a Plan is not effective to mitigate the risks as identified in the risk assessment or inconsistent with the risk scenarios or the Plans of other Member States, or that it does not comply with the provisions of this Regulation or other provisions of *Community* law, it shall require the revision of the Plan.

Amendment

6. Within six months after the notification of the Plans by the Competent Authorities, the Commission shall assess the Plans of all Member States. The Commission shall consult ENTSO-G, ACER, the Gas Coordination Group and other concerned stakeholders, ***such as large industrial consumers and other economic actors,*** on those plans. Where the Commission considers that a Plan is not effective to mitigate the risks as identified in the risk assessment or inconsistent with the risk scenarios or the Plans of other Member States, or that it does not comply with the provisions of this Regulation or other provisions of *Union* law, it shall require the revision of the Plan.

Amendment 203
Takis Hadjigeorgiou

Proposal for a regulation
Article 4 – paragraph 6 – subparagraph 1

Text proposed by the Commission

6. Within six months after the notification of the Plans by the Competent Authorities, the Commission shall assess the Plans of all Member States. The Commission shall consult ENTSO-G, ACER, the Gas Coordination Group and other concerned stakeholders on those plans. Where the Commission considers that a Plan is not effective to mitigate the risks as identified in the risk assessment or inconsistent with the risk scenarios or the Plans of other Member States, or that it does not comply with the provisions of this Regulation or other provisions of Community law, it shall require the revision of the Plan.

Amendment

6. Within six months after the notification of the Plans by the Competent Authorities, the Commission shall assess the Plans of all Member States. The Commission shall consult ENTSO-G, ACER, the Gas Coordination Group and other concerned stakeholders on those plans. Where the Commission considers that a Plan is not effective to mitigate the risks as identified in the risk assessment or inconsistent with the risk scenarios or the Plans of other Member States, or that it does not comply with the provisions of this Regulation or other provisions of Community law, it shall require the revision of the Plan. ***However, Member States must have the final say.***

Or. el

Amendment 204
Giles Chichester

Proposal for a regulation
Article 4 – paragraph 6 – subparagraph 3 a (new)

Text proposed by the Commission

Amendment

Where Member States have existing Public Service Obligations that relate to security of gas supply the Competent Authorities shall publish these within 2 months of this Regulation being in force and update as necessary following adoption of their Preventative and

Emergency Plans.

Or. en

Justification

Energy security would be improved if gas storage was available on an EU wide basis. Fairer access to storage is essential for new entrants, developing competition and supporting energy security across Europe. Greater transparency of gas storage policies is necessary to avoid non-reciprocal arrangements which may actually encourage further protectionist reactions. Facilitating reciprocal access to gas transport and storage increases security of supply by maximising the use of existing infrastructure.

Amendment 205

Fiorello Provera, Lara Comi

Proposal for a regulation

Article 4 – paragraph 6 a (new)

Text proposed by the Commission

Amendment

6a. The Competent Authority shall review the preventive action plan and the emergency plan every two years on the basis of altered assessments of the risks affecting the security of gas supply referred to in Article 8.

Or. it

Justification

It is necessary to update the plans, inter alia in the light of changes in the risk situation.

Amendment 206

Sajjad Karim

Proposal for a regulation

Article 4 – paragraph 6 a (new)

Text proposed by the Commission

Amendment

6a. Where Member States have existing

Public Service Obligations that relate to security of supply, the Competent Authorities shall publish these within 2 months of this Regulation being in force and update as necessary following adoption of their Preventative and Emergency Plans.

Or. en

Justification

In view of further transparency and early implementation of the 3rd package, it is essential to get references to earlier publication of existing Public Service Obligations.

Amendment 207
Fiorello Provera, Lara Comi

Proposal for a regulation
Article 4 a (new)

Text proposed by the Commission

Amendment

Article 4 a

The joint Plan at regional level established according to paragraph 3 or 4 may be developed by the Competent Authorities concerned after consultation of the regional interests within the Gas Coordination Group.

Or. en

Justification

Defining the regional boundaries best suited to address security of supply concerns will not be straightforward. The location and the level of interconnection between Member States are not static, nor do energy markets always mirror political borders. It should therefore be explored to what extent these regions could be best defined by the GCG after consultation with the gas industry. The process for establishing a joint Plan at regional level should be clarified.