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Committee on Industry, Research and Energy

2009/0108(COD)

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AMENDMENTS

208 - 340

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

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Amendment 208
Fiorello Provera, Lara Comi

Proposal for a regulation
Article 5 – paragraph 1

Text proposed by the Commission

1. The Preventive Action Plan shall contain:
- (a) the measures to ***fulfil the infrastructure and supply standards, as laid down in Articles 6 and 7***; these measures shall include at least the ***planning*** to meet ***the N-1 standard***, volumes and capacities needed to supply the protected customers in the defined high demand periods, the demand side measures and obligations imposed on natural gas undertakings and other relevant bodies;
 - (b) the risk assessment as laid down in Article 8;
 - (c) the preventive measures to address the risks identified;***
 - (d) information on the relevant Public Service Obligations.***

Amendment

1. The Preventive Action Plan shall contain:
- (a) the measures to ensure security of gas supply***, these measures shall include at least ***information on the plans*** to meet volumes and capacities ***that according to the risk and impact assessment are*** needed to supply the protected customers in the defined high demand periods, the demand side measures and obligations imposed on natural gas undertakings and other relevant bodies;
 - (b) the results of the risk and impact assessment*** as laid down in Article 8;

Or. en

Justification

Rather than setting up mandatory European standards at this stage, the future Regulation should focus more 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. Similar plans could also be prepared at the regional level.

Amendment 209
Bogdan Kazimierz Marcinkiewicz

Proposal for a regulation
Article 5 – paragraph 1

Text proposed by the Commission

1. The Preventive Action Plan shall contain:
- (a) the measures to fulfil the infrastructure and supply standards, as laid down in Articles 6 and 7; these measures shall include at least the planning to meet *the N-1 standard*, volumes and capacities needed to supply the protected customers in the defined high demand periods, the demand side measures and obligations imposed on natural gas undertakings and other relevant bodies;
 - (b) the risk assessment as laid down in Article 8;
 - (c) the preventive measures to address the risks identified;
 - (d) information on the relevant Public Service Obligations.

Amendment

1. The Preventive Action Plan, ***at national, regional and Union level***, shall contain:
- (a) the measures *fulfil the infrastructure and supply standards, as laid down in Articles 6 and 7*; these measures shall include at least *information on the planning* to meet volumes and capacities *that according to the risk and impact assessment are* needed to supply the protected customers in the defined high demand periods, the demand side measures and obligations imposed on natural gas undertakings and other relevant bodies;**
 - (b) *the results of the risk and impact* assessment as laid down in Article 8;**
 - (c) *the preventive measures to address the risks identified*;**
 - (d) *information on the relevant Public Service Obligations*.**

Or. en

Justification

The European Commission has a vast role to play at Union level as a coordinator and an assistant for MS's activity at national and regional level. But it should be obvious at the same time that because of a lack of appropriate measures the European Commission should try to prepare the preventive action plan at Union level.

Amendment 210
Alejo Vidal-Quadras

Proposal for a regulation
Article 5 – paragraph 1 – introductory part

Text proposed by the Commission

1. The Preventive Action Plan shall contain:

Amendment

1. The Preventive Action Plan, **at national or regional level**, shall contain:

Or. en

Justification

Correction to the original amendment in the draft report (see with amendment to Art 5.5new).

Amendment 211
Fiorello Provera, Lara Comi

Proposal for a regulation
Article 5 – paragraph 1 – point a

Text proposed by the Commission

(a) the measures to fulfil the infrastructure and supply standards, as laid down in Articles 6 and 7; these measures shall include at least the planning to meet the N-1 standard, volumes and capacities needed to supply the protected customers in the defined high demand periods, the demand side measures and obligations imposed on natural gas undertakings and other relevant bodies;

Amendment

(a) the measures to fulfil the infrastructure and supply standards, as laid down in Articles 6 and 7; these measures shall include at least the planning to meet the N-1 standard, volumes and capacities needed to supply the protected customers in the defined high demand periods, the demand side measures and **diversification of sources of supply**, obligations imposed on natural gas undertakings and other relevant bodies;

Or. it

Justification

It is necessary to promote diversification of sources of supply to reduce the risks associated with an interruption of the supply from one of them.

Amendment 212
Alejo Vidal-Quadras

Proposal for a regulation
Article 5 – paragraph 1 – point c a (new)

Text proposed by the Commission

Amendment

(ca) if the Member State so decides, on the basis of the risk assessment set out in Article 8, obligations to supply customers, connected to the gas distribution system other than the protected customers such as schools and hospitals provided that these obligations do not affect their capacity to supply the protected customers in the event of a crisis as defined in Article 7.

In case of a Union or regional emergency, the supply of gas to these additional customers will be the sole responsibility of the Member State concerned.

Or. en

Justification

Amendment to be considered with the AMs to art. 2 and art.8. The concept "Protected customers" is directly linked to the obligations by all Member States in terms of solidarity. If a MS has the capacity to take further measures for other customers, it should be allowed (see ams to art 2 and art 8) provided the additional obligations are the sole responsibility of the Member State concerned.

Amendment 213
Algirdas Saudargas

Proposal for a regulation
Article 5 – paragraph 1 – point d a (new)

Text proposed by the Commission

Amendment

(da) the mechanisms used for cooperation with other Member States for preparing regional Preventive Action Plans ;

Amendment 214
Francisco Sosa Wagner

Proposal for a regulation
Article 5 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. The Preventive Action Plan shall be based on common minimum criteria established by the Commission ensuring a level playing field;

Or. en

Amendment 215
Bogdan Kazimierz Marcinkiewicz

Proposal for a regulation
Article 5 – paragraph 2

Text proposed by the Commission

Amendment

2. The Preventive Action Plan, ***in particular the actions to meet the infrastructure standard as laid down in Article 6***, shall be ***based on and*** consistent with the ten year network development plan to be elaborated by the ENTSO-G .

2. The Preventive Action Plan shall be consistent with the ten year network development plan to be elaborated by the ENTSO-G.

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 216
Claude Turmes

Proposal for a regulation
Article 5 – paragraph 2

Text proposed by the Commission

2. The Preventive Action Plan, in particular the actions to meet the infrastructure standard as laid down in Article 6, shall be based on and consistent with the ten year network development plan to be elaborated by the ENTSO-G .

Amendment

2. The Preventive Action Plan, in particular the actions to meet the infrastructure standard as laid down in Article 6, shall be based on and consistent with the ten year network development plan to be elaborated by the ENTSO-G **and shall be binding on system operators.**

Or. en

Justification

The Regulation should state precisely how the Competent Authority can ensure that the N-1 standard is fulfilled. Usually, the Competent Authorities do not have the competences to enforce investments on system operators. This depends on the national legislation. Therefore, it should be added that the measures laid down in the Preventive Action Plan aimed at fulfilling the Infrastructure Standard shall be binding on system operators.

Amendment 217
Takis Hadjigeorgiou

Proposal for a regulation
Article 5 – paragraph 3

Text proposed by the Commission

3. The Preventive Action Plan shall take into account **economic effectiveness, effects on the functioning of the internal energy market** and environmental impact.

Amendment

3. The Preventive Action Plan shall take into account ***the special characteristics of Members States, the impact on consumers*** and ***the*** environmental impact.

Or. el

Amendment 218
Fiorello Provera, Lara Comi

Proposal for a regulation
Article 5 – paragraph 3

Text proposed by the Commission

3. The Preventive Action Plan shall take into account economic effectiveness, effects on the functioning of the internal energy market and environmental impact.

Amendment

3. The Preventive Action Plan shall **be based primarily on market measures to achieve internal security and shall** take into account **the** economic effectiveness **and efficiency of the measures adopted, their** effects on the functioning of the internal energy market and **the** environmental impact.

Or. it

Justification

This emphasises the need to leave to the market the main task of securing supplies in accordance with criteria of economic efficiency.

Amendment 219
Bogdan Kazimierz Marcinkiewicz, Jacek Saryusz-Wolski

Proposal for a regulation
Article 5 – paragraph 3

Text proposed by the Commission

3. The Preventive Action Plan shall take into account economic effectiveness, effects on the functioning of the internal energy market **and** environmental impact.

Amendment

3. The Preventive Action Plan shall take into account economic effectiveness, effects on the functioning of the internal energy market, environmental impact **and all relevant international developments, particularly in major supply and transit countries.**

Or. en

Amendment 220
Bogdan Kazimierz Marcinkiewicz

Proposal for a regulation
Article 5 – paragraph 3

Text proposed by the Commission

3. The Preventive Action Plan shall take into account economic effectiveness, effects on the functioning of the internal energy market and environmental impact.

Amendment

3. The Preventive Action Plan shall take into account economic effectiveness, effects on the functioning of the internal energy market and environmental impact.
It shall not place unreasonable and disproportionate burdens on market participants.

Or. en

Justification

In line with the principles of a liberalised gas market and the principles underlying any risk and impact assessment, the preventive action plan shall not place unreasonable and disproportionate burdens on market participants.

Amendment 221
Alejo Vidal-Quadras

Proposal for a regulation
Article 5 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. The Commission shall ensure that the national or regional Preventive Action Plans are consistent with each other in order to guarantee efficient coordination of actions during a Union emergency.

Or. en

Justification

Correction to the original amendment in the draft report. The Commission should have an explicit responsibility to ensure all Plans are compatible and consistent with each other as they will be the basis for the actions during a Union emergency.

Amendment 222
Patrizia Toia

Proposal for a regulation
Article 6 – paragraph 1

Text proposed by the Commission

Amendment

1. By [31 March 2014; 3 years after entry into force] at the latest, the Competent Authority shall ensure that in the event of a disruption of the largest gas supply infrastructure, the remaining infrastructure (N-1) has the capacity to deliver the necessary volume of gas to satisfy total gas demand of the calculated area during a period of sixty days of exceptionally high gas demand during the coldest period statistically occurring every twenty years. *deleted*

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 suggested approach could finally pave the way for exploring a more prescriptive approach based on binding minimum standards for security of supply provided they are based on a sound impact assessment, lead to proportionate measures which would be feasible from a technical and economical point of view and preserve the necessary leeway to take into account national and/or regional specificities.

Amendment 223
Teresa Riera Madurell

Proposal for a regulation
Article 6 – paragraph 1

Text proposed by the Commission

Amendment

1. By [31 March 2014; 3 years after entry into force] at the latest, the Competent Authority shall ensure that in the event of a

1. By [31 March 2016; five years after entry into force] at the latest, the Competent Authority shall ensure that in

disruption of the largest gas supply infrastructure, the remaining infrastructure (N-1) has the capacity to deliver the necessary volume of gas to satisfy total gas demand of the calculated area during a ***period of sixty days*** of exceptionally high gas demand ***during the coldest period*** statistically occurring every twenty years.

the event of a disruption of largest gas supply infrastructure, the remaining infrastructure (N-1) has the technical capacity to satisfy total daily gas demand of the calculated area during a ***day*** of exceptionally high demand statistically occurring ***once*** every twenty years.

Or. en

Amendment 224
Hannes Swoboda

Proposal for a regulation
Article 6 – paragraph 1

Text proposed by the Commission

1. By [***31 March 2014; 3 years*** after entry into force] at the latest, the Competent Authority shall ensure that in the event of a disruption of the largest gas supply infrastructure, the remaining infrastructure (N-1) has the capacity to deliver the necessary volume of gas to satisfy total gas demand of the calculated area during a period of sixty days of exceptionally high gas demand during the coldest period statistically occurring every twenty years.

Amendment

1. By [***31 March 2016; five years*** after entry into force] at the latest, the Competent Authority shall ensure that in the event of a disruption of the largest gas supply infrastructure, the remaining infrastructure (N-1) has the capacity to deliver the necessary volume of gas to satisfy total gas demand of the calculated area during a period of sixty days of exceptionally high gas demand during the coldest period statistically occurring every twenty years. ***Three years after entry into force, the most important investments should be in place and a report of these investments should be given by the Competent Authorities to the Commission.***

Or. en

Amendment 225

Claude Turmes

Proposal for a regulation

Article 6 – paragraph 1

Text proposed by the Commission

1. By [**31 March 2014**; **3 years** after entry into force] at the latest, the Competent Authority shall ensure that in the event of a disruption of the largest gas supply infrastructure, the remaining infrastructure (N-1) has the capacity to deliver the necessary volume of gas to satisfy total gas demand of the calculated area during a period of **sixty days** of exceptionally high gas demand **during the coldest period** statistically occurring every twenty years.

Amendment

1. By [**31 March 2013**; **2 years** after entry into force] at the latest, the Competent Authority shall **take the necessary steps in relation to Article 5** to ensure that in the event of a disruption of the largest gas supply infrastructure, the remaining infrastructure (N-1) has the capacity to deliver the necessary volume of gas to satisfy total gas demand of the calculated area during a period of exceptionally high gas demand statistically occurring every twenty years.

Or. en

Justification

In context with the revised Annex I it is also necessary to adapt Article 6 paragraph 1 accordingly.

Amendment 226

Miloslav Ransdorf

Proposal for a regulation

Article 6 – paragraph 1

Text proposed by the Commission

1. By [**31 March 2014**; **3 years** after entry into force] at the latest, the Competent Authority shall ensure that in the event of a disruption of the largest gas **supply infrastructure**, the **remaining** infrastructure (N-1) has the capacity to deliver the necessary volume of gas to satisfy total gas demand of the calculated area during a period of sixty days of exceptionally high gas demand during the

Amendment

1. By [**31 March 2017**; **6 years** after entry into force] at the latest, the Competent Authority shall ensure that in the event of a disruption of the largest gas **transmission entry point**, the **available** infrastructure (N-1) has the capacity to deliver the necessary volume of gas to satisfy gas demand of **the protected customers in** the calculated area during a period of sixty days of exceptionally high gas demand during the

coldest period statistically occurring every twenty years.

coldest period statistically occurring every twenty years.

Or. en

Justification

The 3 years deadline is unrealistic. Significant investments to meet N-1 require at least 5 to 6 year. The January 2009 crisis revealed a disruption of flows at a whole transmission entry point as there are often several parallel pipelines. Art. 6(1) may generate huge investment needs in new capacities and impact prices for final customers. The N-1 rule should reflect the gas demand of the protected customers only, in order to be coherent with the supply standard in Art. 7(2).

Amendment 227

Evžen Tošenovský

Proposal for a regulation

Article 6 – paragraph 1

Text proposed by the Commission

1. By [**31 March 2014**; **3 years** after entry into force] at the latest, the Competent Authority shall ensure that in the event of a disruption of the largest gas **supply infrastructure**, the **remaining** infrastructure (N-1) has the capacity to deliver the necessary volume of gas to satisfy **total** gas demand of the calculated area during a **period of sixty days** of exceptionally high gas demand during the coldest period statistically occurring every twenty years.

Amendment

1. By [**31 March 2017**; **6 years** after entry into force] at the latest, the Competent Authority shall ensure that in the event of a disruption of **flows at** the largest gas **transmission entry point**, the **available** infrastructure (N-1) has the capacity to deliver the necessary volume of gas to satisfy gas demand **of the protected customers in** the calculated area during a **day** of exceptionally high gas demand during the coldest period statistically occurring every twenty years.

Or. en

Justification

Significant investments in particular in Central and South-Eastern Europe require at least 5 to 6 years. It is more appropriate to define the N-1 as a disruption of flows at a transmission entry point so as to be consistent with the supply standard in Art. 7, the N-1 rule should reflect the demand of the protected customers only. The infrastructure shall be robust for a day of exceptionally high gas demand, the supply standard providing for the coverage of a longer period of high gas demand.

Amendment 228
Werner Langen

Proposal for a regulation
Article 6 – paragraph 1

Text proposed by the Commission

1. By [31 March 2014; 3 years after entry into force] at the latest, the **Competent Authority** shall ensure that in the event of a disruption of the largest gas supply infrastructure, the remaining infrastructure (N-1) has the capacity to deliver the necessary volume of gas to satisfy total gas demand of the calculated area during a period of sixty days of exceptionally high gas demand during the coldest period statistically occurring every twenty years.

Amendment

1. By [31 March 2014; 3 years after entry into force] at the latest, the **Member States or the natural gas undertakings concerned** shall ensure that in the event of a disruption of the largest gas supply infrastructure, the remaining infrastructure (N-1) has the capacity to deliver the necessary volume of gas to satisfy total gas demand of the calculated area during a period of sixty days of exceptionally high gas demand during the coldest period statistically occurring every twenty years.

Or. de

Justification

The amendment is intended to clarify matters 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 229
Alejo Vidal-Quadras

Proposal for a regulation
Article 6 – paragraph 1

Text proposed by the Commission

1. By [**31 March 2014; 3 years** after entry into force] at the latest, the Competent Authority shall ensure that in the event of a

Amendment

1. By [**31 March 2016; 5 years** after entry into force] at the latest, the Competent Authority shall ensure that in the event of a

disruption of the largest gas **supply** infrastructure, the remaining infrastructure (N-1) has the capacity to **deliver the necessary volume of gas to** satisfy total gas demand of the calculated area during a **period of sixty days** of exceptionally high gas demand **during the coldest period** statistically occurring every twenty years.

disruption of the **single** largest gas infrastructure, the remaining infrastructure (N-1) has the **technical** capacity to satisfy total **daily** gas demand of the calculated area during a **day** of exceptionally high demand statistically occurring **once** every twenty years.

Or. en

Justification

Adjustment to the new Annex.

Amendment 230
Fiorello Provera, Lara Comi

Proposal for a regulation
Article 6 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. A derogation from the application of the N-1 standard which is requested by a Competent Authority may be granted if the Commission decides that the standard is not economically sustainable for the individual Member State.

Or. it

Justification

Not all Member States can comply with this standard from an economic point of view. A derogation should be made to allow for the need to find forms of regional cooperation or to adopt demand-side measures.

Amendment 231

Patrizia Toia

Proposal for a regulation

Article 6 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. In carrying out the infrastructure component of the risk and impact assessment defined in Article 8, the Competent Authority shall use a common methodology, including the calculation of the N-1 indicator, as defined in this Article and Annex 1.

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 suggested approach could finally pave the way for exploring a more prescriptive approach based on binding minimum standards for security of supply provided they are based on a sound impact assessment, lead to proportionate measures which would be feasible from a technical and economical point of view and preserve the necessary leeway to take into account national and/or regional specificities.

Amendment 232

Patrizia Toia

Proposal for a regulation

Article 6 – paragraph 2

Text proposed by the Commission

Amendment

2. Following the recommendation of the Commission referred to in Article 4(3) or in situation referred to in Article 4(4), the ***obligation*** set out in paragraph 1 may be ***fulfilled*** at the regional level. The N-1 ***standard shall also be considered to be fulfilled where*** the Competent Authority ***demonstrates*** in the Preventive Action Plan referred to in Article 5 that a supply disruption may be sufficiently and timely

2. Following the recommendation of the Commission referred to in Article 4(3) or in ***the*** situation referred to in Article 4(4), the ***calculation*** set out in paragraph 1 may be ***carried out*** at the regional level. ***In its calculation of*** the N-1 ***indicator***, the Competent Authority ***shall be allowed to demonstrate*** in the Preventive Action Plan referred to in Article 5 that a supply disruption may be sufficiently and timely

compensated for by demand side measures.

compensated for by *specific measures*,
including demand side measures.

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 suggested approach could finally pave the way for exploring a more prescriptive approach based on binding minimum standards for security of supply provided they are based on a sound impact assessment, lead to proportionate measures which would be feasible from a technical and economical point of view and preserve the necessary leeway to take into account national and/or regional specificities.

Amendment 233

Fiorello Provera, Lara Comi

Proposal for a regulation

Article 6 – paragraph 2

Text proposed by the Commission

2. Following the recommendation of the Commission referred to in Article 4(3) or in situation referred to in Article 4(4), the **obligation** set out in paragraph 1 may be **fulfilled** at the regional level. The N-1 **standard shall also be considered to be fulfilled where** the Competent Authority **demonstrates** in the Preventive Action Plan referred to in Article 5 that a supply disruption may be sufficiently and timely compensated for by demand side measures.

Amendment

2. Following the recommendation of the Commission referred to in Article 4(3) or **in the** situation referred to in Article 4(4), the **calculation** set out in paragraph 1 may be **carried out** at the regional level. **In its calculation of** the N-1 **indicator**, the Competent Authority **shall be allowed to demonstrate** in the Preventive Action Plan referred to in Article 5 that a supply disruption may be sufficiently and timely compensated for by **specific measures**, **including** demand side measures.

Or. en

Justification

Rather than setting up mandatory European standards at this stage, the future Regulation should focus more 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. Similar plans could also be prepared at the regional level.

Amendment 234

Aldo Patriciello

Proposal for a regulation

Article 6 – paragraph 2

Text proposed by the Commission

2. Following the recommendation of the Commission referred to in Article 4(3) or in situation referred to in Article 4(4), the **obligation** set out in paragraph 1 may be **fulfilled** at the regional level. The N-1 **standard shall also be considered to be fulfilled where** the Competent Authority **demonstrates** in the Preventive Action Plan referred to in Article 5 that a supply disruption may be sufficiently and timely compensated for by demand side measures.

Amendment

2. Following the recommendation of the Commission referred to in Article 4(3) or in **the** situation referred to in Article 4(4), the **calculation** set out in paragraph 1 may be **carried out** at the regional level. **In its calculation of** the N-1 **indicator**, the Competent Authority **shall be allowed to demonstrate** in the Preventive Action Plan referred to in Article 5 that a supply disruption may be sufficiently and timely compensated for by **specific measures, including** demand side measures.

Or. en

Justification

Rather than setting up mandatory European standards at this stage, the future Regulation should focus more 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. Similar plans could also be prepared at the regional level.

Amendment 235
Amalia Sartori, Lara Comi

Proposal for a regulation
Article 6 – paragraph 2

Text proposed by the Commission

2. Following the recommendation of the Commission referred to in Article 4(3) or in situation referred to in Article 4(4), the **obligation** set out in paragraph 1 may be **fulfilled** at the regional level. The N-1 **standard shall also be considered to be fulfilled where** the Competent Authority **demonstrates** in the Preventive Action Plan referred to in Article 5 that a supply disruption may be sufficiently and timely compensated for by demand side measures.

Amendment

2. Following the recommendation of the Commission referred to in Article 4(3) or in **the** situation referred to in Article 4(4), the **calculation** set out in paragraph 1 may be **carried out** at the regional level. **In its calculation of** the N-1 **indicator**, the Competent Authority **shall be allowed to demonstrate** in the Preventive Action Plan referred to in Article 5 that a supply disruption may be sufficiently and timely compensated for by **specific measures, including** demand side measures.

Or. en

Justification

Rather than setting up mandatory European standards at this stage, the future Regulation should focus more 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. Similar plans could also be prepared at the regional level.

Amendment 236
Bogdan Kazimierz Marcinkiewicz

Proposal for a regulation
Article 6 – paragraph 2

Text proposed by the Commission

2. Following the recommendation of the Commission referred to in Article 4(3) or in situation referred to in Article 4(4), the **obligation** set out in paragraph 1 may be

Amendment

2. Following the recommendation of the Commission referred to in Article 4(3) or in **the** situation referred to in Article 4(4), the **calculation** set out in paragraph 1 may

fulfilled at the regional level. The N-1 *standard shall also be considered to be fulfilled where* the Competent Authority *demonstrates* in the Preventive Action Plan referred to in Article 5 that a supply disruption may be sufficiently and timely compensated for by demand side measures.

be *carried out* at the regional level. *In its calculation of* the N-1 *indicator*, the Competent Authority *shall be allowed to demonstrate* in the Preventive Action Plan referred to in Article 5 that a supply disruption may be sufficiently and timely compensated for by *specific measures, including* demand side measures.

Or. en

Justification

The future of 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. Similar plans could also be prepared at the regional level.

Amendment 237

Lambert van Nistelrooij, Angelika Niebler

Proposal for a regulation

Article 6 – paragraph 2

Text proposed by the Commission

2. Following the recommendation of the Commission referred to in Article 4(3) or in situation referred to in Article 4(4), the obligation set out in paragraph 1 may be fulfilled at the regional level. The N-1 standard shall also be considered to be fulfilled where the Competent Authority demonstrates in the Preventive Action Plan referred to in Article 5 that a supply disruption may be sufficiently and timely compensated for by demand side measures.

Amendment

2. Following the recommendation of the Commission referred to in Article 4(3) or in *the* situation referred to in Article 4(4), the obligation set out in paragraph 1 may be fulfilled at the regional level. The N-1 standard shall also be considered to be fulfilled where the Competent Authority demonstrates *in the risk assessment referred to in Article 8*, in the Preventive Action Plan referred to in Article 5 *and taking into account the cost efficiency of investments* that a supply disruption may be sufficiently and timely compensated for by *specific measures including* demand side measures.

Justification

For some Member States, the Regulation may lead to significant investment needs in new capacities, generating significant costs and strongly impacting gas prices for final customers.

Amendment 238
Alejo Vidal-Quadras

Proposal for a regulation
Article 6 – paragraph 2

Text proposed by the Commission

2. Following the recommendation of the Commission referred to in Article 4(3) or in situation referred to in Article 4(4), the obligation set out in paragraph 1 may be fulfilled at the regional level. The N-1 standard shall also be considered to be fulfilled where the Competent Authority demonstrates in the Preventive Action Plan referred to in Article 5 that a supply disruption may be sufficiently and timely compensated for by demand side measures.

Amendment

2. Following the recommendation of the Commission referred to in Article 4(3) or in *the* situation referred to in Article 4(4), the obligation set out in paragraph 1 may be fulfilled at the regional level. The N-1 standard shall also be considered to be fulfilled where the Competent Authority demonstrates ***in the risk assessment referred to in Article 8 and*** in the Preventive Action Plan referred to in Article 5 that a supply disruption may be sufficiently and timely compensated for by ***specific measures including*** demand side measures.

Justification

Member States should have the possibility to address a supply crisis with flexibility, taking into account their circumstances, for this reason, the scope of this paragraph should not be limited only to demand side measures, as long as it is duly demonstrated in the risk assessment and in the PAPs that these measures would have an equivalent effect to the N-1 standard.

Amendment 239
Teresa Riera Madurell

Proposal for a regulation
Article 6 – paragraph 2

Text proposed by the Commission

2. Following the recommendation of the Commission referred to in Article 4(3) or in situation referred to in Article 4(4), the obligation set out in paragraph 1 may be fulfilled at the regional level. The N-1 standard shall also be considered to be fulfilled where the Competent Authority demonstrates in the Preventive Action Plan referred to in Article 5 that a supply disruption may be sufficiently and timely compensated for by demand side measures.

Amendment

2. Following the recommendation of the Commission referred to in Article 4(3) or in *the* situation referred to in Article 4(4), the obligation set out in paragraph 1 may be fulfilled at the regional level. The N-1 standard shall also be considered to be fulfilled where the Competent Authority demonstrates in the Preventive Action Plan referred to in Article 5 that a supply disruption may be sufficiently and timely compensated for by **market based** demand side measures.

Or. en

Justification

If any kind of demand side measures were allowed, the N-1 criterion could be considered to be fulfilled by compulsory demand reduction (supply cuts). However, this is what the infrastructure and supply measures contained in this Regulation intend to prevent.

Amendment 240
Lambert van Nistelrooij, Angelika Niebler

Proposal for a regulation
Article 6 – paragraph 3

Text proposed by the Commission

3. The methodology for calculating the N-1 **standard** as provided in Annex I shall be used. It should take into consideration the network configuration and **actual gas flows as well as the presence of production and storage capacities**. The calculated area as referred to in Annex I shall be extended to the appropriate regional level, where

Amendment

3. The methodology for calculating the N-1 **indicator** as provided in Annex I shall be used. It should take into consideration the network configuration and **transmission infrastructure capacity to deliver gas from production, LNG terminals, and storages**. The calculated area as referred to in Annex I **shall be defined by the Competent Authority after consultation with the**

necessary.

relevant natural gas undertakings and shall be extended to the appropriate regional level, where necessary.

Or. en

Justification

Rather than setting up mandatory European standards at this stage, the future Regulation should focus more 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. Similar plans could also be prepared at the regional level.

Amendment 241

Bogdan Kazimierz Marcinkiewicz

Proposal for a regulation

Article 6 – paragraph 3

Text proposed by the Commission

3. The methodology for calculating the N-1 **standard** as provided in Annex I shall be used. ***It should take into consideration the network configuration and actual gas flows as well as the presence of production and storage capacities.*** The calculated area as referred to in Annex I shall be extended to the appropriate regional level, where necessary.

Amendment

3. The methodology for calculating the N-1 **indicator** as provided in Annex I shall be used. The calculated area as referred to in Annex I ***shall be defined by the Competent Authority after consultation with the relevant natural gas undertakings and*** shall be extended to the appropriate regional level, where necessary.

Or. en

Justification

Rather than setting up mandatory European standards at this stage, the future Regulation should focus more 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. Similar plans could also be prepared at the regional level.

Amendment 242

Aldo Patriciello

Proposal for a regulation

Article 6 – paragraph 3

Text proposed by the Commission

3. The methodology for calculating the N-1 **standard** as provided in Annex I shall be used. ***It should take into consideration the network configuration and actual gas flows as well as the presence of production and storage capacities.*** The calculated area as referred to in Annex I shall be extended to the appropriate regional level, where necessary.

Amendment

3. The methodology for calculating the N-1 **indicator** as provided in Annex I shall be used. The calculated area as referred to in Annex I ***shall be defined by the Competent Authority after consultation with the relevant natural gas undertakings and*** shall be extended to the appropriate regional level, where necessary.

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 243

Amalia Sartori, Lara Comi

Proposal for a regulation

Article 6 – paragraph 3

Text proposed by the Commission

3. The methodology for calculating the N-1 **standard** as provided in Annex I shall be used. ***It should take into consideration the***

Amendment

3. The methodology for calculating the N-1 **indicator** as provided in Annex I shall be used. The calculated area as referred to in

network configuration and actual gas flows as well as the presence of production and storage capacities. The calculated area as referred to in Annex I shall be extended to the appropriate regional level, where necessary.

Annex I *shall be defined by the Competent Authority after consultation with the relevant natural gas undertakings and* shall be extended to the appropriate regional level, where necessary.

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 244

Patrizia Toia

Proposal for a regulation

Article 6 – paragraph 3

Text proposed by the Commission

3. The methodology for calculating the N-1 *standard* as provided in Annex I shall be used. *It should take into consideration the network configuration and actual gas flows as well as the presence of production and storage capacities.* The calculated area as referred to in Annex I shall be extended to the appropriate regional level, where necessary.

Amendment

3. The methodology for calculating the N-1 *indicator* as provided in Annex I shall be used. The calculated area as referred to in Annex I *shall be defined by the Competent Authority after consultation with the relevant natural gas undertakings and* shall be extended to the appropriate regional level, where necessary.

Or. en

Justification

Rather than setting up mandatory European standards at this stage, the future Regulation should focus more 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. Similar plans could also be prepared at the regional level.

Amendment 245

Ioannis A. Tsoukalas

Proposal for a regulation

Article 6 – paragraph 3

Text proposed by the Commission

3. The methodology for calculating the N-1 standard as provided in Annex I shall be used. It should take into consideration the network configuration and actual gas flows as well as the presence of production and storage capacities. The calculated area as referred to in Annex I shall be extended to the appropriate regional level, where necessary.

Amendment

3. The methodology for calculating the N-1 as provided in Annex I shall be used. It should take into consideration the network configuration and actual gas flows as well as the presence of production and storage capacities. The calculated area as referred to in Annex I shall be extended to the appropriate regional level, where necessary, ***considering regional specificities.***

Or. en

Amendment 246

Algirdas Saudargas

Proposal for a regulation

Article 6 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. The lack of access to the EU gas network and the dependence on one single gas supplier shall be considered as non compliance with the N-1 standard.

Or. en

Amendment 247
Bogdan Kazimierz Marcinkiewicz

Proposal for a regulation
Article 6 – paragraph 4

Text proposed by the Commission

4. Each Competent Authority shall report to the Commission ***without delay any non-compliance with the N-1 standard.***

Amendment

4. Each Competent Authority shall, ***after consultation of the relevant natural gas undertakings,*** report to the Commission ***the results of its calculation of the N-1 indicator in accordance with Article 13.***

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. 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.

Amendment 248
Aldo Patriciello

Proposal for a regulation
Article 6 – paragraph 4

Text proposed by the Commission

4. Each Competent Authority shall report to the Commission ***without delay any non-compliance with the N-1 standard.***

Amendment

4. Each Competent Authority shall, ***after consultation of the relevant natural gas undertakings,*** report to the Commission ***the results of its calculation of the N-1 indicator in accordance with Article 13.***

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 249
Amalia Sartori, Lara Comi

Proposal for a regulation
Article 6 – paragraph 4

Text proposed by the Commission

4. Each Competent Authority shall report to the Commission ***without delay any non-compliance with the N-1 standard.***

Amendment

4. Each Competent Authority shall, ***after consultation of the relevant natural gas undertakings,*** report to the Commission ***the results of its calculation of the N-1 indicator in accordance with Article 13.***

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 250
Patrizia Toia

Proposal for a regulation
Article 6 – paragraph 4

Text proposed by the Commission

4. Each Competent Authority shall report to the Commission ***without delay any non-compliance with the N-1 standard.***

Amendment

4. Each Competent Authority shall, ***after consultation of the relevant natural gas undertakings,*** report to the Commission ***the results of its calculation of the N-1 indicator in accordance with Article 13.***

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. 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.

Amendment 251
Lambert van Nistelrooij, Angelika Niebler

Proposal for a regulation
Article 6 – paragraph 4

Text proposed by the Commission

4. Each Competent Authority shall report to the Commission ***without delay any non-compliance with the N-1 standard.***

Amendment

4. Each Competent Authority shall, ***after consultation of the relevant natural gas undertakings,*** report to the Commission ***the results of its calculation of the N-1 indicator in accordance with Article 13.***

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 252
Hannes Swoboda

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

Text proposed by the Commission

Amendment

(4a) Where new cross border interconnections are needed or existing ones need to be extended, close cooperation of the Member States concerned, Competent Authorities and, where they are not the Competent Authorities, the regulatory authorities shall take place at an early stage.

Or. en

Amendment 253

Ioan Enciu

Proposal for a regulation

Article 6 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. The Commission and the national authorities shall synchronise their approaches to the launch and implementation of current projects for the diversification of gas supply sources and routes, in order to improve the existing infrastructure, thereby making it feasible to apply the N-1 standard in crises.

Or. ro

Justification

Projects to diversify gas supply routes and sources are a top energy security priority. Solidarity between Member States must take precedence over national interests.

Amendment 254

Aldo Patriciello

Proposal for a regulation

Article 6 – paragraph 5

Text proposed by the Commission

Amendment

5. The transmission system operators shall enable ***permanent*** physical capacity to transport gas in both directions on ***all*** interconnections ***within two years from the entry into force of this Regulation, except in cases where at the request of a Competent Authority, the Commission decides that*** the addition of a bi-directional flow capacity would ***not*** enhance ***the*** security of supply ***of any Member State. Such decision may be reviewed if circumstances change. The level of the bi-directional flow capacity shall be reached in a cost efficient way and at least take***

5. If necessary according to the risk and impact assessment carried out according to Article 8, taking into account technical feasibility and an economic assessment of the costs and benefits to the market, the transmission system operators shall, within three years from the entry into force of this Regulation, enable necessary physical capacity to transport gas in both directions on those interconnections where the addition of a bi-directional flow capacity would enhance security of supply, in particular during an Emergency. Within that three year period, the gas transmission

into account the capacity required to meet the supply standard set in Article 7.

Within that *two year* period, the gas transmission system operator shall adapt the functioning of the transmission system as a whole so as to enable bi-directional gas flows.

system operator shall, *in accordance with the risk and impact assessment carried out according to Article 8, taking into account technical feasibility and an economic assessment of the costs and benefits to the market*, adapt the functioning of the transmission system as a whole so as to enable bi-directional gas flows.

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 255

Amalia Sartori, Lara Comi

Proposal for a regulation

Article 6 – paragraph 5

Text proposed by the Commission

5. The transmission system operators shall enable *permanent* physical capacity to transport gas in both directions on *all* interconnections *within two years from the entry into force of this Regulation, except in cases where at the request of a Competent Authority, the Commission decides that* the addition of a bi-directional flow capacity would *not* enhance *the* security of supply *of any Member State. Such decision may be reviewed if circumstances change. The level of the bi-directional flow capacity shall be reached in a cost efficient way and at least take into account the capacity required to meet*

Amendment

5. If necessary according to the risk and impact assessment carried out according to Article 8, taking into account technical feasibility and an economic assessment of the costs and benefits to the market, the transmission system operators shall, *within three years from the entry into force of this Regulation*, enable *necessary* physical capacity to transport gas in both directions on *those* interconnections *where* the addition of a bi-directional flow capacity would enhance security of supply, *in particular during an Emergency*. Within that *three year* period, the gas transmission system operator shall, *in accordance with*

the supply standard set in Article 7.
Within that **two year** period, the gas transmission system operator shall adapt the functioning of the transmission system as a whole so as to enable bi-directional gas flows.

the risk and impact assessment carried out according to Article 8, taking into account technical feasibility and an economic assessment of the costs and benefits to the market, adapt the functioning of the transmission system as a whole so as to enable bi-directional gas flows.

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 256
Patrizia Toia

Proposal for a regulation
Article 6 – paragraph 5

Text proposed by the Commission

5. The transmission system operators shall enable **permanent** physical capacity to transport gas in both directions on **all** interconnections **within two years from the entry into force of this Regulation, except in cases where at the request of a Competent Authority, the Commission decides that** the addition of a bi-directional flow capacity would **not** enhance **the** security of supply **of any Member State. Such decision may be reviewed if circumstances change. The level of the bi-directional flow capacity shall be reached in a cost efficient way and at least take into account the capacity required to meet the supply standard set in Article 7.**

Amendment

5. If necessary according to the risk and impact assessment carried out according to Article 8, taking into account technical feasibility and an economic assessment of the costs and benefits to the market, the transmission system operators shall, **within three years from the entry into force of this Regulation,** enable **necessary** physical capacity to transport gas in both directions on **those** interconnections **where** the addition of a bi-directional flow capacity would enhance security of supply, **in particular during an Emergency.** Within that **three year** period, the gas transmission system operator shall, **in accordance with the risk and impact assessment carried**

Within that *two year* period, the gas transmission system operator shall adapt the functioning of the transmission system as a whole so as to enable bi-directional gas flows.

out according to Article 8, taking into account technical feasibility and an economic assessment of the costs and benefits to the market, adapt the functioning of the transmission system as a whole so as to enable bi-directional gas flows.

Or. en

Justification

Imposing necessary physical capacity to transport gas in both directions on all interconnections should not be required without first assessing whether it is technically and/or economically possible or appropriate in individual circumstances. The derogation process foreseen in the draft Regulation goes in the right direction but does not provide for a sufficiently clarified framework.

Amendment 257

Lambert van Nistelrooij, Angelika Niebler

Proposal for a regulation

Article 6 – paragraph 5

Text proposed by the Commission

5. The transmission system operators shall enable *permanent* physical capacity to transport gas in both directions on *all* interconnections *within two years from the entry into force of this Regulation, except in cases where at the request of a Competent Authority, the Commission decides that* the addition of a bi-directional flow capacity would *not* enhance *the* security of supply *of any Member State. Such decision may be reviewed if circumstances change. The level of the bi-directional flow capacity shall be reached in a cost efficient way and at least take into account the capacity required to meet the supply standard set in Article 7.* Within that *two year* period, the gas transmission system operator shall adapt the functioning of the transmission system

Amendment

5. If necessary according to the risk and impact assessment carried out according to Article 8, taking into account technical feasibility and an economic assessment of the costs and benefits to the market, the transmission system operators shall, within three years from the entry into force of this Regulation, enable necessary physical capacity to transport gas in both directions on those interconnections where the addition of a bi-directional flow capacity would enhance security of supply, in particular during an Emergency. Within that three year period, the gas transmission system operator shall, in accordance with the risk and impact assessment carried out according to Article 8, taking into account technical feasibility and an economic assessment of the costs and

as a whole so as to enable bi-directional gas flows.

benefits to the market, adapt the functioning of the transmission system as a whole so as to enable bi-directional gas flows.

Or. en

Justification

Imposing necessary physical capacity to transport gas in both directions on all interconnections should not be required without first assessing whether it is technically and/or economically possible or appropriate in individual circumstances. The derogation process foreseen in the draft Regulation goes in the right direction but does not provide for a sufficiently clarified framework.

Amendment 258

Evžen Tošenovský

Proposal for a regulation

Article 6 – paragraph 5

Text proposed by the Commission

5. The transmission system operators shall enable permanent physical capacity to transport gas in both directions on **all** interconnections **within two years from the entry into force of this Regulation, except in cases where at the request of a Competent Authority, the Commission decides that** the addition of a bi-directional flow capacity would **not** enhance **the security of supply of any Member State. Such decision** may be reviewed if circumstances change. **The level of the bi-directional flow capacity shall be reached in a cost efficient way and at least take into account the capacity required to meet the supply standard set in Article 7.** Within that two year period, the gas transmission system operator shall adapt the functioning of the transmission system as a whole so as to enable bi-directional gas flows.

Amendment

5. If necessary according to the risk and impact assessment carried out according to Article 8, taking into account technical feasibility and an economic assessment of the costs and benefits to the market, the transmission system operators shall **within three years from the entry into force of this Regulation** enable permanent physical capacity to transport gas in both directions on **those** interconnections where the addition of a bi-directional flow capacity would enhance security of supply, **in particular during an Emergency. The assessment** may be reviewed if circumstances change. Within that **three year** period, the gas transmission system operator shall, **in accordance with the risk and impact assessment carried out according to Article 8, taking into account technical feasibility and an economic assessment of the costs and benefits to the market**, adapt the functioning of the

transmission system as a whole so as to enable bi-directional gas flows.

Or. en

Justification

Imposing permanent physical capacity to transport gas in both directions on all interconnections should not be required without first assessing whether it is technically and/or economically possible or appropriate. A prior risk and impact assessment is required so as to avoid unnecessary costs for the final customers. The two year period can only be met if small modifications of infrastructure are required. Larger modifications, e.g. the installation of a new compression unit, will take longer.

Amendment 259

Miloslav Ransdorf

Proposal for a regulation

Article 6 – paragraph 5

Text proposed by the Commission

5. The transmission system operators shall enable permanent physical capacity to transport gas in both directions on *all* interconnections *within two years from the entry into force of this Regulation, except in cases where at the request of a Competent Authority, the Commission decides that* the addition of a bi-directional flow capacity would *not* enhance *the* security of supply *of any Member State. Such decision* may be reviewed if circumstances change. *The level of the bi-directional flow capacity shall be reached in a cost efficient way and at least take into account the capacity required to meet the supply standard set in Article 7.* Within that *two year* period, the gas transmission system operator shall adapt the functioning of the transmission system as a whole so as to enable bi-directional gas flows.

Amendment

5. If necessary according to the risk and impact assessment carried out according to Article 8 taking into account technical feasibility and an economic evaluation of all costs and benefits to the market, the transmission system operators shall within three years from the entry into force of this Regulation enable permanent physical capacity to transport gas in both directions on those interconnections where the addition of a bi-directional flow capacity would enhance security of supply. The assessment may be reviewed if circumstances change. Within that three year period, the gas transmission system operator shall, where necessary according to the risk and impact assessment carried out according to Article 8 taking into account technical feasibility and all costs and benefits, adapt the functioning of the transmission system as a whole so as to enable bi-directional gas flows.

Justification

Imposing permanent physical capacity to transport gas in both directions on all interconnections should not be required without first assessing whether it is technically feasible and economically appropriate in the specific case. A prior risk and impact assessment is required in order to avoid unnecessary costs to be borne by the final customers. The two year period to enable permanent physical capacity can only be met if small modifications of infrastructure are required. Larger modifications will take longer.

Amendment 260**Ioannis A. Tsoukalas****Proposal for a regulation****Article 6 – paragraph 5***Text proposed by the Commission*

5. The transmission system operators shall enable permanent physical capacity to transport gas in both directions on all interconnections within two years from the entry into force of this Regulation, except in cases where at the request of a Competent Authority, the Commission decides that the addition of a bi-directional flow capacity would not enhance the security of supply of any Member State. Such decision may be reviewed if circumstances change. The level of the bi-directional flow capacity shall be reached in a cost efficient way and at least take into account the capacity required to meet the supply standard set in Article 7. Within that two year period, the gas transmission system operator shall adapt the functioning of the transmission system as a whole so as to enable bi-directional gas flows.

Amendment

5. The transmission system operators shall enable permanent physical capacity to transport gas in both directions on all interconnections within two years from the entry into force of this Regulation, except in cases where at the request of a Competent Authority, the Commission decides that the addition of a bi-directional flow capacity would not enhance the security of supply of any Member State. Such decision may be reviewed if circumstances change. The level of the bi-directional flow capacity shall be reached in a cost efficient way and at least take into account the capacity required to meet the supply standard set in Article 7. ***Regarding existing infrastructure, a cost benefit analysis should be performed by each Member State for investments enabling reverse flow that should be the base of the cost allocation mechanism. The Long Term Supply Agreements, which have already been signed and which have specific provisions concerning the operation of the Border Metering Stations, should be also taken into account.*** Within that two year period, the

gas transmission system operator shall adapt the functioning of the transmission system as a whole so as to enable bi-directional gas flows.

Or. en

Amendment 261
Fiorello Provera, Lara Comi

Proposal for a regulation
Article 6 – paragraph 5

Text proposed by the Commission

5. The transmission system operators shall enable permanent physical capacity to transport gas in both directions on **all** interconnections within two years from the entry into force of this Regulation, except in cases where at the request of a Competent Authority, the Commission decides that the addition of a bi-directional flow capacity would not enhance the security of supply of any Member State. Such decision may be reviewed if circumstances change. The level of the bi-directional flow capacity shall be reached in a cost efficient way and at least take into account the capacity required to meet the supply standard set in Article 7. Within that two year period, the gas transmission system operator shall adapt the functioning of the transmission system as a whole so as to enable bi-directional gas flows.

Amendment

5. The transmission system operators shall enable permanent physical capacity to transport gas in both directions on **the** interconnections ***considered as essential to ensuring security of supply and following the outcome of an impact assessment study on possible risks for infrastructures importing gas from third countries*** within two years from the entry into force of this Regulation, except in cases where at the request of a Competent Authority, the Commission decides that the addition of a bi-directional flow capacity would not enhance the security of supply of any Member State. Such decision may be reviewed if circumstances change. The level of the bi-directional flow capacity shall be reached in a cost efficient way and at least take into account the capacity required to meet the supply standard set in Article 7. Within that two year period, the gas transmission system operator shall adapt the functioning of the transmission system as a whole so as to enable bi-directional gas flows.

Or. en

Amendment 262
András Gyürk

Proposal for a regulation
Article 6 – paragraph 5

Text proposed by the Commission

5. The transmission system operators shall enable permanent physical capacity to transport gas in both directions on all interconnections ***within two years from the entry into force of this Regulation, except in cases where at the request of a Competent Authority, the Commission decides that the addition of a bi-directional flow capacity would not enhance the security of supply of any Member State.*** Such decision may be reviewed if circumstances change. The level of the bi-directional flow capacity shall be reached in a cost efficient way and at least take into account the capacity required to meet the supply standard set in Article 7. Within that two year period, the gas transmission system operator shall adapt the functioning of the transmission system as a whole so as to enable bi-directional gas flows.

Amendment 1a.

5. The transmission system operators shall, ***within two years from the entry into force of this Regulation,*** enable permanent physical capacity to transport gas in both directions on all interconnections ***which the Commission identifies on the basis of a proposal by the national Competent Authority as interconnections where ensuring*** bi-directional flow would ***significantly*** enhance the security of supply of ***the*** Member ***State(s).*** Such decision may be reviewed if circumstances change. The level of the bi-directional flow capacity shall be reached in a cost efficient way and at least take into account the capacity required to meet the supply standard set in Article 7. Within that two year period, the gas transmission system operator shall adapt the functioning of the transmission system as a whole so as to enable bi-directional gas flows.

Or. hu

Justification

Bi-directional flow does not help to improve security of supply in the case of every interconnection. The Commission should therefore, on a proposal from the national authorities, determine the interconnections where ensuring bi-directional flow has significant added value.

Amendment 263
Christian Ehler, Markus Pieper

Proposal for a regulation
Article 6 – paragraph 5

Text proposed by the Commission

5. The transmission system operators shall enable permanent physical capacity to transport gas in both directions on ***all*** interconnections within ***two years*** from the entry into force of this Regulation, ***except in cases where at the request of a Competent Authority, the Commission decides that the addition of a bi-directional flow capacity would not enhance the security of supply of any Member State. Such decision may be reviewed if circumstances change.*** The level of the bi-directional flow capacity shall be reached in a cost efficient way and at least take into account the capacity required to meet the supply standard set in Article 7. ***Within that two year period, the gas transmission system operator shall adapt the functioning of the transmission system as a whole so as to enable bi-directional gas flows.***

Amendment

5. The transmission system operators shall enable permanent physical capacity to transport gas in both directions on ***those*** interconnections within ***three years*** from the entry into force of this Regulation, ***where the addition of a bi-directional flow capacity enhances the security of supply of any Member State based on a prior cost-benefit-analysis.*** The level of the bi-directional flow capacity shall be reached in a cost efficient way and at least take into account the capacity required to meet the supply standard set in Article 7. ***Where additional investments are required further down the transmission system, paragraph 7 shall also apply to those investments. The Competent Authorities shall ensure that the assessment of the interconnections is regularly reviewed if circumstances change, in particular through the updating of the national Preventive Action Plan.***

Or. en

Justification

Enabling permanent physical capacities to transport gas in both directions on all interconnections is associated with remarkable investments. Therefore it should be ensured that modifications of infrastructure are in any case based on a cost-benefit-analysis.

Amendment 264
Konrad Szymański

Proposal for a regulation
Article 6 – paragraph 5

Text proposed by the Commission

5. The transmission system operators shall enable permanent physical capacity to transport gas in both directions on all interconnections within **two years** from the entry into force of this Regulation, except in cases where at the request of a Competent Authority, the Commission decides that the addition of a bi-directional flow capacity would not enhance the security of supply of any Member State. ***Such decision may be reviewed if circumstances change.*** The level of the bi-directional flow capacity shall be reached in a cost efficient way and at least take into account the capacity required to meet the supply standard set in Article 7. ***Within that two year period, the gas transmission system operator shall adapt the functioning of the transmission system as a whole so as to enable bi-directional gas flows.***

Amendment

5. The transmission system operators shall enable permanent physical capacity to transport gas in both directions on all interconnections within **three years** from the entry into force of this Regulation, except in cases where at the request of a Competent Authority, the Commission decides that the addition of a bi-directional flow capacity would not enhance the security of supply of any Member State. The level of the bi-directional flow capacity shall be reached in a cost efficient way and at least take into account the capacity required to meet the supply standard set in Article 7. ***The Competent Authorities and the Commission shall ensure that the assessment of the interconnections is regularly reviewed if circumstances change, in particular through the updating of the national and the Union Preventive Action Plan.***

Or. en

Amendment 265
Marian-Jean Marinescu

Proposal for a regulation
Article 6 – paragraph 5

Text proposed by the Commission

5. The transmission system operators shall enable permanent physical capacity to transport gas in both directions on all interconnections within two years from the entry into force of this Regulation, except in cases ***where at the request of a***

Amendment

5. The transmission system operators shall enable permanent physical capacity to transport gas in both directions on all interconnections within two years from the entry into force of this Regulation, except in cases ***set out in paragraph 5a. The***

Competent Authority, the Commission decides that the addition of a bi-directional flow capacity would not enhance the security of supply of any Member State. Such decision may be reviewed if circumstances change. The level of the bi-directional flow capacity shall be reached in a cost efficient way and at least take into account the capacity required to meet the supply standard set in Article 7. Within that two year period, the gas transmission system operator shall adapt the functioning of the transmission system as a whole so as to enable bi-directional gas flows.

obligation to install bi-directional flow capacity does not apply to pipelines connecting production sources, LNG facilities, or interconnection points with distribution networks or where gas quality constraints render bi-directional flows impossible. The level of the bi-directional flow capacity shall be reached in a cost efficient way and at least take into account the capacity required to meet the supply standard set in Article 7. Within that two year period, the gas transmission system operator shall adapt the functioning of the transmission system as a whole so as to enable bi-directional gas flows.

Or. en

Justification

The unspecific and general requirement set out in the Commission's proposal to enable bi-directional flows with respect to all interconnections should be clarified. The amendment clarifies that there are interconnections where the addition of bi-directionality evidently would not enhance security of supply or would technically not be feasible and therefore have to be removed from the scope of the proposal.

Amendment 266

Paul Rübiger

Proposal for a regulation

Article 6 – paragraph 5

Text proposed by the Commission

5. The transmission system operators shall enable permanent physical capacity to transport gas in both directions on ***all*** interconnections within two years from the entry into force of this Regulation, ***except in cases where at the request of a Competent Authority, the Commission decides that the addition of a bi-directional flow capacity would not enhance the security of supply of any Member State. Such decision may be reviewed if***

Amendment

5. The transmission system operators shall enable permanent physical capacity to transport gas in both directions on interconnections within two years from the entry into force of this Regulation, where the addition of a bi-directional flow capacity ***enhances security of supply in the Member States in an economically viable manner. A Commission decision to this effect taken at the request of the Competent Authority shall be preceded by***

circumstances change. The level of the bi-directional flow capacity shall be reached in a cost efficient way and at least take into account the capacity required to meet the supply standard set in Article 7. ***Within that two year period, the gas transmission system operator shall adapt the functioning of the transmission system as a whole so as to enable bi-directional gas flows.***

a technical feasibility study and a cost-benefit analysis. The level of the bi-directional flow capacity shall be reached in a cost efficient way and at least take into account the capacity required to meet the supply standard set in Article 7.

Or. de

Justification

Aus Gründen der primären Verantwortlichkeit der Unternehmen und Mitgliedstaaten für eine sichere Gasversorgung muss diesen grundsätzlich die Entscheidungsfreiheit verbleiben, mit welchen Maßnahmen sie den N-1-Standard erreichen. Eine pauschale Verpflichtung zur Einrichtung von bidirektionalen Lastflüssen an allen Grenzkuppelstellen ist aus Effizienz- und Kostenaspekten abzulehnen. Jeder Entscheidung über die Anordnung von bidirektionalen Lastflüssen muss eine gesonderte Prüfung der technischen Machbarkeit und eine kritische Kosten-Nutzen-Analyse vorangehen.

Amendment 267 **Hannes Swoboda**

Proposal for a regulation **Article 6 – paragraph 5**

Text proposed by the Commission

5. The transmission system operators shall enable permanent physical capacity to transport gas in both directions on ***all*** interconnections within ***two years*** from the entry into force of this Regulation, except in cases where at the request of a Competent Authority, the Commission decides that the addition of a bi-directional flow capacity would not enhance the security of supply of any Member State. ***Such decision may be reviewed if circumstances change.*** The level of the bi-directional flow capacity shall be reached in a cost efficient way and at least take into

Amendment

5. The transmission system operators shall enable permanent physical capacity to transport gas in both directions on ***those*** interconnections within ***three years*** from the entry into force of this Regulation, except in cases where at the request of a Competent Authority, the Commission decides that the addition of a bi-directional flow capacity would not enhance the security of supply of any Member State ***especially concerning pipelines, connecting production sources, LNG facilities, or interconnection points with distribution networks or where gas quality***

account the capacity required to meet the supply standard set in Article 7. ***Within that two year period, the gas transmission system operator shall adapt the functioning of the transmission system as a whole so as to enable bi-directional gas flows.***

constraints render bi-directional flows impossible. The level of the bi-directional flow capacity shall be reached in a cost efficient way and at least take into account the capacity required to meet the supply standard set in Article 7. ***The Competent Authorities and the Commission shall ensure that the assessment of the interconnections is regularly reviewed if circumstances change, in particular through the updating of the national and the Union Preventive Action Plan.***

Or. en

Amendment 268
Teresa Riera Madurell

Proposal for a regulation
Article 6 – paragraph 5

Text proposed by the Commission

5. The transmission system operators shall enable permanent physical capacity to transport gas in both directions on all interconnections within ***two years*** from the entry into force of this Regulation, except in cases where at the request of a Competent Authority, the Commission decides that the addition of a bi-directional flow capacity would not enhance the security of supply of any Member State. Such decision may be reviewed if circumstances change. The level of the bi-directional flow capacity shall be reached in a cost efficient way ***and at least take into account the capacity required to meet the supply standard set in Article 7.*** ***Within that two year period, the gas transmission system operator shall adapt the functioning of the transmission system as a whole so as to enable bi-directional gas flows.***

Amendment

5. The transmission system operators shall enable permanent physical capacity to transport gas in both directions on all interconnections within ***three years*** from the entry into force of this Regulation, except in cases where at the request of a Competent Authority, the Commission decides that the addition of a bi-directional flow capacity would not enhance the security of supply of any Member State. Such decision may be reviewed if circumstances change. The level of the bi-directional flow capacity shall be reached in a cost efficient way, ***with aspects that are not strictly economic, such as security of supply and contribution to the internal market, being taken into account as part of that assessment.*** ***In no event shall the capacity be less than 10% of the entry volumes for each of the countries.***

Or. es

Justification

Although the 'market' must be the main criterion for investment, there are facilities whose construction can be justified on the basis of criteria that are not strictly economic, such as security of supply and the state of the market.

Amendment 269

Claude Turmes

Proposal for a regulation

Article 6 – paragraph 5

Text proposed by the Commission

5. The transmission system operators shall enable permanent physical capacity to transport gas in both directions on all interconnections ***within two years from the entry into force of this Regulation, except in cases where at the request of a Competent Authority, the Commission decides that the addition of a bi-directional flow capacity would not enhance the security of supply of any Member State. Such decision may be reviewed if circumstances change.*** The level of the bi-directional flow capacity shall be reached in a cost efficient way and at least take into account the capacity required to meet the supply standard set in Article 7. Within that two year period, the gas transmission system operator shall adapt the functioning of the transmission system as a whole so as to enable bi-directional gas flows.

Amendment

5. ***Without prejudice to paragraph 5a, within two years from the entry into force of this Regulation,*** the transmission system operators shall enable permanent physical capacity to transport gas in both directions on all interconnections, ***other than for pipelines connecting production sources, LNG facilities, or interconnection points with distribution networks or where gas quality constraints render bi-directional flows impossible.*** The level of the bi-directional flow capacity shall be reached in a cost efficient way and at least take into account the capacity required to meet the supply standard set in Article 7. Within that two year period, the gas transmission system operator shall adapt the functioning of the transmission system as a whole so as to enable bi-directional gas flows.

Or. en

Justification

In some cases investments in bi-directional flows will not improve the security of supply or may be disproportionate. Therefore, the enhancement of security of supply should be a necessary precondition to put into place investments in transmission infrastructure. In this context the risk assessment is essential to ensure that the provisions on infrastructure standards do not lead to investments above rational and economically sound levels.

Amendment 270
Anni Podimata

Proposal for a regulation
Article 6 – paragraph 5

Text proposed by the Commission

5. The transmission system operators shall enable permanent physical capacity to transport gas in both directions on all interconnections within **two** years from the entry into force of this Regulation, except in cases where at the request of a Competent Authority, the Commission decides that the addition of a bi-directional flow capacity would not enhance the security of supply of any Member State. Such decision may be reviewed if circumstances change. The level of the bi-directional flow capacity shall be reached in a cost efficient way and at least take into account the capacity required to meet the supply standard set in Article 7. Within that two year period, the gas transmission system operator shall adapt the functioning of the transmission system as a whole so as to enable bi-directional gas flows.

Amendment

After a cost benefit analysis, the transmission system operators shall enable permanent physical capacity to transport gas in both directions on all interconnections within **three** years from the entry into force of this Regulation, except in cases where at the request of a Competent Authority, the Commission decides that the addition of a bi-directional flow capacity would not enhance the security of supply of any Member State. Such decision may be reviewed if circumstances change. The level of the bi-directional flow capacity shall be reached in a cost efficient way and at least take into account the capacity required to meet the supply standard set in Article 7. Within that two year period, the gas transmission system operator shall adapt the functioning of the transmission system as a whole so as to enable bi-directional gas flows.

Or. xm

Justification

The proposed 2-year time period, starting from entry into force of this Regulation, for enabling permanent physical capacity in both directions, is quite narrow. Furthermore, regarding existing infrastructure, a cost benefit analysis should be performed by each Member State for investments enabling reverse flow. The outcomes of these studies should be discussed among stakeholders in order to reach an agreement on the cost allocation mechanism.

Amendment 271
Claude Turmes

Proposal for a regulation
Article 6 – paragraph 5 a (new)

Text proposed by the Commission

Amendment

5a. A Competent Authority may request the Commission to issue a decision to exempt a specific interconnection from the obligation of bi-directional flow under paragraph 5. The Commission shall grant the exemption, if enabling bi-directional flow capacity would not significantly enhance the security of supply of any of the Member States concerned, or if the investment costs significantly outweigh the prospective benefits to security of supply in any of those Member States. The Commission shall take utmost account of the results of the risk assessment carried out by the Competent Authority according to Article 8(1). Such decisions may be reviewed, if circumstances change.

Or. en

Justification

In some cases investments in bi-directional flows will not improve the security of supply or may be disproportionate. Therefore, the enhancement of security of supply should be a necessary precondition to put into place investments in transmission infrastructure. In this context the risk assessment is essential to ensure that the provisions on infrastructure standards do not lead to investments above rational and economically sound levels.

Amendment 272
Marian-Jean Marinescu

Proposal for a regulation
Article 6 – paragraph 5 a (new)

Text proposed by the Commission

Amendment

5a. Where at the request of a Competent Authority the Commission decides that enabling bi-directional flow capacity would not enhance the security of supply of any Member State concerned, or that the investment costs significantly outweigh the prospective benefits to security of supply in any Member State, the obligation to enable permanent physical capacity to transport gas in both directions shall not apply. The Commission shall take utmost account of the results of the risk assessment carried out by the Competent Authority according to Article 8(1). Such decisions may be reviewed if circumstances change.

Or. en

Justification

In some cases investments in bi-directional flows will not improve the security of supply or may be disproportionate. Therefore, the enhancement of security of supply should be a necessary precondition to put into place investments in transmission infrastructure. In this context the risk assessment is essential to ensure that the provisions on infrastructure standards do not lead to investments above rational and economically sound levels.

Amendment 273
Teresa Riera Madurell

Proposal for a regulation
Article 6 – paragraph 5 a (new)

Text proposed by the Commission

Amendment

5a. The Commission shall oversee the construction of infrastructure contributing significantly to security of

supply. It shall adopt the necessary measures in response to any unjustified delays.

Or. es

Justification

Priority must be awarded to the construction of facilities that contribute significantly to the security of supply and to those needed to meet the objective of 10% interconnection. Their construction must be overseen by the EC, which could take the initiative in the event of any unjustified delays.

Amendment 274
Teresa Riera Madurell

Proposal for a regulation
Article 6 – paragraph 6

Text proposed by the Commission

6. Member States shall ensure that ***any new transmission infrastructure provides for the security of supply by means of sufficient number of entry and exit points, and contributes*** to the development of a well connected infrastructure.

Amendment

6. Member States shall ensure that ***national entry capacity and transmission networks are capable of adapting the national gas flows to the disruption of any gas supply infrastructure scenario, removing internal bottlenecks and contributing*** to the development of a well connected infrastructure.

Or. en

Justification

To ensure security of supply, not only the remaining infrastructure should be able to deliver the necessary volume of gas to satisfy the total demand of the calculated area, but also the internal flows of the national network should be able to change, depending on which one is the failing entry point, to cover that demand.

Amendment 275

Paul Rübzig

Proposal for a regulation

Article 6 – paragraph 7

Text proposed by the Commission

7. National Regulatory Authorities shall **take into account the costs of fulfilling the N-1 standard and the costs of enabling the permanent physical capacity to transport gas in both directions in their approval of tariffs** in line with Article 41(8) of Directive [.../...EC]. In the case of costs incurred in more than one Member State, the national regulatory authorities of all Member States concerned shall jointly decide on cost allocation. Article 8(1) of Regulation (EC) No .../... shall apply.

Amendment

7. National Regulatory Authorities shall **introduce appropriate incentives and include all the costs of efficiently fulfilling the infrastructure standard and the costs of enabling the economic permanent physical capacity to transport gas in both directions in their approval of tariffs or methodologies, and exempt these costs from efficiency benchmarks**, in line with Article 41 (8) of Directive 2009/73/EC. In the case of costs incurred in more than one Member State, **or in one Member State for the exclusive benefit of other Member States** the national regulatory authorities of all Member States concerned shall jointly decide on the cost allocation. Article 8(1) of regulation (EC) No 715/2009 shall apply.

Or. en

Justification

The proposed Regulation does not address sufficiently the important issue of common investment decision process, financing of investments and cost recovery for infrastructure operators. Although Recitals (10), (11) and Article 6(7) tackle these issues, they are too vague and provide intention statements rather than concrete solutions.

Amendment 276

Hannes Swoboda

Proposal for a regulation

Article 6 – paragraph 7

Text proposed by the Commission

7. National Regulatory Authorities shall take into account the costs of fulfilling the

Amendment

7. National Regulatory Authorities shall take into account the costs of fulfilling the

N-1 standard and the costs of enabling the permanent physical capacity to transport gas in both directions in their approval of tariffs in line with Article 41(8) of *Directive [.../...EC]*. In the case of costs incurred in more than one Member State, the national regulatory authorities of all Member States concerned shall jointly decide on cost allocation. **Article 8(1) of Regulation (EC) No .../... shall apply.**

N-1 standard and the costs of enabling the permanent physical capacity to transport gas in both directions in their approval of tariffs in line with Article 41(8) of *Directive 2009/73/EC*. In the case of costs incurred in more than one Member State, the national regulatory authorities of all Member States concerned shall jointly decide on cost allocation **before any investment decision is taken. The same applies if costs incurred in one Member State contribute to the enhancement of security of supply in one or more other Member States. Any such investment decision shall be subject to approval of its costs and their allocation by all of the national regulatory authorities concerned. The proportion to which each Member State benefits from the infrastructure investments with regard to security of supply shall be taken into consideration.**

Or. en

Amendment 277
Teresa Riera Madurell

Proposal for a regulation
Article 6 – paragraph 7

Text proposed by the Commission

7. National Regulatory Authorities shall take into account the costs of fulfilling the N-1 standard and the costs of enabling the permanent physical capacity to transport gas in both directions in their approval of tariffs in line with Article 41(8) of *Directive [.../...EC]*. In the case of costs incurred in more than one Member State, the national regulatory authorities of all Member States concerned shall jointly decide on cost allocation. Article 8(1) of Regulation (EC) No .../... shall apply.

Amendment

7. National Regulatory Authorities shall **introduce appropriate incentives and** take into account the costs of fulfilling the N-1 standard and the costs of enabling the permanent physical capacity to transport gas in both directions in their approval of tariffs **or their methodologies** in line with Article 41(8) of *Directive 2009/73EC*. In the case of costs incurred in more than one Member State **or in one Member State for the benefit of other Member States**, the national regulatory authorities of all Member States concerned shall jointly decide on cost allocation **before any**

investment decision is taken. Any such investment decision shall be subject to approval and acknowledgement of its retribution once commissioned by the national regulatory authority in relation to its costs and the allocation of such costs among all of the national regulatory authorities concerned. The proportion to which each Member State benefits from the investment with regard to security of supply shall be taken into consideration in relation to the allocation of costs among those Member States. Article 8(1) of Regulation (EC) No 715/2009 shall apply.

Or. en

Amendment 278
Patrizia Toia

Proposal for a regulation
Article 6 – paragraph 7

Text proposed by the Commission

7. National Regulatory Authorities shall take into account *the costs of fulfilling the N-1 standard and the costs of enabling the permanent physical capacity to transport gas in both directions in their approval of tariffs in line with Article 41(8) of Directive [...]/...EC*. In the case of *costs incurred in* more than one Member State, the national regulatory authorities of all Member States concerned shall jointly decide on cost allocation. Article 8(1) of Regulation (EC) No .../... shall apply.

Amendment

7. National Regulatory Authorities shall take into account *efficiently incurred costs related to measures imposed as a result of this Regulation*. In the case of *investments that affect* more than one Member State, the national regulatory authorities of all Member States concerned shall jointly decide on cost allocation *of efficiently incurred costs in one or more Member States*. Article 8(1) of Regulation (EC) No 715/2009 shall apply.

Or. en

Justification

For some Member States, the Regulation may lead to significant investment needs in new capacities, generating significant costs and strongly impacting gas prices for final customers. Moreover, in the case of a regional approach, the draft Regulation does not clearly state how

the issue of cost allocations for regional based investment should be addressed within the regulatory framework.

Amendment 279

Lambert van Nistelrooij, Angelika Niebler

Proposal for a regulation

Article 6 – paragraph 7

Text proposed by the Commission

7. National Regulatory Authorities shall take into account *the costs of fulfilling the N-1 standard and the costs of enabling the permanent physical capacity to transport gas in both directions in their approval of tariffs in line with Article 41(8) of Directive [.../...EC]*. In the case of *costs incurred in* more than one Member State, the national regulatory authorities of all Member States concerned shall jointly decide on cost allocation. Article 8(1) of Regulation (EC) No .../... shall apply.

Amendment

7. National Regulatory Authorities shall take into account *efficiently incurred* costs *related to measures imposed as a result of this Regulation*. In the case of *investments that affect* more than one Member State, the national regulatory authorities of all Member States concerned shall jointly decide on cost allocation *of efficiently incurred costs in one or more Member States*. Article 8(1) of Regulation (EC) No 715/2009 shall apply.

Or. en

Justification

For some Member States, the Regulation may lead to significant investment needs in new capacities, generating significant costs and strongly impacting gas prices for final customers. Moreover, in the case of a regional approach, the draft Regulation does not clearly state how the issue of cost allocations for regional based investment should be addressed within the regulatory framework.

Amendment 280

Aldo Patriciello

Proposal for a regulation

Article 6 – paragraph 7

Text proposed by the Commission

7. National Regulatory Authorities shall take into account the costs of fulfilling the

Amendment

7. National Regulatory Authorities shall *duly* take into account the costs of fulfilling

N-1 standard and the costs of enabling the permanent physical capacity to transport gas in both directions in their approval of tariffs in line with Article 41(8) of Directive [.../...EC]. In the case of costs incurred in more than one Member State, the national regulatory authorities of all Member States concerned shall jointly decide on cost allocation. Article 8(1) of Regulation (EC) No .../... shall apply.

the N-1 standard and the costs of enabling the permanent physical capacity to transport gas in both directions in their approval of tariffs ***in a transparent and detailed manner, reflecting costs incurred in a clear and identifiable manner and*** in line with Article 41(8) of Directive 2009/73/EC. In the case of costs incurred in more than one Member State, ***the Agency for the Cooperation of Energy Regulators with*** the national regulatory authorities of all Member States concerned shall jointly decide on cost allocation. Article 8(1) of Regulation (EC) No 715/2009 shall apply.

Or. en

Justification

Costs incurred to implement security of supply and infrastructure standards shall be fed into national and cross-border tariffs in the most transparent and clear manner. Cost should be fairly allocated between the systems implementing those measures and the ones benefiting from them.

Amendment 281 **Amalia Sartori, Lara Comi**

Proposal for a regulation **Article 6 – paragraph 7**

Text proposed by the Commission

7. National Regulatory Authorities shall take into account the costs of fulfilling the N-1 standard and the costs of enabling the permanent physical capacity to transport gas in both directions in their approval of tariffs in line with Article 41(8) of Directive [.../...EC]. In the case of costs incurred in more than one Member State, the national regulatory authorities of all Member States concerned shall jointly decide on cost allocation. Article 8(1) of Regulation (EC) No .../... shall apply.

Amendment

7. National Regulatory Authorities shall ***duly*** take into account the costs of fulfilling the N-1 standard and the costs of enabling the permanent physical capacity to transport gas in both directions in their approval of tariffs ***in a transparent and detailed manner, reflecting costs incurred in a clear and identifiable manner and*** in line with Article 41(8) of Directive 2009/73/EC. In the case of costs incurred in more than one Member State, ***the Agency for the Cooperation of Energy***

Regulators with the national regulatory authorities of all Member States concerned shall jointly decide on cost allocation. Article 8(1) of Regulation (EC) No 715/2009 shall apply.

Or. en

Justification

Costs incurred to implement security of supply and infrastructure standards shall be fed into national and cross-border tariffs in the most transparent and clear manner. Cost should be fairly allocated between the systems implementing those measures and the ones benefiting from them.

Amendment 282

Ioannis A. Tsoukalas

Proposal for a regulation

Article 6 – paragraph 7

Text proposed by the Commission

7. National Regulatory Authorities shall take into account the costs of fulfilling the N-1 standard and the costs of enabling the permanent physical capacity to transport gas in both directions in their approval of tariffs in line with Article 41(8) of Directive [.../...EC]. In the case of costs incurred in more than one Member State, the national regulatory authorities of all Member States concerned shall jointly decide on cost allocation. Article 8(1) of Regulation (EC) No .../... shall apply.

Amendment

7. National Regulatory Authorities shall take into account the costs of fulfilling the N-1 indicator and the costs of enabling the permanent physical capacity to transport gas in both directions in their approval of tariffs in line with Article 41(8) of Directive 2009/73/EC. In the case of costs incurred in more than one Member State, the national regulatory authorities of all Member States concerned shall jointly decide on cost allocation **in one or more Member States**. Article 8(1) of Regulation (EC) No 715/2009 shall apply.

Or. en

Amendment 283
Algirdas Saudargas

Proposal for a regulation
Article 6 – paragraph 7 a (new)

Text proposed by the Commission

Amendment

7a. Union financial instruments shall be used to give practical effect to the objectives of infrastructure standards, without however substituting national measures. The Commission shall propose appropriate financial instruments for the financing of interconnections that are lacking financial viability, but have a clear added value in terms of the security of gas supply.

Or. en

Amendment 284
Lambert van Nistelrooij, Angelika Niebler

Proposal for a regulation
Article 7 – paragraph 1

Text proposed by the Commission

Amendment

1. ***The*** Competent Authority shall ***take the measures to ensure the gas supply*** to the protected customers of the Member State ***in the case of***:

- a) extremely cold temperatures during a seven days ***peak*** period statistically occurring once every twenty years; and
- b) any period of ***sixty*** days of exceptionally high gas demand during the coldest weather periods statistically occurring every twenty years.

1. ***In carrying out the risk and impact assessment defined in Article 8, the*** Competent Authority shall ***use a common methodology, which shall include the following indicators for the supply of gas to*** the protected customers of the Member State:

- a) ***supplies in case of*** extremely cold ***average*** temperatures during a seven days period statistically occurring once every twenty years; and
- b) ***supplies in case of*** any period of ***thirty*** days of exceptionally high gas demand during the coldest weather periods statistically occurring every twenty years.

Or. en

Justification

The reference period should not be longer than what is required a shorter period of 30 days - in order to avoid disproportionate costs for customers and hampering the competitiveness of gas as a low carbon fuel. This is long enough long enough to restore gas supplies or implement additional measures, such as reverse flows. Rather than setting up EU mandatory standards, the Regulation should focus on the requirement for Member States to carry out a thorough risk and impact assessment.

Amendment 285

Fiorello Provera, Lara Comi

Proposal for a regulation

Article 7 – paragraph 1

Text proposed by the Commission

1. The Competent Authority shall ***take the measures to ensure the gas supply*** to the protected customers of the Member State ***in the case of***:

- a) extremely cold temperatures during a seven days ***peak*** period statistically occurring once every twenty years; and
- b) any period of ***sixty*** days of exceptionally high gas demand during the coldest weather periods statistically occurring every twenty years.

Amendment

1. ***In carrying out the risk and impact assessment defined in Article 8***, the Competent Authority shall ***use a common methodology, which shall include the following indicators for the supply of gas*** to the protected customers of the Member State:

- a) ***supplies in case of*** extremely cold ***average*** temperatures during a seven days period statistically occurring once every twenty years; and
- b) ***supplies in case of*** any period of ***thirty*** days of exceptionally high gas demand during the coldest weather periods statistically occurring every twenty years.

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 suggested approach could finally pave the way for exploring a more prescriptive approach based on binding minimum standards for security of supply provided they are based on a sound impact assessment, lead to proportionate measures which would be feasible from a technical and economical point of view and preserve the necessary leeway to take into account national and/or regional specificities.

Amendment 286
Aldo Patriciello

Proposal for a regulation
Article 7 – paragraph 1

Text proposed by the Commission

1. The Competent Authority shall **take the measures to ensure the gas supply** to the protected customers of the Member State in the case of:

- a) extremely cold temperatures during a seven days **peak** period statistically occurring once every twenty years; and
- b) any period of **sixty** days of exceptionally high gas demand during the coldest weather periods statistically occurring every twenty years.

Amendment

1. **In carrying out the risk and impact assessment defined in Article 8**, the Competent Authority shall **use a common methodology, which shall include the following indicators for the supply of gas** to the protected customers of the Member State:

- a) **supplies in case of** extremely cold **average** temperatures during a seven days period statistically occurring once every twenty years; and
- b) **supplies in case of** any period of **thirty** days of exceptionally high gas demand during the coldest weather periods statistically occurring every twenty years.

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 suggested approach could finally pave the way for exploring a more prescriptive approach based on binding minimum standards for security of supply provided they are based on a sound impact assessment, lead to proportionate measures which would be feasible from a technical and economical point of view and preserve the necessary leeway to take into account national and/or regional specificities.

Amendment 287

Patrizia Toia

Proposal for a regulation

Article 7 – paragraph 1

Text proposed by the Commission

1. The Competent Authority shall **take the measures to ensure the gas supply** to the protected customers of the Member State **in the case of**:

- a) extremely cold temperatures during a seven days **peak** period statistically occurring once every twenty years; and
- b) any period of **sixty** days of exceptionally high gas demand during the coldest weather periods statistically occurring every twenty years.

Amendment

1. **In carrying out the risk and impact assessment defined in Article 8**, the Competent Authority shall **use a common methodology, which shall include the following indicators for the supply of gas** to the protected customers of the Member State:

- a) **supplies in case of** extremely cold **average** temperatures during a seven days period statistically occurring once every twenty years; and
- b) **supplies in case of** any period of **thirty** days of exceptionally high gas demand during the coldest weather periods statistically occurring every twenty years.

Or. en

Justification

The longest crisis experienced lasted approximately two weeks. In the absence of a sound economic assessment of the cost and benefits to the market, a shorter period of thirty days should be used in the regulation so as to avoid disproportionate costs for customers and hampering the competitiveness of gas as a low carbon fuel. In the last approximately 40 years since the large infrastructure for transmission of natural gas to Europe was built, the only major supply interruption lasted 13 days.

Amendment 288

Amalia Sartori, Lara Comi

Proposal for a regulation

Article 7 – paragraph 1

Text proposed by the Commission

1. The Competent Authority shall **take the measures to ensure the gas supply** to the

Amendment

1. **In carrying out the risk and impact assessment defined in Article 8**, the

protected customers of the Member State *in the case of*:

- a) extremely cold temperatures during a seven days *peak* period statistically occurring once every twenty years; and
- b) any period of *sixty* days of exceptionally high gas demand during the coldest weather periods statistically occurring every twenty years.

Competent Authority shall *use a common methodology, which shall include the following indicators for the supply of gas to* the protected customers of the Member State:

- a) *supplies in case of* extremely cold *average* temperatures during a seven days period statistically occurring once every twenty years; and
- b) *supplies in case of* any period of *thirty* days of exceptionally high gas demand during the coldest weather periods statistically occurring every twenty years.

Or. en

Justification

The longest crisis experienced lasted approximately two weeks. In the absence of a sound economic assessment of the cost and benefits to the market, a shorter period of thirty days should be used in the regulation so as to avoid disproportionate costs for customers and hampering the competitiveness of gas as a low carbon fuel. In the last approximately 40 years since the large infrastructure for transmission of natural gas to Europe was built, the only major supply interruption lasted 13 days.

Amendment 289 **Evžen Tošenovský**

Proposal for a regulation **Article 7 – paragraph 1**

Text proposed by the Commission

1. The Competent Authority shall *take the measures* to ensure the gas supply to the protected customers of the Member State in the case of:
- a) extremely cold temperatures during a seven days peak period statistically occurring once every twenty years; and
 - b) any period of *sixty* days of exceptionally high gas demand during the coldest weather periods statistically occurring

Amendment

1. The Competent Authority shall *require supply undertakings* to ensure the gas supply to the protected customers of the Member State in the case of:
- a) extremely cold temperatures during a seven days peak period statistically occurring once every twenty years; and
 - b) any period of *thirty* days of exceptionally high gas demand during the coldest weather periods statistically

every twenty years.

occurring every twenty years.

Or. en

Justification

It should be a primary obligation of the supply undertakings to ensure supply standards. The period to be covered by the supply standard should not be longer than absolutely necessary to avoid disproportionate costs and hampering of the competitiveness of gas as a low carbon fuel. In the last 40 years, the only major supply interruption lasted 13 days. A period of 30 days seems long enough to restore gas supplies or implement additional measures, such as supplies via reverse flows.

Amendment 290

Werner Langen

Proposal for a regulation

Article 7 – paragraph 1 – introductory part

Text proposed by the Commission

1. The **Competent Authority** shall take the measures to ensure the gas supply to the protected customers of the Member State in the case of:

Amendment

1. The **Member States or the gas undertakings concerned** shall take the measures to ensure the gas supply to the protected customers of the Member State in the case of:

Or. de

Justification

The amendment is intended to clarify matters 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 291
Miloslav Ransdorf

Proposal for a regulation
Article 7 – paragraph 1 – introductory part

Text proposed by the Commission

1. The Competent Authority shall **take the measures** to ensure the gas supply to the protected customers of the Member State in the case of:

Amendment

1. The Competent Authority shall **require supply undertakings** to ensure the gas supply to the protected customers of the Member State in the case of:

Or. en

Justification

Fulfilling supply standards should be a task of gas supply undertakings. As the additional costs for the supply standards is likely to increase consumers' costs, the period to be covered by the supply standard should not be longer than necessary to avoid raising gas prices.

Amendment 292
Lena Kolarska-Bobińska, Bogdan Kazimierz Marcinkiewicz

Proposal for a regulation
Article 7 – paragraph 1 – point a

Text proposed by the Commission

a) extremely cold temperatures during a seven days **peak** period statistically occurring once every twenty years; and

Amendment

a) extremely cold **average** temperatures during a seven days period statistically occurring once every twenty years; and

Or. en

Justification

The longest crisis experienced lasted approximately two weeks. In the absence of a sound economic assessment of the cost and benefits to the market, a shorter period of thirty days should be used in the regulation so as to avoid disproportionate costs for customers and hampering the competitiveness of gas as a low carbon fuel. In the last approximately 40 years since the large infrastructure for transmission of natural gas to Europe was built, the only major supply interruption lasted 13 days.

Amendment 293

Bogdan Kazimierz Marcinkiewicz, Lena Kolarska-Bobińska

Proposal for a regulation

Article 7 – paragraph 1 – point a

Text proposed by the Commission

a) extremely cold temperatures during a seven days **peak** period statistically occurring once every twenty years; and

Amendment

a) **supplies in case of** extremely cold **average** temperatures during a seven days period statistically occurring once every twenty years; and

Or. en

Justification

The longest crisis experienced lasted approximately two weeks. In the absence of a sound economic assessment of the cost and benefits to the market, a shorter period of thirty days should be used in the regulation so as to avoid disproportionate costs for customers and hampering the competitiveness of gas as a low carbon fuel. In the last approximately 40 years since the large infrastructure for transmission of natural gas to Europe was built, the only major supply interruption lasted 13 days.

Amendment 294

Lena Kolarska-Bobińska, Bogdan Kazimierz Marcinkiewicz

Proposal for a regulation

Article 7 – paragraph 1 – point b

Text proposed by the Commission

b) any period of **sixty** days of exceptionally high gas demand during the coldest weather periods statistically occurring every twenty years.

Amendment

b) any period of **thirty** days of exceptionally high gas demand during the coldest weather periods statistically occurring every twenty years.

Or. en

Justification

The longest crisis experienced lasted approximately two weeks. In the absence of a sound economic assessment of the cost and benefits to the market, a shorter period of thirty days should be used in the regulation so as to avoid disproportionate costs for customers and hampering the competitiveness of gas as a low carbon fuel. In the last approximately 40 years since the large infrastructure for transmission of natural gas to Europe was built, the only

major supply interruption lasted 13 days.

Amendment 295

Bogdan Kazimierz Marcinkiewicz, Lena Kolarska-Bobińska

Proposal for a regulation

Article 7 – paragraph 1 – point b

Text proposed by the Commission

b) any period of **sixty** days of exceptionally high gas demand during the coldest weather periods statistically occurring every twenty years.

Amendment

b) **supplies in case of** any period of **thirty** days of exceptionally high gas demand during the coldest weather periods statistically occurring every twenty years.

Or. en

Justification

The longest crisis experienced lasted approximately two weeks. In the absence of a sound economic assessment of the cost and benefits to the market, a shorter period of thirty days should be used in the regulation so as to avoid disproportionate costs for customers and hampering the competitiveness of gas as a low carbon fuel. In the last approximately 40 years since the large infrastructure for transmission of natural gas to Europe was built, the only major supply interruption lasted 13 days.

Amendment 296

Bogdan Kazimierz Marcinkiewicz

Proposal for a regulation

Article 7 – paragraph 2

Text proposed by the Commission

2. The Competent Authority shall take the measures to **ensure** the gas supply to the protected customers for the period of **sixty** days **also in the event of an Emergency as defined in Article 9(2). The Competent Authority shall endeavour to maintain the supply for** the protected customers as long as necessary.

Amendment

2. **In the event of an Emergency as defined in Article 9(2), the** Competent Authority shall **also, working with natural gas undertakings, take the measures to prioritise** the gas supply to the protected customers **for the period of thirty days. Supply to the protected customers shall be maintained as long as necessary.**

Or. en

Justification

The proposed Article 7.2 requires the Competent Authority to ensure gas supplies to protected customers for the period of sixty days of exceptionally high gas demand during the coldest weather period statistically occurring every twenty years, also in the event of an Emergency. Such a provision might lead to an obligation which could be very difficult or very costly for companies to fulfil, in particular if the category of protected customers would not be limited to household customers. This might lead to increased gas prices for final customers.

Amendment 297

Patrizia Toia

Proposal for a regulation

Article 7 – paragraph 2

Text proposed by the Commission

2. The Competent Authority shall ***take the measures to ensure*** the gas supply to the protected customers ***for the period of sixty days also in the event of an Emergency as defined in Article 9(2). The Competent Authority shall endeavour to maintain the supply for*** the protected customers as long as ***necessary***.

Amendment

2. ***In the event of an Emergency as defined in Article 9(2), the*** Competent Authority shall ***work with natural gas undertakings to prioritise*** the gas supply to the protected customers. ***Supply to the protected customers shall be maintained as long as possible.***

Or. en

Justification

Article 7.2 requires the Competent Authority to take measures to ensure gas supplies to protected customers for the period of sixty days of exceptionally high gas demand during the coldest weather period statistically occurring every twenty years, also in the event of an Emergency. Such a provision might lead to an obligation which could be very difficult or very costly for companies to fulfil, in particular if the category of protected customers would not be limited to household customers. This might lead to increased gas prices for final customers.

Amendment 298
Miloslav Ransdorf

Proposal for a regulation
Article 7 – paragraph 2

Text proposed by the Commission

2. The Competent Authority shall **take the measures** to ensure the gas supply to the protected customers for the period of sixty days also in the event of an Emergency as defined in Article 9(2). The Competent Authority shall endeavour to maintain the supply for the protected customers as long as **necessary**.

Amendment

2. The Competent Authority shall **require supply undertakings** to ensure the gas supply to the protected customers for the period of sixty days also in the event of an Emergency as defined in Article 9(2). The **supply undertakings in cooperation with the** Competent Authority shall endeavour to maintain the supply for the protected customers as long as **possible**.

Or. en

Justification

Fulfilling supply standards should be a task of gas supply undertakings and competent authorities.

Amendment 299
Werner Langen

Proposal for a regulation
Article 7 – paragraph 2

Text proposed by the Commission

2. The **Competent Authority** shall take the measures to ensure the gas supply to the protected customers for the period of sixty days also in the event of an Emergency as defined in Article 9(2). The **Competent Authority** shall endeavour to maintain the supply for the protected customers as long as necessary.

Amendment

2. The **Member States or the gas undertakings concerned** shall take the measures to ensure the gas supply to the protected customers for the period of sixty days also in the event of an Emergency as defined in Article 9(2). The **Member State** shall endeavour to maintain the supply for the protected customers as long as necessary.

Or. de

Justification

The amendment is intended to clarify matters 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 300

Patrizia Toia

Proposal for a regulation

Article 7 – paragraph 3

Text proposed by the Commission

Amendment

3. The obligations imposed on natural gas undertakings for the fulfilment of the supply standard as laid down in paragraph 1 and 2, shall be non-discriminatory and shall not impose an undue burden on market entrants and small undertakings. **deleted**

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 301
Amalia Sartori, Lara Comi

Proposal for a regulation
Article 7 – paragraph 3

Text proposed by the Commission

Amendment

3. The obligations imposed on natural gas undertakings for the fulfilment of the supply standard as laid down in paragraph 1 and 2, shall be non-discriminatory and shall not impose an undue burden on market entrants and small undertakings. *deleted*

Or. en

Justification

Amendment 302
Aldo Patriciello

Proposal for a regulation
Article 7 – paragraph 3

Text proposed by the Commission

Amendment

3. The obligations imposed on natural gas undertakings for the fulfilment of the supply standard as laid down in paragraph 1 and 2, shall be non-discriminatory and shall not impose an undue burden on market entrants and small undertakings. *deleted*

Or. en

Amendment 303
Bogdan Kazimierz Marcinkiewicz

Proposal for a regulation
Article 7 – paragraph 4

Text proposed by the Commission

4. The Competent *Authority* shall ***allow the natural gas undertakings to meet these criteria*** on a regional or Community level and shall not ***require that these standards are met based on infrastructure located*** only within *its* territory.

Amendment

4. The Competent *Authorities* shall ***be allowed to calculate these indicators*** on a regional or *Union* level and ***they*** shall not ***be required to calculate*** these ***indicators only*** within ***their*** territory.

Or. en

Amendment 304
Fiorello Provera, Lara Comi

Proposal for a regulation
Article 7 – paragraph 4

Text proposed by the Commission

4. The Competent *Authority* shall ***allow the natural gas undertakings to meet these criteria*** on a regional or Community level and shall not ***require that these standards are met based on infrastructure located*** only within *its* territory.

Amendment

4. The Competent *Authorities* shall ***be allowed to calculate these indicators*** on a regional or *Union* level and ***they*** shall not ***be required to calculate*** these ***indicators only*** within ***their*** territory.

Or. en

Amendment 305
Patrizia Toia

Proposal for a regulation
Article 7 – paragraph 4

Text proposed by the Commission

4. The Competent *Authority* shall ***allow***

Amendment

4. The Competent *Authorities* shall ***be***

the natural gas undertakings to meet these criteria on a regional or Community level and shall not *require that* these standards *are met based on infrastructure located* only within *its* territory.

allowed to calculate these indicators on a regional or *Union* level and *they* shall not *be required to calculate* these standards *indicators only* within *their* territory.

Or. en

Amendment 306
Aldo Patriciello

Proposal for a regulation
Article 7 – paragraph 4

Text proposed by the Commission

4. The Competent *Authority* shall *allow the natural gas undertakings to meet these criteria* on a regional or Community level and shall not *require that* these *standards are met based on infrastructure located* only within *its* territory.

Amendment

4. The Competent Authorities shall *be allowed to calculate* these *indicators* on a regional or *Union* level and *they* shall not *be required to calculate* these *indicators* only within *their* territory.

Or. en

Amendment 307
Ioannis A. Tsoukalas

Proposal for a regulation
Article 7 – paragraph 4

Text proposed by the Commission

4. The Competent Authority shall allow the natural gas undertakings to meet these criteria on a regional or Community level and shall not require that these standards are met based on infrastructure located only within its territory.

Amendment

4. The Competent Authority shall allow the natural gas undertakings to meet these criteria on a regional, *national* or *Union* level and shall not require that these standards are met based on infrastructure located only within its territory.

Or. en

Amendment 308

Anni Podimata

Proposal for a regulation

Article 7 – paragraph 4

Text proposed by the Commission

4. The Competent Authority shall allow the natural gas undertakings to meet these criteria on a regional or Community level and shall not require that these standards are met based on infrastructure located only within its territory.

Amendment

4. The Competent Authority shall allow the natural gas undertakings to meet these criteria on a ***national***, regional or Community level and shall not require that these standards are met based on infrastructure located only within its territory.

Or. el

Justification

The Competent Authority should evaluate and issue security of supply standards, not only on a regional or Union basis but also at a national level, due to the different geopolitical characteristics and the diversification of the gas market in each Member-State.

Amendment 309

Takis Hadjigeorgiou

Proposal for a regulation

Article 7 – paragraph 5

Text proposed by the Commission

5. The Competent Authority shall ensure that conditions for supplies to protected customers are established without prejudice to the proper functioning of the internal gas market and at a price respecting the ***market value*** of the commodity.

Amendment

5. The Competent Authority shall ensure that conditions for supplies to protected customers are established without prejudice to the proper functioning of the internal gas market, ***without decreasing the protection of the economic interests of consumers*** and at a price respecting the ***real commercial value*** of the commodity.

Or. en

Amendment 310
Silvia-Adriana Țicău

Proposal for a regulation
Article 7 – paragraph 5

Text proposed by the Commission

5. The Competent Authority shall ensure that conditions for supplies to protected customers are established without prejudice to the proper functioning of the internal gas market and at a price respecting the market value of the commodity.

Amendment

5. The Competent Authority shall ensure that conditions for supplies to protected customers are established without prejudice to the proper functioning of the internal gas market and at a price respecting the market value of the commodity. ***Nevertheless, in crisis situations, Member States may take measures to prevent excessive increases in gas prices for protected consumers.***

Or. ro

Justification

Pursuant to Article 153(2) of the EC Treaty, measures must be taken to protect the consumer.

Amendment 311
Paul Rübzig

Proposal for a regulation
Article 7 – paragraph 5 a (new)

Text proposed by the Commission

Amendment

5a. Consumers not benefiting from the supply standard of this Article shall, within the framework of the liberalised market, be appropriately remunerated, for any incurred losses caused by gas supply disruptions.

Or. en

Justification

Within the framework of the Regulation, large-scale consumers do not belong to the group of protected customers and thus bear a greater risk that their gas supply will be among the first

to be interrupted. It shall therefore be ensured that they are appropriately remunerated for their losses within the framework of the liberalised market.

Amendment 312

Amalia Sartori, Lara Comi

Proposal for a regulation

Article 8 – paragraph 1

Text proposed by the Commission

1. By [30 September 2010; 6 months after entry into force] each Competent Authority shall **fully assess the risks affecting the security of gas supply in its Member State by:**

a) **using the standards specified in Articles 6 and 7;**

b) **taking into account all relevant national and regional circumstances;**

c) **running** various scenarios of exceptionally high demand and supply disruption, such as failure of main transmission infrastructures, storages, LNG terminals, and disruption of supplies from third country **suppliers**;

d) **identifying the** interaction and correlation of risks with other Member States.

Amendment

1. By [30 March 2011; 12 months after entry into force] each Competent Authority shall **undertake a risk and impact assessment that shall be the basis for:**

a) **the establishment of the risk profile of its Member State, taking into account all relevant national and regional circumstances,**

b) **the establishment of the Preventive Action Plan of its Member State.**

c) **the establishment of the Emergency Plan of its Member State.**

The Risk and Impact Assessment shall include running various scenarios of exceptionally high demand and/or supply disruption, such as failure of main transmission infrastructures, storages, LNG terminals, and disruption of supplies from third country **producers. Account shall be taken of the** interaction and correlation of risks with other Member States.

The risk and impact assessment shall, amongst other things, be based upon the indicators as laid down in Articles 6(1) and 7(1) of this Regulation. The risk and impact assessment shall take into account technical feasibility and an economic assessment of the costs and benefits to the market. This shall in particular be the

case prior to any potential extension at national level of the scope of protected consumers, beyond households.

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 313

Fiorello Provera, Lara Comi

Proposal for a regulation

Article 8 – paragraph 1

Text proposed by the Commission

1. By [30 September 2010; 6 months after entry into force] each Competent Authority shall **fully assess the risks affecting the security of gas supply in its Member State by:**

a) **using the standards specified in Articles 6 and 7;**

b) **taking into account all relevant national and regional circumstances;**

c) **running** various scenarios of exceptionally high demand and supply disruption, such as failure of main transmission infrastructures, storages, LNG terminals, and disruption of supplies from third country **suppliers;**

d) **identifying the** interaction and

Amendment

1. By [30 March 2011; 12 months after **entry into force**] each Competent Authority **shall undertake a risk and impact assessment that shall be the basis for**

a) **the establishment of the risk profile of its Member State, taking into account all relevant national and regional circumstances;**

b) **the establishment of the Preventive Action Plan of its Member State;**

c) **the establishment of the Emergency Plan of its Member State.**

The Risk and Impact Assessment shall

correlation of risks with other Member States.

include running various scenarios of exceptionally high demand and/or supply disruption, such as failure of main transmission infrastructures, storages, LNG terminals, and disruption of supplies from third country ***producers***. ***Account shall be taken of the*** interaction and correlation of risks with other Member States.

The risk and impact assessment shall, amongst other things, be based upon the indicators as laid down in Articles 6(1) and 7(1) of this Regulation. The risk and impact assessment shall take into account technical feasibility and an economic assessment of the costs and benefits to the market. This shall in particular be the case prior to any potential extension at national level of the scope of protected consumers, beyond households.

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.

Amendment 314 **Aldo Patriciello**

Proposal for a regulation **Article 8 – paragraph 1**

Text proposed by the Commission

1. By [30 September 2010; 6 months after entry into force] each Competent Authority shall ***fully assess the risks affecting the security of gas supply in its Member State*** by:

a) ***using the standards specified in Articles***

Amendment

1. By [30 March 2011; 12 months after entry into force] each Competent Authority shall ***undertake a risk and impact assessment that shall be the basis for***

a) ***the establishment of the risk profile of its Member State, taking into account all***

6 and 7;

b) *taking into account all relevant national and regional circumstances;*

c) *running* various scenarios of exceptionally high demand and supply disruption, such as failure of main transmission infrastructures, storages, LNG terminals, and disruption of supplies from third country *suppliers*;

d) *identifying the* interaction and correlation of risks with other Member States.

relevant national and regional circumstances,

b) *the establishment of the Preventive Action Plan of its Member State.*

c) *the establishment of the Emergency Plan of its Member State.*

The Risk and Impact Assessment shall include running various scenarios of exceptionally high demand and/or supply disruption, such as failure of main transmission infrastructures, storages, LNG terminals, and disruption of supplies from third country *producers*. *Account shall be taken of the* interaction and correlation of risks with other Member States.

The risk and impact assessment shall, amongst other things, be based upon the indicators as laid down in Articles 6(1) and 7(1) of this Regulation. The risk and impact assessment shall take into account technical feasibility and an economic assessment of the costs and benefits to the market. This shall in particular be the case prior to any potential extension at national level of the scope of protected consumers, beyond households.

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 315
Patrizia Toia

Proposal for a regulation
Article 8 – paragraph 1

Text proposed by the Commission

1. By [**30 September 2010**; 6 months after entry into force] each Competent Authority shall **fully assess the risks affecting the security of gas supply in its Member State** by:

a) **using the standards specified in Articles 6 and 7**;

b) **taking into account all relevant national and regional circumstances**;

c) **running** various scenarios of exceptionally high demand and supply disruption, such as failure of main transmission infrastructures, storages, LNG terminals, and disruption of supplies from third country **suppliers**;

d) **identifying the** interaction and correlation of risks with other Member States.

Amendment

1. By [**30 March 2011**; 12 months after entry into force] each Competent Authority shall **undertake a risk and impact assessment that shall be the basis for**

a) **the establishment of the risk profile of its Member State**, taking into account all relevant national and regional circumstances,

b) **the establishment of the Preventive Action Plan of its Member State**.

c) **the establishment of the Emergency Plan of its Member State**.

The Risk and Impact Assessment shall include running various scenarios of exceptionally high demand and/or supply disruption, such as failure of main transmission infrastructures, storages, LNG terminals, and disruption of supplies from third country **producers**. **Account shall be taken of the** interaction and correlation of risks with other Member States.

The risk and impact assessment shall, amongst other things, be based upon the indicators as laid down in Articles 6(1) and 7(1) of this Regulation. The risk and impact assessment shall take into account technical feasibility and an economic assessment of the costs and benefits to the market. This shall in particular be the case prior to any potential extension at national level of the scope of protected

consumers, beyond households.

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 316

Bogdan Kazimierz Marcinkiewicz

Proposal for a regulation

Article 8 – paragraph 1

Text proposed by the Commission

1. By [**30 September 2010**; 6 months after entry into force] each Competent Authority shall fully assess the risks affecting the security of gas supply in *its* Member State by:

- a) using the *standards* specified in Articles 6 and 7;
- b) taking into account all relevant national and regional circumstances;
- c) running various scenarios of exceptionally high demand and supply disruption, such as failure of main transmission infrastructures, storages, LNG terminals, and disruption of supplies from third country suppliers;
- d) identifying the interaction and correlation of risks with other Member States.

Amendment

1. By [**30 March 2011**; 12 months after entry into force] **the Commission and** each Competent Authority shall fully assess the risks affecting the security of gas supply in **the EU and** in **the** Member State **respectively** by:

- a) using the *indicator* specified in Articles 6 and 7;
- b) taking into account all relevant national and regional circumstances;
- c) running various scenarios of exceptionally high demand and supply disruption, such as failure of main transmission infrastructures, storages, LNG terminals, and disruption of supplies from third country **suppliers**;
- d) identifying the interaction and correlation of risks with other Member States.

Or. en

Justification

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. Similar plans could also be prepared at the regional level.

Amendment 317 **Miloslav Ransdorf**

Proposal for a regulation **Article 8 – paragraph 1**

Text proposed by the Commission

1. By [30 September 2010; 6 months after entry into force] each Competent Authority shall fully assess the risks affecting the security of gas supply in its Member State by:

- a) using the standards specified in Articles 6 and 7;
- b) taking into account all relevant national and regional circumstances;
- c) running various scenarios of exceptionally high demand and supply disruption, such as failure of main transmission infrastructures, storages, LNG terminals, and disruption of supplies from third country suppliers;
- d) identifying the interaction and correlation of risks with other Member States.

Amendment

1. By [30 September 2010; 6 months after entry into force] each Competent Authority shall fully assess the risks affecting the security of gas supply in its Member State ***and the impacts of the proposed measures by carrying out a risk and impact assessment*** by:

- a) using the standards specified in Articles 6 and 7;
- b) taking into account all relevant national and regional circumstances ***and impacts***;
- c) running various scenarios of exceptionally high demand and supply disruption, such as failure of main transmission infrastructures, storages, LNG terminals, and disruption of supplies from third country suppliers;
- d) identifying the interaction and correlation of risks with other Member States,
da) taking into account technical feasibility and an economic evaluation of all the costs and benefits of the measures proposed.

Or. en

Justification

By setting up strong infrastructure obligations for Member States the proposed Regulation may cause huge investment needs for new capacities and reverse flow, causing significant costs with impact on gas prices for final customers. It is necessary to carefully assess the measures proposed in order to avoid that new capacities would remain unused, generating sunk costs and leading to price increases for final customers.

Amendment 318

András Gyürk

Proposal for a regulation

Article 8 – paragraph 1 – point b

Text proposed by the Commission

(b) taking into account all relevant national and regional circumstances;

Amendment 1a.

(b) taking into account all relevant national and regional circumstances, including ***therefore the use of gas for district heating of homes and for electricity production and including the operations of industries which are particularly sensitive to fluctuations in supply;***

Or. hu

Justification

In the risk assessment, account must be taken of all industries which are particularly vulnerable to a loss or fluctuation of gas supply. The assessment must not disregard the prominent role which the gas supply plays in district heating systems and electricity production.

Amendment 319

Claude Turmes

Proposal for a regulation

Article 8 – paragraph 1 – point b

Text proposed by the Commission

b) taking into account all relevant national and regional circumstances;

Amendment

b) taking into account all relevant national and regional circumstances, ***including the secure supply of electricity and district***

heating to protected customers;

Or. en

Amendment 320

Paul Rübiger

Proposal for a regulation

Article 8 – paragraph 1 – point b

Text proposed by the Commission

Amendment

b) taking into account all relevant national and regional circumstances;

b) taking into account all relevant national and regional circumstances, ***including the use of gas to supply electricity and district heating to protected customers;***

Or. en

Justification

As in several Member States gas is used as a main fuel to generate electricity and also heat, the supply of protected customers with electricity and district heat should also be considered in the risk assessment.

Amendment 321

Hannes Swoboda

Proposal for a regulation

Article 8 – paragraph 1 – point b

Text proposed by the Commission

Amendment

b) taking into account all relevant national and regional circumstances;

b) taking into account all relevant national and regional circumstances, ***including the use of gas to supply electricity and district heating to protected customers;***

Or. en

Amendment 322
Arturs Krišjānis Kariņš

Proposal for a regulation
Article 8 – paragraph 1 – point b

Text proposed by the Commission

b) taking into account all relevant national and regional circumstances;

Amendment

b) taking into account all relevant national and regional circumstances, ***such as energy mix, consumption patterns, connectivity to the internal market and safety concerns;***

Or. en

Justification

There should be an explanation of the circumstances that should be taken into account.

Amendment 323
Konrad Szymański

Proposal for a regulation
Article 8 – paragraph 1 – point d a (new)

Text proposed by the Commission

Amendment

da) identifying all relevant national, regional and international developments.

Or. en

Amendment 324
Alejo Vidal-Quadras

Proposal for a regulation
Article 8 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. In the risk assessment, the Member States may set, on the basis of a technical and economic analysis, obligations to

*supply customers connected to the gas distribution system other than the protected customers such as schools and hospitals provided these obligations do not affect their capacity to supply the protected customers in the event of a crisis as defined in Article 7.
In the case of a Union or regional emergency, the supply of gas to these additional customers will be the sole responsibility of the Member State concerned.*

Or. en

Justification

Amendment to be considered with the AMs to art. 2 and art.5. The concept "Protected customers" is directly linked to the obligations by all Member States in terms of solidarity. If a MS has the capacity to take further measures for other customers, it should be allowed (see ams to art 2 and art 5) provided the additions are taken into account in the risk assessment and that they are the sole responsibility of the Member State concerned.

Amendment 325

Amalia Sartori, Lara Comi

Proposal for a regulation

Article 8 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. Following the recommendation of the Commission as referred to in Article 4(3) or in the situation referred to in Article 4(4), the obligations set out in this article may be fulfilled at the regional level.

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 326

Aldo Patriciello

Proposal for a regulation

Article 8 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. Following the recommendation of the Commission as referred to in Article 4(3) or in the situation referred to in Article 4(4), the obligations set out in this article may be fulfilled at the regional level.

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 327

Fiorello Provera, Lara Comi

Proposal for a regulation

Article 8 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. Following the recommendation of the Commission as referred to in Article 4(3)

or in the situation referred to in Article 4(4), the obligations set out in this article may be fulfilled at the regional level.

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 328

Patrizia Toia

Proposal for a regulation

Article 8 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. Following the recommendation of the Commission as referred to in Article 4(3) or in the situation referred to in Article 4(4), the obligations set out in this article may be fulfilled at the regional level.

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 329

Paul Rübiger

Proposal for a regulation

Article 8 – paragraph 2

Text proposed by the Commission

2. The natural gas undertakings, the relevant organisations representing the interests of household and industrial customers and the regulatory authority, where it is not the Competent Authority, shall cooperate and provide all necessary information for the risk assessment.

Amendment

2. The natural gas undertakings, the relevant organisations representing the interests of household and industrial customers ***including relevant power generators, Member States*** and the regulatory authority, where it is not the Competent Authority, shall cooperate ***with the Competent Authority*** and provide all necessary information for the risk ***and impact*** assessment. ***Such provision of information shall respect confidentiality requirements for commercially sensitive data.***

Or. en

Justification

Rather than setting up mandatory European standards at this stage, the future Regulation should focus more 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.

Amendment 330

Bogdan Kazimierz Marcinkiewicz, Jacek Saryusz-Wolski

Proposal for a regulation

Article 8 – paragraph 2

Text proposed by the Commission

2. The natural gas undertakings, the relevant organisations representing the interests of household and industrial customers and the regulatory authority, where it is not the Competent Authority, shall cooperate and provide all necessary information for the risk assessment.

Amendment

2. The natural gas undertakings, the relevant organisations representing the interests of household and industrial customers and the regulatory authority where it is not the Competent Authority, shall cooperate and provide all necessary information for the risk ***and impact***

assessment *including geopolitical risks*.

Or. en

Amendment 331

Aldo Patriciello

Proposal for a regulation

Article 8 – paragraph 2

Text proposed by the Commission

2. The natural gas undertakings, the relevant organisations representing the interests of household and industrial customers and the regulatory authority, where it is not the Competent Authority, shall cooperate and provide all necessary information for the risk assessment.

Amendment

2. The natural gas undertakings, **gas-powered generators**, the relevant organisations representing the interests of household and industrial customers and the regulatory authority, where it is not the Competent Authority, shall cooperate and provide all necessary information for the risk **and impact** assessment.

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 332

Amalia Sartori, Lara Comi

Proposal for a regulation

Article 8 – paragraph 2

Text proposed by the Commission

2. The natural gas undertakings, the

Amendment

2. The natural gas undertakings, **gas-**

relevant organisations representing the interests of household and industrial customers and the regulatory authority, where it is not the Competent Authority, shall cooperate and provide all necessary information for the risk assessment.

powered generators, the relevant organisations representing the interests of household and industrial customers and the regulatory authority, where it is not the Competent Authority, shall cooperate and provide all necessary information for the risk *and impact* assessment.

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 333 **Fiorello Provera, Lara Comi**

Proposal for a regulation **Article 8 – paragraph 2**

Text proposed by the Commission

2. The natural gas undertakings, the relevant organisations representing the interests of household and industrial customers and the regulatory authority, where it is not the Competent Authority, shall cooperate and provide all necessary information for the risk assessment.

Amendment

2. The natural gas undertakings, the relevant organisations representing the interests of household and industrial customers and the regulatory authority, where it is not the Competent Authority, shall cooperate and provide all necessary information for the risk *and impact* assessment.

Or. en

Amendment 334
Patrizia Toia, Anni Podimata

Proposal for a regulation
Article 8 – paragraph 2

Text proposed by the Commission

2. The natural gas undertakings, the relevant organisations representing the interests of household and industrial customers and the regulatory authority, where it is not the Competent Authority, shall cooperate and provide all necessary information for the risk assessment.

2. The natural gas undertakings, the relevant organisations representing the interests of household and industrial customers and the regulatory authority, where it is not the Competent Authority, shall cooperate and provide all necessary information for the risk and impact assessment.

Or. en

Justification

Rather than setting up mandatory European standards at this stage, the future Regulation should focus more 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.

Amendment 335
Amalia Sartori, Lara Comi

Proposal for a regulation
Article 8 – paragraph 3

Text proposed by the Commission

3. The risk assessment shall be repeated every two years before 30 September of that year.

Amendment

3. The risk ***and impact*** assessment shall be repeated every two years before 30 September of that year.

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 336

Patrizia Toia, Anni Podimata

Proposal for a regulation

Article 8 – paragraph 3

Text proposed by the Commission

3. The risk assessment shall be repeated every two years before 30 September of that year.

Amendment

3. The risk **and impact** assessment shall be repeated every two years before 30 September of that year.

Or. en

Justification

Rather than setting up mandatory European standards at this stage, the future Regulation should focus more 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.

Amendment 337

Fiorello Provera, Lara Comi

Proposal for a regulation

Article 8 – paragraph 3

Text proposed by the Commission

3. The risk assessment shall be repeated every two years before 30 September of that year.

Amendment

3. The risk **and impact** assessment shall be repeated every two years before 30 September of that year.

Or. en

Justification

Rather than setting up mandatory European standards at this stage, the future Regulation

should focus more 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.

Amendment 338

Aldo Patriciello

Proposal for a regulation

Article 8 – paragraph 3

Text proposed by the Commission

Amendment

3. The risk assessment shall be repeated every two years before 30 September of that year.

3. The risk **and impact** assessment shall be repeated every two years before 30 September of that year.

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 339

Paul Rübzig

Proposal for a regulation

Article 8 – paragraph 3

Text proposed by the Commission

Amendment

3. The risk assessment shall be repeated every two years before 30 September of that year.

3. The risk **and impact** assessment shall be repeated every two years before 30 September of that year.

Or. en

Justification

Rather than setting up mandatory European standards at this stage, the future Regulation should focus more 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.

Amendment 340

Bogdan Kazimierz Marcinkiewicz

Proposal for a regulation

Article 8 – paragraph 3

Text proposed by the Commission

3. The risk assessment shall be repeated every two years before 30 September of that year.

Amendment

3. The risk **and impact** assessment shall be repeated every two years before 30 September of that year.

Or. en

Justification

Rather than setting up mandatory European standards at this stage, the future Regulation should focus more 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.