

20.3.2019

A8-0044/201

Amendment 201

Jerzy Buzek

on behalf of the Committee on Industry, Research and Energy

Report

A8-0044/2018

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Common rules for the internal market in electricity
(COM(2016)0864 – C8-0495/2016 – 2016/0380(COD))

Draft legislative resolution

Paragraph 1 a (new)

Draft legislative resolution

Amendment

***1a. Takes note of the Commission
declarations annexed to this resolution;***

Or. en

For information, the statements read as follows:

COMMISSION DECLARATION ON THE INTERCONNECTOR DEFINITION

"The Commission notes the agreement of the co-legislators relating to the recast Electricity Directive and Recast Electricity Regulation, reverting back to the definition of "interconnector" used in Directive 2009/72/EC and Regulation (EC) 714/2009. The Commission agrees that electricity markets differ from other markets such as natural gas, e.g. by trading products which can currently not be easily stored and are produced by a large variety of generating installations, including installations at distribution level. As a consequence, the role of connections to third countries differs significantly between the electricity and gas sectors and different regulatory approaches can be chosen.

The Commission will further examine the impact of this agreement and provide guidance on applying the legislation where needed.

For the sake of legal clarity, the Commission wishes to highlight the following:

The agreed definition of interconnector in the Electricity Directive refers to equipment linking electricity systems. This wording does not distinguish different regulatory frameworks or technical situations and thus, a priori, includes all electric connections to third countries in the scope of application. As regards the agreed definition of interconnector in the Electricity Regulation, the Commission underlines that the integration of electricity markets requires a

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high degree of cooperation between system operators, market participants and regulators. While the scope of applicable rules may vary depending on the degree of integration with the internal electricity market, close integration of third countries into the internal electricity market, such as participation in market coupling projects, should be based on agreements requiring the application of relevant Union law."

COMMISSION DECLARATION ON ALTERNATIVE DISPUTE RESOLUTION

The Commission notes the agreement of the co-legislators relating to Article 26 to regulate at EU level that energy service providers' participation in Alternative Dispute Resolution shall be mandatory. The Commission regrets this decision since its proposal had left this choice to Member States in line with the approach adopted in Directive 2013/11/EU on Alternative Resolution for consumer Disputes (the ADR Directive) and bearing in mind the principles of subsidiarity and proportionality.

It is not the Commission's role to undertake comparative assessments of the individual alternative dispute resolution models put in place by the Member States. The Commission will therefore consider the overall effectiveness of the national alternative dispute resolution landscapes in the context of its general obligation to monitor the transposition and effective application of Union law.