

**AMENDMENTS 001-255**

by the Committee on Industry, Research and Energy

**Report****Zdzisław Krasnodebski****A9-0269/2021**

Trans-European energy infrastructure

Proposal for a regulation (COM(2020)0824 – C9-0417/2020 – 2020/0360(COD))

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**Amendment 1****Proposal for a regulation****Recital 1***Text proposed by the Commission*

(1) The Commission has set out, in its Communication of 11 December 2019 entitled ‘The European Green Deal’<sup>21</sup>, a new growth strategy that aims to transform the Union into a fair and prosperous society, with a modern, resource-efficient and competitive economy, where **there are no net emissions of greenhouse gases in 2050** and where economic growth is decoupled from resource use. The Commission’s communication on the Climate Target Plan<sup>22</sup> proposing to increase the greenhouse gas emissions’ reduction level to at least 55% by 2030 - an ambition that was endorsed by the European Council on 11 December 2020 - and its underlying impact assessment confirms that the energy mix of the future will be very different from the one of today and underpins the necessity to review and if necessary to revise the energy legislation. The current energy

*Amendment*

(1) The Commission has set out, in its Communication of 11 December 2019 entitled ‘The European Green Deal’<sup>21</sup>, a new growth strategy that aims to transform the Union into a fair and prosperous society, with a modern, resource-efficient and competitive economy, where **the climate neutrality objective is met at the latest by 2050** and where economic growth is decoupled from resource use. The Commission’s communication on the Climate Target Plan<sup>22</sup> proposing to increase the greenhouse gas emissions’ reduction level to at least 55 % by 2030 - an ambition that was endorsed by the European Council on 11 December 2020 - and its underlying impact assessment confirms that the energy mix of the future will be very different from the one of today and underpins the necessity to review and if necessary to revise the energy legislation. The current energy

infrastructure investments are clearly insufficient to transform and build the energy infrastructure of the future. That also means infrastructure needs to be in place to support the European energy transition, including rapid electrification, scaling up of renewable electricity generation, the increased use of renewable and low-carbon gases, energy system integration and a higher uptake of innovative solutions.

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<sup>21</sup> Commission Communication - The European Green Deal, COM(2019) 640 final of 11 December 2019.

<sup>22</sup> Commission Communication - Stepping up Europe's 2030 climate ambition, Investing in a climate-neutral future for the benefit of our people, COM(2020) 562 final of 17 September 2020

infrastructure investments are clearly insufficient to transform and build the energy infrastructure of the future. That also means infrastructure needs to be in place to support the European energy transition, including rapid electrification, scaling up of renewable **and fossil free** electricity generation, the increased use of renewable and low-carbon gases, energy system integration and a higher uptake of innovative solutions.

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<sup>21</sup> Commission Communication - The European Green Deal, COM(2019) 640 final of 11 December 2019.

<sup>22</sup> Commission Communication - Stepping up Europe's 2030 climate ambition, Investing in a climate-neutral future for the benefit of our people, COM(2020) 562 final of 17 September 2020

## Amendment 2

### Proposal for a regulation Recital 2

*Text proposed by the Commission*

(2) ***Following the Commission's proposals as part of the Clean Energy for All Europeans package, an agreement was reached on a*** binding Union level target for renewable energy for 2030 of at least 32% of final energy consumption and a headline Union level target for energy efficiency of at least 32,5%.

*Amendment*

(2) ***The current*** binding Union level target for renewable energy for 2030 of at least 32 % of final energy consumption and a headline Union level target for energy efficiency of at least 32,5 % ***will be revised as part of the Union's increased ambition enshrined in the Regulation (EU) 2021/1119 of the European Parliament and the Council<sup>1a</sup> and the European Green Deal strategy.***

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<sup>1a</sup> ***Regulation (EU) 2021/1119 of the European Parliament and of the Council of 30 June 2021 establishing the framework for achieving climate neutrality and amending Regulations (EC) No 401/2009 and (EU) 2018/1999 ('European Climate Law') (OJ L 243,***

### Amendment 3

#### Proposal for a regulation

##### Recital 4

###### *Text proposed by the Commission*

(4) Regulation (EU) No 347/2013 of the European Parliament and of the Council<sup>23</sup>, the current TEN-E Regulation, lays down rules for the timely development and interoperability of trans-European energy networks in order to achieve the energy policy objectives of the Treaty on the Functioning of the European Union to ensure the functioning of the internal energy market, security of supply and competitive energy markets in the Union, to promote energy efficiency and energy saving and the development of new and renewable forms of energy, and to promote the interconnection of energy networks. Regulation (EU) No 347/2013 puts in place a framework for Member States and relevant stakeholders to work together in a regional setting to develop better-connected energy networks with the aim to connect regions currently isolated from European energy markets, strengthen existing cross-border interconnections, and help integrate renewable energy. By pursuing those objectives, Regulation (EU) No 347/2013 contributes to smart, sustainable and inclusive growth and brings benefits to the entire Union in terms of competitiveness and economic, social and territorial cohesion.

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<sup>23</sup> Regulation (EU) No 347/2013 of the European Parliament and of the Council of 17 April 2013 on guidelines for trans-European energy infrastructure and repealing Decision No 1364/2006/EC and amending Regulations (EC) No 713/2009,

###### *Amendment*

(4) Regulation (EU) No 347/2013 of the European Parliament and of the Council<sup>23</sup>, the current TEN-E Regulation, lays down rules for the timely development and interoperability of trans-European energy networks in order to achieve the energy policy objectives of the Treaty on the Functioning of the European Union to ensure the functioning of the internal energy market, security of supply and competitive energy markets in the Union, to promote energy efficiency and energy saving and the development of new and renewable forms of energy, and to promote the interconnection of energy networks. Regulation (EU) No 347/2013 puts in place a framework for Member States and relevant stakeholders to work together in a regional setting to develop better-connected energy networks with the aim to connect regions currently isolated from European energy markets, strengthen existing **and promote new** cross-border interconnections, and help integrate renewable energy. By pursuing those objectives, Regulation (EU) No 347/2013 contributes to smart, sustainable and inclusive growth and brings benefits to the entire Union in terms of competitiveness and economic, social and territorial cohesion.

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<sup>23</sup> Regulation (EU) No 347/2013 of the European Parliament and of the Council of 17 April 2013 on guidelines for trans-European energy infrastructure and repealing Decision No 1364/2006/EC and amending Regulations (EC) No 713/2009,

#### Amendment 4

##### Proposal for a regulation

##### Recital 5

###### *Text proposed by the Commission*

(5) The evaluation of Regulation (EU) No 347/2013 has clearly shown that the framework has effectively improved the integration of Member States' networks, stimulated energy trade and hence contributed to the competitiveness of the Union. Projects of common interest in electricity and gas have strongly contributed to security of supply. ***For gas, the infrastructure is now well connected and supply resilience has improved substantially since 2013.*** Regional cooperation in Regional Groups and through cross-border cost allocation is an important enabler for project implementation. However, in many cases the cross-border cost allocation did not result in reducing the financing gap of the project, as intended. While the majority of permitting procedures have been shortened, in some cases the process is still long. The financial assistance from the Connecting Europe Facility (CEF) has been an important factor as grants for studies have helped projects to reduce risks in the early stages of development, while grants for works have supported projects addressing key bottlenecks that market finance could not sufficiently address.

#### Amendment 5

##### Proposal for a regulation

##### Recital 5 a (new)

###### *Amendment*

(5) The evaluation of Regulation (EU) No 347/2013 has clearly shown that the framework has effectively improved the integration of Member States' networks, stimulated energy trade and hence contributed to the competitiveness of the Union. Projects of common interest in electricity and gas have strongly contributed to security of supply. Regional cooperation in Regional Groups and through cross-border cost allocation is an important enabler for project implementation. However, in many cases the cross-border cost allocation did not result in reducing the financing gap of the project, as intended. While the majority of permitting procedures have been shortened, in some cases the process is still long. The financial assistance from the Connecting Europe Facility (CEF) has been an important factor as grants for studies have helped projects to reduce risks in the early stages of development, while grants for works have supported projects addressing key bottlenecks that market finance could not sufficiently address.

*Text proposed by the Commission*

*Amendment*

***(5a) In its resolution of 10 July 2020 on the revision of the guidelines for trans-European energy infrastructure, the European Parliament called for a revision of the Regulation (EU) No 347/2013, taking into account, in particular, the Union's energy and climate targets for 2030, the Union's climate neutrality objective and the 'energy efficiency first' principle.***

## **Amendment 6**

### **Proposal for a regulation**

#### **Recital 6**

*Text proposed by the Commission*

(6) The TEN-E policy is a central instrument in the development of an internal energy market and necessary to achieve the European Green Deal objectives. To achieve climate neutrality by 2050 and higher levels of greenhouse gas emission reductions by 2030, Europe will need a more integrated energy system, relying on higher levels of electrification based on renewable sources and the decarbonisation of the gas sector. The TEN-E policy can ensure that the Union energy infrastructure development supports the required energy transition to climate neutrality in line with the energy efficiency first ***principle***.

*Amendment*

(6) The TEN-E policy is a central instrument in the development of an internal energy market and necessary to achieve the European Green Deal objectives. To achieve climate neutrality by 2050 ***at the latest*** and higher levels of greenhouse gas emission reductions by 2030, Europe will need a more integrated energy system, relying on higher levels of electrification based on ***additional renewable and low carbon*** sources and the decarbonisation of the gas sector. The TEN-E policy can ensure that the Union energy infrastructure development supports the required energy transition to climate neutrality in line with the ***principles of energy efficiency first and technological neutrality while considering the respective potential for emission reduction in the end use***.

## **Amendment 7**

### **Proposal for a regulation**

#### **Recital 7**

*Text proposed by the Commission*

(7) While the objectives of Regulation (EU) No 347/2013 remain largely valid, the current TEN-E framework does not yet fully reflect the expected changes to the energy system that will result from the new political context and in particular the upgraded 2030 targets and the 2050 climate neutrality objective under the European Green Deal. Besides the new political context and objectives, technological development has been rapid in the past decade. That development should be taken into account in the infrastructure categories covered by this Regulation, the projects of common interest selection criteria as well as the priority corridors and thematic areas.

*Amendment*

(7) While the objectives of Regulation (EU) No 347/2013 remain largely valid, the current TEN-E framework does not yet fully reflect the expected changes to the energy system that will result from the new political context and in particular the upgraded 2030 targets and the 2050 climate neutrality objective under the European Green Deal. ***Therefore, both climate mitigation and climate adaptation objectives need to be adequately reflected in the revised TEN-E framework.*** Besides the new political context and objectives, technological development has been rapid in the past decade. That development should be taken into account in the infrastructure categories covered by this Regulation, the projects of common interest selection criteria as well as the priority corridors and thematic areas. ***At the same time the revision should not affect a Member State's right to determine the conditions for exploiting its energy resources, its choice between different energy sources and the general structure of its energy supply, in accordance with Article 194 TFEU.***

## **Amendment 8**

### **Proposal for a regulation Recital 10**

*Text proposed by the Commission*

(10) The Union's energy infrastructure should be resilient to the unavoidable impacts that climate change is estimated to create in Europe in spite of the mitigation efforts. Hence, strengthening the efforts on climate adaptation, resilience building, disaster prevention and preparedness is crucial.

*Amendment*

(10) The Union's energy infrastructure should be resilient to the unavoidable impacts that climate change is estimated to create in Europe in spite of the mitigation efforts. Hence, ***contribute to climate change mitigation***, strengthening the efforts on climate adaptation, resilience building, disaster prevention and preparedness is crucial.

## Amendment 9

### Proposal for a regulation Recital 10 a (new)

*Text proposed by the Commission*

*Amendment*

***(10a) The development of trans-European energy infrastructure should favour the repurposing of existing infrastructure and equipment, avoiding a waste of resources, in order to comply with strict ecological sustainability criteria.***

## Amendment 10

### Proposal for a regulation Recital 11

*Text proposed by the Commission*

*Amendment*

(11) Security of supply, as one main driver behind Regulation (EU) No 347/2013, has been significantly improved through projects of common interest. Moreover, the Commission's climate target impact assessment<sup>27</sup> expects the consumption of natural gas to be reduced significantly because its non-abated use is not compatible with carbon-neutrality. On the other hand, the consumption of biogas, renewable and low-carbon hydrogen and synthetic gaseous fuels will increase significantly towards 2050. Therefore, the natural gas infrastructure no longer needs support through the TEN-E policy. The planning of energy infrastructure should reflect this changing gas landscape.

(11) Security of supply, as one main driver behind Regulation (EU) No 347/2013, has been significantly improved through projects of common interest. Moreover, the Commission's climate target impact assessment[1] expects the consumption of natural gas to be reduced significantly because its non-abated use is not compatible with carbon-neutrality. On the other hand, the consumption of biogas, renewable and low-carbon hydrogen and synthetic gaseous fuels will increase significantly towards 2050. ***For gas, the infrastructure is now well connected and supply resilience has improved substantially since 2013.*** Therefore, the natural gas infrastructure no longer needs support through the TEN-E policy. The planning of energy infrastructure should reflect this changing gas landscape. However, ***not all Member States are yet connected sufficiently to the European gas network and particularly island Member States continue to face significant challenges in terms of security of supply and energy isolation. Although 78 % of gas projects that are projects of***

*common interest (gas PCIs) are expected to be commissioned by the end of 2025, a number of them are experiencing significant delays, including due to permitting problems. The revision of Regulation (EU) No 347/2013 should not affect negatively uncompleted projects at any priority corridors. Therefore, by way of derogation, natural gas infrastructure projects which were already included in the fourth or fifth Union list of projects of common interest established pursuant to Regulation(EU) No 347/2013 should be able to maintain this status and be eligible for the first Union list of projects of common interest to be established under this Regulation in order to benefit from fast-track treatment by national administration and streamlined permitting procedures, and to materialise the planned and expected market and security of supply improvements as well as their contribution towards emission reduction and air pollution mitigation or to contribute to ending energy isolation of those Member States that are currently not sufficiently connected to the European gas network. This temporary derogation excludes however their eligibility for Union financial assistance in the CEF framework.*

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<sup>27</sup> SWD(2020) 176 final

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<sup>27</sup> SWD(2020) 176 final

## **Amendment 11**

### **Proposal for a regulation**

#### **Recital 12**

*Text proposed by the Commission*

(12) The importance of smart electricity grids in achieving the Union's energy and climate policy objectives has been acknowledged in the communication from the Commission on energy system integration<sup>28</sup>. The criteria for the category

*Amendment*

(12) The importance of smart electricity grids in achieving the Union's energy and climate policy objectives has been acknowledged in the communication from the Commission on energy system integration<sup>28</sup>. The criteria for the category

should include technological developments regarding innovation **and** digital aspects. Furthermore, the role of projects promoters should be clarified. Given the expected significant increase in power demand from the transport sector, in particular for electric vehicles along highways and in urban areas, smart grid technologies should also help to improve energy network related support for cross border high capacity recharging to support the decarbonisation of the transport sector.

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<sup>28</sup> COM(2020) 299 final

should ***be simplified and*** include technological developments regarding innovation, digital aspects **and the enablement of energy system integration**. Furthermore, the role of projects promoters should be clarified. Given the expected significant increase in power demand from the transport sector, in particular for electric vehicles along highways and in urban areas, smart grid technologies should also help to improve energy network related support for cross border high capacity recharging to support the decarbonisation of the transport sector **and increase demand for green transport**.

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<sup>28</sup> COM(2020) 299 final

## Amendment 12

### Proposal for a regulation

#### Recital 13

##### *Text proposed by the Commission*

(13) The Commission's communication on energy system integration underlines the need for integrated energy infrastructure planning across energy carriers, infrastructures, and consumption sectors. Such system integration starts from the point of departure of applying the energy efficiency first principle and taking a holistic approach beyond individual sectors. It also addresses the decarbonisation needs of the hard to abate sectors, such as parts of industry or certain modes of transport, where direct electrification is, currently, technically or economically challenging. Such investments include hydrogen and electrolysers, which are progressing towards commercial large-scale deployment. The Commission's Hydrogen Strategy gives priority to hydrogen production from renewable electricity, which is the cleanest solution and is most

##### *Amendment*

(13) The Commission's communication on energy system integration underlines the need for integrated energy infrastructure planning across energy carriers, infrastructures, and consumption sectors. Such system integration starts from the point of departure of applying the energy efficiency first principle and taking a holistic approach ***in policy and*** beyond individual sectors. It also addresses the decarbonisation needs of the hard to abate sectors, such as parts of industry or certain modes of transport, where direct electrification is, currently, technically or economically challenging. Such investments include hydrogen and electrolysers, which are progressing towards commercial large-scale deployment. The Commission's Hydrogen Strategy gives priority to hydrogen production from renewable electricity, which is the cleanest solution and is most

compatible with the EU climate neutrality objective. In a transitional phase however, other forms of low-carbon hydrogen are needed to more rapidly *replace* existing hydrogen *and* kick-start an economy of scale.

## Amendment 13

### Proposal for a regulation

#### Recital 14

##### *Text proposed by the Commission*

(14) Moreover, the Commission's Hydrogen Strategy<sup>29</sup> concluded that for the required deployment of hydrogen a large-scale infrastructure network is an important element that only the Union and the single market can offer. There is currently very limited dedicated infrastructure in place to transport and trade hydrogen across borders. Such should consist of a significant extent of assets converted from natural gas, complemented by new assets dedicated to hydrogen. Furthermore, the Hydrogen Strategy sets a strategic goal to increase installed electrolyser capacity to 40 GW by 2030 in order to scale up the production of renewable hydrogen and facilitate the decarbonisation of fossil-fuel dependent sectors, such as industry or transport. Therefore, the TEN-E policy should include new and repurposed hydrogen *transmission* infrastructure *and* storage as well as electrolyser facilities. Hydrogen transmission and storage infrastructure should also be included in the Union-wide ten-year network development plan so as to allow a comprehensive and consistent assessment of their costs and benefits for the energy system, including their contribution to sector integration and decarbonisation, with the aim of creating a hydrogen backbone for the Union.

compatible with the EU climate neutrality objective. In a transitional phase however, other forms of low-carbon hydrogen are needed to more rapidly *decarbonise* existing hydrogen *production focusing on a diverse range of clean technologies and to* kick-start an economy of scale.

##### *Amendment*

(14) Moreover, the Commission's Hydrogen Strategy<sup>29</sup> concluded that for the required deployment of hydrogen a large-scale infrastructure network is an important element that only the Union and the single market can offer. There is currently very limited dedicated infrastructure in place to transport and trade hydrogen across borders, *and to create hydrogen valleys between countries and thus supporting further hydrogen developments in industrial clusters*. Such should consist of a significant extent of assets converted from natural gas, complemented by new assets dedicated to hydrogen. Furthermore, the Hydrogen Strategy sets a strategic goal to increase installed electrolyser capacity to 40 GW by 2030 in order to scale up the production of renewable hydrogen and facilitate the decarbonisation of fossil-fuel dependent sectors, such as industry or transport. Therefore, the TEN-E policy should include new and repurposed hydrogen *infrastructure, as well as infrastructure for temporary blending solutions*, storage as well as electrolyser facilities. Hydrogen *high-pressure pipelines* and storage infrastructure should also be included in the Union-wide ten-year network development plan so as to allow a comprehensive and consistent assessment of their costs and benefits for the energy system, including their

contribution to sector integration and decarbonisation, with the aim of creating a hydrogen backbone for the Union. ***The new hydrogen category should be aligned with the objectives of the Energy System Integration and the Union's hydrogen strategies.***

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<sup>29</sup> A hydrogen strategy for a climate-neutral Europe, COM(2020) 301 final.

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<sup>29</sup> A hydrogen strategy for a climate-neutral Europe, COM(2020) 301 final.

## **Amendment 14**

### **Proposal for a regulation**

#### **Recital 15**

*Text proposed by the Commission*

(15) Moreover, a new infrastructure category should be created for smart gas grids to support investments which integrate renewable and low carbon gases such as biogas, biomethane, and hydrogen, in the network and help manage a resulting more complex system, building on innovative digital technologies.

*Amendment*

(15) Moreover, a new infrastructure category should be created for smart gas grids to support investments which integrate renewable and low carbon gases such as biogas, biomethane, and hydrogen, in the network and help manage a resulting more complex system, building on innovative digital technologies. ***The eligible low-carbon gases should comply with requirements on low-carbon gases to be adopted by the Commission, including a minimum greenhouse gas emission reduction threshold that is to be established by the Commission.***

## **Amendment 15**

### **Proposal for a regulation**

#### **Recital 15 a (new)**

*Text proposed by the Commission*

*Amendment*

***(15a) Achieving climate neutrality by 2050 at the latest assumes that there will still be industrial processes that emit carbon dioxide (CO<sub>2</sub>). Such CO<sub>2</sub> is considered to be unavoidable, when its production cannot be avoided despite optimisation,***

*for example through energy efficiency or electrification integrating renewables. The availability of such alternative options, as well as the Best Available Technologies (BAT) and the level of CO2 capturing rates differ in the various industries using CCS technologies and is constantly evolving. The Commission should closely follow these developments to periodically adapt BATs and appropriate minimum capture rates in the range of 70-90 % per industry and technology, in order to ensure that the development of CO2 infrastructure would not result in lock-in effects or slow-down roll-out of emissions-free technologies, but to lead to a significant net reduction of otherwise unavoidable emissions in the absence of reasonable alternatives. This will also ensure adequate support in overcoming technological, infrastructural and commercialisation barriers, including through the TEN-E framework.*

## **Amendment 16**

### **Proposal for a regulation Recital 15 b (new)**

*Text proposed by the Commission*

*Amendment*

*(15b) Moreover, a new infrastructure category should be created for district heating and cooling systems. Co-operation between electricity and district heating and cooling sectors needs to be intensified to better reflect demand response and flexibility from storage in energy network investment. Furthermore, risk-mitigation instruments and flanking measures should be introduced to reduce the perceived risks and fragmented nature of renewable heating and cooling solutions.*

## Amendment 17

### Proposal for a regulation Recital 16

#### *Text proposed by the Commission*

(16) Regulation (EU) No 347/2013 requires a candidate project of common interest to prove a significant contribution to at least one criterion from a set of criteria in the process for the elaboration of the Union list, which may, but does not need to, include sustainability. That requirement, in line with the specific needs of the internal energy market at the time, enabled development of projects of common interest which addressed only security of supply risks even if they did not demonstrate benefits in terms of sustainability. However, given the evolution of the Union infrastructure needs and the decarbonisation goals, the Conclusions of the 2020 July European Council, according to which “Union expenditure should be consistent with Paris Agreement objectives and the "do no harm" principle of the European Green Deal, sustainability in terms of the integration of renewable energy sources into the grid or the reduction of greenhouse gas emissions, as relevant, should be assessed in order to ensure that TEN-E policy is coherent with energy and climate policy objectives of the Union. The sustainability of CO<sub>2</sub> transport networks is addressed by *their purpose to transport carbon dioxide*.

#### *Amendment*

(16) Regulation (EU) No 347/2013 requires a candidate project of common interest to prove a significant contribution to at least one criterion from a set of criteria in the process for the elaboration of the Union list, which may, but does not need to, include sustainability. That requirement, in line with the specific needs of the internal energy market at the time, enabled development of projects of common interest which addressed only security of supply risks even if they did not demonstrate benefits in terms of sustainability. However, given the evolution of the Union infrastructure needs and the decarbonisation goals, the Conclusions of the 2020 July European Council, according to which “Union expenditure should be consistent with Paris Agreement objectives and the "do no harm" principle of the European Green Deal, sustainability in terms of the integration of renewable energy sources into the grid or the reduction of greenhouse gas emissions, as relevant, should be assessed in order to ensure that TEN-E policy is coherent with energy and climate policy objectives of the Union *taking into account the specificities of each Member State and the needs to implement different pathways towards decarbonisation*. The sustainability of CO<sub>2</sub> transport networks is addressed by *assessing a level of net reduction of CO<sub>2</sub> emissions along the whole project lifecycle and the absence of alternative technological solutions to achieve the same level of CO<sub>2</sub> reduction*.

## Amendment 18

**Proposal for a regulation**  
**Recital 17**

*Text proposed by the Commission*

(17) The Union should facilitate infrastructure projects linking the Union's **energy** networks with third-country networks that are mutually beneficial and necessary for the energy transition and the achievement of the climate targets, and which also meet the specific criteria of the relevant infrastructure categories pursuant to this Regulation, in particular with neighbouring countries and with countries with which the Union has established specific energy cooperation. Therefore, this Regulation should include in its scope projects of mutual interest where they are sustainable and able to demonstrate significant net socio-economic benefits for at least two Member States and at least one third country. Such projects would be eligible for inclusion in the Union list upon conditions of regulatory approximation with the Union and upon demonstrating a contribution to the Union's overall energy and climate objectives in terms of security of supply and decarbonisation. Such regulatory alignment or convergence should be presumed for the European Economic Area or Energy Community Contracting Parties. In addition, the third country with which the Union cooperates in the development of projects of mutual interest should facilitate a similar timeline for accelerated implementation and other policy support measures, as stipulated in this Regulation. Therefore, in this Regulation, projects of mutual interest should be considered in the same manner as projects of common interest with all provisions relative to projects of common interest applying also to projects of mutual interest, unless otherwise specified.

*Amendment*

(17) The Union should facilitate infrastructure projects linking the Union's networks with third-country networks that are mutually beneficial and necessary for the energy transition and the achievement of the climate targets, and which also meet the specific criteria of the relevant infrastructure categories pursuant to this Regulation, in particular with neighbouring countries and with countries with which the Union has established specific energy cooperation. Therefore, this Regulation should include in its scope projects of mutual interest where they are sustainable and able to demonstrate significant net socio-economic benefits for at least two Member States and at least one third country **to secure future and fair cooperation**. Such projects would be eligible for inclusion in the Union list upon conditions of regulatory approximation with the Union and **effective implementation of thereof** and upon demonstrating a contribution to the Union's **and the third countries'** overall energy and climate objectives in terms of security of supply and decarbonisation. Such regulatory alignment or convergence should be presumed for the European Economic Area or Energy Community Contracting Parties **or can be demonstrated in the case of other third countries through bilateral agreements that include relevant provisions on climate and energy policy objectives on decarbonisation and further assessed by an appropriate Regional Group with the support of the Commission**. In addition, the third country with which the Union cooperates in the development of projects of mutual interest should facilitate a similar timeline for accelerated implementation and other policy support measures, as stipulated in this Regulation. Therefore, in

this Regulation, projects of mutual interest should be considered in the same manner as projects of common interest with all provisions relative to projects of common interest applying also to projects of mutual interest, unless otherwise specified.

## Amendment 19

### Proposal for a regulation

#### Recital 18

##### *Text proposed by the Commission*

(18) Furthermore, to achieve the Union's 2030 and 2050 climate and energy targets and climate neutrality objective, Europe needs to significantly scale up renewable electricity generation. The existing infrastructure categories for electricity transmission and storage are crucial for the integration of the significant increase in renewable electricity generation in the power grid. In addition, that requires stepping up **investment** in offshore renewable energy<sup>30</sup>. Coordinating long-term planning and development of offshore and onshore electricity grids should also be addressed. In particular, offshore infrastructure planning should move away from the project-by-project approach towards a coordinated comprehensive approach ensuring the sustainable development of integrated offshore grids in line with the offshore renewable potential of each sea basin, environmental protection and other uses of the sea.

##### *Amendment*

(18) Furthermore, to achieve the Union's 2030 and 2050 climate and energy targets and climate neutrality objective, Europe needs to significantly scale up renewable electricity generation. The existing infrastructure categories for electricity transmission and storage are crucial for the integration of the significant increase in renewable electricity generation in the power grid. In addition, that requires stepping up **investments** in offshore renewable energy<sup>30</sup> **to ensure that the technology matures and becomes more cost-efficient. That includes radial links connecting new offshore wind capacities, as well as hybrid integrated projects.** Coordinating long-term planning and development of offshore and onshore electricity grids should also be addressed. In particular, offshore infrastructure planning should move away from the project-by-project approach towards a coordinated comprehensive approach ensuring the sustainable development of integrated offshore grids in line with the offshore renewable potential of each sea basin, environmental protection and other uses of the sea. **An approach based on voluntary cooperation between Member States should be supported. Member States should remain responsible for approving the projects of common interest which are related to their territory and the related costs, and to should be able to**

## Amendment 20

### Proposal for a regulation

#### Recital 19

*Text proposed by the Commission*

(19) Relevant Member States should be able to assess the benefits and costs of the afferent sea basin offshore **grids** for renewable energy and carry out a preliminary cost sharing analysis at sea basin level to underpin joint political commitments for offshore renewable energy development at sea-basis level. Therefore, the **Commission** should develop uniform principles for a cost-benefit and cost-sharing methodology for the deployment of the integrated offshore network development plans which should enable Member States to carry out an adequate assessment.

*Amendment*

(19) **The possibilities of producing offshore wind power differ across the Union.** Relevant Member States should be able to assess the benefits and costs of the afferent sea basin **integrated** offshore **network** for renewable energy and carry out a preliminary cost sharing analysis at sea basin level to underpin joint political commitments for offshore renewable energy development at sea-basis level. Therefore, the **Agency** should develop uniform principles for a cost-benefit and cost-sharing methodology for the deployment of the integrated offshore network development plans which should enable Member States to carry out an adequate assessment.

## Amendment 21

### Proposal for a regulation

#### Recital 20

*Text proposed by the Commission*

(20) The Union-wide ten-year network development plan process as basis for the identification of projects of common interest in the categories of electricity and gas has proven to be effective. However, while the European Network of Transmission System Operators for Electricity and for Gas (ENTSOs) and transmission system operators have an

*Amendment*

(20) The Union-wide ten-year network development plan process as basis for the identification of projects of common interest in the categories of electricity and gas has proven to be effective. However, while the European Network of Transmission System Operators for Electricity and for Gas (ENTSOs) and transmission system operators have **an**

important role to play in the process, more scrutiny is required, in particular as regards defining the scenarios for the future, identifying long-term infrastructure gaps and bottlenecks and assessing individual projects, to enhance trust in the process. Therefore, due to the need for independent validation, the Agency for the Cooperation of Energy Regulators ('the Agency') and the Commission should have an increased role in the process, including in the process for drawing up the Union-wide ten-year network development plan pursuant to Regulation (EU) 2019/943 of the European Parliament and of the Council<sup>31</sup> and Regulation (EC) No 715/2009 of the European Parliament and of the Council<sup>32</sup>.

important role to play in the process, more scrutiny is required, in particular as regards defining the scenarios for the future, identifying long-term infrastructure gaps and bottlenecks and assessing individual projects, to enhance trust in the process. Therefore, due to the need for independent validation, the Agency for the Cooperation of Energy Regulators ('the Agency') and the Commission should have an increased role in the process, including in the process for drawing up the Union-wide ten-year network development plan pursuant to Regulation (EU) 2019/943 of the European Parliament and of the Council<sup>31</sup> and Regulation (EC) No 715/2009 of the European Parliament and of the Council<sup>32</sup>.

***The decision-making under TEN-E framework would benefit from the inclusion of objective, science-based input from an independent scientific body such as the European Scientific Advisory Board on Climate Change (the 'Advisory Board'). That decision-making process should be organised in the most effective manner to avoid duplication.***

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<sup>31</sup> Regulation (EU) 2019/943 of the European Parliament and of the Council of 5 June 2019 on the internal market for electricity (OJ L 158, 14.6.2019, p. 54).

<sup>32</sup> Regulation (EC) No 715/2009 of the European Parliament and of the Council of 13 July 2009 on conditions for access to the natural gas transmission networks and repealing Regulation (EC) No 1775/2005 (OJ L 211, 14.8.2009, p. 36).

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<sup>31</sup> Regulation (EU) 2019/943 of the European Parliament and of the Council of 5 June 2019 on the internal market for electricity (OJ L 158, 14.6.2019, p. 54).

<sup>32</sup> Regulation (EC) No 715/2009 of the European Parliament and of the Council of 13 July 2009 on conditions for access to the natural gas transmission networks and repealing Regulation (EC) No 1775/2005 (OJ L 211, 14.8.2009, p. 36).

## **Amendment 22**

### **Proposal for a regulation Recital 20 a (new)**

*Text proposed by the Commission*

*Amendment*

***(20a) In line with the conclusions of the 2020 Energy Infrastructure Forum, it is***

*necessary to ensure that all relevant sectors, such as gas, electricity, heating and transport, are considered in an integrated perspective in the planning processes of all onshore and offshore, transmission and distribution infrastructure. In order to comply with the Paris Agreement and to achieve Union's 2030 climate objectives, the 2040 offshore energy development objectives and in the line with the target of climate neutrality at the latest by 2050, TEN-E framework should rely on a smarter, more integrated, long-term and optimized "one energy system" view through deployment of a framework that enables greater coordination of infrastructure planning across different sectors and creates opportunity to optimally integrate various coupling solutions involving different network elements between various infrastructures. This should be secured by developing single sector integrated methodologies that will provide consistency between each other and will reflect interdependencies between all relevant market players. Furthermore, this should be ensured by a common cost-benefit methodology for cross-sectorial assessments developed as a part of the integrated model by ENTSOs, as well as a strong involvement of different sectors in the process through a dedicated Energy Infrastructure Stakeholders Committee.*

## Amendment 23

### Proposal for a regulation Recital 21

*Text proposed by the Commission*

(21) It is important to ensure that only infrastructure projects for which no reasonable alternative solutions exist may receive the status of project of common interest. *For that purpose*, the infrastructure *gaps identification will*

*Amendment*

(21) It is important to ensure that only infrastructure projects for which no reasonable alternative solutions exist may receive the status of project of common interest. *To that end*, the 'energy efficiency first' principle, as elaborated in

*follow the energy efficiency first principle and consider with priority all relevant non-infrastructure related solutions* to address the identified *gaps*. In addition, during project implementation, project promoters should report on the compliance with environmental legislation and demonstrate that projects do no significant harm to the environment in accordance with Article 17 of Regulation (EC) 2020/852<sup>33</sup>. For existing projects of common interest having reached sufficient maturity, this will be taken into account during project selection for subsequent Union list by the regional groups.

*the revised Energy Efficiency Directive and Commission initiative on 'The 'energy efficiency first' principle - practical implementation guidelines for decision makers", should be integrated throughout the infrastructure planning and project assessment process. In line with 'energy efficiency first' principle all relevant alternatives for the optimisation of the existing transmission systems that could contribute to address the gaps identified in the phase of the infrastructure gap identification should be considered, and whenever they are more cost-efficient on a system-wide perspective as per cost-benefit analysis than the construction of new infrastructure, those alternative solutions should be implemented. The Regional Groups, assisted by the national regulatory authorities, should consider the assumptions and outcomes of the infrastructure gaps assessment developed in line with this Regulation and ensure that the 'energy efficiency first' principle is fully reflected in the PCI selection process.* In addition, during project implementation, project promoters should report on the compliance with environmental legislation and demonstrate that projects do no significant harm to the environment in accordance with Article 17 of Regulation (EC) 2020/852<sup>33</sup>. For existing projects of common interest having reached sufficient maturity, this will be taken into account during project selection for subsequent Union list by the regional groups.

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<sup>33</sup> Regulation (EU) 2020/852 on the establishment of a framework to facilitate sustainable investment, and amending Regulation (EU) 2019/2088, OJ L 198, 22.6.2020, p. 13

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<sup>33</sup> Regulation (EU) 2020/852 on the establishment of a framework to facilitate sustainable investment, and amending Regulation (EU) 2019/2088, OJ L 198, 22.6.2020, p. 13

**Proposal for a regulation**  
**Recital 22**

*Text proposed by the Commission*

(22) To ensure voltage and frequency stability, particular attention should be given to the stability of the European electricity network under the changing conditions, especially in view of the growing share of renewable electricity.

*Amendment*

(22) To ensure voltage and frequency stability, particular attention should be given to the stability of the European electricity network ***as well as the capacity of cross-border infrastructure for transmission*** under the changing conditions, especially in view of the growing share of ***flexibility options, such as sustainable energy storage, and*** renewable electricity. ***Efforts to maintain and guarantee a satisfactory level of planned low-carbon energy production, in order to ensure security of supply for citizens and businesses, should be given particular priority.***

**Amendment 25**

**Proposal for a regulation**  
**Recital 23**

*Text proposed by the Commission*

(23) Following close consultations with all Member States and stakeholders, the Commission has identified 13 strategic trans-European energy infrastructure priorities, the implementation of which is essential for the achievement of the Union's 2030 and 2050 energy and climate policy targets. Those priorities cover different geographic regions or thematic areas in the field of electricity transmission and storage, offshore grids for renewable energy, hydrogen transmission and storage, electrolysers, smart gas grids, smart electricity grids, and carbon dioxide transport.

*Amendment*

(23) Following close consultations with all Member States and stakeholders, the Commission has identified 13 strategic trans-European energy infrastructure priorities, the implementation of which is essential for the achievement of the Union's 2030 and 2050 energy and climate policy targets. Those priorities cover different geographic regions or thematic areas in the field of electricity transmission and storage, offshore grids for renewable energy, hydrogen transmission and storage, electrolysers, smart gas grids, smart electricity grids, and carbon dioxide transport ***and storage.***

**Amendment 26**

**Proposal for a regulation**  
**Recital 25 a (new)**

*Text proposed by the Commission*

*Amendment*

***(25a) In order to increase efficiency of the process, the cooperation between the regional groups should be strengthened and further encouraged. It is necessary that the Commission plays an important role in facilitating that cooperation with a view to addressing possible impacts of projects on other regional groups.***

**Amendment 27**

**Proposal for a regulation**  
**Recital 27**

*Text proposed by the Commission*

*Amendment*

(27) Projects of common interest should be implemented as quickly as possible and should be closely monitored and evaluated, while keeping the administrative burden for project promoters to a minimum. The Commission should nominate European coordinators for projects facing particular difficulties. The progress in the implementation of the specific projects as well as the fulfilment of the obligations pertaining to this Regulation should be taken into account in the selection process for subsequent Union lists for the respective projects.

(27) Projects of common interest should be implemented as quickly as possible and should be closely monitored and evaluated, while ***duly respecting the requirements for stakeholder participation and environmental legislation and*** keeping the administrative burden for project promoters to a minimum. The Commission should nominate European coordinators for projects facing particular difficulties ***or delays***. The progress in the implementation of the specific projects as well as the fulfilment of the obligations pertaining to this Regulation should be taken into account in the selection process for subsequent Union lists for the respective projects.

**Amendment 28**

**Proposal for a regulation**  
**Recital 29**

*Text proposed by the Commission*

*Amendment*

(29) The planning and implementation of

(29) The planning and implementation of

Union projects of common interest in the areas of energy, transport and telecommunication infrastructure should be coordinated to generate synergies whenever it is feasible from an overall economic, technical, environmental, climate or spatial planning point of view and with due regard to the relevant safety aspects. Thus, during the planning of *the* the various European networks, it should be possible to give preference to integrating transport, communication and energy networks in order to ensure that as little land as possible is taken up, whilst ensuring, where possible, that existing or disused routes are reused, in order to reduce to a minimum any negative social, economic, environmental, climate and financial impact.

Union projects of common interest in the areas of energy, transport and telecommunication infrastructure should be coordinated to generate synergies whenever it is feasible from an overall economic, technical, environmental, climate or spatial planning point of view and with due regard to the ***energy system integration strategy, taking into account*** relevant safety aspects. Thus, during the planning of the various European networks, it should be possible to give preference to integrating transport, communication and energy networks in order to ensure that as little land as possible is taken up. ***A common vision on the networks is necessary for energy system integration in the different sectors,*** whilst ensuring, where possible, that existing or disused routes are reused, in order to reduce to a minimum any negative social, economic, environmental, climate and financial impact.

## **Amendment 29**

### **Proposal for a regulation Recital 31 a (new)**

*Text proposed by the Commission*

*Amendment*

***(31a) It is essential that stakeholders, including civil society, are provided with information and consulted, in order to ensure the success of projects and to limit objections against them.***

## **Amendment 30**

### **Proposal for a regulation Recital 32**

*Text proposed by the Commission*

*Amendment*

(32) In order to reduce complexity, increase efficiency and transparency and help enhance cooperation among Member

(32) In order to reduce complexity, increase efficiency and transparency and help enhance cooperation among Member

States *there* should *be a competent authority or authorities integrating or coordinating all permit granting processes ('one-stop shop')*.

States, *they* should *create unique points of contact*.

## Amendment 31

### Proposal for a regulation Recital 33

*Text proposed by the Commission*

(33) In order to simplify and expedite the permitting process for offshore *grids* for renewable energy, the Member States around a particular sea basin should create unique points of contact, *referred to as an 'offshore one-stop shop', in view of regional specificities and geography, for the for facilitating and coordinating* the process of granting of permits to such projects. Moreover, the establishment of a *one-stop shop* per sea basin for offshore *grids* for renewable energy should reduce complexity, increase efficiency and speed up the permitting process of offshore transmission assets often crossing many jurisdictions.

*Amendment*

(33) In order to simplify and expedite the permitting process for offshore *networks* for renewable energy, the Member States around a particular sea basin should create unique points of contact, *taking into account* regional specificities and geography, *reducing administrative burden for project developers, and* facilitating the process of granting of permits to such projects. Moreover, the establishment of a *unique point of contact*, per sea basin for offshore *networks* for renewable energy should reduce complexity, increase efficiency and speed up the permitting process of offshore transmission assets often crossing many jurisdictions.

## Amendment 32

### Proposal for a regulation Recital 38

*Text proposed by the Commission*

(38) The costs for the development, construction, operation and maintenance of projects of common interest should in general be fully borne by the users of the infrastructure. Projects of common interest should be eligible for cross-border cost allocation where an assessment of market demand or of the expected effects on the tariffs indicate that costs cannot be expected to be recovered by the tariffs paid

*Amendment*

(38) The costs for the development, construction, operation and maintenance of projects of common interest should in general be fully borne by the users of the infrastructure. *The cost allocation should ensure that end-users are not disproportionately burdened, especially if that could lead to energy poverty.* Projects of common interest should be eligible for cross-border cost allocation where an

by the infrastructure users.

assessment of market demand or of the expected effects on the tariffs indicate that costs cannot be expected to be recovered by the tariffs paid by the infrastructure users.

## Amendment 33

### Proposal for a regulation

#### Recital 39

##### *Text proposed by the Commission*

(39) The discussion on the appropriate allocation of costs should be based on the analysis of the costs and benefits of an infrastructure project carried out on the basis of a harmonised methodology for energy-system-wide analysis, using ***the same scenario used at the time when the project was included in the Union list of projects of common interest***, in the framework of the Union-wide ten-year network development plans prepared by the European Networks of Transmission System Operators pursuant to Regulation (EU) 2019/943 and (EC) No 715/2009, and reviewed by the Agency. That analysis can take into consideration indicators and corresponding reference values for the comparison of unit investment costs.

##### *Amendment*

(39) The discussion on the appropriate allocation of costs should be based on the analysis of the costs and benefits of an infrastructure project carried out on the basis of a harmonised methodology for energy-system-wide analysis, using ***all relevant scenarios established*** in the framework of the Union-wide ten-year network development plans prepared by the European Networks of Transmission System Operators pursuant to Regulation (EU) 2019/943 and (EC) No 715/2009, and reviewed by the Agency ***and other scenarios for network development planning, allowing a robust analysis of the contribution of the project of common interest to the Union energy policy of decarbonisation, market integration, competition, sustainability and security of supply***. That analysis can take into consideration indicators and corresponding reference values for the comparison of unit investment costs.

## Amendment 34

### Proposal for a regulation

#### Recital 40

##### *Text proposed by the Commission*

(40) In an increasingly integrated internal energy market, clear and transparent rules for cost allocation across borders are

##### *Amendment*

(40) In an increasingly integrated internal energy market, clear and transparent rules for cost allocation across borders are

necessary in order to accelerate investment in cross-border infrastructure. It is essential to ensure a stable financing framework for the development of projects of common interest while minimising the need for financial support. In deciding on cross-border cost allocation, national regulatory authorities should allocate investment costs across borders in their entirety and include them in the national tariffs, and, afterwards determine whether their impact on national tariffs could represent a disproportionate burden for consumers. The national regulatory authorities should avoid the risks of double support for projects by taking into account actual or estimated charges and revenues. Those charges and revenues should be taken into account only insofar as they relate to the projects and designed to cover the costs concerned.

necessary in order to accelerate investment in cross-border infrastructure **and projects with cross-border impacts**. It is essential to ensure a stable financing framework for the development of projects of common interest while minimising the need for financial support, **and at the same time to encourage interested investors, with appropriate incentives and financial mechanisms, so that in the development phase the final electricity price is not burdened by tariffs**. In deciding on cross-border cost allocation, national regulatory authorities should allocate investment costs across borders in their entirety and include them in the national tariffs, and, afterwards determine whether their impact on national tariffs could represent a disproportionate burden for consumers. The national regulatory authorities should avoid the risks of double support for projects by taking into account actual or estimated charges and revenues. Those charges and revenues should be taken into account only insofar as they relate to the projects and designed to cover the costs concerned.

## Amendment 35

### Proposal for a regulation Recital 40 a (new)

*Text proposed by the Commission*

*Amendment*

***(40a) The needs of an integrated energy market go beyond a physical cross-border footprint of infrastructure projects in order to contribute to the TEN-E pillars, such as sustainability or security of supply. There is a need for cross-border projects that have a positive effect on the Union's power grid, such as smart electricity grids or electrolyzers, without involving a physical common border.***

## Amendment 36

**Proposal for a regulation**  
**Recital 45**

*Text proposed by the Commission*

(45) Regulation (EU) No 347/2013 has demonstrated the added value of leveraging private funding through significant Union financial assistance to allow the implementation of projects of European significance. In the light of the economic and financial situation, and budgetary constraints, targeted support, through grants and financial instruments, should continue under the multiannual financial framework, in order to attract new investors into the energy infrastructure priority corridors and areas, while keeping the budgetary contribution of the Union to a minimum.

*Amendment*

(45) Regulation (EU) No 347/2013 has demonstrated the added value of leveraging private funding through significant Union financial assistance to allow the implementation of projects of European significance. In the light of the economic and financial situation, and budgetary constraints, targeted support, through grants and financial instruments, should continue under the multiannual financial framework, in order to **maximise the benefits to Union citizens and to** attract new investors into the energy infrastructure priority corridors and areas, while keeping the budgetary contribution of the Union to a minimum.

**Amendment 37**

**Proposal for a regulation**  
**Recital 47**

*Text proposed by the Commission*

(47) Grants for works related to projects of mutual interest should be available only for the investments located on the territory of the Union and only in case where at least two Member States contribute financially in a significant manner to the investment costs of the project in view of its benefits.

*Amendment*

(47) Grants for works related to projects of mutual interest should be available only for the **parts of** investments located on the territory of the Union and only in case where at least two Member States contribute financially in a significant manner to the investment costs of the project in view of its benefits.

**Amendment 38**

**Proposal for a regulation**  
**Recital 50 – indent 1**

*Text proposed by the Commission*

— *to supplement this Regulation by reviewing the scope and composition of*

*Amendment*

*deleted*

*the priority corridors and thematic areas and adopting new lists of priority corridors and thematic areas;*

#### **Amendment 39**

##### **Proposal for a regulation Recital 50 – indent 2**

*Text proposed by the Commission*

— *to amend* annexes to this Regulation so as to adopt and review the Union list of projects of common interest, while respecting the right of the Member States and third countries to approve projects of common interest or projects of mutual interest related to their territory.

*Amendment*

— annexes to this Regulation so as to adopt and review the Union list of projects of common interest, while respecting the right of the Member States and third countries to approve projects of common interest or projects of mutual interest related to their territory.

#### **Amendment 40**

##### **Proposal for a regulation Recital 51**

*Text proposed by the Commission*

*(51) In order to ensure uniform conditions for the implementation of this Regulation as regards cross-border cost allocation procedures and enable Member States to assess benefits and costs of the afferent sea basin offshore grids for renewable energy, in view also of the market and financial arrangements for the generation sites, such as support already granted, and carry out a preliminary cost sharing analysis at sea basin level, implementing powers in accordance with Article 291 of the Treaty on the Functioning of the European Union should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council<sup>45</sup>. The advisory procedure should be used for the*

*Amendment*

*deleted*

*adoption of those implementing acts.*

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<sup>45</sup> *OJ L 55, 28.2.2011, p. 13.*

## **Amendment 41**

### **Proposal for a regulation**

#### **Recital 52**

*Text proposed by the Commission*

(52) Since the objectives of this Regulation, namely the development and interoperability of trans-European energy networks and connection to such networks, cannot be sufficiently achieved by the Member States and can therefore be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve those objectives.

*Amendment*

(52) Since the objectives of this Regulation, namely the development and interoperability of trans-European energy networks and connection to such networks ***and infrastructure that contribute to the Union's 2030 climate and energy targets, the climate neutrality objective at the latest by 2050 and energy security, market integration and competition for all Member States, as well as affordability and accessibility of energy carriers, economic and social development and cohesion across the Union*** cannot be sufficiently achieved by the Member States and can therefore be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve those objectives.

## **Amendment 42**

### **Proposal for a regulation**

#### **Article 1 – paragraph 1**

*Text proposed by the Commission*

1. This Regulation lays down guidelines for the timely development and interoperability of the priority corridors and areas of trans-European energy infrastructure set out in Annex I ('energy

*Amendment*

1. This Regulation lays down guidelines for the timely development and interoperability of the priority corridors and areas of trans-European energy infrastructure set out in Annex I ('energy

infrastructure priority corridors and areas’) that contribute to the Union’s 2030 climate and energy targets **and** the climate neutrality objective by 2050.

infrastructure priority corridors and areas’) that contribute to **ensuring climate change mitigation and, in particular, achieving** the Union’s 2030 climate and energy targets, **as set out in Article 2(11) of Regulation (EU) 2018/1999 of the European Parliament and of the Council**, the climate neutrality objective **at the latest** by 2050 **and energy security, market integration and competition for all Member States, as well as the affordability and accessibility of energy carriers, economic and social development and cohesion across the Union.**

### Amendment 43

#### Proposal for a regulation

#### Article 1 – paragraph 2 – point b

*Text proposed by the Commission*

(b) facilitates the timely implementation of projects of common interest by streamlining, coordinating more closely, and accelerating permit granting processes and by enhancing public participation;

*Amendment*

(b) facilitates the timely implementation of projects of common **interest and projects of mutual** interest by streamlining, coordinating more closely, and accelerating permit granting processes and by enhancing public participation;

### Amendment 44

#### Proposal for a regulation

#### Article 1 – paragraph 2 – point c

*Text proposed by the Commission*

(c) provides rules and guidance for the cross-border allocation of costs and risk-related incentives for projects of common interest;

*Amendment*

(c) provides rules and guidance for the cross-border allocation of costs and risk-related incentives for projects of common interest **and projects of mutual interest**;

### Amendment 45

#### Proposal for a regulation

#### Article 1 – paragraph 2 – point d

*Text proposed by the Commission*

(d) determines the conditions for eligibility of projects of common interest for Union financial assistance;

*Amendment*

(d) determines the conditions for eligibility of projects of common interest **and projects of mutual interest** for Union financial assistance;

**Amendment 46**

**Proposal for a regulation**

**Article 2 – paragraph 1 – introductory part**

*Text proposed by the Commission*

In addition to the definitions in Directives 2009/73/EC, (EU) 2018/2001<sup>46</sup> and (EU) 2019/944 of the European Parliament and of the Council and in Regulations (EC) No 715/2009, (EU) 2019/942, and (EU) 2019/943, the following definitions shall apply for the purposes of this Regulation:

*Amendment*

In addition to the definitions in Directives 2009/73/EC, (EU) 2018/2001<sup>46</sup> and (EU) 2019/944 of the European Parliament and of the Council and in Regulations (EC) No 715/2009, (EU) 2019/942, **(EU) 2018/1999** and (EU) 2019/943, the following definitions shall apply for the purposes of this Regulation;

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<sup>46</sup> Directive (EU) 2018/2001 of the European Parliament and of the Council of 11 December 2018 on the promotion of the use of energy from renewable sources, OJ L 328, 21.12.2018, p. 82

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<sup>46</sup> Directive (EU) 2018/2001 of the European Parliament and of the Council of 11 December 2018 on the promotion of the use of energy from renewable sources, OJ L 328, 21.12.2018, p. 82

**Amendment 47**

**Proposal for a regulation**

**Article 2 – paragraph 1 – point 1**

*Text proposed by the Commission*

(1) ‘energy infrastructure’ means any physical equipment or facility falling under the energy infrastructure categories which is located within the Union, or linking the Union and one or more third countries;

*Amendment*

(1) ‘energy infrastructure’ means any physical equipment or facility **to transport, convert, aggregate, monitor, manage or store energy** falling under the energy infrastructure categories which is located within the Union, or linking the Union and one or more third countries;

## Amendment 48

### Proposal for a regulation Article 2 – paragraph 1 – point 1 b (new)

*Text proposed by the Commission*

*Amendment*

***(1b) ‘security of supply’ or ‘energy security’ means the continuous and uninterrupted availability of energy by increasing efficiency and interoperability of transmission and distribution networks, promoting system flexibility, avoiding congestions, ensuring resilient supply chains, cybersecurity and the protection and climate adaptation of all, and in particular, ‘critical’ infrastructure while reducing strategic energy dependencies;***

## Amendment 49

### Proposal for a regulation Article 2 – paragraph 1 – point 4

*Text proposed by the Commission*

*Amendment*

(4) ‘project of common interest’ means a project necessary to implement the energy infrastructure priority corridors and areas set out in Annex I and which is part of the Union list of projects of common interest referred to in Article 3;

(4) ‘project of common interest’ means a project necessary to implement the energy infrastructure priority corridors and areas set out in Annex I ***to this Regulation or projects set out in Annex II to this Regulation developed in islands that are not interconnected or not sufficiently connected to the trans-European energy networks and that are small isolated systems or small connected systems, as defined in Article 2, points (42) and (43), of Directive (EU) 2019/944, and that contribute significantly to the decarbonisation objectives of the island energy system and those of the Union, and to sustainability in the territory in which it is located,*** and which is part of the Union list of projects of common interest referred to in Article 3 ***of this Regulation;***

## Amendment 50

### Proposal for a regulation Article 2 – paragraph 1 – point 5

*Text proposed by the Commission*

(5) ‘project of mutual interest’ means a project promoted by the Union in cooperation with third countries;

*Amendment*

(5) ‘project of mutual interest’ means a project promoted by the Union in cooperation with third countries ***that falls under one of the categories set out in point 1(a), 1(e), 3(a) or 5(a) of Annex II, that contributes to the Union’s overall energy and climate objectives, and that is part of the Union list of projects referred to in Article 3.***

## Amendment 51

### Proposal for a regulation Article 2 – paragraph 1 – point 6

*Text proposed by the Commission*

(6) ‘energy infrastructure bottleneck’ means limitation of physical flows in an energy system due to insufficient transmission capacity, which includes inter alia the absence of infrastructure;

*Amendment*

(6) ‘energy infrastructure bottleneck’ means limitation of physical flows in an energy system due to insufficient transmission capacity, which includes inter alia the absence of infrastructure, ***storage, conversion or demand response aggregation;***

## Amendment 52

### Proposal for a regulation Article 2 – paragraph 1 – point 7 – point a

*Text proposed by the Commission*

(a) a transmission system operator (TSO), distribution system operator or other operator or investor developing a project of common interest;

*Amendment*

(a) a transmission system operator (TSO), distribution system operator (***DSO***) or other operator or investor developing a project of common interest;

## Amendment 53

**Proposal for a regulation**  
**Article 2 – paragraph 1 – point 8**

*Text proposed by the Commission*

(8) ‘smart electricity grid’ means an electricity network *where* the grid operator can digitally monitor the actions of the users connected to it, and information and communication technologies (ICT) for communicating with related grid operators, generators, consumers and/or prosumers, with a view to transmitting electricity in a sustainable, cost-efficient and secure way;

*Amendment*

(8) ‘smart electricity grid’ means an electricity network ***that can integrate, in a cost efficient manner, the behaviour and actions of all users connected to it, including generators, consumers and prosumers, in order to ensure an economically efficient and sustainable power system with low losses and high levels of renewable sources integration, security of supply and safety and in which*** the grid operator can digitally monitor the actions of the users connected to it, and information and communication technologies (ICT) for communicating with related grid operators, generators, ***energy storage facilities, and*** consumers and/or prosumers, with a view to transmitting electricity in a sustainable, cost-efficient and secure way;

**Amendment 54**

**Proposal for a regulation**  
**Article 2 – paragraph 1 – point 9 a (new)**

*Text proposed by the Commission*

*Amendment*

***(9a) ‘grid operator’ means TSO or DSO;***

**Amendment 55**

**Proposal for a regulation**  
**Article 2 – paragraph 1 – point 9 b (new)**

*Text proposed by the Commission*

*Amendment*

***(9b) ‘repurposing’ means the technical upgrade or modification of existing natural gas infrastructure for the use of pure hydrogen;***

## Amendment 56

### Proposal for a regulation Article 2 – paragraph 1 – point 9 c (new)

*Text proposed by the Commission*

*Amendment*

**(9c) ‘district heating and cooling’ means an efficient district heating and cooling as defined in Article 2, point 41 of Directive 2012/27/EU;**

## Amendment 57

### Proposal for a regulation Article 2 – paragraph 1 – point 11

*Text proposed by the Commission*

*Amendment*

(11) ‘works’ means the purchase, supply and deployment of components, systems and services including software, the carrying out of development and construction and installation activities relating to a project, the acceptance of installations and the launching of a project;

(11) ‘works’ means the purchase, supply and deployment of components, systems and services including software, the carrying out of development, **repurposing** and construction and installation activities relating to a project, the acceptance of installations and the launching of a project;

## Amendment 58

### Proposal for a regulation Article 2 – paragraph 1 – point 14 a (new)

*Text proposed by the Commission*

*Amendment*

**(14a) ‘dedicated hydrogen assets’ means infrastructure ready to accommodate pure hydrogen without further adaptation works, including pipeline networks or storage;**

## Amendment 59

### Proposal for a regulation Article 2 – paragraph 1 – point 15

*Text proposed by the Commission*

(15) ‘relevant national regulatory authorities’ means the national regulatory authorities in the Member States to which the project provides a significant positive impact;

*Amendment*

(15) ‘relevant national regulatory authorities’ means the national regulatory authorities in the Member States **hosting the projects and in Member States** to which the project provides a significant positive impact;

## **Amendment 60**

### **Proposal for a regulation**

#### **Article 3 – paragraph 1 – subparagraph 1**

*Text proposed by the Commission*

***The Commission shall be empowered to adopt delegated acts in accordance with Article 20 supplementing this Regulation concerning the scope and composition of the priority corridors and areas.***

*Amendment*

***deleted***

## **Amendment 61**

### **Proposal for a regulation**

#### **Article 3 – paragraph 3 – subparagraph 1 – point b a (new)**

*Text proposed by the Commission*

*Amendment*

***(ba) it shall prepare and publish a report containing at least a description of each individual project, the promoter’s presentations, the methodology adopted by the Group and a justification showing how the selected projects contribute to objectives set out in Article 1(1).***

## **Amendment 62**

### **Proposal for a regulation**

#### **Article 3 – paragraph 4 – introductory part**

*Text proposed by the Commission*

*Amendment*

The Commission shall be empowered to

The Commission shall be empowered to

adopt delegated acts in accordance with Article 20 of this Regulation **amending annexes to this Regulation** in order to establish the Union list of projects of common interest ('Union list'), subject to the second paragraph of Article 172 of the Treaty on the Functioning of the European Union.

### Amendment 63

#### Proposal for a regulation Article 3 – paragraph 5 – point a

*Text proposed by the Commission*

(a) ensure that only those projects that fulfil the criteria referred to in Article 4 are included;

### Amendment 64

#### Proposal for a regulation Article 3 – paragraph 6

*Text proposed by the Commission*

6. Projects of common interest included on the Union list pursuant to paragraph 4 of this Article under the energy infrastructure categories set out in points (1)(a), (b), (c) and (e) of Annex II, shall become an integral part of the relevant regional investment plans under Article 34 of Regulation (EU) 2019/943 and Article 12 of Regulation (EC) No 715/2009 and of the relevant national **10**-year network development plans under Article 51 of Directive (EU) 2019/944 and Article 22 of Directive 2009/73/EC and other national infrastructure plans concerned, as appropriate. Those projects shall be conferred the highest possible priority within each of those plans. ***This paragraph shall not apply to projects of mutual***

adopt delegated acts in accordance with Article 20 of this Regulation in order to establish the Union list of projects of common interest ('Union list'), subject to the second paragraph of Article 172 of the Treaty on the Functioning of the European Union.

*Amendment*

(a) ensure that only those projects that fulfil the criteria referred to in Article 4 **and natural gas projects referred to in Article 24b** are included **in the Union list**;

*Amendment*

6. Projects of common interest included on the Union list pursuant to paragraph 4 of this Article under the energy infrastructure categories set out in points (1)(a), (b), (c) and (e) of Annex II, ***that have reached the sufficient degree of maturity referred to Part 2, point (1)(c) of Annex III*** shall become an integral part of the relevant regional investment plans under Article 34 of Regulation (EU) 2019/943 and Article 12 of Regulation (EC) No 715/2009 and of the relevant national **ten**-year network development plans under Article 51 of Directive (EU) 2019/944 and Article 22 of Directive 2009/73/EC and other national infrastructure plans concerned, as appropriate. Those projects shall be conferred the highest possible priority

*interest.*

within each of those plans.

## **Amendment 65**

### **Proposal for a regulation**

#### **Article 3 – paragraph 6 a (new)**

*Text proposed by the Commission*

*Amendment*

***6a. Projects of common interest included on the Union list pursuant to paragraph 4 of this Article under the energy infrastructure categories set out in points (1)(a),(b), (c) and (e) of Annex II, that have not yet reached the sufficient degree of maturity referred to in Part 2, point (1)(c) of Annex III, shall be included in the relevant regional investment plans, the national ten-year network development plans and other national infrastructure plans, as appropriate, as projects under consideration, which are under further scrutiny, pending the assessment of their maturity before effective inclusion in the relevant plans as a planned project.***

## **Amendment 66**

### **Proposal for a regulation**

#### **Article 4 – paragraph 1 – point b a (new)**

*Text proposed by the Commission*

*Amendment*

***(ba) the project is in line with the ‘energy efficiency first’ principle and contributes to sustainability;***

## **Amendment 67**

### **Proposal for a regulation**

#### **Article 4 – paragraph 1 – point c – point i**

*Text proposed by the Commission*

*Amendment*

(i) involves at least two Member States

(i) involves at least two Member States

by directly crossing the border of two or more Member States;

by directly *or indirectly (via third country)* crossing the border of two or more Member States;

## Amendment 68

### Proposal for a regulation

#### Article 4 – paragraph 1 – point c – point ii a (new)

*Text proposed by the Commission*

*Amendment*

*(ii a) is located in islands not interconnected or not sufficiently connected to the trans-European energy networks and that are small isolated systems or small connected systems, as defined in Article 2, points (42) and (43) of Directive (EU) 2019/944, and contributes significantly to the decarbonisation objectives of the island energy system and those of the Union, and to sustainability in the territory in which it is located;*

## Amendment 69

### Proposal for a regulation

#### Article 4 – paragraph 2 – point -a (new)

*Text proposed by the Commission*

*Amendment*

*(- a) the project falls under one of the energy infrastructure categories from point 1(a), 1(e), 3(a) or 5(a) of Annex II;*

## Amendment 70

### Proposal for a regulation

#### Article 4 – paragraph 2 – point a

*Text proposed by the Commission*

*Amendment*

(a) the project contributes significantly to the decarbonisation objectives of the Union and those of the third country and to sustainability, including through the

(a) the project contributes significantly to the decarbonisation *policies and* objectives of the Union and those of the third country and to sustainability,

integration of renewable energy into the grid and the transmission of renewable generation to major consumption centres and storage sites, and;

including through the integration of renewable energy into the grid and the transmission **and distribution** of renewable generation to major consumption centres and storage sites, and;

## Amendment 71

### Proposal for a regulation

#### Article 4 – paragraph 2 – point b

*Text proposed by the Commission*

(b) the potential overall benefits of the project, assessed in accordance with the respective specific criteria in paragraph 3, outweigh its costs, including in the longer term;

*Amendment*

(b) the potential overall benefits of the project **identified on the territory of the Union and in third countries which apply the Union acquis and which have concluded an agreement with the Union**, assessed in accordance with the respective specific criteria in paragraph 3, outweigh its costs **on the same perimeter**, including in the longer term;

## Amendment 72

### Proposal for a regulation

#### Article 4 – paragraph 2 – point b a (new)

*Text proposed by the Commission*

*Amendment*

**(ba) the project is in line with the ‘energy efficiency first’ principle;**

## Amendment 73

### Proposal for a regulation

#### Article 4 – paragraph 2 – point d

*Text proposed by the Commission*

(d) **for the part located on Union territory**, the project is in line with Directives 2009/73/EC and (EU) 2019/944 where it falls within the infrastructure categories described in points (1) and (3) of Annex II;

*Amendment*

(d) the project is in line with Directives 2009/73/EC and (EU) 2019/944 where it falls within the infrastructure categories described in points (1) and (3) of Annex II;

## Amendment 74

### Proposal for a regulation

#### Article 4 – paragraph 2 – point e – introductory part

*Text proposed by the Commission*

(e) the third country or countries involved have a high level of regulatory alignment or convergence to support the overall policy objectives of the Union, in particular to ensure:

*Amendment*

(e) the third country or countries involved have a high level of regulatory alignment or convergence ***and demonstrated effective legal enforcement mechanisms*** to support the overall policy objectives of the Union, in particular to ensure:

## Amendment 75

### Proposal for a regulation

#### Article 4 – paragraph 2 – point e – point i

*Text proposed by the Commission*

i) a well-functioning internal energy market;

*Amendment*

(i) a well-functioning internal energy market, ***in particular through the application of third-party access, ownership unbundling and transparent and cost-reflective tariffs;***

## Amendment 76

### Proposal for a regulation

#### Article 4 – paragraph 2 – point e – point ii

*Text proposed by the Commission*

ii) security of energy supplies based on cooperation and solidarity;

*Amendment*

(ii) security of energy supplies based on ***diversification of sources***, cooperation and solidarity, ***and reduction of strategic energy dependencies;***

## Amendment 77

### Proposal for a regulation

#### Article 4 – paragraph 2 – point e – point iii a (new)

***(iii a) energy exports to the Union do not hinder the capacity of the third country to phase out fossil fuel generation assets to satisfy its domestic energy consumption;***

## **Amendment 78**

### **Proposal for a regulation**

#### **Article 4 – paragraph 3 – point a – introductory part**

*Text proposed by the Commission*

*Amendment*

(a) for electricity transmission and storage projects falling under the energy infrastructure categories set out in points (1)(a), (b), (c) and (e) of Annex II, the project is to contribute significantly to sustainability through the integration of renewable energy into the grid and the transmission of renewable generation to major consumption centres and storage sites, and at least one of the following specific criteria:

(a) for electricity transmission and storage projects falling under the energy infrastructure categories set out in points (1)(a), ***(aa)***, (b), (c) and (e) of Annex II, the project is to contribute significantly to sustainability through ***energy efficiency gains, reduced network losses and*** the integration of renewable energy into the grid and the transmission ***and distribution*** of renewable generation to major consumption centres and storage sites ***and contribute to reduced energy curtailment***, and at least one of the following specific criteria ***evaluated in accordance with the rules and indicators set out in Annex IV***:

## **Amendment 79**

### **Proposal for a regulation**

#### **Article 4 – paragraph 3 – point b – introductory part**

*Text proposed by the Commission*

*Amendment*

(b) for smart electricity grid projects falling under the energy infrastructure category set out in ***point*** (1)(d) of Annex II, the project is to contribute significantly to sustainability through the integration of renewable energy into the grid, and at least ***two*** of the following specific criteria:

(b) for smart electricity grid projects ***and network components*** falling under the energy infrastructure category set out in ***points*** (1)(d) ***and (e)*** of Annex II, the project is to contribute significantly to sustainability through the integration of renewable energy into the grid ***or the electrification of transport and final uses***, and at least ***one*** of the following specific

criteria, *evaluated in accordance with the rules and indicators set out in Annex IV*:

## Amendment 80

### Proposal for a regulation

#### Article 4 – paragraph 3 – point b – point iii

*Text proposed by the Commission*

(iii) network security, flexibility and quality of supply, including through higher uptake of innovation in balancing, cybersecurity, monitoring, system control and error correction.

*Amendment*

(iii) network security, flexibility and quality of supply, including through higher uptake of innovation in balancing, ***flexibility markets***, cybersecurity, monitoring, system control and error correction.

## Amendment 81

### Proposal for a regulation

#### Article 4 – paragraph 3 – point b – point iii a (new)

*Text proposed by the Commission*

*Amendment*

***(iii a) smart sector integration, either in the energy system through linking different energy carriers and sectors, or in a wider way, favouring synergies and coordination between the energy, transport and telecommunication sectors;***

## Amendment 82

### Proposal for a regulation

#### Article 4 – paragraph 3 – point c – introductory part

*Text proposed by the Commission*

(c) for carbon dioxide transport projects falling under the energy infrastructure categories set out in point (5) of Annex II, the project is to contribute significantly to all of the following specific criteria:

*Amendment*

(c) for carbon dioxide transport ***and storage*** projects falling under the energy infrastructure categories set out in point (5) of Annex II, the project is to contribute significantly to ***sustainability through reducing carbon dioxide emissions in the connected industrial clusters***. ***Furthermore, the project is to contribute***

to all of the following specific criteria:

### Amendment 83

#### Proposal for a regulation

##### Article 4 – paragraph 3 – point c – point i

*Text proposed by the Commission*

(i) *avoid* carbon dioxide emissions while maintaining security of energy supply;

*Amendment*

(i) ***permanent removal of*** carbon dioxide emissions ***for permanent storage*** while maintaining security of energy supply;

### Amendment 84

#### Proposal for a regulation

##### Article 4 – paragraph 3 – point c – point ii

*Text proposed by the Commission*

(ii) increase the resilience and security of carbon dioxide transport;

*Amendment*

(ii) increase the resilience and security of carbon dioxide transport ***and storage***;

### Amendment 85

#### Proposal for a regulation

##### Article 4 – paragraph 3 – point c – point iii

*Text proposed by the Commission*

(iii) efficient use of resources, by enabling the connection of multiple carbon dioxide sources and storage sites via common infrastructure and minimising environmental burden and risks.

*Amendment*

(iii) efficient use of resources, by enabling the connection of multiple carbon dioxide sources ***originating from industrial clusters*** and storage sites via common infrastructure and ***other modes of transport such as ship, barge, truck and train and*** minimising environmental burden and risks.

### Amendment 86

#### Proposal for a regulation

##### Article 4 – paragraph 3 – point d – introductory part

*Text proposed by the Commission*

(d) for hydrogen projects falling under the energy infrastructure categories set out in point (3) of Annex II the project is to contribute significantly to sustainability, including by reducing greenhouse gas emissions, by enhancing the deployment of renewable hydrogen and supporting variable renewable power generation by offering flexibility and/or storage solutions. Furthermore, the project is to contribute significantly to at least one of the following specific criteria:

*Amendment*

(d) for hydrogen projects falling under the energy infrastructure categories set out in point (3) of Annex II the project is to contribute significantly to sustainability, including by reducing greenhouse gas emissions ***in end-use applications, such as hard-to-abate sectors, in which more energy efficient solutions are not feasible***, by enhancing the deployment of renewable ***and low-carbon*** hydrogen and supporting variable renewable power generation by offering flexibility and/or storage solutions. Furthermore, the project is to contribute significantly to at least one of the following specific criteria:

**Amendment 87**

**Proposal for a regulation**

**Article 4 – paragraph 3 – point e – point i**

*Text proposed by the Commission*

(i) sustainability, including by reducing greenhouse gas emissions and enhancing the deployment of renewable hydrogen.

*Amendment*

(i) sustainability, including by reducing greenhouse gas emissions and enhancing the deployment of renewable hydrogen ***and renewable synthetic fuels***;

**Amendment 88**

**Proposal for a regulation**

**Article 4 – paragraph 3 – point e – point iii**

*Text proposed by the Commission*

(iii) facilitating smart energy sector integration through ***linking different*** energy carriers and sectors.

*Amendment*

(iii) ***the enabling of flexibility services, such as demand response and storage by*** facilitating smart energy sector integration through ***the creation of links to other*** energy carriers and sectors.

## Amendment 89

### Proposal for a regulation Article 4 – paragraph 3 – point f a (new)

*Text proposed by the Commission*

*Amendment*

*(fa) for district heating and cooling systems falling under the energy infrastructure category set out in point (5a) of Annex II, the project is to contribute significantly to sustainability by enabling and facilitating the integration of renewable and waste heat and cold in order to reduce greenhouse gas emissions, as well as a better integration and interlinking of the sectors. Furthermore, the project is to contribute significantly to at least one of the following specific criteria, assessed in accordance with the rules and indicators set out in Annex IV:*

*(i) network security and quality of supply by increasing the use of locally sourced renewable energy and waste heat and cold and, improving the efficiency and interoperability of gas transmission and distribution or storage systems in day-to-day network operation by, among others, addressing challenges resulting from the injection of heat and cold of different temperatures through the deployment of innovative technologies;*

*(ii) market functioning and customer services;*

*(iii) facilitating smart energy sector integration through the creation of links to other energy carriers and sectors and enabling demand response.*

## Amendment 90

### Proposal for a regulation Article 4 – paragraph 4

*Text proposed by the Commission*

4. For projects falling under the energy infrastructure categories set out in points (1) to **(4)** of Annex II, the contribution to the criteria listed in paragraph 3 of this Article shall be assessed in accordance with the indicators set out in points (3) to **(7)** of Annex IV.

*Amendment*

4. For projects falling under the energy infrastructure categories set out in points (1) to **(5a)** of Annex II, the contribution to the criteria listed in paragraph 3 of this Article shall be assessed in accordance with the indicators set out in points (3) to **(7b)** of Annex IV.

**Amendment 91**

**Proposal for a regulation**

**Article 4 – paragraph 5 – subparagraph 2 – introductory part**

*Text proposed by the Commission*

In assessing projects, each Group shall give due consideration to:

*Amendment*

In assessing projects, ***in order to ensure a consistent assessment approach among different Groups***, each Group shall give due consideration to:

**Amendment 92**

**Proposal for a regulation**

**Article 4 – paragraph 5 – subparagraph 2 – point a**

*Text proposed by the Commission*

(a) the urgency of each proposed project in order to meet the Union energy policy ***targets*** of decarbonisation, market integration, competition, sustainability ***and*** security of supply;

*Amendment*

(a) the urgency ***and the level of contribution*** of each proposed project in order to meet the Union energy ***and climate*** policy ***objectives*** of decarbonisation, market integration, competition, sustainability, security of supply ***and affordability of energy***;

**Amendment 93**

**Proposal for a regulation**

**Article 4 – paragraph 5 – subparagraph 2 – point b**

*Text proposed by the Commission*

(b) ***complementarity with regard to***

*Amendment*

(b) ***the interrelationship of the project***

other proposed projects;

*under assessment with other proposed projects, which could be complementary to, competing with, or potentially competing with, that project;*

#### Amendment 94

##### Proposal for a regulation

##### Article 4 – paragraph 5 – subparagraph 2 – point b a (new)

*Text proposed by the Commission*

*Amendment*

*(ba) possible synergies with priority corridors and thematic areas identified under trans-European networks for transport and telecommunications;*

#### Amendment 95

##### Proposal for a regulation

##### Article 5 – paragraph 1 a (new)

*Text proposed by the Commission*

*Amendment*

*1a. Project promoters shall make the implementation plan referred to in paragraph 1 publicly available and specify the expected commissioning date, the status of the project and the progress of the project compared to the previous Union wide ten-year network development plan and, including where applicable the reasons for delay or for rescheduling.*

#### Amendment 96

##### Proposal for a regulation

##### Article 5 – paragraph 4 – introductory part

*Text proposed by the Commission*

*Amendment*

4. By 31 December of each year following the year of inclusion of a project of common interest on the Union list pursuant to Article 3, project promoters shall submit an annual report, for each

4. By 31 December of each year following the year of inclusion of a project of common interest on the Union list pursuant to Article 3, project promoters shall submit an annual report, for each

project falling under the categories set out in points (1) to (4) of Annex II, to the competent authority referred to in Article 8.

project falling under the categories set out in points (1) to (4) **and 5(a)** of Annex II, to the competent authority referred to in Article 8.

## Amendment 97

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

#### *Text proposed by the Commission*

6. By 30 April of each year when a new Union list should be adopted, the Agency shall submit, to the Groups a consolidated report for the projects of common interest subject to the competency of national regulatory authorities, evaluating the progress achieved and make, where appropriate, recommendations on how to overcome the delays and difficulties encountered. That consolidated report shall also evaluate, in accordance with Article 5 of Regulation (EU) 2019/942, the consistent implementation of the Union-wide network development plans with regard to the energy infrastructure priority corridors and areas.

#### *Amendment*

6. By 30 April of each year when a new Union list should be adopted, the Agency shall submit, to the Groups a consolidated report for the projects of common interest subject to the competency of national regulatory authorities, evaluating the progress achieved, **and the evolution of the expected project costs**, and make, where appropriate, recommendations on how to overcome the delays and difficulties encountered. That consolidated report shall also evaluate, in accordance with Article 5 of Regulation (EU) 2019/942, the consistent implementation of the Union-wide network development plans with regard to the energy infrastructure priority corridors and areas.

## Amendment 98

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

#### *Text proposed by the Commission*

#### *Amendment*

**6a. At the Agency's request, project promoters shall provide the Agency with the implementation plan referred to in paragraph 1 and other information necessary for carrying out the Agency's tasks set out in paragraph 6.**

## Amendment 99

**Proposal for a regulation**  
**Article 6 – paragraph 2 – point b**

*Text proposed by the Commission*

(b) assist all parties as necessary in consulting concerned stakeholders and obtaining necessary permits for the projects;

*Amendment*

(b) assist all parties as necessary in consulting concerned stakeholders, ***proposing and discussing alternative routing, where appropriate,*** and obtaining necessary permits for the projects;

**Amendment 100**

**Proposal for a regulation**  
**Article 6 – paragraph 3**

*Text proposed by the Commission*

3. The European coordinator shall be chosen on the basis of ***his or her*** experience with regard to the specific tasks assigned to him or her for the projects concerned.

*Amendment*

3. The European coordinator shall be chosen ***following an open, non-discriminatory and transparent process and*** on the basis of ***a candidate's*** experience with regard to the specific tasks assigned to him or her for the projects concerned.

**Amendment 101**

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

*Text proposed by the Commission*

1. The adoption of the Union list shall establish, for the purposes of any decisions issued in the permit granting process, the necessity of those projects from an energy policy perspective, without prejudice to the exact location, routing or technology of the project.

*Amendment*

1. The adoption of the Union list shall establish, for the purposes of any decisions issued in the permit granting process, the necessity of those projects from an energy policy ***and climate*** perspective, without prejudice to the exact location, routing or technology of the project.

**Amendment 102**

**Proposal for a regulation**  
**Article 8 – paragraph 3 – introductory part**

*Text proposed by the Commission*

3. Without prejudice to relevant requirements under international and Union law, the competent authority shall facilitate the issuing of the comprehensive decision. The comprehensive decision shall be the final proof that the project of common interest has achieved ready-to-build status and there shall be no other requirements for any additional permits or authorisations in that respect. The comprehensive decision shall be issued within the time limit referred to in Article 10(1) and (2) and in accordance with one of the following schemes:

*Amendment*

3. Without prejudice to relevant requirements under ***national***, international and Union law, the competent authority shall facilitate the issuing of the comprehensive decision ***as defined in Article 2(2)***. The comprehensive decision shall be the final proof that the project of common interest has achieved ready-to-build status and there shall be no other requirements for any additional permits or authorisations in that respect. The comprehensive decision shall be issued within the time limit referred to in Article 10(1) and (2) and in accordance with one of the following schemes:

**Amendment 103**

**Proposal for a regulation**  
**Article 8 – paragraph 6**

*Text proposed by the Commission*

6. By [31 July 2022] and for each specific Regional Group per priority offshore grid corridor, as defined in Annex I, national competent authorities in Member States belonging to the respective Group, shall jointly create unique ***points*** of contact, ‘offshore ***one-stop shops***’, for project promoters, which shall be responsible for facilitating and coordinating the permit granting ***process*** for offshore grids for renewable energy projects of common interest, ***taking into account also the need for coordination between the permitting process for the energy infrastructure and the one for the generation assets***. The offshore ***one-stop shops*** shall act as a repository ***of*** existing sea basin studies and plans, aiming at facilitating the permitting process of individual projects of common interest and ***coordinate*** the issuance of the comprehensive decisions for such projects

*Amendment*

6. By [31 July 2022] and for each specific Regional Group per priority offshore grid corridor, as defined in Annex I, national competent authorities in Member States belonging to the respective Group, shall jointly create ***a*** unique ***point*** of contact ***per priority*** offshore ***grid corridor***, for project promoters, which shall be responsible for ***facilitating and coordinating the cooperation of the national authorities on the*** permit granting for offshore grids for renewable energy projects of common interest, ***as referred to in Annex III, by ensuring an uninterrupted flow of information between members of the Regional Group and serve as information-sharing platform for peer-learning***. The offshore ***point of contact*** shall act as a repository ***aggregating the*** existing sea basin studies and plans, aiming at facilitating the permitting process of individual projects of

by the relevant national competent authorities. Each Regional Group per priority offshore grid corridor, with the assistance of the national competent authorities in the Members States belonging to the Group, shall set-up the ***offshore one-stop shops*** depending on regional specificities and geography and determine their location, resource allocation and specific rules for their functioning.

common interest and the issuance of the comprehensive decisions for such projects by the relevant national competent authorities ***in accordance with paragraph 3 of this Article and Article 10(1) and (2)***. Each Regional Group per priority offshore grid corridor, with the assistance of the national competent authorities in the Members States belonging to the Group, shall set-up the ***point of contact*** depending on regional specificities and geography and determine their location, resource allocation and specific rules for their functioning, ***as well as regarding participation and transparency while paying due attention for commercially sensitive information***.

## Amendment 104

### Proposal for a regulation Article 9 – paragraph 1

#### *Text proposed by the Commission*

1. By [1 May 2023], the Member State or competent authority shall, where applicable in collaboration with other authorities concerned, publish an updated manual of procedures for the permit granting process applicable to projects of common interest to include at least the information specified in point (1) of Annex VI. The manual shall not be legally binding, ***but it may*** refer to or quote relevant legal provisions. The national competent authorities shall ***coordinate and find synergies with*** neighbouring countries ***in developing their manual of procedures***.

#### *Amendment*

1. By [1 May 2023], the Member State or competent authority shall, where applicable in collaboration with other authorities concerned, publish an updated manual of procedures for the permit granting process applicable to projects of common interest to include at least the information specified in point (1) of Annex VI. The manual shall not be legally binding. ***It shall*** refer to or quote relevant legal provisions. The national competent authorities shall ***cooperate with the authorities of*** neighbouring countries ***with a view to exchanging of good practices and facilitating the permit-granting process***.

## Amendment 105

### Proposal for a regulation Article 9 – paragraph 4 – subparagraph 1

*Text proposed by the Commission*

4. Where it is not already required under national law at the same or higher standards, at least one public consultation shall be carried out by the project promoter, or, where required by national law, by the competent authority, before submission of the final and complete application file to the competent authority pursuant to Article 10(1)(a). That public consultation shall be without prejudice to any public consultation to be carried out after submission of the request for development consent pursuant to Article 6(2) of Directive 2011/92/EU. The public consultation shall inform the stakeholders referred to in point (3)(a) of Annex VI about the project at an early stage and shall help to identify the most suitable location or trajectory, also in view of adequate climate adaptation considerations for the project, and the relevant issues to be addressed in the application file. The public consultation shall comply with the minimum requirements set out in point (5) of Annex VI. The project promoter shall publish on the website referred to in paragraph 7 of this Article a report explaining how the opinions expressed in the public consultations were taken into account by showing the amendments made in the location, trajectory and design of the project or by justifying why such opinions have not been taken into account.

**Amendment 106**

**Proposal for a regulation**

**Article 9 – paragraph 7 – subparagraph 1**

*Text proposed by the Commission*

Project promoters shall also publish relevant information by other appropriate information means open to the public.

*Amendment*

4. Where it is not already required under national law at the same or higher standards, at least one public consultation shall be carried out by the project promoter, or, where required by national law, by the competent authority, before submission of the final and complete application file to the competent authority pursuant to Article 10(1)(a). That public consultation shall be without prejudice to any public consultation to be carried out after submission of the request for development consent pursuant to Article 6(2) of Directive 2011/92/EU. The public consultation shall inform the stakeholders referred to in point (3)(a) of Annex VI about the project at an early stage and shall help to identify the most suitable location or trajectory, ***including an alternative, where appropriate***, also in view of adequate climate adaptation considerations for the project, and the relevant issues to be addressed in the application file. The public consultation shall comply with the minimum requirements set out in point (5) of Annex VI. The project promoter shall publish on the website referred to in paragraph 7 of this Article a report explaining how the opinions expressed in the public consultations were taken into account by showing the amendments made in the location, trajectory and design of the project or by justifying why such opinions have not been taken into account.

*Amendment*

Project promoters shall also publish relevant information by other appropriate information means open to the public,

*taking duly into account the inclusion of indigenous populations and vulnerable communities.*

## **Amendment 107**

### **Proposal for a regulation**

#### **Article 10 – paragraph 1 – point a – introductory part**

*Text proposed by the Commission*

(a) the pre-application procedure, covering the period between the start of the permit granting process and the acceptance of the submitted application file by the competent authority, shall take place within *an indicative period* of two years.

*Amendment*

(a) the pre-application procedure, covering the period between the start of the permit granting process and the acceptance of the submitted application file by the competent authority, shall take place within of two years.

## **Amendment 108**

### **Proposal for a regulation**

#### **Article 10 – paragraph 2 –subparagraph 1**

*Text proposed by the Commission*

2. The competent authority shall ensure that the combined duration of the two procedures referred to in paragraph 1 does not exceed a period of three years and six months. However, where the competent authority considers that one or both of the two procedures of the permit granting process will not be completed within the time limits set out in paragraph 1, it may decide, before their expiry and on a case by case basis, to extend one or both of those time limits by a maximum of nine months for both procedures combined.

*Amendment*

2. The competent authority shall ensure that the combined duration of the two procedures referred to in paragraph 1 does not exceed a period of three years and six months. However, where the competent authority considers that one or both of the two procedures of the permit granting process will not be completed within the time limits set out in paragraph 1, it may decide, before their expiry and on a case by case basis, to extend one or both of those time limits by a maximum of nine months for both procedures combined. *The competent authority shall report and duly justify any delay of the permit granting process to the Commission.*

## **Amendment 109**

### **Proposal for a regulation**

#### **Article 10 – paragraph 8 a (new)**

*Text proposed by the Commission*

*Amendment*

**8a.** *The requirements and time limits laid down in this Article shall be without prejudice to any more favourable treatment in the permit-granting process provided for in national law.*

## **Amendment 110**

### **Proposal for a regulation Article 10 a (new)**

*Text proposed by the Commission*

*Amendment*

#### **Article 10a**

##### **Energy Infrastructure Stakeholder Committee**

**1.** *By ... [entry into force of this Regulation], the ENTSO for Electricity and ENTSO for Gas, in close cooperation with the Agency, shall establish an Energy Infrastructure Stakeholder Committee (the 'Committee') in order to provide a balanced depth of expertise across all energy solutions, from demand through delivery to supply side, in order to support the task of delivering an integrated energy system.*

**2.** *The Committee shall be composed of representatives of the relevant stakeholders, including the EU DSO entity, participants of electricity, gas, hydrogen, heating and cooling, and electromobility markets, including customers, CCS/U stakeholders, independent aggregators, demand-response operators, organisations involved in energy efficiency solutions and building renovation, energy communities, local authorities, and civil society organisations.*

*The ENTSO for Electricity and ENTSO for Gas and the Agency shall strive to ensure a balanced representation of all*

*stakeholders.*

***3. The European Scientific Advisory Board on Climate Change established pursuant to Article 10a of the Regulation (EC) No 401/2009 (the ‘Advisory Board’) shall participate as a member of the Committee in order to ensure the coherence of the ten-year network development plan process with the climate and energy target objectives. As a member of the Committee, it will contribute to the recommendations the Committee provides to the Agency and the Commission.***

***4. The Agency shall chair the Committee meetings and shall establish its internal rules of procedure.***

***5. The ENTSO for Electricity and ENTSO for Gas, in close cooperation with the Agency, shall organise the Committee involvement in the ten-year network development plan process, particularly with regards to Articles 11, 12, and 13, and other aspects of the implementation of this Regulation as relevant. The Committee shall meet regularly and as often as necessary to allow stakeholders to contribute to the implementation of the tasks set out in paragraph 6 of this Article.***

***This paragraph shall be without prejudice to the stakeholder consultations in accordance with respective public consultation obligations of ENTSO for Electricity and ENTSO for Gas, and EU DSO Entity.***

***6. The Committee shall support the work of ENTSO for Electricity and ENTSO for Gas and contribute to a more informed decision-making process in all relevant phases of ten-year network development plan process, by providing inputs, relevant data, identifying problems, proposing improvements and delivering recommendations regarding at least the following:***

***(a) draft methodologies for the energy system wide cost-benefit analysis as***

*referred to in Article 11;*

*(b) a draft integrated energy market and network model as referred to in Article 11;*

*(c) structural assumptions for the work on the draft scenarios and on the draft scenarios report referred to in Article 12;*

*(d) the draft ten-year network development plans referred to in Article 12;*

*(e) the draft infrastructure gaps report referred to in Article 13;*

*(f) the offshore development plans as referred in Article 14.*

**7. The Committee shall be guided in its work by the best available and most recent scientific evidence. It shall follow a fully transparent process and make its opinions, meeting minutes and meeting participants' list publicly available.**

## **Amendment 111**

### **Proposal for a regulation**

#### **Article 11 – paragraph 1 – subparagraph 1**

*Text proposed by the Commission*

1. By [16 November 2022], the European Network of Transmission System Operators (ENTSO) for Electricity and the ENTSO for Gas shall publish and submit to Member States, the Commission **and** the Agency their respective methodologies, including the network and market modelling, for a harmonised energy system-wide cost-benefit analysis at Union level for projects of common interest falling under the categories set out in points (1)(a), **(b)**, (c) and (e) and point (3) of Annex II.

*Amendment*

1. By ... [16 November 2022], the European Network of Transmission System Operators (ENTSO) for Electricity and the ENTSO for Gas shall publish and submit to Member States, the Commission, the Agency **and the Committee** their respective **draft integrated** methodologies, including the network and market modelling, for a harmonised energy system-wide cost-benefit analysis at Union level for projects of common interest **and projects of mutual interest** falling under the categories set out in points (1)(a), (c), and (e) and point (3) of Annex II.

## Amendment 112

### Proposal for a regulation Article 11 – paragraph 1 – subparagraph 2

*Text proposed by the Commission*

Those methodologies shall be applied for the preparation of each subsequent Union-wide ten-year network development plans developed by the ENTSO for Electricity or the ENTSO for Gas pursuant to Article 8 of Regulation (EC) No 715/2009 and Article 30 of Regulation (EU) 2019/943. Those methodologies shall be drawn up in line with the principles laid down in Annex V and be consistent with the rules and indicators set out in Annex IV.

*Amendment*

Those methodologies shall be applied for the preparation of each subsequent Union-wide ten-year network development plans developed by the ENTSO for Electricity or the ENTSO for Gas pursuant to Article 8 of Regulation (EC) No 715/2009 and Article 30 of Regulation (EU) 2019/943. Those methodologies shall be drawn up in line with the ***mid- and long-term Union climate and energy targets and with the*** principles laid down in Annex V and be consistent with the rules and indicators set out in Annex IV.

## Amendment 113

### Proposal for a regulation Article 11 – paragraph 1 – subparagraph 3

*Text proposed by the Commission*

Prior to submitting their respective methodologies, the ENTSO for Electricity and the ENTSO for Gas shall conduct an extensive consultation process involving ***at least the organisations representing*** all relevant stakeholders, including the ***entity of distribution system operators in the Union ('EU DSO entity'), all relevant hydrogen stakeholders and, where it is deemed appropriate*** the national regulatory authorities and other national authorities.

*Amendment*

Prior to submitting their respective ***draft integrated*** methodologies, the ENTSO for Electricity and the ENTSO for Gas shall conduct an extensive consultation process involving ***all relevant stakeholders, including the Committee***, the national regulatory authorities and other national authorities.

## Amendment 114

### Proposal for a regulation Article 11 – paragraph 1 a (new)

*Text proposed by the Commission*

*Amendment*

***1a. Within three months of the receipt of the draft integrated methodologies:***

***(a) the Committee shall submit a recommendation; and***

***(b) any Member State may deliver an opinion.***

***The Committee and the Member States shall, respectively, submit that recommendation and any opinions to the Agency and, as applicable, to the ENTSO for Electricity or the ENTSO for Gas. They shall make the recommendation and any opinions publicly available.***

## **Amendment 115**

### **Proposal for a regulation Article 11 – paragraph 2**

*Text proposed by the Commission*

*Amendment*

2. Within three months of ***the*** receipt of the methodologies together with the input received in the consultation process and a report on how it was taken into account, the Agency shall provide ***an opinion*** to the ENTSO for Electricity, the ENTSO for Gas, the Member States, and the Commission and publish it on the Agency's website.

2. Within three months of receipt of the ***draft integrated*** methodologies together with the input received in the consultation process, and a report on how it was taken into account, the Agency shall ***adopt a decision whether to approve or amend the methodologies, or to request the ENTSO for Electricity, the ENTSO for Gas to amend them.*** ***The Agency shall provide the decision*** to the ENTSO for Electricity, the ENTSO for Gas, the Member States, and the Commission and publish it on the Agency's website. ***The draft integrated methodologies approved by the Agency shall be submitted to the Commission for approval.***

## **Amendment 116**

### **Proposal for a regulation Article 11 – paragraph 3**

*Text proposed by the Commission*

*Amendment*

**3. The ENTSO for Electricity and the ENTSO for Gas, shall update the methodologies taking due account of the Agency's opinion, as referred to in paragraph 2, and submit them to the Commission for its opinion.**

**deleted**

#### **Amendment 117**

##### **Proposal for a regulation Article 11 – paragraph 4**

*Text proposed by the Commission*

*Amendment*

**4. Within three months of the day of receipt of the updated methodologies, the Commission shall submit its opinion to the ENTSO for Electricity and the ENTSO for Gas.**

**deleted**

#### **Amendment 118**

##### **Proposal for a regulation Article 11 – paragraph 5**

*Text proposed by the Commission*

*Amendment*

**5. No later than three months of the day of receipt of the *Commission's opinion*, as referred to in paragraph 4, the ENTSO for Electricity and the ENTSO for Gas shall adapt their respective methodologies taking due account of the *Commission's opinion*, and submit *them* to the Commission for approval.**

**5. *If the Agency requests the ENTSO for Electricity and the ENTSO for Gas to amend their respective draft integrated methodologies they shall* no later than three months of the day of receipt of the *Agency's decision*, as referred to in paragraph 2, adapt their respective methodologies taking due account of the *decision of the Agency, opinions from Member States, and the recommendation of the Committee. The ENTSO for Electricity and the ENTSO for Gas shall submit the amended methodologies to the Agency for approval. The methodologies approved by the Agency shall be submitted* to the Commission for approval.**

## Amendment 119

### Proposal for a regulation Article 11 – paragraph 5 a (new)

*Text proposed by the Commission*

*Amendment*

**5a. Within three months of receipt of the methodologies, the Commission, taking into account the Agency’s decision, and, where available, the opinions of Member States, and a recommendation of the Committee, shall approve, amend or request the ENTSO for Electricity or the ENTSO for Gas to amend their respective draft integrated methodologies.**

**If the Commission requests the ENTSO for Electricity or the ENTSO for Gas to amend their respective draft integrated methodologies they shall submit the amended methodologies to the Commission for its approval within the deadline set by the Commission.**

## Amendment 120

### Proposal for a regulation Article 11 – paragraph 6

*Text proposed by the Commission*

*Amendment*

**6. Where the changes to the methodologies are considered to be of incremental nature, not affecting the definition of benefits, costs and other relevant cost-benefit parameters, as defined in the latest Energy system wide cost-benefit analysis methodology approved by the Commission, the ENTSO for Electricity and the ENTSO for Gas shall adapt their respective methodologies taking due account of the Agency’s opinion, as set out in paragraph 2, and submit them for the Agency’s approval.**

**deleted**

## Amendment 121

### Proposal for a regulation Article 11 – paragraph 7

*Text proposed by the Commission*

7. *In parallel, the ENTSO for Electricity and the ENTSO for Gas shall submit to the Commission a document justifying the reasons behind the proposed updates and why those updates are considered of incremental nature. Where the Commission deems that those updates are not of incremental nature, it shall, by written request, ask the ENTSO for Electricity and the ENTSO for Gas to submit to it the methodologies. In such case the process described in paragraphs 2 to 5 applies.*

*Amendment*

*deleted*

## Amendment 122

### Proposal for a regulation Article 11 – paragraph 8

*Text proposed by the Commission*

8. Within two weeks of the approval by *the Agency or* the Commission in accordance with *paragraphs 5 and 6*, the ENTSO for Electricity and the ENTSO for Gas shall publish their respective methodologies on their websites. They shall publish the corresponding input data and other relevant network, load flow and market data in a sufficiently accurate form *in accordance with* national law and relevant confidentiality agreements.

*Amendment*

8. Within two weeks of the approval by the Commission in accordance with *paragraph 5a*, the ENTSO for Electricity and the ENTSO for Gas shall publish their respective *integrated* methodologies on their websites. They shall publish the corresponding input data and other relevant network, load flow and market data in a sufficiently accurate form *for a third party to be able to reproduce the results to the extent this is possible under* national law and relevant confidentiality agreements.

## Amendment 123

### Proposal for a regulation Article 11 – paragraph 9

*Text proposed by the Commission*

9. The methodologies shall be updated and improved **regularly** following the procedure described in paragraphs 1 to 6. The Agency, on its own initiative or upon a duly reasoned request by national regulatory authorities or stakeholders, and after formally consulting the organisations representing all relevant stakeholders and the Commission, may request such updates and improvements with due justification and timescales. The Agency shall publish the requests by national regulatory authorities or stakeholders and all relevant non-commercially sensitive documents leading to a request from the Agency for an update or improvement.

*Amendment*

9. The **integrated** methodologies shall be updated and improved **if found necessary by the ENTSO for Electricity and the ENTSO for Gas or requested by the Commission in order to keep them up-to-date with developments**, following the procedure described in paragraphs 1 to 6. The **Committee and the** Agency, on its own initiative or upon a duly reasoned request by national regulatory authorities or stakeholders, and after formally consulting the organisations representing all relevant stakeholders and the Commission, may **also** request such updates and improvements with due justification and timescales. The Agency shall publish the requests by national regulatory authorities or stakeholders and all relevant non-commercially sensitive documents leading to a request from the Agency for an update or improvement.

**Amendment 124**

**Proposal for a regulation**  
**Article 11 – paragraph 9 a (new)**

*Text proposed by the Commission*

*Amendment*

**9a. For projects of common interest falling under the categories included in points (1b), (1d), (2), and (4) of Annex II, the Commission shall develop methodologies for a harmonised energy system-wide cost-benefit analysis at Union level or shall entrust the development of those methodologies to a relevant entity. The methodologies shall be developed in a transparent manner, including a peer-review process inside the Committee, extensive consultation with Member States and other relevant stakeholders. The methodologies shall be compatible with the methodologies developed by the ENTSO for Electricity and the ENTSO**

*for Gas concerning benefits and costs. The Agency shall, with the support of national regulatory authorities, promote the consistency of those methodologies with the methodologies developed by ENTSO for Electricity and the ENTSO for Gas. They shall be drawn up in line with the mid- and long-term Union climate and energy targets and with the principles set out in Annex V and shall be consistent with the rules and indicators set out in Annex IV. The Commission shall ensure the same level of scrutiny and transparency of the process as that applied for development of methodologies referred in paragraph 1 of this Article.*

## Amendment 125

### Proposal for a regulation Article 11 – paragraph 10

#### *Text proposed by the Commission*

10. Every three years, the Agency shall establish and make publicly available a set of indicators and corresponding reference values for the comparison of unit investment costs for comparable projects of the infrastructure categories included in points (1) and (3) of Annex II. Those reference values may be used by the ENTSO for Electricity and the ENTSO for Gas for the cost-benefit analyses carried out for subsequent Union-wide ten-year network development plans. The first of such indicators shall be published by [1 November 2022].

#### *Amendment*

10. Every three years, the Agency, ***supported by the Committee***, shall establish and make publicly available a set of indicators and corresponding reference values for the comparison of unit investment costs for comparable projects of the infrastructure categories included in points (1) and (3) of Annex II. Those reference values may be used by the ENTSO for Electricity and the ENTSO for Gas for the cost-benefit analyses carried out for subsequent Union-wide ten-year network development plans. The first of such indicators shall be published by [1 November 2022]. ***Infrastructure owners, system operators and third-party promoters shall provide the relevant project-specific information and disaggregated cost elements to the national regulatory authorities and to the Agency.***

## Amendment 126

### Proposal for a regulation Article 11 – paragraph 11

*Text proposed by the Commission*

11. By [31 December 2023], the ENTSO for Electricity and the ENTSO for Gas shall jointly submit to the Commission and the Agency a consistent and ***interlinked*** energy market and network model including electricity, gas and hydrogen transmission infrastructure as well as storage, LNG and electrolysers, covering the energy infrastructure priority corridors and the areas drawn up in line with the principles laid down in Annex V.

*Amendment*

11. By [31 December 2023], the ENTSO for Electricity and the ENTSO for Gas, ***supported by the Committee***, shall jointly submit to the Commission and the Agency a consistent and ***integrated*** energy market and network model including electricity, gas and hydrogen transmission infrastructure as well as storage, LNG and electrolysers, covering the energy infrastructure priority corridors and the areas drawn up in line with the principles laid down in Annex V. ***The integrated model shall be updated to include heating infrastructure not later than 31 December 2024. Where relevant, the model should also take into consideration the distribution infrastructure.***

***As part of the integrated model the ENTSO for Electricity and the ENTSO for Gas shall develop a common cost-benefit methodology to be used for the cross-sectorial assessment.***

## Amendment 127

### Proposal for a regulation Article 11 – paragraph 12

*Text proposed by the Commission*

12. The consistent and ***interlinked*** model ***referred to in paragraph 11*** shall cover at least the respective sectors' interlinkages at all stages of infrastructure planning, specifically scenarios, infrastructure gaps identification in particular with respect to cross-border capacities, and projects assessment.

*Amendment*

12. The consistent and ***integrated*** model, ***including integrated common cost-benefit methodology***, shall cover at least the respective sectors' interlinkages at all stages of infrastructure planning, specifically scenarios, infrastructure gaps identification in particular with respect to cross-border capacities, and projects assessment.

***As part of the integrated model referred to***

*in paragraph 11, the ENTSO for Electricity and the ENTSO for Gas shall develop a roadmap on the future improvements, in particular the inclusion of additional sectors.*

## Amendment 128

### Proposal for a regulation Article 11 – paragraph 13

*Text proposed by the Commission*

13. After approval of the consistent and *interlinked* model referred to in paragraph 11 by the Commission in accordance with the procedure set out in paragraphs 1 to 6, it shall be included in the methodologies referred to in paragraph 1.

*Amendment*

13. After approval of the consistent and *integrated* model referred to in paragraph 11 by the Commission in accordance with the procedure set out in paragraphs 1 to 6, it shall be included in the methodologies referred to in paragraph 1, ***that should be amended accordingly.***

## Amendment 129

### Proposal for a regulation Article 11 – paragraph 13 a (new)

*Text proposed by the Commission*

*Amendment*

***13a. The integrated model and the common cost-benefit methodology shall be updated according to the procedure described in paragraphs 9, 11, 12 and 13.***

## Amendment 130

### Proposal for a regulation Article 12 – paragraph 1 – subparagraph 1

*Text proposed by the Commission*

By [31 July 2022], the Agency, after having conducted an extensive consultation process involving ***the Commission and at least the organisations representing*** all relevant stakeholders, including the ENTSO for Electricity, the ENTSO for

*Amendment*

By ... [31 July 2022], the Agency, after having conducted an extensive consultation process involving all relevant stakeholders, including ***the Commission, the Committee, the Member States,*** the ENTSO for Electricity, the ENTSO for Gas, Union

Gas, Union DSO entity, **and relevant hydrogen sector stakeholders**, shall publish the framework guidelines for the joint scenarios to be developed by ENTSO for Electricity and ENTSO for Gas. **Those guidelines shall be regularly updated as found necessary.**

DSO entity, **national regulatory authorities and other national authorities** shall publish the framework guidelines for the joint scenarios to be developed by ENTSO for Electricity and ENTSO for Gas.

## Amendment 131

### Proposal for a regulation

#### Article 12 – paragraph 1 – subparagraph 2

*Text proposed by the Commission*

The guidelines shall **include the energy efficiency first principle and** ensure that the underlying ENTSO for Electricity and ENTSO for Gas scenarios are fully in line with the latest medium and long-term European Union **decarbonisation** targets and the latest available Commission scenarios.

*Amendment*

The guidelines shall **establish standards for a transparent, non-discriminatory and robust development of scenarios taking into account best practices in the field of network development planning. The guidelines shall aim to** ensure that the underlying ENTSO for Electricity and ENTSO for Gas scenarios are fully in line with the **‘energy efficiency first’ principle and compatible with the** latest medium and long-term European Union **energy and climate** targets and the latest available Commission scenarios **and that they reflect Member States’ climate and energy policies and strategies, as well as energy systems challenges in the Union. The Agency shall update the guidelines where necessary in order to keep them up-to-date, while avoiding imposing an administrative burden on the stakeholders and ensuring the timely and efficient development of the joint scenarios.**

## Amendment 132

### Proposal for a regulation

#### Article 12 – paragraph 1 – subparagraph 2 a (new)

*Text proposed by the Commission*

*Amendment*

**The Advisory Board shall provide input on how to ensure compliance of scenarios**

*with Union's climate and energy objectives. The Agency shall include that input in the framework guidelines referred in paragraph 1.*

## Amendment 133

### Proposal for a regulation Article 12 – paragraph 2

*Text proposed by the Commission*

2. The ENTSO for Electricity and ENTSO for Gas shall follow the Agency's framework guidelines when developing the joint scenarios to be used for the Union-wide ten-year network development plans.

*Amendment*

2. The ENTSO for Electricity and ENTSO for Gas shall follow the Agency's framework guidelines when developing the joint scenarios to be used for the Union-wide ten-year network development plans. ***The joint scenarios shall also include a long-term perspective until 2050 and include intermediary steps as appropriate.***

## Amendment 134

### Proposal for a regulation Article 12 – paragraph 3

*Text proposed by the Commission*

3. The ENTSO for Electricity and ENTSO for Gas shall ***invite the organisations representing all relevant stakeholders, including the Union DSO entity and all relevant hydrogen stakeholders, to participate*** in the scenarios development process.

*Amendment*

3. The ENTSO for Electricity and ENTSO for Gas shall ***involve the Committee*** in the consultations as part of scenarios development process ***and shall ensure a balanced depth of expertise across all energy solutions contributing to climate neutrality in order to deliver an integrated energy system.***

***Without prejudice to the general stakeholders' consultation, the ENTSO for Electricity and ENTSO for Gas shall consult the Committee on the key elements of the scenario development: storyline, assumptions and their translation into the scenarios data.***

***Where possible, the Committee shall deliver all relevant data at the moment of the scenario development to ENTSO for***

**Amendment 135**

**Proposal for a regulation**

**Article 12 – paragraph 4**

*Text proposed by the Commission*

4. The ENTSO for Electricity and the ENTSO for Gas shall publish and submit the draft joint scenarios report to the Agency and the Commission for ***their opinion***.

*Amendment*

4. The ENTSO for Electricity and the ENTSO for Gas shall publish and submit the draft joint scenarios report to the Agency ***for its opinion, to the Advisory Board for its assessment and to the Commission for its approval***.

**Amendment 136**

**Proposal for a regulation**

**Article 12 – paragraph 5**

*Text proposed by the Commission*

5. Within three months from the receipt of the draft joint scenarios report together with the input received in the consultation process and a report on how it was taken into account, the Agency shall submit its opinion to the ENTSO for Electricity, ENTSO for gas and the Commission.

*Amendment*

5. Within three months from the receipt of the draft joint scenarios report together with the input received in the consultation process and a report on how it was taken into account, the Agency shall submit its opinion ***on compliance of the scenarios with the framework guidelines referred to in paragraph 1, including possible recommendations for amendments, and the Advisory Board shall submit its assessment on the compatibility of scenarios with climate objectives***, to the ENTSO for Electricity, ENTSO for gas and the Commission.

**Amendment 137**

**Proposal for a regulation**

**Article 12 – paragraph 6**

*Text proposed by the Commission*

6. ***The Commission, giving due***

*Amendment*

***deleted***

*consideration to the Agency opinion defined under paragraph 5, shall submit its opinion to the ENTSO for Electricity and the ENTSO for Gas.*

#### Amendment 138

##### Proposal for a regulation Article 12 – paragraph 7

*Text proposed by the Commission*

7. *The ENTSO for Electricity and the ENTSO for Gas shall adapt their joint scenarios report, taking due account of the Agency’s opinion, in line with the Commission’s opinion and submit the updated report to the Commission for its approval.*

*Amendment*

7. *Within three months of receipt of the opinion and the assessment referred to in paragraph 5, the Commission shall approve, amend or request the ENTSO for Electricity and the ENTSO for Gas to amend the draft joint scenarios report, taking due account of those opinions and focusing on the compatibility of joint scenarios with the latest medium and long-term Union climate and energy targets and the latest available Commission scenarios.*

#### Amendment 139

##### Proposal for a regulation Article 12 – paragraph 7 a (new)

*Text proposed by the Commission*

*Amendment*

7a. *In the event that the Commission requests the ENTSO for Electricity and the ENTSO for Gas to amend the draft joint scenario report, they shall, after consulting the Committee, submit the amended scenarios to the Commission for approval within the deadline set by the Commission.*

#### Amendment 140

**Proposal for a regulation**  
**Article 12 – paragraph 8**

*Text proposed by the Commission*

8. Within two weeks of the approval of the joint scenarios report by the Commission in accordance with paragraph 7, the ENTSO for Electricity and the ENTSO for Gas shall publish their joint scenarios report on their websites. They shall publish the corresponding input and output data in a sufficiently accurate form, **taking due account of the** national law and relevant confidentiality agreements.

*Amendment*

8. Within two weeks of the approval of the joint scenarios report by the Commission in accordance with paragraph 7, the ENTSO for Electricity and the ENTSO for Gas shall publish their joint scenarios report on their websites. They shall publish the corresponding input and output data in a sufficiently accurate form **for a third party to reproduce the results to the extent this is possible under** national law and relevant confidentiality agreements.

**Amendment 141**

**Proposal for a regulation**  
**Article 13 – paragraph 1 – subparagraph 1**

*Text proposed by the Commission*

**Every two years the** ENTSO for Electricity and the ENTSO for Gas shall publish **and submit to the Commission and the Agency** the infrastructure gaps reports developed within the framework of the Union-wide ten-year network development plans.

*Amendment*

**Within six months of the approval of the joint scenarios report by the Commission pursuant to Article 12(7),** ENTSO for Electricity and the ENTSO for Gas shall publish the **draft** infrastructure gaps reports developed within the framework of the Union-wide ten-year network development plans.

**Amendment 142**

**Proposal for a regulation**  
**Article 13 – paragraph 1 – subparagraph 2**

*Text proposed by the Commission*

When assessing the infrastructure gaps the ENTSO for Electricity and the ENTSO for Gas shall implement the energy efficiency first principle and consider **with priority** all relevant **non-infrastructure related solutions to address** the identified gaps.

*Amendment*

When assessing the infrastructure gaps the ENTSO for Electricity and the ENTSO for Gas shall **base their analysis on the joint scenarios established pursuant to Article 12,** implement the energy efficiency first principle and consider all relevant

*alternatives .*

*They shall also assess the expected benefits of closing the identified infrastructure gaps and the cost of not investing in the needed infrastructure. When identifying a new infrastructure gap they shall take into account total network investment needed, including the costs of related necessary internal network reinforcements.*

*They shall, in particular, focus on those infrastructure gaps potentially affecting the fulfilment of the Union's medium and long-term climate goals.*

## Amendment 143

### Proposal for a regulation

#### Article 13 – paragraph 1 – subparagraph 3

*Text proposed by the Commission*

Prior to **submitting** their respective reports, the ENTSO for Electricity and the ENTSO for Gas shall conduct an extensive consultation process involving all relevant stakeholders, including the **Union DSO entity, all relevant hydrogen stakeholders and** all the Member States representatives part of the priority corridors defined in Annex I.

## Amendment 144

### Proposal for a regulation

#### Article 13 – paragraph 3

*Text proposed by the Commission*

3. Within three months following receipt of the infrastructure gaps report together with the input received in the consultation process and a report on how it was taken into account, the Agency shall submit its opinion to the ENTSO for Electricity or ENTSO for Gas and the

*Amendment*

Prior to **publishing** their respective **draft** reports, the ENTSO for Electricity and the ENTSO for Gas shall conduct an extensive consultation process involving **all relevant stakeholders, including the Committee, the Agency,** all the Member States representatives part of the priority corridors defined in Annex I.

*Amendment*

3. Within three months following receipt of the infrastructure gaps report together with the input received in the consultation process and a report on how it was taken into account, the Agency shall submit its opinion to the ENTSO for Electricity or ENTSO for Gas and the

Commission.

Commission *and make it publicly available.*

#### Amendment 145

##### Proposal for a regulation Article 13 – paragraph 4

*Text proposed by the Commission*

4. *The Commission, considering* the Agency’s opinion referred to in paragraph 3, shall draft and submit its opinion to the ENTSO for Electricity or the ENTSO for Gas.

*Amendment*

4. *Within three months of receipt of* the Agency’s opinion referred to in paragraph 3, *the Commission, taking that opinion into account*, shall draft and submit its opinion to the ENTSO for Electricity or the ENTSO for Gas.

#### Amendment 146

##### Proposal for a regulation Article 13 – paragraph 5

*Text proposed by the Commission*

5. The ENTSO for Electricity and the ENTSO for Gas shall adapt their infrastructure gaps reports taking due account of the Agency’s opinion and in line with the Commission’s opinion *before the publication of the final infrastructure gaps reports.*

*Amendment*

5. The ENTSO for Electricity and the ENTSO for Gas shall adapt their infrastructure gaps reports taking due account of the Agency’s opinion and in line with the Commission’s opinion *and submit them for the Commission approval.*

#### Amendment 147

##### Proposal for a regulation Article 13 – paragraph 5 a (new)

*Text proposed by the Commission*

*Amendment*

*5a. Within two weeks of approval of the infrastructure gap reports by the Commission, the ENTSO for Electricity and the ENTSO for Gas shall publish them on their websites.*

## Amendment 148

### Proposal for a regulation Article 14 – paragraph 1

*Text proposed by the Commission*

1. By [31 July 2022], Member States, with the support of the Commission, within their specific priority offshore grid corridors, set out in point (2) of Annex I, taking into account the specificities and development in each region, shall jointly define and agree to cooperate on the **amount of** offshore renewable generation to be deployed within each sea basin by 2050, with intermediate steps in 2030 and 2040, **in view of** their national energy and climate plans, the offshore renewable potential of each sea basin, environmental protection, climate adaptation and other uses of the sea, as well as the Union’s **decarbonisation targets. That agreement** shall be made in writing as regards each sea basin linked to the territory of the Union.

*Amendment*

1. By [31 July 2022], Member States, with the support of the Commission, within their specific priority offshore grid corridors, set out in point (2) of Annex I, taking into account the specificities and development in each region, shall jointly define and agree to cooperate on the **goals for** offshore renewable generation to be deployed within each sea basin by 2050, **in line with the objective of 300 GW<sup>1a</sup>** with intermediate steps in 2030 and 2040 **at least in line with** their national energy and climate plans, the offshore renewable potential of each sea basin, environmental protection, climate adaptation and other uses of the sea, as well as the Union’s **climate neutrality objective. That joint declaration** shall be made in writing as regards each sea basin linked to the territory of the Union.

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<sup>1a</sup> “An EU Strategy to harness the potential of offshore renewable energy for a climate neutral future”, COM(2020) 741.

## Amendment 149

### Proposal for a regulation Article 14 – paragraph 2

*Text proposed by the Commission*

2. By [31 July 2023] the ENTSO **for Electricity**, with the involvement of the relevant TSOs, the national regulatory authorities and of the Commission and in line with the **agreement** referred to in paragraph 1, shall develop and publish **integrated** offshore network development plans starting from the 2050 objectives,

*Amendment*

2. By [31 July 2023] the **relevant** ENTSO, with the involvement of the relevant TSOs, the national regulatory authorities and of the Commission and in line with the **agreed joint declaration** referred to in paragraph 1, shall develop and publish **strategic** offshore network development plans starting from the 2050

with intermediate steps for 2030 and 2040, for each *sea-basin*, in line with the priority offshore grid corridors referred to in Annex I, taking into account environmental protection and other uses of the sea. Those integrated offshore network development plans shall thereafter be updated every *three* years.

objectives, with intermediate steps for 2030 and 2040, for each *sea basin*, in line with the priority offshore grid corridors referred to in Annex I, taking into account environmental protection and other uses of the sea. Those integrated offshore network development plans shall *provide a high-level outlook on offshore generation capacities potential and resulting needs in an offshore grid, including the potential needs for interconnectors, hybrid projects and hydrogen infrastructure. The plans should* thereafter be updated every *two* years.

## Amendment 150

### Proposal for a regulation Article 14 – paragraph 3

*Text proposed by the Commission*

3. The integrated offshore network development plans shall be *compatible with the latest* Union-wide *ten-Year Network Development Plans* in order to ensure coherent development of onshore and offshore grid planning.

*Amendment*

3. The integrated offshore network development plans shall be *consistent with regional investment plans published pursuant to Article 34(1) of Regulation (EU) 2019/943 and integrated within* the Union-wide ten-year network development plans in order to ensure coherent development of onshore and offshore grid planning *providing for an adequate and reliable transmission grid for transfer of electricity onshore as well as between coastal regions, inland regions, and landlocked Member States and to provide for a stable supply of electricity to centres of consumption or energy storage facilities.*

## Amendment 151

### Proposal for a regulation Article 14 – paragraph 4

*Text proposed by the Commission*

4. The ENTSO *for Electricity* shall

*Amendment*

4. The *relevant* ENTSO shall submit

submit the draft integrated network development offshore plans to the Commission for its opinion.

the draft integrated network development offshore plans to the Commission for its opinion. ***Prior to submitting the draft integrated offshore network development plans to the Commission, the relevant ENTSO shall conduct an extensive consultation process involving all relevant electricity and offshore sector stakeholders, including the DSO entity, and all the Member States that are part of the priority offshore grid corridors referred to in point 2 of Annex I.***

## Amendment 152

### Proposal for a regulation Article 14 – paragraph 5

*Text proposed by the Commission*

5. The ENTSO ***for Electricity*** shall adapt the integrated offshore network development plans taking due account of the Commission opinion before the publication of the final reports and submit them to the relevant priority offshore grid corridors, set out in Annex I.

*Amendment*

5. The ***relevant*** ENTSO shall adapt the integrated offshore network development plans taking due account of the Commission opinion before the publication of the final reports and submit them to the relevant priority offshore grid corridors, set out in Annex I.

## Amendment 153

### Proposal for a regulation Article 14 – paragraph 6

*Text proposed by the Commission*

6. ***For the purpose of ensuring the timely development of the offshore grids for renewable energy, should the ENTSO for Electricity not develop, in time, the integrated offshore network development plans, referred to in paragraph 2, the Commission shall, on the basis of expert advice, draw-up an integrated offshore network development plan per sea-basin for each priority offshore grid corridor set out in Annex I.***

*Amendment*

***deleted***

## Amendment 154

### Proposal for a regulation Article 15 – paragraph 1

*Text proposed by the Commission*

1. ***The Commission shall develop, by means of implementing acts, principles for a specific cost-benefit and cost-sharing methodology for the deployment of the integrated offshore network development plan referred to in Article 14(2) in accordance with the agreement referred to in Article 14(1) as part of the guidelines referred to in Article 16(10). Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 21(2).***

*Amendment*

1. ***By March 2024, the Agency shall develop a Recommendation, on the principles an adapted, cost-sharing methodology for the deployment of the integrated offshore network development plan referred to in Article 14(2) in accordance with the joint declaration referred to in Article 14(1) . Those principles shall be compatible with Article 16(1). The Agency shall update its recommendation when appropriate, taking into account the results of the implementation of the principles.***

## Amendment 155

### Proposal for a regulation Article 15 – paragraph 1 a (new)

*Text proposed by the Commission*

*Amendment*

***1a. Within 12 months of the publication of the recommendation referred to in paragraph 1, the relevant ENTSO and other relevant stakeholders, with the involvement of the relevant TSOs, the national regulatory authorities and the Commission, shall develop cost-benefit and cost-sharing methodology for the deployment of the offshore network development plan. The methodology shall make recommendations for allocation of costs by sea basin, without making a project-by-project assessment.***

## Amendment 156

### Proposal for a regulation Article 15 – paragraph 2

*Text proposed by the Commission*

2. Within 12 months from the publication of the **principles** referred to in paragraph 1, the ENTSO **for Electricity**, with the involvement of the relevant TSOs, the national regulatory authorities **and of** the Commission, shall present the results of the application of the **cost-benefit and cost-sharing methodology** to the priority offshore grid corridors.

*Amendment*

2. Within 12 months from the publication of the **methodology** referred to in paragraph 1(a), the **relevant** ENTSO with the involvement of the relevant TSOs, the national regulatory authorities, the Commission **and other relevant stakeholders**, shall present the results of the application of the cost-sharing methodology to the priority offshore grid corridors.

**Amendment 157**

**Proposal for a regulation**  
**Article 15 – paragraph 3**

*Text proposed by the Commission*

3. Within six months from the presentation of the results as referred to in paragraph 2, the relevant Member States, shall **update** their written **agreement** referred to in Article 14(1) **with** the **updated** joint definition of the **amount of** the offshore renewable generation to be deployed within each sea basin in 2050, with intermediate steps in 2030 and 2040, and the relevant agreement to cooperate for the achievement of such **amounts**.

*Amendment*

3. Within six months from the presentation of the results as referred to in paragraph 2, the relevant Member States, shall **annex the final provisions on cross-border cost sharing to** their written **joint declaration** referred to in Article 14(1) **containing in particular** the joint definition of **goals for** the offshore renewable generation to be deployed within each sea basin in 2050, with intermediate steps in 2030 and 2040, and the relevant agreement to cooperate for the achievement of such **objectives**.

**Amendment 158**

**Proposal for a regulation**  
**Article 15 – paragraph 4**

*Text proposed by the Commission*

4. **Within six months from the updated written agreements referred to in paragraph 3, for each sea basin, the ENTSO for Electricity shall update** the integrated offshore network development

*Amendment*

4. **When** the **relevant** ENTSO **updates** the integrated offshore network development plans by following the procedure set out in Article 14(2) to (5). **That update shall comply with the annex**

plans by following the procedure set out in Article 14(2) to (5). *The procedure described in Article 14(6) shall apply.*

*to the written joint declaration referred to in paragraph 3 of this Article and shall be integrated into the following ten-year network development plan.*

## Amendment 159

### Proposal for a regulation Article 16 – paragraph 1

#### *Text proposed by the Commission*

1. The efficiently incurred investment costs, which excludes maintenance costs, related to a project of common interest falling under the categories set out in points (1)(a), (b), (c) and (e) of Annex II and projects of common interest falling under the category set out in point (3) of Annex II, where they fall under the competency of national regulatory authorities, shall be borne by the relevant TSO or the project promoters of the transmission infrastructure of the Member States which the project provides a net positive impact, and, to the extent not covered by congestion rents or other charges, be paid for by network users through tariffs for network access in that or those Member States.

#### *Amendment*

1. The efficiently incurred investment costs, which excludes maintenance costs, related to a project of common interest falling under the categories set out in points (1)(a), **(aa)**, (b), (c) and (e) of Annex II and projects of common interest falling under the category set out in point (3) of Annex II, where they fall under the competency of national regulatory authorities **in each Member State concerned**, shall be borne by the relevant TSO or the project promoters of the transmission infrastructure of the Member States which the project provides a net positive impact, and, to the extent not covered by congestion rents or other charges, be paid for by network users through tariffs for network access in that or those Member States.

## Amendment 160

### Proposal for a regulation Article 16 – paragraph 2 – subparagraph 1

#### *Text proposed by the Commission*

2. The provisions of this Article shall apply to a project of common interest falling under the categories set out in points (1)(a), (b), (c) and (e) of Annex II where at least one project promoter requests the relevant national authorities their application for the costs of the project. ***They shall apply to a project of***

#### *Amendment*

2. The provisions of this Article shall apply to a project of common interest falling under the categories set out in points (1)(a), (b), (c) and (e) of Annex II where at least one project promoter requests the relevant national authorities their application for the costs of the

*common interest falling under the category set out in point (3) of Annex II, as relevant, only where an assessment of market demand has already been carried out and indicated that the efficiently incurred investment costs cannot be expected to be covered by the tariffs.*

project.

## **Amendment 161**

### **Proposal for a regulation**

#### **Article 16 – paragraph 2 – subparagraph 2**

*Text proposed by the Commission*

Projects falling under the category set out in points (1) **(e)** and (2) of Annex II may benefit from the provisions of this Article where at least one project promoter requests its application to the relevant national authorities.

*Amendment*

Projects falling under the category set out in points (1) **(d)** and (2) of Annex II may benefit from the provisions of this Article where at least one project promoter requests its application to the relevant national authorities.

## **Amendment 162**

### **Proposal for a regulation**

#### **Article 16 – paragraph 3 – subparagraph 2 – point a**

*Text proposed by the Commission*

(a) up-to-date project-specific cost-benefit analysis consistent with the methodology drawn up pursuant to Article 11 and taking into account benefits beyond the borders of the Member States on the territory of which the project is located by ***using the same scenario as used in the selection process for the elaboration of the Union list where the project of common interest is listed;***

*Amendment*

(a) up-to-date project-specific cost-benefit analysis consistent with the methodology drawn up pursuant to Article 11 and taking into account benefits beyond the borders of the Member States on the territory of which the project is located by ***considering at least the joint scenarios established for network development planning referred to in Article 12;***

## **Amendment 163**

### **Proposal for a regulation**

#### **Article 16 – paragraph 3 – subparagraph 4**

*Text proposed by the Commission*

The **national regulatory authorities** shall, **upon receipt**, transmit to the Agency, **without delay**, a copy of **each** investment request, for information purposes.

*Amendment*

The **project promoter** shall transmit to the Agency a copy of **the** investment request, for information purposes.

**Amendment 164**

**Proposal for a regulation**

**Article 16 – paragraph 4 – subparagraph 1**

*Text proposed by the Commission*

Within six months of the date on which the last investment request is received by the relevant national regulatory authorities, those national regulatory authorities shall, after consulting the project promoters concerned, take joint coordinated decisions on the allocation of investment costs to be borne by each system operator for the project, as well as their inclusion in tariffs. The national regulatory authorities shall include **all** the efficiently incurred investment costs in tariffs in line with the allocation of investment costs to be borne by each system operator for the project. The national regulatory authorities shall thereafter assess, where appropriate, whether any affordability issues might arise due to the inclusion of the investment costs in tariffs.

*Amendment*

Within six months of the date on which the last investment request is received by the relevant national regulatory authorities, those national regulatory authorities shall, after consulting the project promoters concerned, take joint coordinated decisions on the allocation of **efficiently incurred** investment costs to be borne by each system operator for the project, as well as their inclusion in tariffs, **or on the rejection of the investment request or a part of the project if the common analysis of national regulatory authorities concludes that the project or a part of it fails to provide a significant net benefit at Union level**. The national regulatory authorities shall include the **relevant** efficiently incurred investment costs in tariffs in line with the allocation of investment costs to be borne by each system operator for the project. The national regulatory authorities shall thereafter assess, where appropriate, whether any affordability issues might arise due to the inclusion of the investment costs in tariffs.

**Amendment 165**

**Proposal for a regulation**

**Article 16 – paragraph 4 – subparagraph 4**

*Text proposed by the Commission*

In allocating costs across borders, the relevant national regulatory authorities, in consultation with the TSOs concerned, shall seek a mutual agreement based on, but not limited to, the information specified in paragraphs 3(a) and (b). Their assessment shall ***be based on the same scenario as used in the selection process for the elaboration of the Union list where the project of common interests is listed.***

*Amendment*

In allocating costs across borders, the relevant national regulatory authorities, in consultation with the TSOs concerned, shall seek a mutual agreement based on, but not limited to, the information specified in paragraphs 3(a) and (b). Their assessment shall ***take into account all the relevant scenarios referred to in Article 12 and other scenarios for network development planning, allowing a robust analysis of the contribution of the project of common interest to the Union energy policy of decarbonisation, market integration, competition, sustainability and security of supply.***

**Amendment 166**

**Proposal for a regulation  
Article 16 – paragraph 6 – subparagraph 2**

*Text proposed by the Commission*

In that case or upon a request from ***at least one of*** the relevant national regulatory authorities, the decision on the investment request including cross-border cost allocation referred to in paragraph 3 ***as well as the necessity for the inclusion of the cost of the investments, in its totality, as allocated across borders in the tariffs*** shall be taken by the Agency within three months of the date of referral to the Agency.

*Amendment*

In that case or upon a ***joint*** request from the relevant national regulatory authorities, the decision on the investment request including cross-border cost allocation referred to in paragraph 3 shall be taken by the Agency within three months of the date of referral to the Agency.

**Amendment 167**

**Proposal for a regulation  
Article 16 – paragraph 6 – subparagraph 4**

*Text proposed by the Commission*

The assessment of the Agency shall ***be based on the same scenario as used in the***

*Amendment*

The assessment of the Agency shall ***take into account all the relevant scenarios***

*selection process for the elaboration of the Union list where the project of common interest is listed.*

*referred to in Article 12 and other scenarios for network development planning, allowing a robust analysis of the contribution of the project of common interest to the Union energy policy of decarbonisation, market integration, competition, sustainability and security of supply.*

## Amendment 168

### Proposal for a regulation Article 16 – paragraph 10

*Text proposed by the Commission*

10. By [31 December 2022], the **Commission** shall adopt **implementing acts containing binding guidelines to ensure uniform conditions for the implementation of this Article and the offshore grids for renewable energy cross-border cost sharing as referred to in Article 15(1). The guidelines shall also address the special situation of offshore grids for renewable energy projects of common interest by including principles on how their cross-border cost allocation shall be coordinated with the financing, market and political arrangements of offshore generation sites connected to them.** In adopting or amending the **guidelines, the Commission shall consult ACER, the ENTSO for Electricity, the ENTSO for Gas, and, where relevant, other stakeholders. Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 21(2).**

## Amendment 169

### Proposal for a regulation Article 16 – paragraph 10 a (new)

*Amendment*

10. By [31 December 2022], the **Agency** shall adopt **a recommendation to identify good practices for the treatment of investment requests for projects of common interest. The recommendation shall be regularly updated, as necessary and in order to ensure consistency with the principles on the offshore grids for renewable energy cross-border cost sharing as referred to in Article 15(1). In adopting or amending the recommendation, the Agency shall carry out an extensive consultation process, involving all relevant stakeholders.**

*Text proposed by the Commission*

*Amendment*

***10a. Projects of mutual interest shall be assimilated with projects of common interest and be eligible for cross-border cost allocation decisions for the part of the investment costs located on the territory of the Union or in countries applying the Union acquis and which have concluded an agreement with the Union.***

## **Amendment 170**

### **Proposal for a regulation**

#### **Article 18 – paragraph 2 – introductory part**

*Text proposed by the Commission*

*Amendment*

2. Projects of common interest falling under the categories set out in points (1)(a), (b), (c) and (e) of Annex II and point (3) of Annex II, except for hydro-pumped electricity storage projects, are also eligible for Union financial assistance in the form of grants for works where they fulfil all of the following criteria:

2. Projects of common interest falling under the categories set out in points (1)(a), **(aa)**, (b), (c) and (e) of Annex II and point (3) of Annex II, except for hydro-pumped electricity storage projects, are also eligible for Union financial assistance in the form of grants for works where they fulfil all of the following criteria:

## **Amendment 171**

### **Proposal for a regulation**

#### **Article 18 – paragraph 2 – point a**

*Text proposed by the Commission*

*Amendment*

(a) the project specific cost-benefit analysis pursuant to Article 16(3)(a) provides evidence concerning the existence of significant positive externalities, such as security of supply, system flexibility, solidarity **or** innovation;

(a) the project specific cost-benefit analysis pursuant to Article 16(3)(a) provides evidence concerning the existence of significant positive externalities, such as security of supply, system flexibility, solidarity, innovation, **or sustainability**;

## **Amendment 172**

**Proposal for a regulation**  
**Article 18 – paragraph 2 – point c**

*Text proposed by the Commission*

(c) the project ***is not commercially viable*** according to the business plan and other assessments carried out, in particular by potential investors or creditors or the national regulatory authority. ***The*** decision ***on*** incentives and ***its*** justification referred to in Article 17(2) shall be taken into account when assessing the project's ***commercial viability***.

*Amendment*

(c) the project ***cannot be financed by the market or through the regulatory framework*** according to the business plan and other assessments carried out, in particular by potential investors or creditors or the national regulatory authority. ***In the case of a*** decision ***granting*** incentives and justification ***thereof***, as referred to in Article 17(2), ***it*** shall be taken into account when assessing the project's ***need for Union financial assistance***;

**Amendment 173**

**Proposal for a regulation**  
**Article 18 – paragraph 4**

*Text proposed by the Commission*

4. Projects of common interest falling under the categories set out in points (1)(d), (2) ***and (5)*** of Annex II shall also be eligible for Union financial assistance in the form of grants for works, where the concerned project promoters can clearly demonstrate significant positive externalities, such as security of supply, system flexibility, solidarity ***or*** innovation, generated by the projects and provide clear evidence of their lack of commercial viability, in accordance with the cost-benefit analysis, the business plan and assessments carried out, in particular by potential investors or creditors or, where applicable, a national regulatory authority.

*Amendment*

4. Projects of common interest falling under the categories set out in points (1)(d), (2), ***(4, (5) and (5a))*** of Annex II shall also be eligible for Union financial assistance in the form of grants for works, where the concerned project promoters, ***in evaluation carried out by the relevant national authority***, can clearly demonstrate significant positive externalities, such as security of supply, system flexibility, solidarity, innovation ***or sustainability***, generated by the projects and provide clear evidence of their lack of commercial viability, in accordance with the cost-benefit analysis, the business plan and assessments carried out, in particular by potential investors or creditors or, where applicable, a national regulatory authority.

**Amendment 174**

**Proposal for a regulation**  
**Article 18 – paragraph 5 a (new)**

*Text proposed by the Commission*

*Amendment*

**5a. Support for the empowerment of stakeholders with a view to fulfilling their role in the Stakeholder Committee shall be eligible for Union financial assistance in the form of grants for capacity building, skilling and training.**

**Amendment 175**

**Proposal for a regulation**  
**Article 19 – paragraph 1**

*Text proposed by the Commission*

*Amendment*

The specific criteria set out in Article 4(3) and the parameters set out in Article 4(5) shall **apply** for the purpose of establishing award criteria for Union financial assistance in in Regulation (EU)... [on a Connecting Europe Facility as proposed by COM(2018)438].

The specific criteria set out in Article 4(3) and the parameters set out in Article 4(5) shall **be taken into consideration** for the purpose of establishing award criteria for Union financial assistance in in Regulation (EU)... [on a Connecting Europe Facility as proposed by COM(2018)438].

**Amendment 176**

**Proposal for a regulation**  
**Article 22 – paragraph 1 – point d**

*Text proposed by the Commission*

*Amendment*

(d) the progress achieved in the planning, development, construction and commissioning of offshore grids for renewable energy and the enabled deployment of offshore renewable energy;

(d) the progress achieved in the planning, development, construction and commissioning of offshore grids for renewable energy and **energy infrastructure for offshore renewable electricity, as well as** the enabled deployment of offshore renewable energy;

**Amendment 177**

**Proposal for a regulation**  
**Article 22 – paragraph 1 – point e**

*Text proposed by the Commission*

(e) for the electricity and hydrogen sectors, the evolution of the interconnection level between Member States, the corresponding evolution of energy prices, as well as the number of network system failure events, their causes and related economic cost;

*Amendment*

(e) for the electricity and hydrogen sectors, the evolution of the interconnection level between Member States ***or the level of flexibility achieved***, the corresponding evolution of energy prices, as well as the number of network system failure events, their causes and related economic cost ***and the contribution to energy system integration***;

**Amendment 178**

**Proposal for a regulation**

**Article 22 – paragraph 1 – point f – point iii**

*Text proposed by the Commission*

(iii) an overview of best and innovative practices with regard to stakeholder involvement and mitigation of environmental impact during permit granting processes and project implementation, including climate adaptation;

*Amendment*

(iii) an overview of best and innovative practices with regard to stakeholder involvement and mitigation of environmental impact during permit granting processes and project implementation, including ***alternative routing and*** climate adaptation;

**Amendment 179**

**Proposal for a regulation**

**Article 22 – paragraph 1 – point h**

*Text proposed by the Commission*

(h) the effectiveness of this Regulation in contributing to the climate and energy targets for 2030, and, in the longer term, to the achievement of climate neutrality by 2050.

*Amendment*

(h) the effectiveness of this Regulation in contributing to the climate and energy targets for 2030, and, in the longer term, to the achievement of climate neutrality ***at the latest*** by 2050.

**Amendment 180**

**Proposal for a regulation**

**Article 22 a (new)**

*Text proposed by the Commission*

*Amendment*

**Article 22a**

**Review**

***By 30 June 2027, the Commission shall carry out a review of this Regulation, on the basis of the results of the reporting and evaluation provided for in Article 22, as well as the implementation and evaluation reports carried out pursuant to Articles 22 and 23 of Regulation (EU) 2021/1153 of the European Parliament and of the Council<sup>1a</sup>.***

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***<sup>1a</sup> Regulation (EU) 2021/1153 of the European Parliament and of the Council of 7 July 2021 establishing the Connecting Europe Facility and repealing Regulations (EU) No 1316/2013 and (EU) No 283/2014 (OJ L 249, 14.7.2021, p. 38.).***

**Amendment 181**

**Proposal for a regulation  
Article 23 – paragraph 1 – point c**

*Text proposed by the Commission*

(c) the main expected benefits and the costs of the projects except for any commercially sensitive information;

*Amendment*

(c) the main expected benefits ***and contribution to objectives referred to in Article 1*** and the costs of the projects except for any commercially sensitive information;

**Amendment 182**

**Proposal for a regulation  
Article 24 a (new)**

*Text proposed by the Commission*

*Amendment*

**Article 24a**

### ***Transitional period***

- 1. During a transitional period, dedicated hydrogen assets converted from natural gas assets falling under the energy infrastructure category set out in point (3) of Annex II could be used for transport or storage of a pre-defined blend of hydrogen with natural gas or biomethane.***
- 2. During the transitional period, the project promoters shall closely cooperate on project design and implementation in order to ensure interoperability of neighbouring networks.***
- 3. This transitional period shall end on 31 December 2029, whereas any eligibility for Union financial assistance under Article 18 shall end on 31 December 2027. The project promoter shall demonstrate how and be contractually bound to ensure that, by the end of this transitional period, the assets referred to in paragraph 1 will cease to be natural gas assets and become dedicated hydrogen assets, as set out in point (3) of Annex II, as well as on the increased use of hydrogen enabled during the transitional period. Such proof shall include an assessment of the supply and demand of renewable or low carbon hydrogen as well as a calculation of the greenhouse gas emissions reduction enabled by the project, which are both regularly verified together with the timely implementation by the Commission. This condition shall be reflected in the CEF Grant Agreement.***
- 4. In assessing candidate projects falling under this Article, the Groups and the Commission shall ensure that they are designed in view of creating dedicated hydrogen assets by the end of the transitional period and do not lead to a prolongation of the lifetime of natural gas and that interoperability of neighbouring networks across borders is ensured.***

## Amendment 183

### Proposal for a regulation Article 24 b (new)

*Text proposed by the Commission*

*Amendment*

#### *Article 24b*

##### *Derogation for natural gas projects*

**1. By way of derogation from Article 4(1) points (a) and (b), Article 4(2) to (5), of this Regulation, natural gas projects that were included in the fourth or fifth Union list established pursuant to Regulation (EU) No 347/2013 shall be eligible to be included in the first Union list adopted in accordance with Article 3(4) of this Regulation, provided that they:**

**(a) concern any of the following energy infrastructure categories:**

**(i) transmission pipelines for the transport of natural gas;**

**(ii) underground storage facilities or reception, storage and regasification or decompression facilities for liquefied natural gas (LNG) or compressed natural gas (CNG); or**

**(iii) any equipment or installation essential for the system to operate safely, securely and efficiently or to enable bi-directional capacity, including compression stations;**

**(b) contribute significantly to sustainability, including by enhancing the switch from solid fossil fuels, in particular coal, lignite, peat and oil shale, to natural gas, as provided for in the integrated national climate and energy plans referred to in Article 3 of Regulation (EU) 2018/1999 of the European Parliament and of the Council<sup>1a</sup>, by reducing greenhouse gas emissions and by improving air quality;**

**(c) are necessary for closing missing**

*interconnections between Member States;*

*(d) contribute to the decarbonisation objectives of the Union, including through the integration of renewable energy; and*

*(e) contribute significantly to at least one of the following specific criteria:*

*(i) market integration, including through lifting the isolation of at least one Member State and reducing energy infrastructure bottlenecks; interoperability and system flexibility;*

*(ii) security of supply, including through appropriate connections and diversification of supply sources, supplying counterparts and routes;*

*(iii) competition, including through diversification of supply sources, supplying counterparts and routes.*

*2. Natural gas projects as referred to in paragraph 1 shall not be eligible for Union financial assistance under Regulation (EU) 2021/1153.*

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*<sup>1a</sup> Regulation (EU) 2018/1999 of the European Parliament and of the Council of 11 December 2018 on the Governance of the Energy Union and Climate Action, amending Regulations (EC) No 663/2009 and (EC) No 715/2009 of the European Parliament and of the Council, Directives 94/22/EC, 98/70/EC, 2009/31/EC, 2009/73/EC, 2010/31/EU, 2012/27/EU and 2013/30/EU of the European Parliament and of the Council, Council Directives 2009/119/EC and (EU) 2015/652 and repealing Regulation (EU) No 525/2013 of the European Parliament and of the Council (OJ L 328, 21.12.2018, p. 1).*

**Amendment 184**

**Proposal for a regulation  
Article 29 – paragraph 1**

Regulation (EU) 2019/942  
Article 11 – point c

*Text proposed by the Commission*

(c) carry out the obligations laid out in Articles 5, Articles 11(2), **11(8)**, 11(9), 11(10), Articles 12, 13 and Article 17(5) and in point (12) of Annex III of [the TEN-E Regulation as proposed by COM(2020)824];

*Amendment*

(c) carry out the obligations laid out in Articles 5, Articles 11(2), 11(9), 11(10), Articles 12, 13 and Article 17(5) and in point (12) of Annex III of [the TEN-E Regulation as proposed by COM(2020)824];

## **Amendment 185**

**Proposal for a regulation**  
**Article 29 – paragraph 1**  
Regulation (EU) 2019/942  
Article 11 – point d

*Text proposed by the Commission*

(d) take decisions ***on approving incremental changes to cost-benefit analysis methodologies pursuant to Article 11(6) and*** on investment requests including cross-border cost allocation pursuant to Article 16(6) of [TEN-E Regulation as proposed by COM(2020)824].

*Amendment*

(d) take decisions on investment requests including cross-border cost allocation pursuant to Article 16(6) of [TEN-E Regulation as proposed by COM(2020)824].

## **Amendment 186**

**Proposal for a regulation**  
**Article 30 – paragraph 1**

*Text proposed by the Commission*

Regulation (EU) No 347/2013 is repealed from [1 January 2022]. **No** rights shall arise under the present Regulation for projects listed in the Annexes to Regulation (EU) 347/2013.

*Amendment*

Regulation (EU) No 347/2013 is repealed from [1 January 2022].

***Save where otherwise provided for in this Regulation,*** no rights shall arise under the present Regulation for projects listed in the Annexes to Regulation (EU) 347/2013.

***Decisions on cross-border cost allocations granted on the basis of Article 12 of Regulation (EU) No 347/2013 and related to projects for which at least the construction phase has been initiated shall remain valid. This Regulation shall apply to those decisions.***

## **Amendment 187**

### **Proposal for a regulation**

#### **Annex I – Part 2 – point 4 – subparagraph 1**

*Text proposed by the Commission*

Northern Seas offshore **grid** ('NSOG'): integrated offshore electricity grid development and the related interconnectors in the North Sea, the Irish Sea, the English Channel and neighbouring waters to transport electricity from renewable offshore energy sources to centres of consumption and storage **and** to increase cross-border **electricity** exchange.

*Amendment*

Northern Seas offshore **grids** ('NSOG'): **offshore electricity grid development, integrated offshore electricity or hydrogen grid development** and the related interconnectors in the North Sea, the Irish Sea, the English Channel and neighbouring waters to transport electricity **or hydrogen** from renewable offshore energy sources to centres of consumption and storage **or** to increase cross-border **renewable energy** exchange.

## **Amendment 188**

### **Proposal for a regulation**

#### **Annex I – Part 2 – point 5 – subparagraph 1**

*Text proposed by the Commission*

Baltic Energy Market Interconnection Plan offshore **grid** ('BEMIP offshore'): integrated offshore electricity grid development and the related interconnectors in the Baltic Sea and neighbouring waters to transport electricity from renewable offshore energy sources to centres of consumption and storage **and** to increase cross-border **electricity** exchange.

*Amendment*

Baltic Energy Market Interconnection Plan offshore **grids** ('BEMIP offshore'): **offshore electricity grid development or integrated offshore electricity or hydrogen grid development** and the related interconnectors in the Baltic Sea and neighbouring waters to transport electricity **or hydrogen** from renewable offshore energy sources to centres of consumption and storage **or** to increase cross-border **renewable energy** exchange.

## Amendment 189

### Proposal for a regulation

#### Annex I – Part 2 – point 6 – subparagraph 1

*Text proposed by the Commission*

South and East offshore **grid**: integrated offshore electricity **grid** development and the related interconnectors in the Mediterranean Sea, Black Sea and neighbouring waters to transport electricity from renewable offshore energy sources to centres of consumption and storage **and** to increase cross-border **electricity** exchange.

*Amendment*

South and East offshore **grids**: **offshore electricity grid development or** integrated offshore electricity **or hydrogen grids** development and the related interconnectors in the Mediterranean Sea, Black Sea and neighbouring waters to transport electricity **or hydrogen** from renewable offshore energy sources to centres of consumption and storage **or** to increase cross-border **renewable energy** exchange.

## Amendment 190

### Proposal for a regulation

#### Annex I – Part 2 – point 7 – subparagraph 1

*Text proposed by the Commission*

South Western Europe offshore **grid**: integrated offshore electricity **grid** development and the related interconnectors in the North Atlantic Ocean waters to transport electricity from renewable offshore energy sources to centres of consumption and storage **and** to increase cross-border **electricity** exchange.

*Amendment*

South Western Europe offshore **grids**: **offshore electricity grid development or** integrated offshore electricity **or hydrogen grids** development and the related interconnectors in the North Atlantic Ocean waters to transport electricity **or hydrogen** from renewable offshore energy sources to centres of consumption and storage **or** to increase cross-border **renewable energy** exchange.

## Amendment 191

### Proposal for a regulation

#### Annex I – Part 3 – point 8 – subparagraph 1

*Text proposed by the Commission*

(8) Hydrogen interconnections in Western Europe ('HI West'): hydrogen infrastructure enabling the emergence of an

*Amendment*

(8) Hydrogen interconnections in Western Europe ('HI West'): hydrogen infrastructure **and the repurposing of**

integrated hydrogen backbone connecting the countries of the region and addressing their specific infrastructure needs for hydrogen supporting the emergence of an EU-wide network for hydrogen transport.

***existing natural gas infrastructure with a view to*** enabling the emergence of an integrated hydrogen backbone connecting the countries of the region and addressing their specific infrastructure needs for hydrogen supporting the emergence of an ***EU wide*** network for hydrogen transport.

## Amendment 192

### Proposal for a regulation Annex I – Part 3 – point 8 – subparagraph 2

*Text proposed by the Commission*

Electrolysers: supporting the deployment of ***power-to-gas*** applications aiming to enable greenhouse gas reductions and contributing to secure, efficient and reliable system operation and smart energy system integration. Member States concerned: Austria, Belgium, Denmark, France, Germany, Ireland, Italy, Luxembourg, Malta, the Netherlands, Portugal, and Spain;

*Amendment*

Electrolysers: supporting the deployment of ***power to gas and power to liquid*** applications aiming to enable greenhouse gas reductions and contributing to secure, efficient and reliable system operation and smart energy system integration. Member States concerned: Austria, Belgium, Denmark, France, Germany, Ireland, Italy, Luxembourg, Malta, the Netherlands, Portugal, and Spain;

## Amendment 193

### Proposal for a regulation Annex I – Part 3 – point 9 – subparagraph 1

*Text proposed by the Commission*

Hydrogen interconnections in Central Eastern and South Eastern Europe ('HI East'): hydrogen infrastructure enabling the emergence of an integrated hydrogen backbone connecting the countries of the region and addressing their specific infrastructure needs for hydrogen supporting the emergence of an ***EU-wide*** network for hydrogen transport.

*Amendment*

Hydrogen interconnections in Central Eastern and South Eastern Europe ('HI East'): hydrogen infrastructure ***and the repurposing of existing natural gas infrastructure with a view to*** enabling the emergence of an integrated hydrogen backbone connecting the countries of the region and addressing their specific infrastructure needs for hydrogen supporting the emergence of an ***EU wide*** network for hydrogen transport.

## Amendment 194

### Proposal for a regulation

#### Annex I – Part 3 – point 9 – subparagraph 2

*Text proposed by the Commission*

Electrolysers: supporting the deployment of **power-to-gas** applications aiming to enable greenhouse gas reductions and contributing to secure, efficient and reliable system operation and smart energy system integration. Member States concerned: Austria, Bulgaria, Croatia, Cyprus, Czech Republic, Germany, Greece, Hungary, Italy, Poland, Romania, Slovakia and Slovenia;

*Amendment*

Electrolysers: supporting the deployment of **power to gas and power to liquid** applications aiming to enable greenhouse gas reductions and contributing to secure, efficient and reliable system operation and smart energy system integration. Member States concerned: Austria, Bulgaria, Croatia, Cyprus, Czech Republic, Germany, Greece, Hungary, Italy, Poland, Romania, Slovakia and Slovenia;

## Amendment 195

### Proposal for a regulation

#### Annex I – Part 3 – point 10 – subparagraph 1

*Text proposed by the Commission*

Baltic Energy Market Interconnection Plan in hydrogen ('BEMIP Hydrogen'): hydrogen infrastructure enabling the emergence of an integrated hydrogen backbone connecting the countries of the region and addressing their specific infrastructure needs for hydrogen supporting the emergence of an **EU-wide** network for hydrogen transport.

*Amendment*

Baltic Energy Market Interconnection Plan in hydrogen ('BEMIP Hydrogen'): hydrogen infrastructure **and the repurposing of existing natural gas infrastructure with a view to** enabling the emergence of an integrated hydrogen backbone connecting the countries of the region and addressing their specific infrastructure needs for hydrogen supporting the emergence of an **EU wide** network for hydrogen transport.

## Amendment 196

### Proposal for a regulation

#### Annex I – Part 3 – point 10 – subparagraph 2

*Text proposed by the Commission*

Electrolysers: supporting the deployment of **power-to-gas** applications aiming to enable greenhouse gas reductions and

*Amendment*

Electrolysers: supporting the deployment of **power to gas and power to liquid** applications aiming to enable greenhouse

contributing to secure, efficient and reliable system operation and smart energy system integration. Member States concerned: Denmark, Estonia, Finland, Germany, Latvia, Lithuania, Poland and Sweden.

gas reductions and contributing to secure, efficient and reliable system operation and smart energy system integration. Member States concerned: Denmark, Estonia, Finland, Germany, Latvia, Lithuania, Poland and Sweden.

## **Amendment 197**

### **Proposal for a regulation**

#### **Annex I – Part 4 – point 11 – subparagraph 1**

*Text proposed by the Commission*

(11) Smart electricity grids deployment: adoption of smart grid technologies across the Union to efficiently integrate the behaviour and actions of all users connected to the electricity network, in particular the generation of large amounts of electricity from renewable or distributed energy sources **and** demand response by consumers.

*Amendment*

(11) Smart electricity grids deployment: adoption of smart grid technologies across the Union to efficiently integrate the behaviour and actions of all users connected to the electricity network, in particular the generation of large amounts of electricity from renewable or distributed energy sources, demand response by consumers, ***energy storage, electric vehicles and other flexibility sources.***

## **Amendment 198**

### **Proposal for a regulation**

#### **Annex I – Part 4 – point 12 – subparagraph 1**

*Text proposed by the Commission*

(12) Cross-border carbon dioxide network: development of carbon dioxide transport infrastructure between Member States and with neighbouring third countries ***in view of the deployment*** of carbon dioxide ***capture and*** storage.

*Amendment*

(12) Cross-border carbon dioxide network: development of carbon dioxide transport ***of different modes and storage*** infrastructure between Member States and with neighbouring third countries of carbon dioxide ***captured from industrial clusters for the purpose of permanent geological*** storage.

## **Amendment 199**

### **Proposal for a regulation**

#### **Annex I – Part 4 – point 13 a (new)**

*Text proposed by the Commission*

*Amendment*

***(13a) District Heating and Cooling:  
Upgrading of district heating and cooling  
systems to facilitate the uptake of  
renewable heat and cold including  
through the use of waste heat and cold  
and increasing flexibility for the energy  
system through power-to-heat.***

***Member States concerned: all.***

## **Amendment 200**

### **Proposal for a regulation Annex II – paragraph 1 – point 1 – point a**

*Text proposed by the Commission*

*Amendment*

(a) high-voltage overhead transmission lines, if they have been designed for a voltage of 220 kV or more, and underground and submarine transmission cables, if they have been designed for a voltage of **150** kV or more;

(a) high-voltage overhead transmission lines, if they have been designed for a voltage of 220 kV or more, ***including any physical equipment to allow transport of electricity on the high and extra-high voltage level, including high voltage overhead transmission lines, considering internal lines in Member States (concerning connections between islands, as well connections between islands and mainland and interconnections between Member States)*** and underground and submarine transmission cables, if they have been designed for a voltage of **110** kV or more;

## **Amendment 201**

### **Proposal for a regulation Annex II – paragraph 1 – point 1 – point a a (new)**

*Text proposed by the Commission*

*Amendment*

***(aa) any equipment or installation falling under category referred to in point (a) enabling transmission of offshore renewable electricity from the offshore generation sites, (energy infrastructure***

*for offshore renewable electricity);*

## Amendment 202

### Proposal for a regulation

#### Annex II – paragraph 1 – point 1 – point b

*Text proposed by the Commission*

(b) *electricity* storage facilities used for storing electricity on a permanent or temporary basis in above-ground or underground infrastructure or geological sites, provided they are directly connected to high-voltage transmission lines designed for a voltage of 110 kV or more;

*Amendment*

(b) *energy* storage facilities used for storing *energy or providing flexibility to the electricity system also in an aggregated form*, on a permanent or temporary basis in above-ground or underground infrastructure or geological sites, provided they are directly connected to high-voltage transmission lines designed for a voltage of 110 kV or more; *for Member States with only lower voltage lines, that threshold does not apply if duly justified; deferring the final use of electricity to after it was generated or the conversion of electrical energy into a form of energy which can be stored, the storing of that energy, and the subsequent reconversion of that energy back into electrical energy or use as another energy carrier;*

## Amendment 203

### Proposal for a regulation

#### Annex II – paragraph 1 – point 1 – point b a (new)

*Text proposed by the Commission*

*Amendment*

*(ba) any equipment or installation allowing for electrification of transportation, in particular charging infrastructure within the TEN-T core network;*

## Amendment 204

### Proposal for a regulation

#### Annex II – paragraph 1 – point 1 – point d

*Text proposed by the Commission*

(d) systems and components integrating ICT, through operational digital platforms, control systems and sensor technologies both at transmission and **medium voltage** distribution level, aiming at a more efficient and intelligent electricity transmission and distribution network, increased capacity to integrate new forms of generation, storage **and** consumption and facilitating new business models and market structures;

*Amendment*

(d) systems and components integrating ICT, through operational digital platforms, control systems and sensor technologies both at transmission and distribution level, aiming at a more efficient and intelligent electricity transmission and distribution network, increased capacity to integrate new forms of generation, **energy** storage, consumption, **demand responses** and facilitating new business models and market structures;

**Amendment 205**

**Proposal for a regulation**

**Annex II – paragraph 1 – point 1 – point e**

*Text proposed by the Commission*

(e) any equipment or installation falling under category referred to in point (a) having dual functionality: interconnection and transmission of offshore renewable electricity from the offshore generation sites to two or more countries, as well as any offshore adjacent equipment or installation essential to operate safely, securely and efficiently, including protection, monitoring and control systems, and necessary substations if they also ensure technology interoperability inter alia interface compatibility between different technologies, ('offshore grids for renewable energy').

*Amendment*

(e) any equipment or installation falling under category referred to in point (a) having dual functionality: interconnection and transmission of offshore renewable electricity from the offshore generation sites to two or more **countries, including the onshore prolongation of this equipment and the domestic grid reinforcement necessary to ensure an adequate and reliable transmission grid and to supply electricity generated offshore to land locked** countries, as well as any offshore adjacent equipment or installation essential to operate safely, securely and efficiently, including protection, monitoring and control systems, and necessary substations if they also ensure technology interoperability inter alia interface compatibility between different technologies, ('offshore grids for renewable energy').

**Amendment 206**

**Proposal for a regulation**  
**Annex II – paragraph 1 – point 3 – point a**

*Text proposed by the Commission*

(a) **transmission** pipelines for the transport of hydrogen, giving access to multiple network users on a transparent and non-discriminatory basis, **which mainly contains high-pressure hydrogen pipelines**, excluding pipelines for the local distribution of hydrogen;

*Amendment*

(a) **high-pressure** pipelines for the transport of **liquid or gaseous** hydrogen, **including repurposed natural gas infrastructure**, giving access to multiple network users on a transparent and non-discriminatory basis, excluding pipelines for the local distribution of hydrogen;

**Amendment 207**

**Proposal for a regulation**  
**Annex II – paragraph 1 – point 3 – point c**

*Text proposed by the Commission*

(c) reception, storage and regasification or decompression facilities for liquefied hydrogen or hydrogen embedded in other chemical substances with the objective of injecting the hydrogen into **the grid**;

*Amendment*

(c) reception, storage and regasification or decompression facilities for liquefied hydrogen or hydrogen embedded in other chemical substances with the objective of injecting the hydrogen into **pipelines referred to in point (a), where relevant**;

**Amendment 208**

**Proposal for a regulation**  
**Annex II – paragraph 1 – point 3 – point c a (new)**

*Text proposed by the Commission*

*Amendment*

**(ca) storage facilities connected to the electricity networks that enable integration with electricity sectors, enabling the operations of the energy systems across multiple energy carriers;**

**Amendment 209**

**Proposal for a regulation**  
**Annex II – paragraph 1 – point 3 – point d – introductory part**

*Text proposed by the Commission*

(d) any equipment or installation essential for the hydrogen system to operate safely, securely and efficiently or to enable bi-directional capacity, including compressor stations.

*Amendment*

(d) any equipment or installation essential for the hydrogen system **assets referred to in points (a) to (ca)** to operate safely, securely and efficiently or to enable bi-directional capacity, including compressor stations.

## **Amendment 210**

### **Proposal for a regulation**

#### **Annex II – paragraph 1 – point 3 – point d – subparagraph 2**

*Text proposed by the Commission*

Any of the assets listed in points (a), (b), (c), and (d) may be newly constructed assets or assets **converted** from natural gas **dedicated** to hydrogen, or a combination of the two.

*Amendment*

Any of the assets listed in points (a), (b), (c), **(ca)** and (d) may be newly constructed assets or assets **repurposed** from natural gas to hydrogen, or a combination of the two.

## **Amendment 211**

### **Proposal for a regulation**

#### **Annex II – paragraph 1 – point 4 – point a**

*Text proposed by the Commission*

(a) electrolysers that: (i) have at least **100** MW capacity, (ii) the production complies with the life cycle greenhouse gas emissions savings requirement of 70 % relative to a fossil fuel comparator of 94g CO<sub>2</sub>e/MJ as set out in Article 25(2) and Annex V of Directive (EU) 2018/2001 of the European Parliament and of the Council.<sup>60</sup> Life cycle greenhouse gas emissions savings are calculated using the methodology referred to in Article 28(5) of Directive (EU) 2018/2001 or, alternatively, using ISO 14067 or ISO 14064-1. Quantified life-cycle GHG emission savings are verified in line with Article 30 of Directive (EU) 2018/2001 where applicable, or by an independent third

*Amendment*

(a) electrolysers that: (i) have at least **50** MW capacity, **provided by a single electrolyser or by a set of electrolysers that form a single, coordinated project or 30 MW for innovative midstream value chain (eg. maritime routes via liquid organic hydrogen carriers, liquid hydrogen or ammonia)**; (ii) the production complies with the life cycle greenhouse gas emissions savings requirement of 70 % relative to a fossil fuel comparator of 94g CO<sub>2</sub>e/MJ as set out in Article 25(2) and Annex V of Directive (EU) 2018/2001 of the European Parliament and of the Council.<sup>60</sup> Life cycle greenhouse gas emissions savings are calculated using the methodology referred to in Article 28(5) of

party, and (iii) have also a network-related function;

Directive (EU) 2018/2001 or, alternatively, using ISO 14067 or ISO 14064-1. Quantified life-cycle GHG emission savings are verified in line with Article 30 of Directive (EU) 2018/2001 where applicable, or by an independent third party, and (iii) have also a network-related function;

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<sup>60</sup> OJ L 328, 21.12.2018, p. 82.

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<sup>60</sup> OJ L 328, 21.12.2018, p. 82.

## Amendment 212

### Proposal for a regulation Annex II – paragraph 1 – point 4 – point b

*Text proposed by the Commission*

*Amendment*

(b) related equipment.

(b) related equipment, ***including onshore and offshore electrolysis facilities intended for the conversion of renewable energy into hydrogen and pipeline connection to the network.***

## Amendment 213

### Proposal for a regulation Annex II – paragraph 1 – point 5 – point a

*Text proposed by the Commission*

*Amendment*

(a) dedicated pipelines, other than upstream pipeline network, used to transport carbon dioxide from more than one ***source, i.e. industrial installations (including power plants)*** that produce carbon dioxide gas from combustion or other chemical reactions involving fossil or non-fossil carbon-containing compounds, for the purpose of permanent geological storage of carbon dioxide pursuant to Directive 2009/31/EC of the European Parliament and of the Council<sup>61</sup>;

(a) dedicated pipelines, other than upstream pipeline network, used to transport carbon dioxide from more than one industrial ***cluster*** that produce carbon dioxide gas from combustion or other chemical reactions involving fossil or non-fossil carbon-containing compounds, for the purpose of permanent geological storage of carbon dioxide pursuant to Directive 2009/31/EC of the European Parliament and of the Council<sup>61</sup>;

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<sup>61</sup> OJ L 140, 5.6.2009, p. 114.

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<sup>61</sup> OJ L 140, 5.6.2009, p. 114.

## Amendment 214

### Proposal for a regulation

#### Annex II – paragraph 1 – point 5 – point a a (new)

*Text proposed by the Commission*

*Amendment*

*(aa) dedicated modes of transport such as ship, barge, truck, and train, used to transport carbon dioxide from more than one industrial clusters that produce carbon dioxide gas from combustion or other chemical reactions involving fossil or non-fossil carbon-containing compounds, for the purpose of permanent geological storage of carbon dioxide pursuant to Directive 2009/31/EC of the European Parliament and of the Council;*

## Amendment 215

### Proposal for a regulation

#### Annex II – paragraph 1 – point 5 – point b

*Text proposed by the Commission*

*Amendment*

(b) facilities for liquefaction and buffer storage of carbon dioxide in view of its further transportation. ***This does not include infrastructure within a geological formation used for the permanent geological storage of carbon dioxide pursuant to Directive 2009/31/EC and associated surface and injection facilities;***

(b) facilities for liquefaction and buffer storage of carbon dioxide in view of its further transportation;

## Amendment 216

### Proposal for a regulation

#### Annex II – paragraph 1 – point 5 – point b a (new)

*Text proposed by the Commission*

*Amendment*

***(ba) infrastructure within a geological formation used for the permanent geological storage of carbon dioxide pursuant to Directive 2009/31/EC and associated surface and injection facilities;***

## Amendment 217

### Proposal for a regulation Annex II – paragraph 1 – point 5 a (new)

*Text proposed by the Commission*

*Amendment*

***(5a) concerning district heating and cooling:***

***district heating and cooling systems with total installed capacity of at least 1000 MW of total installed capacity for heating or 100 MW of total installed capacity for cooling and meeting at least [one] of the following criteria:***

***(a) the existence of a district heating infrastructure for the transport of hot steam or water or a distribution network for the transport of chilled liquids in at least one of the following categories: low cooling temperature (5 to 25 degrees Celsius), low temperature (30 to 40 degrees Celsius), average temperature (40 to 90 degrees Celsius) or high temperature (at least 100 degrees Celsius);***

***(b) covering heat generators producing heat and cold through highly efficient cogeneration, as defined in Article 2 point (34) of Directive 2012/27/EU, geothermal energy, heat pumps, bioenergy or waste heat and cold;***

## Amendment 218

### Proposal for a regulation Annex III – Part 1 – point 1 – subparagraph 1

*Text proposed by the Commission*

*Amendment*

(1) with regard to energy infrastructure falling under the competency of national regulatory authorities, each Group shall be composed of representatives of the Member States, national regulatory

(1) with regard to energy infrastructure falling under the competency of national regulatory authorities, each Group shall be composed of representatives of the Member States, national regulatory

authorities, TSOs, as well as the Commission, the Agency and the ENTSO for Electricity or the ENTSO for Gas, as relevant.

authorities, TSOs, **DSOs** as well as the Commission, the Agency, **the Union DSO entity** and the ENTSO for Electricity or the ENTSO for Gas, as relevant.

## Amendment 219

### Proposal for a regulation Annex III – Part 1 – point 4

#### *Text proposed by the Commission*

(4) each Group shall invite, as appropriate for the purpose of implementing the relevant priority designated in Annex I, promoters of a project potentially eligible for selection as a project of common interest as well as representatives of national administrations, of regulatory authorities, and TSOs from third countries. The decision to invite third country-representatives shall be based on consensus.

#### *Amendment*

(4) each Group shall invite, as appropriate for the purpose of implementing the relevant priority designated in Annex I, promoters of a project potentially eligible for selection as a project of common interest as well as representatives of national administrations, of regulatory authorities, **of local authorities and of civil society** and TSOs from third countries. The decision to invite third country-representatives shall be based on consensus.

## Amendment 220

### Proposal for a regulation Annex III – Part 1 – point 5

#### *Text proposed by the Commission*

(5) each Group shall invite, as appropriate, the organisations representing relevant stakeholders — and, where deemed appropriate, directly the stakeholders— including producers, distribution system operators, suppliers, consumers and organisations for environmental protection. The Group **may** organise hearings or consultations, where relevant for the accomplishments of its tasks.

#### *Amendment*

(5) each Group shall invite, as appropriate, the organisations representing relevant stakeholders — and, where deemed appropriate, directly the stakeholders— including producers, distribution system operators, suppliers, consumers and organisations for environmental protection **and representatives of local populations**. The Group **shall** organise hearings or consultations, where relevant for the accomplishments of its tasks.

## Amendment 221

### Proposal for a regulation Annex III – Part 2 – point 1 – point a a (new)

*Text proposed by the Commission*

*Amendment*

***(aa) an indication of the project category as set out in Annex II;***

## Amendment 222

### Proposal for a regulation Annex III – Part 2 – point 4

*Text proposed by the Commission*

*Amendment*

(4) as of 1 January 2024, the proposed hydrogen projects of common interest falling under the categories set out in point (3) of Annex II are projects that are part of the latest available Union-wide ten-year network development plan for gas, developed by the ENTSO for Gas pursuant Article 8 of Regulation (EC) No 715/2009.

(4) as of 1 January 2024, the proposed hydrogen projects of common interest falling under the categories set out in point (3) of Annex II are projects that are part of the latest available Union-wide ten-year network development plan for gas, developed by the ENTSO for Gas pursuant Article 8 of Regulation (EC) No 715/2009 ***in close cooperation with hydrogen project promoters, and with due consideration to the opinion of the Agency referred to in Article 4(3) point (b) of Regulation (EU) 2019/942.***

## Amendment 223

### Proposal for a regulation Annex III – Part 2 – point 5 – introductory part

*Text proposed by the Commission*

*Amendment*

(5) by 30 June 2022 and, subsequently, for every Union-wide ten-year network development plans, the ***ENTSO for Electricity and ENTSO for Gas*** shall issue updated guidelines for inclusion of projects in ***their respective*** Union-wide ten-year network development plans, referred to in points (3) and (4), in order to ensure equal treatment and transparency of the process.

(5) by 30 June 2022 and, subsequently, for every Union-wide ten-year network development plans, the ***Agency*** shall issue updated guidelines for inclusion of projects in ***the*** Union-wide ten-year network development plans, referred to in points (3) and (4), in order to ensure equal treatment and transparency of the process. For all the projects included in the Union list of

For all the projects included in the Union list of projects of common interest in force at the time, the guidelines shall define a simplified process of **inclusion** in the Union-wide ten-year network development plans by **automatic inclusion** taking into account the documentation and data already submitted during the previous Union-wide ten-year network development plan processes as long as the information therein remains valid.

projects of common interest in force at the time, the guidelines shall define a simplified process of **data provision** in the Union-wide ten-year network development plans by taking into account the documentation and data already submitted during the previous Union-wide ten-year network development plan processes as long as the information therein remains valid.

#### Amendment 224

##### Proposal for a regulation Annex III – Part 2 – point 5 – subparagraph 2

*Text proposed by the Commission*

The ENTSO for Electricity and ENTSO for Gas **shall consult with the Commission and the Agency** about **their respective** draft guidelines for inclusion of projects in the Union-wide ten-year network development plans and take due account of **the Commission's and the Agency's** recommendations before the publication of the final guidelines.

*Amendment*

**The Agency shall consult the Commission and** the ENTSO for Electricity and ENTSO for Gas about draft guidelines for inclusion of projects in the Union-wide ten-year network development plans and take due account of **their** recommendations before the publication of the final guidelines.

#### Amendment 225

##### Proposal for a regulation Annex III – Part 2 – point 6

*Text proposed by the Commission*

(6) proposed carbon dioxide transport projects falling under the category set out in point (5) of Annex II shall be presented as part of a plan, developed by at least two Member States, for the development of cross-border carbon dioxide transport and storage infrastructure, to be presented by the Member States concerned or entities designated by those Member States to the Commission.

*Amendment*

(6) proposed carbon dioxide transport **and storage** projects falling under the category set out in point (5) of Annex II shall be presented as part of a plan, developed by at least two Member States, for the development of cross-border carbon dioxide transport and storage infrastructure, to be presented by the Member States concerned or entities designated by those Member States to the

Commission.

## Amendment 226

### Proposal for a regulation Annex III – Part 2 – point 10 a (new)

*Text proposed by the Commission*

*Amendment*

***(10a) the Group shall consider whether the ‘energy efficiency first’ principle is applied as regards the establishment of the regional infrastructure needs and as regards each of the candidate projects of common interest or projects of mutual interest. The Group shall, in particular, consider solutions such as demand-side management, market arrangement solutions, implementation of digital solutions as priority solutions where they are judged more cost-efficient on a system wide perspective than the construction of new infrastructure.***

## Amendment 227

### Proposal for a regulation Annex III – Part 2 – point 11

*Text proposed by the Commission*

*Amendment*

(11) the Group shall meet to examine and rank the proposed projects taking into account the assessment of the regulators, or the assessment of the Commission for projects not falling within the competency of national regulatory authorities.

(11) the Group shall meet to examine and rank the proposed projects ***based on a transparent assessment of the projects and using the criteria set out in Article 4*** taking into account the assessment of the regulators, or the assessment of the Commission for projects not falling within the competency of national regulatory authorities.

## Amendment 228

### Proposal for a regulation Annex IV – point 1 – point a

*Text proposed by the Commission*

(a) for electricity transmission, the project increases **the** grid transfer capacity, or the capacity available for commercial flows, at the border of that Member State with one or several other Member States, having the effect of increasing the cross-border grid transfer capacity at the border of that Member State with one or several other Member States, by at least **500** Megawatt compared to the situation without commissioning of the project;

*Amendment*

(a) for electricity transmission, the project increases **or ensures maintained** grid transfer capacity, or the capacity available for commercial flows, **or increases grid stability** at the border of that Member State with one or several other Member States, having the effect of increasing the cross-border grid transfer capacity at the border of that Member State with one or several other Member States, by at least **200** Megawatt compared to the situation without commissioning of the project;

**Amendment 229**

**Proposal for a regulation  
Annex IV – point 1 – point c**

*Text proposed by the Commission*

(c) for smart electricity grids, the project is designed for equipment and installations at **high-voltage and medium-voltage** level. It involves transmission system operators, transmission and distribution system operators or distribution system operators from at least **two** Member States. **Distribution system operators can be involved only with the support of the transmission system operators, of at least two Member States, that are closely associated to the project and ensure interoperability. A project covers at least 50000 users, generators, consumers or prosumers of electricity, in a consumption area of at least 300 Gigawatthours/year, of which at least 20 % originate from variable renewable resources;**

*Amendment*

(c) for smart electricity grids, the project is designed for equipment and installations at **least at low-voltage** level. It involves transmission system operators, transmission and distribution system operators or distribution system operators from at least **one** Member State. **A project satisfies at least two of the following criteria:** 50 000 users, generators, consumers or prosumers of electricity, a consumption area of at least 300 Gigawatthours/year, **where the energy consumed originates from at least 20 % variable renewable resources; or where the project does not need to involve a physical common border;**

**Amendment 230**

**Proposal for a regulation  
Annex IV – point 1 – point f**

*Text proposed by the Commission*

(f) for electrolyzers, the project provides at least **100** MW installed capacity and the brings benefits directly or indirectly to at least two Member States;

*Amendment*

(f) for electrolyzers, the project provides at least **50** MW installed capacity ***provided by a single electrolyser or by a set of electrolysers that form a single, coordinated project or at least 30 MW for innovative midstream value chain*** and the brings benefits directly or indirectly to at least two Member States;

### **Amendment 231**

**Proposal for a regulation**  
**Annex IV – point 1 – point g a (new)**

*Text proposed by the Commission*

*Amendment*

***(ga) for offshore renewable electricity transmission, the project is designed to transfer electricity from offshore generation sites with capacity of at least 500 MW and allows for electricity transmission to onshore grid of a specific Member State, increasing the volume of renewable electricity available on the internal market.***

### **Amendment 232**

**Proposal for a regulation**  
**Annex IV – point 1 – point g b (new)**

*Text proposed by the Commission*

*Amendment*

***(gb) for carbon dioxide projects, the project is used to transport or store anthropogenic carbon dioxide originating from at least two Member States;***

### **Amendment 233**

**Proposal for a regulation**  
**Annex IV – point 1 – point g c (new)**

*Text proposed by the Commission*

*Amendment*

***(gc) for district heating and cooling, the project has at least 1000 MW heat production capacity or 100 MW cooling capacity.***

#### **Amendment 234**

##### **Proposal for a regulation Annex IV – point 2 – point c**

*Text proposed by the Commission*

*Amendment*

(c) for projects of mutual interest in the category set out in point (5) of Annex II, the project can be used to transport anthropogenic carbon dioxide by at least two Member States and a third country.

(c) for projects of mutual interest in the category set out in point (5) of Annex II, the project can be used to transport ***and store*** anthropogenic carbon dioxide by at least two Member States and a third country.

#### **Amendment 235**

##### **Proposal for a regulation Annex IV – point 3 – introductory part**

*Text proposed by the Commission*

*Amendment*

(3) Concerning projects falling under the categories set out in points (1)(a), (b), (c) and (e) of Annex II, the criteria listed in Article 4 shall be evaluated as follows:

(3) Concerning projects falling under the categories set out in points (1)(a), ***(aa)***, (b), (c) and (e) of Annex II, the criteria listed in Article 4 shall be evaluated as follows:

#### **Amendment 236**

##### **Proposal for a regulation Annex IV – point 3 – point a – point i**

*Text proposed by the Commission*

*Amendment*

(i) calculating, for cross-border projects, the impact on the grid transfer capability in both power flow directions, measured in terms of amount of power (in megawatt), and their contribution to reaching the minimum 15% interconnection target, for projects with significant cross-border

(i) calculating, for cross-border projects, ***including reinvestment*** projects, the impact on the grid transfer capability in both power flow directions, measured in terms of amount of power (in megawatt), and their contribution to reaching the minimum 15 % interconnection target, for

impact, the impact on grid transfer capability at borders between relevant Member States, between relevant Member States and third countries or within relevant Member States and on demand-supply balancing and network operations in relevant Member States;

projects with significant cross-border impact, the impact on grid transfer capability at borders between relevant Member States, between relevant Member States and third countries or within relevant Member States and on demand-supply balancing and network operations in relevant Member States;

## Amendment 237

### Proposal for a regulation Annex IV – point 3 – point b – point i

#### *Text proposed by the Commission*

(i) for electricity transmission, estimating the amount of generation capacity from renewable energy sources (by technology, in megawatts), which is connected and transmitted due to the project, compared to the amount of planned total generation capacity from those types of renewable energy sources in the Member State concerned in 2030 according to the National Energy and Climate Plans submitted by Member States in accordance with Regulation (EU) 2018/1999 of the European Parliament and of the Council<sup>62</sup> ;

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<sup>62</sup> Regulation (EU) 2018/1999 of the European Parliament and of the Council of 11 December 2018 on the Governance of the Energy Union and Climate Action, amending Regulations (EC) No 663/2009 and (EC) No 715/2009 of the European Parliament and of the Council, Directives 94/22/EC, 98/70/EC, 2009/31/EC, 2009/73/EC, 2010/31/EU, 2012/27/EU and 2013/30/EU of the European Parliament and of the Council, Council Directives 2009/119/EC and (EU) 2015/652 and repealing Regulation (EU) No 525/2013 of the European Parliament and of the

#### *Amendment*

(i) for electricity transmission, estimating the amount of generation capacity from renewable energy sources (by technology, in megawatts), which is connected and transmitted due to the project, ***in terms of reduced curtailment or additional generation capacity*** compared to the amount of planned total generation capacity from those types of renewable energy sources in the Member State concerned in 2030 according to the National Energy and Climate Plans submitted by Member States in accordance with Regulation (EU) 2018/1999 of the European Parliament and of the Council <sup>62</sup> ;

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<sup>62</sup> Regulation (EU) 2018/1999 of the European Parliament and of the Council of 11 December 2018 on the Governance of the Energy Union and Climate Action, amending Regulations (EC) No 663/2009 and (EC) No 715/2009 of the European Parliament and of the Council, Directives 94/22/EC, 98/70/EC, 2009/31/EC, 2009/73/EC, 2010/31/EU, 2012/27/EU and 2013/30/EU of the European Parliament and of the Council, Council Directives 2009/119/EC and (EU) 2015/652 and repealing Regulation (EU) No 525/2013 of the European Parliament and of the

### Amendment 238

#### Proposal for a regulation Annex IV – point 3 – point b – point ii

##### *Text proposed by the Commission*

(ii) or **electricity** storage, comparing new capacity provided by the project with total existing capacity for the same storage technology in the area of analysis as defined in Annex V;

##### *Amendment*

(ii) or **energy** storage, comparing new capacity provided by the project with total existing capacity for the same storage technology in the area of analysis as defined in Annex V;

### Amendment 239

#### Proposal for a regulation Annex IV – point 3 – point c

##### *Text proposed by the Commission*

(c) security of supply, interoperability and secure system operation measured in line with the analysis made in the latest available Union-wide ten-year network development plan in electricity, notably by assessing the impact of the project on the loss of load expectation for the area of analysis as defined in Annex V in terms of generation and transmission adequacy for a set of characteristic load periods, taking into account expected changes in climate-related extreme weather events and their impact on infrastructure resilience. Where applicable, the impact of the project on independent and reliable control of system operation and services shall be measured.

##### *Amendment*

(c) security of supply, interoperability and secure system operation measured in line with the analysis made in the latest available Union-wide ten-year network development plan in electricity, notably by assessing the impact of the project on the loss of load expectation for the area of analysis as defined in Annex V in terms of generation and transmission adequacy for a set of characteristic load periods, taking into account expected changes in climate-related extreme weather events and their impact on infrastructure resilience; ***expected changes in the economic and social development of the area and the expected significant increase in demand for power.*** Where applicable, the impact of the project on independent and reliable control of system operation and services shall be measured.

### Amendment 240

#### Proposal for a regulation Annex IV – point 5 – point a

*Text proposed by the Commission*

(a) Sustainability measured as the contribution of a project to: greenhouse gas emission reductions in ***different end-use applications***, such as industry or transport; flexibility and seasonal storage options for renewable electricity generation; or the integration of renewable hydrogen.

*Amendment*

(a) Sustainability measured as the contribution of a project to: greenhouse gas emission reductions in ***hard-to-abate sectors***, such as industry or transport; flexibility and seasonal storage options for renewable electricity generation; or the integration of renewable ***and low-carbon*** hydrogen.

**Amendment 241**

**Proposal for a regulation  
Annex IV – point 5 – point b**

*Text proposed by the Commission*

(b) market integration and interoperability measured by ***calculating the additional value*** of the project ***to the integration of market areas and price convergence, to the overall flexibility of the system.***

*Amendment*

(b) market integration and interoperability measured by ***significantly increasing existing cross-border hydrogen transport capacity at a border between two Member States compared to the situation prior to the commissioning*** of the project.

**Amendment 242**

**Proposal for a regulation  
Annex IV – point 7 – point a**

*Text proposed by the Commission*

(a) sustainability measured by assessing the share of renewable hydrogen or hydrogen meeting the criteria defined in point (4) (a) (ii) of Annex II integrated into the network, and the related greenhouse gas emission savings;

*Amendment*

(a) sustainability measured by assessing the share of renewable hydrogen or hydrogen meeting the criteria defined in point (4) (a) (ii) of Annex II ***or renewable synthetic fuels*** integrated into the network, and the related greenhouse gas emission savings;

**Amendment 243**

**Proposal for a regulation  
Annex IV – point 7 – point c**

*Text proposed by the Commission*

(c) the facilitation of smart energy sector integration measured by assessing the cost savings enabled in connected energy sectors and systems, such as the gas, hydrogen, power and heat networks, the transport and industry sectors, and the volume of demand response enabled.

*Amendment*

(c) ***enabling the flexibility services such as demand response and storage by the facilitation of smart energy sector integration through the creation of links to other energy carriers and sectors measured by assessing the cost and greenhouse gas savings and the efficient use of energy*** enabled in connected energy sectors and systems, such as the gas, hydrogen, power and heat networks, the transport and industry sectors, and the volume of demand response enabled.

#### **Amendment 244**

##### **Proposal for a regulation Annex IV – point 7 a (new)**

*Text proposed by the Commission*

*Amendment*

***(7a) Concerning carbon dioxide infrastructure falling under the energy infrastructure categories set out in point (5) of Annex II the criteria listed in Article 4 shall be evaluated as follows:***

***(a) sustainability measured by considering a significant net reduction of emissions along the whole project lifecycle and the absence of alternative technological solutions to achieve the same level of carbon dioxide reduction as the amount of carbon dioxide to be captured, such as energy efficiency, or electrification integrating renewable sources; the minimum capture rate at industrial installations shall be fixed according to best available technology per industry category to be established by the Commission, and shall be greater than the range of 70-90 %;***

***(b) resilience and security measured by assessing the security of the infrastructure and usage of the best-available technology, to be established by the Commission.***

## Amendment 245

### Proposal for a regulation Annex IV – point 7 b (new)

*Text proposed by the Commission*

*Amendment*

***(7b) concerning heating and cooling projects falling under the category set out in point (5b) of Annex II, the criteria listed in Article 4 shall be assessed in accordance with the following criteria:***

***(a) the level of sustainability:***

***(i) an estimate of the share of heat and cold generation from highly efficient cogeneration, renewable energy and heat and cold connected and integrated into the network due to the project; for renewable energy, the planned share of those types of renewable energy sources in the Member States concerned in 2030 according to the national energy and climate plans submitted pursuant to Article 3 of Regulation (EU)2018/1999 of the European Parliament and of the Council;***

***(ii) a measurement of the system-wide greenhouse gas emission savings towards total system decarbonisation considering the phase-out of solid fossil fuel based heat or cold production in existing systems and improved network efficiency;***

***(b) quality and security of supply measured by assessing the ratio of reliably available supply and demand, the stability of system operation and the contribution to thermal storage and conversion and delivering system services through power to heat/cold solutions.***

## Amendment 246

### Proposal for a regulation Annex V – paragraph 1

*Text proposed by the Commission*

The **methodology** for a harmonised energy system-wide cost-benefit analysis for projects of common interest shall satisfy the following principles.

*Amendment*

The **methodologies** for a harmonised energy system-wide cost-benefit analysis for projects of common interest shall **be consistent with each other while taking into account sectorial specificities and shall** satisfy the following principles.

**Amendment 247**

**Proposal for a regulation  
Annex V – point 2**

*Text proposed by the Commission*

(2) each cost-benefit analysis shall include sensitivity analyses concerning the input data set, the commissioning date of different projects in the same area of analysis and other relevant parameters.

*Amendment*

(2) each cost-benefit analysis shall include sensitivity analyses concerning the input data set, the commissioning date of different projects in the same area of analysis, **the potential climate impacts** and other relevant parameters.

**Amendment 248**

**Proposal for a regulation  
Annex V – point 3**

*Text proposed by the Commission*

(3) it shall define the analysis to be carried out, based on the relevant multi-sectorial input data set by determining the impacts with and without each project.

*Amendment*

(3) it shall define the analysis to be carried out, based on the relevant multi-sectorial input data set by determining the impacts with and without each project **and include relevant interdependencies with other projects.**

**Amendment 249**

**Proposal for a regulation  
Annex V – point 4**

*Text proposed by the Commission*

(4) it shall give guidance for the

*Amendment*

(4) it shall give guidance for the

development and use of network and market modelling necessary for the cost-benefit analysis. The modelling shall allow for a full assessment of economic, including market integration, security of supply and competition, social and environmental and climate impacts, including the cross-sectorial impacts. The methodology shall include details on why, what and how each of the benefits and costs are calculated.

development and use of network and market **and wider socio-economic** modelling necessary for the cost-benefit analysis. The modelling shall allow for a full assessment of economic, including market integration, security of supply, **improving capacity to integrate renewable production, optimising investment** and competition, social and environmental and climate impacts, including the **direct and indirect** cross-sectorial impacts. The methodology shall **be fully transparent and** include details on why, what and how each of the benefits and costs are calculated.

## Amendment 250

### Proposal for a regulation Annex V – point 7

#### *Text proposed by the Commission*

(7) it shall, at least, take into account the capital expenditure, operational and maintenance expenditure costs over the assessment lifecycle of the project and decommissioning and waste management costs, where relevant. The methodology shall give guidance on discount rates, assessment lifetime and residual value to be used for the cost- benefit calculations.

#### *Amendment*

(7) it shall, at least, take into account the capital expenditure, operational and maintenance expenditure costs over the assessment lifecycle of the project and decommissioning and waste management costs, where relevant. The methodology shall give guidance on discount rates, assessment lifetime and residual value to be used for the cost- benefit calculations. **It shall also include a methodology to calculate Benefit-to-Cost ratio and the Net Present Value.**

## Amendment 251

### Proposal for a regulation Annex VI – point 3 – point a

#### *Text proposed by the Commission*

(a) the stakeholders affected by a project of common interest, including relevant national, regional and local authorities, landowners and citizens living in the vicinity of the project, the general public

#### *Amendment*

(a) the stakeholders affected by a project of common interest, including relevant national, regional and local authorities, landowners and citizens living in the vicinity of the project, the general public

and their associations, organisations or groups, shall be extensively informed and consulted at an early stage, when potential concerns by the public can still be taken into account and in an open and transparent manner. Where relevant, the competent authority shall actively support the activities undertaken by the project promoter;

and their associations, organisations or groups, shall be extensively informed and consulted at an early stage, when potential concerns by the public can still be taken into account and in an ***inclusive***, open and transparent manner. Where relevant, the competent authority shall actively support the ***public participation*** activities undertaken by the project promoter;

## Amendment 252

### Proposal for a regulation Annex VI – point 3 – point c a (new)

*Text proposed by the Commission*

*Amendment*

***(ca) the project promoters shall ensure that consultations take place during a period that allows for open and inclusive public participation;***

## Amendment 253

### Proposal for a regulation Annex VI – point 5 – point a

*Text proposed by the Commission*

*Amendment*

(a) publish an information leaflet of no more than 15 pages, giving, in a clear and concise manner, an overview of the description, purpose and preliminary timetable of the development steps of the project, the national grid development plan, alternative routes considered, types and characteristics of the potential impacts, including of cross-border or transboundary nature, and possible mitigation measures, which shall be published prior to the start of the consultation; The information leaflet shall furthermore list the web addresses of the website of the project of common interest referred to in Article 9(7), the transparency platform referred to in Article 23 and of the manual of procedures

(a) publish, ***in electronic and printed form***, an information leaflet of no more than 15 pages, giving, in a clear and concise manner, an overview of the description, purpose and preliminary timetable of the development steps of the project, the national grid development plan, alternative routes considered, types and characteristics of the potential impacts, including of cross-border or transboundary nature, and possible mitigation measures, which shall be published prior to the start of the consultation; The information leaflet shall furthermore list the web addresses of the website of the project of common interest referred to in Article 9(7), the transparency platform referred to in Article 23 and of the manual of procedures

referred to in point (1);

referred to in point (1);

#### **Amendment 254**

##### **Proposal for a regulation Annex VI – point 5 – point b**

###### *Text proposed by the Commission*

(b) publish the information on the consultation on the website of the project of common interest referred to in Article 9(7), on the bulletin boards of the offices of local administrations, and, at least, in two local media outlets;

###### *Amendment*

(b) publish the information on the consultation on the website of the project of common interest referred to in Article 9(7), on the bulletin boards of the offices of local administrations, and, at least, in two local media outlets, *if applicable*;

#### **Amendment 255**

##### **Proposal for a regulation Annex VI – point 5 – point c**

###### *Text proposed by the Commission*

(c) invite in written form relevant affected stakeholders, associations, organisations and groups to dedicated meetings, during which concerns shall be discussed;

###### *Amendment*

(c) invite in written *or electronic* form relevant affected stakeholders, associations, organisations and groups to dedicated meetings, during which concerns shall be discussed;