



2023/0077(COD)

30.6.2023

OPINION

of the Committee on Economic and Monetary Affairs

for the Committee on Industry, Research and Energy

on the proposal for a regulation of the European Parliament and of the Council amending Regulations (EU) 2019/943 and (EU) 2019/942 as well as Directives (EU) 2018/2001 and (EU) 2019/944 to improve the Union's electricity market design

(COM(2023)0148 – C9-0049/2023 – 2023/0077(COD))

Rapporteur for opinion: Pedro Silva Pereira

PA_Legam

AMENDMENT

The Committee on Economic and Monetary Affairs calls on the Committee on Industry, Research and Energy, as the committee responsible, to take the following into account:

Amendment 1

Proposal for a regulation

Recital 3

Text proposed by the Commission

(3) In response to this situation, the Communication on Energy Prices presented by the Commission in October 2021 contained a toolbox of measures that the EU and its Member States may use to address the immediate impact of high energy prices on households and businesses (including income support, tax breaks, gas savings and storage measures) and to strengthen resilience against future price shocks. In its Communication of 8 March 2022 entitled ‘REPowerEU: Joint European Action for more affordable, secure and sustainable energy’¹⁸ the Commission outlined a series of additional measures to strengthen the toolbox and to respond to rising energy prices. On 23 March 2022, the Commission *also established* a temporary State Aid regime to allow certain subsidies to soften the impact of high energy prices.¹⁹

¹⁸ Communication from the Commission to the European Parliament, the European

Amendment

(3) In response to this situation, the Communication on Energy Prices presented by the Commission in October 2021 contained a toolbox of measures that the EU and its Member States may use to address the immediate impact of high energy prices on households and businesses (including income support, tax breaks, gas savings and storage measures) and to strengthen resilience against future price shocks. In its Communication of 8 March 2022 entitled ‘REPowerEU: Joint European Action for more affordable, secure and sustainable energy’¹⁸ the Commission outlined a series of additional measures to strengthen the toolbox and to respond to rising energy prices. On 23 March 2022, the Commission *adopted the Temporary Crisis Framework establishing* a temporary State Aid regime to allow certain subsidies to soften the impact of high energy prices.¹⁹ *On 9 March 2023, the framework was replaced by the Temporary Crisis and Transition Framework which provides flexibility and simplicity in response to the crisis while ensuring targeted aid as well as cohesion objectives and contributes to achieving goals of the Green Deal Industrial Plan.*

¹⁸ Communication from the Commission to the European Parliament, the European

Council, the Council, the European Economic and Social Committee and the Committee of the Regions - REPowerEU: Joint European Action for more affordable, secure and sustainable energy, COM/2022/108 final

¹⁹ Communication from the Commission Temporary Crisis Framework for State Aid measures to support the economy following the aggression against Ukraine by Russia C 131 I/01, C/2022/1890.

Council, the Council, the European Economic and Social Committee and the Committee of the Regions - REPowerEU: Joint European Action for more affordable, secure and sustainable energy, COM/2022/108 final

¹⁹ Communication from the Commission Temporary Crisis Framework for State Aid measures to support the economy following the aggression against Ukraine by Russia C 131 I/01, C/2022/1890.

Amendment 2

Proposal for a regulation Recital 3 a (new)

Text proposed by the Commission

Amendment

(3 a) The Temporary State Aid Crisis and Transition Framework is part of the second pillar of the Green Deal Industry Plan. It should be noted that this is a temporary and targeted framework and that there are trade-offs between speeding up financing for clean tech production in Europe and the integrity of the internal market, as not all Member States have the same fiscal space to deliver the necessary investments. Appropriate instruments to give a structural answer to the investment needs are therefore needed.

Amendment 3

Proposal for a regulation Recital 3 b (new)

Text proposed by the Commission

Amendment

(3 b) Energy price hikes, further exacerbated by the Russian aggression towards Ukraine and excessive speculative practices by market actors have led to inflationary pressures and an

increase in inequalities.

Amendment 4

Proposal for a regulation

Recital 11

Text proposed by the Commission

(11) The reform of the electricity market design should benefit not just household consumers but also ***the competitiveness of the Union's industries by facilitating their possibilities*** to make the clean tech investments they require to meet their net zero transition paths. The energy transition in the Union needs to be supported by a strong clean technology manufacturing basis. These reforms will support the affordable electrification of industry and the Union's position as a global leader in terms of research and innovation in clean energy technologies.

Amendment

(11) The reform of the electricity market design should benefit not just household consumers but also ***enable*** the Union's industries to make the clean tech investments they require to meet their net zero transition paths. The energy transition in the Union needs to be supported by a strong clean technology manufacturing basis. These reforms will support the affordable electrification of industry and the Union's position as a global leader in terms of research and innovation in clean energy technologies.

Amendment 5

Proposal for a regulation

Recital 19

Text proposed by the Commission

(19) Consumers and suppliers need effective and efficient forward markets to cover their long-term price exposure and decrease the dependence on short-term prices. To ensure that energy customers all over the EU can fully benefit from the advantages of integrated electricity markets and competition across the Union, the functioning of the Union's electricity forward market should be improved via the establishment of regional virtual hubs with a view to overcome the existing market fragmentation and the low liquidity experienced in many bidding zones. Regional virtual hubs should ***cover***

Amendment

(19) Consumers and suppliers need effective and efficient forward markets to cover their long-term price exposure and decrease the dependence on short-term prices. To ensure that energy customers all over the EU can fully benefit from the advantages of integrated electricity markets and competition across the Union, the functioning of the Union's electricity forward market should be improved via the establishment of regional virtual hubs with a view to overcome the existing market fragmentation and the low liquidity experienced in many bidding zones. ***The added-value of*** regional virtual hubs

multiple bidding zones while ensuring an adequate price correlation. Some bidding zones may not be covered by a virtual hub in terms of contributing to the hub reference price. However, market participants from these bidding zones should still be able to hedge through a hub.

should be assessed by the Commission and this assessment should be presented to the co-legislators.

Amendment 6

Proposal for a regulation Recital 21

Text proposed by the Commission

(21) To enhance the possibilities of market participants for hedging, the role of the single allocation platform established in accordance with Commission Regulation (EU) 2016/1719 should be expanded. The single allocation platform should offer trading of financial long-term transmission rights between the different bidding zones and the regional virtual hubs. The orders submitted by market participants for financial transmission rights **shall** be matched by a simultaneous allocation of long term cross zonal capacity. Such matching and allocation should be performed on a regular basis, to ensure enough liquidity and, hence, efficient hedging possibilities to market participants. The long-term transmission rights should be issued with frequent maturities (ranging from month ahead to at least three years ahead), in order to be aligned with the typical hedging time horizon of market participants. The single allocation platform should be subject to monitoring and enforcement to ensure that it performs its tasks properly.

Amendment

(21) To enhance the possibilities of market participants for hedging, the role of the single allocation platform established in accordance with Commission Regulation (EU) 2016/1719 should be expanded. The single allocation platform should offer trading of financial long-term transmission rights between the different bidding zones and, **where established**, the regional virtual hubs. The orders submitted by market participants for financial transmission rights **should** be matched by a simultaneous allocation of long term cross zonal capacity. Such matching and allocation should be performed on a regular basis, to ensure enough liquidity and, hence, efficient hedging possibilities to market participants. The long-term transmission rights should be issued with frequent maturities (ranging from month ahead to at least three years ahead), in order to be aligned with the typical hedging time horizon of market participants. The single allocation platform should be subject to monitoring and enforcement to ensure that it performs its tasks properly.

Amendment 7

Proposal for a regulation
Recital 30

Text proposed by the Commission

(30) Where Member States decide to support publicly financed new investments (“direct price support schemes”) in low carbon, non-fossil fuel electricity generation to achieve the Union’s decarbonisation objectives, those schemes should be structured by way of two-way contracts for difference such as to include, in addition to a revenue guarantee, an upward limitation of the market revenues of the generation assets concerned. New investments for the generation of electricity should include investments in new power generating facilities, investments aimed at repowering existing power generating facilities, investments aimed at extending existing power generating facilities or at prolonging their lifetime.

Amendment

(30) Where Member States decide to support publicly financed new investments (“direct price support schemes”) in low carbon, non-fossil fuel electricity generation to achieve the Union’s decarbonisation objectives, those schemes should be structured by way of two-way contracts for difference such as to include, in addition to a revenue guarantee, an upward limitation of the market revenues of the generation assets concerned. New investments for the generation of electricity should include investments in new power generating facilities, investments aimed at repowering existing power generating facilities, investments aimed at extending existing power generating facilities or at prolonging their lifetime. ***As these schemes are indirectly amending current State aid rules (Communication from the Commission – Guidelines on State aid for climate, environmental protection and energy 2022 ^{19a}, Communication from the Commission Temporary Crisis Framework for State Aid measures to support the economy following the aggression against Ukraine by Russia 2022/C 131 I/01 ^{19b}) as regards granting public support to certain forms of electricity generation, the Commission should regularly assess whether they remain adequate and do not disproportionately distort or fragment the internal market.***

^{19a} https://eur-lex.europa.eu/legal-content/EN/TXT/?toc=OJ%3AC%3A2022%3A080%3ATOC&uri=uriserv%3AOJ.C_.2022.080.01.0001.01.ENG

^{19b} <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.CI.2022.131.01.0001.01.ENG>

Amendment 8

Proposal for a regulation Recital 34

Text proposed by the Commission

(34) Thanks to the upward limitation of the market revenues direct price support schemes in the form of two-way contracts for difference should provide an additional source of revenues for Member States in periods of high energy prices. To further mitigate the impact of high electricity prices on the energy bills of consumers, Member States should ensure that the revenues collected from producers subject to direct price support schemes in the form of two-way contracts for difference are passed on to **all** final electricity customers, including households, SMEs and industrial consumers, based on their consumption. The redistribution of revenues should be done in a way that ensures that consumers are still to some extent exposed to the price signal, so that they reduce their consumption when the prices are high, or shift it to periods of lower prices (which are typically periods with a higher share of RES production). Member States should ensure that the level playing-field and competition between the different suppliers is not affected by the redistribution of revenues to the final electricity consumers.

Amendment

(34) Thanks to the upward limitation of the market revenues direct price support schemes in the form of two-way contracts for difference should provide an additional source of revenues for Member States in periods of high energy prices. To further mitigate the impact of high electricity prices on the energy bills of consumers, Member States should ensure that the revenues collected from producers subject to direct price support schemes in the form of two-way contracts for difference are passed on to **the** final electricity customers, including households, SMEs and industrial consumers, based on their consumption, **while prioritising vulnerable customers and those affected by or at risk of energy poverty**. The redistribution of revenues should be done in a way that ensures that consumers are still to some extent exposed to the price signal, so that they reduce their consumption when the prices are high, or shift it to periods of lower prices (which are typically periods with a higher share of RES production). Member States should ensure that the level playing-field and competition between the different suppliers is not affected by the redistribution of revenues to the final electricity consumers.

Amendment 9

Proposal for a regulation Recital 45

Text proposed by the Commission

(45) When suppliers' do not ensure that their electricity portfolio is sufficiently

Amendment

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hedged changes in wholesale electricity prices can leave them financially at risk and, result in their failure, passing on costs to consumers and other network users. Hence, it should be ensured that suppliers are appropriately hedged when offering fixed price contracts. An appropriate hedging strategy should take into account the suppliers' access to its own generation and its capitalisation as well as its exposure to changes in wholesale market prices.

hedged changes in wholesale electricity prices can leave them financially at risk and, ***potentially*** result in their failure, passing on costs to consumers and other network users. Hence, it should be ensured that suppliers are appropriately hedged when offering fixed price contracts. An appropriate hedging strategy should ***be in line with relevant Union financial services legislation and*** take into account the suppliers' access to its own generation and its capitalisation as well as its exposure to changes in wholesale market prices, ***the size of the supplier and the market structure***.

Amendment 10

Proposal for a regulation Recital 53

Text proposed by the Commission

(53) Public interventions in price setting for the supply of electricity constitute, in principle, a market-distortive measure. Such interventions may therefore only be carried out as public service obligations and are subject to specific conditions. Under this Directive regulated prices are possible for energy poor and vulnerable households, including below costs, and, as a transition measure, for households and micro-enterprises. In times of crisis, when wholesale and retail electricity prices increase significantly, and this is having a negative impact on the wider economy, Member States should be allowed to extend, temporarily, the application of regulated prices also to SMEs. For both households and SMEs, Member States should be temporarily allowed to set regulated prices below costs as long as this does not create distortion between suppliers and suppliers are compensated for the costs of supplying below cost. However, it needs to be ensured that such price regulation is targeted and does not

Amendment

(53) Public interventions in price setting for the supply of electricity constitute, in principle, a market-distortive measure, ***even if electricity should be considered an essential service***. Such interventions may therefore only be carried out as public service obligations and are subject to specific conditions. Under this Directive regulated prices are possible for energy poor and vulnerable households, including below costs, and, as a transition measure, for households and micro-enterprises. In times of crisis, when wholesale and retail electricity prices increase significantly, and this is having a negative impact on the wider economy, Member States should be allowed to extend, temporarily, the application of regulated prices also to SMEs. For both households and SMEs, Member States should be temporarily allowed to set regulated prices below costs as long as this does not create distortion ***in the internal market or*** between suppliers and suppliers are compensated for the costs of supplying below cost. However, it needs

create incentives to increase consumption. Hence, such price regulation should be limited to 80% of median household consumption for households, and 70% of the previous year's consumption for SMEs. The Commission should determine when such an electricity price crisis exists and consequently when this possibility becomes applicable. The Commission should also specify the validity of that determination, during which the temporary extension of regulated prices applies, which may be for up to one year. To the extent that any of the measures envisaged by the present Regulation constitute State aid, the provisions concerning such measures are without prejudice to the application of Articles 107 and 108 TFEU.

to be ensured that such price regulation is targeted and does not create incentives to increase consumption. Hence, such price regulation should be limited to 80% of median household consumption for households **and micro-enterprises, at least 90% for vulnerable customers** and 70% of the previous year's consumption for SMEs. The Commission should determine when such an electricity price crisis exists and consequently when this possibility becomes applicable. The Commission should also specify the validity of that determination, during which the temporary extension of regulated prices applies, which may be for up to one year. To the extent that any of the measures envisaged by the present Regulation constitute State aid, the provisions concerning such measures are without prejudice to the application of Articles 107 and 108 TFEU.

Amendment 11

Proposal for a regulation

Article 1 – paragraph 1 – point 1 – point a
Regulation (EU) 2019/943
Article 1 – point b

Text proposed by the Commission

(b) set fundamental principles for well-functioning, integrated electricity markets, which allow all resource providers and electricity customers non-discriminatory market access, enable the development of forward electricity markets to allow suppliers and consumers to hedge or protect themselves against the risk of future volatility in electricity prices, **empower** consumers, ensure competitiveness on the global market, enhance flexibility through demand response, energy storage and other non-fossil flexibility solutions, ensure energy efficiency, facilitate aggregation of distributed demand and supply, and enable market and sectoral integration and market-

Amendment

(b) set fundamental principles for well-functioning, integrated electricity markets, which allow all resource providers and electricity customers non-discriminatory market access, enable the development of forward electricity markets to allow suppliers and consumers to hedge or protect themselves against the risk of future volatility in electricity prices, **while avoiding harmful speculative activities, protect consumers including vulnerable** consumers, ensure competitiveness on the global market, enhance flexibility through demand response, energy storage and other non-fossil flexibility solutions, ensure energy efficiency, facilitate aggregation of distributed demand and supply, and enable

based remuneration of electricity generated from renewable sources;

market and sectoral integration and market-based remuneration of electricity generated from renewable sources;

Amendment 12

Proposal for a regulation

Article 1 – paragraph 1 – point 1 – point b

Regulation (EU) 2019/943

Article 1 – point e

Text proposed by the Commission

(e) support long-term investments in renewable energy generation and enable consumers' to make their energy bills less dependent from fluctuations of short-term electricity market prices, in particular fossil fuel prices in the medium to long-term.

Amendment

(e) support long-term investments in renewable energy generation and ***flexibility to*** enable consumers' to make their energy bills ***affordable and*** less dependent from fluctuations of short-term electricity market prices, in particular fossil fuel prices in the medium to long-term.

Amendment 13

Proposal for a regulation

Article 1 – paragraph 1 – point 6

Regulation (EU) 2019/943

Article 9 – paragraph 1 – introductory part

Text proposed by the Commission

1. By 1 December 2024 ***the ENTSO for Electricity shall submit to ACER***, after having consulted ESMA, ***a proposal for*** the establishment of regional virtual hubs for the forward market. ***The*** proposal shall:

Amendment

1. By 1 December 2024, ***the Commission***, after having consulted ESMA, ***the ENTSO for Electricity and ACER, shall submit to the Parliament and the Council an assessment on the impact of*** the establishment of regional virtual hubs for the forward market. ***If deemed appropriate, the assessment shall be accompanied by a legislative proposal where applicable and inter alia*** shall:

Amendment 14

Proposal for a regulation

Article 1 – paragraph 1 – point 6

Text proposed by the Commission

Amendment

(d a) ensure that the creation of the virtual hub is in the interest of consumers in those regions.

Amendment 15

Proposal for a regulation

Article 1 – paragraph 1 – point 6

Regulation (EU) 2019/943

Article 9 – paragraph 2

Text proposed by the Commission

Amendment

2. Within six months of receipt of the proposal on the establishment of the regional virtual hubs for the forward market, ACER shall evaluate it and either approve or amend it. In the latter case, ACER shall consult the ENTSO for Electricity before adopting the amendments. The adopted proposal shall be published on ACER's website.

2. Within six months of receipt of the proposal on the establishment of the regional virtual hubs for the forward market, ACER shall evaluate it and either approve or amend it. In the latter case, **ACER, *after informing ESMA***, shall consult the ENTSO for Electricity before adopting the amendments. The adopted proposal shall be published on ACER's website.

Amendment 16

Proposal for a regulation

Article 1 – paragraph 1 – point 6

Regulation 2019/943

Article 9 – paragraph 5

Text proposed by the Commission

Amendment

5. Where a regulatory authority considers that there are insufficient hedging opportunities available for market participants, and after consultation of relevant financial market competent authorities in case the forward markets concern financial instruments as defined under Article 4(1)(15), it may require

5. Where a regulatory authority considers that there are insufficient hedging opportunities available for market participants, and after consultation of relevant financial market competent authorities in case the forward markets concern financial instruments as defined under Article 4(1)(15), it may require

power exchanges or transmission system operators to implement additional measures, such as market-making activities, to improve the liquidity of the forward market. ***Subject to*** compliance with Union competition law and with Directive (EU) 2014/65 and Regulations (EU) 648/2012 and 600/2014, ***market operators shall be free to develop forward hedging products, including long-term forward hedging products***, to provide market participants, including owners of power-generating facilities using renewable energy sources, with appropriate possibilities for hedging financial risks against price fluctuations. Member States shall not require that such hedging activity may be limited to trades within a Member State or bidding zone.

power exchanges or transmission system operators to implement additional measures, such as market-making activities, to improve the liquidity of the forward market. ***Where market operators develop forward hedging products, including long-term forward hedging products, they shall do so in full*** compliance with Union competition law and with Directive (EU) 2014/65 and Regulations (EU) 648/2012 and 600/2014, to provide market participants, including owners of power-generating facilities using renewable energy sources, with appropriate possibilities for hedging financial risks against price fluctuations. Member States shall not require that such hedging activity may be limited to trades within a Member State or bidding zone.

Amendment 17

Proposal for a regulation

Article 1 – paragraph 1 – point 9

Regulation (EU) 2019/942

Article 19a – paragraph 2

Text proposed by the Commission

2. Member States ***shall*** ensure that instruments such as guarantee schemes at market prices, to reduce the financial risks associated to off-taker payment default in the framework of PPAs are in place and accessible to customers that face entry barriers to the PPA market and are not in financial difficulty in line with Articles 107 and 108 TFEU. For this purpose, Member States shall take into account Union-level instruments. Member States shall determine what categories of customers are targeted by these instruments, applying non-discriminatory criteria.

Amendment

2. Member States ***may*** ensure that instruments such as guarantee schemes at market prices, to reduce the financial risks associated to off-taker payment default in the framework of PPAs are in place and accessible to customers that face entry barriers to the PPA market and are not in financial difficulty. ***The Commission shall examine whether these instruments do not disproportionately distort or fragment the internal market and are*** in line with Articles 107 and 108 TFEU. For this purpose, Member States shall take into account Union-level instruments. Member States shall determine what categories of customers are targeted by these instruments, applying non-discriminatory criteria ***among each category of customers, having due regard to***

vulnerable customers.

Amendment 18

Proposal for a regulation

Article 1 – paragraph 1 – point 9

Regulation (EU) 2019/943

Article 19a – paragraph 6a (new)

Text proposed by the Commission

Amendment

6 a. The contracting parties of each PPA shall report quantity, prices and duration of each contract to the national regulatory authority. The national regulatory authority shall publish a daily average electricity price, which shall be the weighted average price of all quantities of electricity traded in this bidding zone for that day.

Amendment 19

Proposal for a regulation

Article 1 – paragraph 1 – point 9

Regulation (EU) 2019/943

Article 19b – paragraph 1

Text proposed by the Commission

Amendment

1. Direct price support schemes for new investments for the generation of electricity from the sources **listed** in paragraph 2 shall take the form of a two-way contract for differences. New investments for the generation of electricity shall include investments in new power-generating facilities, investments aimed at repowering existing power-generating facilities, investments aimed at extending existing power-generating facilities or at prolonging their lifetime.

1. Direct price support schemes for new investments for the generation of electricity from the sources **referred to** in paragraph 2 shall take the form of a two-way contract for differences. **Such schemes shall as a minimum be commensurate with Regulation (EU) 2020/852 and the investments foreseen in the integrated national energy and climate plan with respect to the dimension decarbonisation referred to in point (a) of Article 4 of Regulation (EU) 2018/1999 and any updates thereof.** New investments for the generation of electricity shall include investments in new power-generating facilities, investments aimed at

repowering existing power-generating facilities, investments aimed at extending existing power-generating facilities or at prolonging their lifetime.

Amendment 20

Proposal for a regulation

Article 1 – paragraph 1 – point 9

Regulation (EU) 2019/943

Article 19b – paragraph 3 – point a

Text proposed by the Commission

(a) be designed so that the revenues collected when the market price is above the strike price are distributed to all final electricity customers based on their share of consumption (same cost / refund per MWh consumed);

Amendment

(a) be designed so that the revenues collected when the market price is above the strike price are distributed to all final electricity customers based on their share of consumption (same cost / refund per MWh consumed) ***giving priority to compensating vulnerable customers;***

Amendment 21

Proposal for a regulation

Article 1 – paragraph 1 – point 9

Regulation (EU) 2019/943

Article 19b (new) – paragraph 3 – point ba (new)

Text proposed by the Commission

Amendment

(b a) ensure community based / small scale projects have access to contracts for difference at the clearing price of the lowest tender;

Amendment 22

Proposal for a regulation

Article 1 – paragraph 1 – point 14

Regulation (EU) 2019/943

Article 69a – subparagraph 1

Text proposed by the Commission

Nothing in this Regulation shall derogate from the provisions of Directive (EU) 2014/65, Regulation (EU) 648/2012 and Regulation (EU) 600/2014 when market participants or market operators engage in activities related to financial instruments in particular as defined under Article 4(1)(15) of Directive (EU) 2014/65.

Amendment

Nothing in this Regulation shall derogate from the provisions of Directive (EU) 2014/65, Regulation (EU) 648/2012 and Regulation (EU) 600/2014 when market participants or market operators engage in activities related to financial instruments in particular as defined under Article 4(1)(15) of Directive (EU) 2014/65. ***Duplication of regulatory, compliance and reporting requirements shall be avoided.***

Amendment 23

Proposal for a regulation

Article 2 – paragraph 1 – point 5

Directive (EU) 2019/944

Article 28a – subparagraph 1

Text proposed by the Commission

Member States shall ***ensure that vulnerable customers are protected from*** electricity disconnections. This shall be provided as part of the concept of vulnerable customers pursuant to Article 28 (1) of this Directive and without prejudice to the measures set out in Article10(11).

Amendment

Member States shall ***prohibit*** electricity disconnections ***for household customers unable to pay their energy bills, vulnerable household customers, and households at risk of or in energy poverty.*** This shall be provided as part of the concept of vulnerable customers pursuant to Article 28 (1) of this Directive and without prejudice to the measures set out in Article10(11).

Amendment 24

Proposal for a regulation

Article 2 – paragraph 1 – point 6

Directive (EU) 2019/944

Article 27 – paragraph 1

Text proposed by the Commission

1. Member States shall ensure that all household customers, and, where Member States consider it appropriate, small

Amendment

1. Member States shall ensure that all household customers ***and micro-enterprises***, and, where Member States

enterprises, enjoy universal service, namely the right to be supplied with electricity of a specified quality within their territory at competitive, easily and clearly comparable, transparent and non-discriminatory prices. To ensure the provision of universal service, Member States shall impose on distribution system operators an obligation to connect customers to their network under terms, conditions and tariffs set in accordance with the procedure laid down in Article 59(7). This Directive does not prevent Member States from strengthening the market position of the household customers and small and medium-sized non-household customers by promoting the possibilities for the voluntary aggregation of representation for that class of customers.

consider it appropriate, small enterprises, enjoy universal service, namely the right to be supplied with electricity of a specified quality within their territory at competitive, easily and clearly comparable, transparent and non-discriminatory prices. To ensure the provision of universal service, Member States shall impose on distribution system operators an obligation to connect customers to their network under terms, conditions and tariffs set in accordance with the procedure laid down in Article 59(7). This Directive does not prevent Member States from strengthening the market position of the household customers and small and medium-sized non-household customers by promoting the possibilities for the voluntary aggregation of representation for that class of customers.

Amendment 25

Proposal for a regulation

Article 2 – paragraph 1 – point 10

Directive (EU) 2019/944

Article 66a – paragraph 1 – introductory part

Text proposed by the Commission

1. The Commission may by decision declare a regional or Union-wide electricity price crisis, if the following conditions are met:

Amendment

1. The Commission, ***acting together with all of the Member States***, may by decision declare a regional or Union-wide electricity price crisis, if the following conditions are met ***simultaneously and expected to continue for at least six months***:

Amendment 26

Proposal for a regulation

Article 2 – paragraph 1 – point 10

Directive (EU) 2019/944

Article 66a – paragraph 2a (new)

Text proposed by the Commission

Amendment

2 a. *The declaration of a regional or Union-wide electricity price crisis shall ensure a level playing field across all Member States affected by the decision so that the internal market is not disproportionately distorted.*

Amendment 27

Proposal for a regulation

Article 2 – paragraph 1 – point 10

Directive (EU) 2019/944

Article 66a – paragraph 3 – point ca (new)

Text proposed by the Commission

Amendment

(c a) *take into account distortive effects on the wholesale market.*

Amendment 28

Proposal for a regulation

Article 2 – paragraph 1 – point 10

Directive (EU) 2019/944

Article 66a – paragraph 3a (new)

Text proposed by the Commission

Amendment

3 a. *The Commission shall issue guidance on how these thresholds can be applied in conjunction with the Temporary Crisis and Transition Framework for the time in which both, this Directive and the Framework will be in place.*

Amendment 29

Proposal for a regulation

Article 2 – paragraph 1 – point 10

Directive (EU) 2019/944

Article 66a – paragraph 4 – point a

Text proposed by the Commission

(a) the price set for households only applies to at most 80% of median household consumption and retains an incentive for demand reduction;

Amendment

(a) the price set for households ***and micro-enterprises*** only applies to at most 80% of median household consumption and retains an incentive for demand reduction, ***and at least 90% for vulnerable customers***;

PROCEDURE – COMMITTEE ASKED FOR OPINION

Title	Amending Regulations (EU) 2019/943 and (EU) 2019/942 as well as Directives (EU) 2018/2001 and (EU) 2019/944 to improve the Union's electricity market design						
References	COM(2023)0148 – C9-0049/2023 – 2023/0077(COD)						
Committee responsible Date announced in plenary	ITRE 1.6.2023						
Opinion by Date announced in plenary	ECON 1.6.2023						
Rapporteur for the opinion Date appointed	Pedro Silva Pereira 20.4.2023						
Date adopted	28.6.2023						
Result of final vote	<table> <tr> <td>+</td><td>39</td></tr> <tr> <td>–</td><td>8</td></tr> <tr> <td>0</td><td>4</td></tr> </table>	+	39	–	8	0	4
+	39						
–	8						
0	4						
Members present for the final vote	Rasmus Andresen, Anna-Michelle Asimakopoulou, Isabel Benjumea Benjumea, Stefan Berger, Engin Eroglu, Markus Ferber, Jonás Fernández, Valentino Grant, Claude Gruffat, José Gusmão, Michiel Hoogeveen, Stasys Jakeliūnas, France Jamet, Billy Kelleher, Ondřej Kovařík, Georgios Kyrtos, Aurore Lalucq, Aušra Maldeikienė, Csaba Molnár, Denis Nesci, Luděk Niedermayer, Lefteris Nikolaou-Alavanos, Lídia Pereira, Kira Marie Peter-Hansen, Eva Maria Poptcheva, Antonio Maria Rinaldi, Dorien Rookmaker, Alfred Sant, Joachim Schuster, Ralf Seekatz, Inese Vaidere, Johan Van Overtveldt, Stéphanie Yon-Courtin						
Substitutes present for the final vote	Damien Carême, Niels Fuglsang, Henrike Hahn, Valérie Hayer, Martin Hlaváček, Eugen Jurzyca, Janusz Lewandowski, Chris MacManus, Tonino Picula, Jessica Polfjård, René Repasi, Eleni Stavrou						
Substitutes under Rule 209(7) present for the final vote	Vladimír Bilčík, Marco Campomenosi, Hannes Heide, Leszek Miller, Patrizia Toia, Juan Ignacio Zoido Álvarez						

FINAL VOTE BY ROLL CALL IN COMMITTEE ASKED FOR OPINION

39	+
PPE	Anna-Michelle Asimakopoulou, Isabel Benjumea Benjumea, Stefan Berger, Vladimír Bilčík, Markus Ferber, Janusz Lewandowski, Aušra Maldeikienė, Luděk Niedermayer, Lúdia Pereira, Jessica Polfjård, Ralf Seekatz, Eleni Stavrou, Inese Vaidere, Juan Ignacio Zoido Álvarez
Renew	Engin Eroglu, Valérie Hayer, Martin Hlaváček, Billy Kelleher, Ondřej Kovařík, Georgios Kyrtos, Eva Maria Poptcheva, Stéphanie Yon-Courtin
S&D	Jonás Fernández, Niels Fuglsang, Hannes Heide, Aurore Lalucq, Leszek Miller, Csaba Molnár, Tonino Picula, René Repasi, Alfred Sant, Joachim Schuster, Patrizia Toia
Verts/ALE	Rasmus Andresen, Damien Carême, Claude Gruffat, Henrike Hahn, Stasys Jakeliūnas, Kira Marie Peter-Hansen

8	-
ECR	Michiel Hoogeveen, Eugen Jurzyca, Dorien Rookmaker, Johan Van Overtveldt
ID	France Jamet
NI	Lefteris Nikolaou-Alavanos
The Left	José Gusmão, Chris MacManus

4	0
ECR	Denis Nesci
ID	Marco Campomenosi, Valentino Grant, Antonio Maria Rinaldi

Key to symbols:

+ : in favour

- : against

0 : abstention