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Committee on Industry, Research and Energy

2011/0300(COD)

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AMENDMENTS

474 - 630

Draft report

António Fernando Correia de Campos

(PE480.775v01-00)

on the proposal for a regulation of the European Parliament and of the Council
Trans-European energy infrastructure, and repeal of Decision No
1364/2006/EC

Proposal for a regulation

(COM(2011)0658 – C7-0371/2011 – 2011/0300(COD))

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United in diversity

EN

Amendment 474
Evžen Tošenovský

Proposal for a regulation
Article 11 – paragraph 1 – introductory part

Text proposed by the Commission

Amendment

1. *The duration of the permit granting process shall consist of two phases and shall not exceed a period of three years:* **deleted**

Or. en

Amendment 475
Marita Ulvskog

Proposal for a regulation
Article 11 – paragraph 1 – introductory part

Text proposed by the Commission

Amendment

1. The duration of the permit granting process shall consist of two phases **and shall not exceed a period of three years:**

1. The duration of the permit granting process shall consist of two phases:

Or. en

Amendment 476
Jolanta Emilia Hibner

Proposal for a regulation
Article 11 – paragraph 1 – introductory part

Text proposed by the Commission

Amendment

1. The duration of the permit granting process shall consist of two phases **and shall not exceed a period of three years:**

1. The duration of the permit granting process shall consist of two phases:

Or. en

Amendment 477

Bogdan Kazimierz Marcinkiewicz, Jerzy Buzek

Proposal for a regulation

Article 11 – paragraph 1 – introductory part

Text proposed by the Commission

1. The duration of the permit granting process shall consist of two phases **and shall not exceed a period of three years**:

Amendment

1. The duration of the permit granting process shall consist of two phases:

Or. en

Amendment 478

Francisco Sosa Wagner

Proposal for a regulation

Article 11 – paragraph 1 – introductory part

Text proposed by the Commission

1. The duration of the permit granting process shall consist of two phases and shall not exceed a period of **three** years:

Amendment

1. The duration of the permit granting process shall consist of two phases and shall not exceed a period of **two** years:

Or. en

Amendment 479

Evžen Tošenovský

Proposal for a regulation

Article 11 – 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 not exceed two years.

Amendment

deleted

For the purpose of establishing the start of the permit granting process, the project promoter(s) shall notify the project to the competent authority of the Member State(s) concerned in written form, and shall include a reasonably detailed outline of the project. No later than two weeks following the receipt of the notification, the competent authority shall accept or, if it considers the project as not mature enough to enter the permit granting process, refuse the notification in written form. In case of a refusal, the competent authority shall justify its decision. The date of signature of the acceptance of the notification by the competent authority shall serve as the start of the permit granting process. Where two or more Member States are concerned, the acceptance of the notification by the last competent authority concerned shall serve as the date of the start of the permit granting process.

Or. en

Amendment 480
Jolanta Emilia Hibner

Proposal for a regulation
Article 11 – 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 not exceed *two years*.

Amendment

(a) the *notification* 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 not exceed *six months*.

Or. en

Amendment 481
Francisco Sosa Wagner

Proposal for a regulation

Article 11 – 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 not exceed **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 not exceed **eighteen months**.

Or. es

Justification

It should be feasible to carry out the environmental impact studies, advertise the project and draft the necessary reports within a period of 18 months. Technical correction essential.

Amendment 482

Bogdan Kazimierz Marcinkiewicz, Jerzy Buzek

Proposal for a regulation

Article 11 – 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 not exceed 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 not exceed two years.

Or. en

Amendment 483

Jolanta Emilia Hibner

Proposal for a regulation

Article 11 – paragraph 1 – point a – paragraph 1

Text proposed by the Commission

For the purpose of establishing the start of the permit granting process, the project promoter(s) shall notify the project to the competent authority of the Member State(s) concerned in written form, and shall include a reasonably detailed outline of the project. No later than two weeks following the receipt of the notification, the competent authority shall accept or, ***if it considers the project as not mature enough to enter the permit granting process, refuse the notification in written form. In case of a refusal, the competent authority shall justify its decision.*** The date of signature of the acceptance of the notification by the competent authority shall serve as the start of the permit granting process. Where two or more Member States are concerned, the acceptance of the notification by the last competent authority concerned shall serve as the date of the start of the permit granting process.

Amendment

For the purpose of establishing the start of the permit granting process, the project promoter(s) shall notify the project to the competent authority of the Member State(s) concerned in written form, and shall include a reasonably detailed outline of the project. No later than two weeks following the receipt of the notification, the competent authority shall accept or ***specify to the applicant all necessary additional information, detailing the nature, source and attributes of the data requested.*** The date of signature of the acceptance of the notification by the competent authority shall serve as the start of the permit granting process. Where two or more Member States are concerned, the acceptance of the notification by the last competent authority concerned shall serve as the date of the start of the permit granting process.

Or. en

Amendment 484

Bogdan Kazimierz Marcinkiewicz, Jerzy Buzek

Proposal for a regulation

Article 11 – paragraph 1 – point a – paragraph 1

Text proposed by the Commission

For the purpose of establishing the start of the permit granting process, the project promoter(s) shall notify the project to the competent authority of the Member State(s) concerned in written form, and shall include a reasonably detailed outline of the project. No later than two weeks following the receipt of the notification, the competent authority shall accept or, ***if it***

Amendment

For the purpose of establishing the start of the permit granting process, the project promoter(s) shall notify the project to the competent authority of the Member State(s) concerned in written form, and shall include a reasonably detailed outline of the project. No later than two weeks following the receipt of the notification, the competent authority shall accept or ***specify***

considers the project as not mature enough to enter the permit granting process, refuse the notification in written form. In case of a refusal, the competent authority shall justify its decision. The date of signature of the acceptance of the notification by the competent authority shall serve as the start of the permit granting process. Where two or more Member States are concerned, the acceptance of the notification by the last competent authority concerned shall serve as the date of the start of the permit granting process.

to the applicant all necessary additional information, detailing the nature, source and attributes of the data requested. The date of signature of the acceptance of the notification by the competent authority shall serve as the start of the permit granting process. Where two or more Member States are concerned, the acceptance of the notification by the last competent authority concerned shall serve as the date of the start of the permit granting process.

Or. en

Amendment 485
Jolanta Emilia Hibner

Proposal for a regulation
Article 11 – paragraph 1 – point b

Text proposed by the Commission

(b) The statutory permit granting procedure, covering the period from the acceptance of the submitted application file until the competent authority takes a comprehensive decision, shall not exceed one year. Member States may set an earlier date for the time-limit if considered appropriate.

Amendment

(b) The statutory permit granting procedure, covering the period from the acceptance of the submitted application file until the competent authority takes a comprehensive decision, shall not exceed one year; *in justified cases the competent authority may extend this time-limit to a period not exceeding 2 years.* Member States may set an earlier date for the time-limit if considered appropriate.

Or. en

Amendment 486
Bogdan Kazimierz Marcinkiewicz, Jerzy Buzek

Proposal for a regulation
Article 11 – paragraph 1 – point b

Text proposed by the Commission

(b) The statutory permit granting procedure, covering the period from the acceptance of the submitted application file until the competent authority takes a comprehensive decision, shall not exceed one year. Member States may set an earlier date for the time-limit if considered appropriate.

Amendment

(b) The statutory permit granting procedure, covering the period from the acceptance of the submitted application file until the competent authority takes a comprehensive decision, shall not exceed one year; ***in justified cases the competent authority may extend this time-limit to a period not exceeding 2 years.*** Member States may set an earlier date for the time-limit if considered appropriate.

Or. en

Amendment 487

Francisco Sosa Wagner

Proposal for a regulation

Article 11 – paragraph 1 – point b

Text proposed by the Commission

b) The statutory permit granting procedure, covering the period from the acceptance of the submitted application file until the competent authority takes a comprehensive decision, shall not exceed ***one year***. Member States may set an earlier date for the time-limit if considered appropriate.

Amendment

b) The statutory permit granting procedure, covering the period from the acceptance of the submitted application file until the competent authority takes a comprehensive decision, shall not exceed ***six months***. Member States may set an earlier date for the time-limit if considered appropriate.

Or. es

Justification

This should be possible, given that the public information and investigation processes will have already been completed.

Amendment 488

Evžen Tošenovský

Proposal for a regulation

Article 11 – paragraph 1 – point b

Text proposed by the Commission

(b) The statutory permit granting procedure, covering the period from the acceptance of the submitted application file until the competent authority takes a comprehensive decision, shall not exceed **one year**. Member States may set an earlier date for the time-limit if considered appropriate.

Amendment

(b) The statutory permit granting procedure, covering the period from the acceptance of the submitted application file until the competent authority takes a comprehensive decision, shall not exceed **three years**. Member States may set an earlier date for the time-limit if considered appropriate.

Or. en

Amendment 489
Evžen Tošenovský

Proposal for a regulation
Article 11 – paragraph 2

Text proposed by the Commission

2. Within one month of the **start of the permit granting process, pursuant to paragraph 1(a)**, the competent authority shall identify, in close cooperation with the other authorities concerned, the scope of material and level of detail of information to be submitted by the project promoter, as part of the application file, to apply for the comprehensive decision. The checklist referred to in point 1(e) of Annex VI shall serve as a basis for this identification. At least one meeting between the competent authority and the project promoter, and, if considered appropriate by the competent authority, other authorities and stakeholders concerned shall take place to this aim. A detailed application outline, which shall include the results of this meeting, shall be transmitted to the project promoter **and be made available to the public** no later than one month after the meeting.

Amendment

2. The project promoter(s) shall notify the planned project to the competent authority of the Member State(s) concerned in written form and shall include a reasonably detailed outline of the project. Within one month of the **notification**, the competent authority shall identify, in close cooperation with the other authorities concerned, the scope of material and level of detail of information to be submitted by the project promoter, as part of the application file, to apply for the comprehensive decision. The checklist referred to in point 1(e) of Annex VI shall serve as a basis for this identification. At least one meeting between the competent authority and the project promoter, and, if considered appropriate by the competent authority, other authorities and stakeholders concerned shall take place to this aim. A detailed application outline, which shall include the results of this meeting, shall be transmitted to the project promoter no later than one month after the

meeting.

Or. en

Amendment 490
Jolanta Emilia Hibner

Proposal for a regulation
Article 11 – paragraph 2

Text proposed by the Commission

2. Within one month of the start of the permit granting process, pursuant to paragraph 1(a), the competent authority shall identify, in close cooperation with the other authorities concerned, the scope of material and level of detail of information to be submitted by the project promoter, as part of the application file, to apply for the comprehensive decision. The checklist referred to in point 1(e) of Annex VI shall serve as a basis for this identification. At least one meeting between the competent authority and the project promoter, and, if considered appropriate by the competent authority, other authorities and stakeholders concerned shall take place to this aim. A detailed application outline, which shall include the results of this meeting, shall be transmitted to the project promoter **and be made available to the public** no later than one month after the meeting.

Amendment

2. Within one month of the start of the permit granting process, pursuant to paragraph 1(a), the competent authority shall identify, in close cooperation with the other authorities concerned, the scope of material and level of detail of information to be submitted by the project promoter, as part of the application file, to apply for the comprehensive decision. The checklist referred to in point 1(e) of Annex VI shall serve as a basis for this identification. At least one meeting between the competent authority and the project promoter, and, if considered appropriate by the competent authority, other authorities and stakeholders concerned shall take place to this aim. A detailed application outline, which shall include the results of this meeting, shall be transmitted to the project promoter no later than one month after the meeting.

Or. en

Amendment 491
Bogdan Kazimierz Marcinkiewicz, Jerzy Buzek

Proposal for a regulation
Article 11 – paragraph 2

Text proposed by the Commission

2. Within one month of the start of the permit granting process, pursuant to paragraph 1(a), the competent authority shall identify, in close cooperation with the other authorities concerned, the scope of material and level of detail of information to be submitted by the project promoter, as part of the application file, to apply for the comprehensive decision. The checklist referred to in point 1(e) of Annex VI shall serve as a basis for this identification. At least one meeting between the competent authority and the project promoter, and, if considered appropriate by the competent authority, other authorities and stakeholders concerned shall take place to this aim. A detailed application outline, which shall include the results of this meeting, shall be transmitted to the project promoter **and be made available to the public** no later than one month after the meeting.

Amendment

2. Within one month of the start of the permit granting process, pursuant to paragraph 1(a), the competent authority shall identify, in close cooperation with the other authorities concerned, the scope of material and level of detail of information to be submitted by the project promoter, as part of the application file, to apply for the comprehensive decision. The checklist referred to in point 1(e) of Annex VI shall serve as a basis for this identification. At least one meeting between the competent authority and the project promoter, and, if considered appropriate by the competent authority, other authorities and stakeholders concerned shall take place to this aim. A detailed application outline, which shall include the results of this meeting, shall be transmitted to the project promoter no later than one month after the meeting.

Or. en

Justification

Detailed information on the application and the results of the meeting in this early stage of the project can jeopardize the realisation of the project (e.g. by triggering speculations on easements and land plots).

Amendment 492
Konrad Szymański

Proposal for a regulation
Article 11 – paragraph 3 – subparagraph 1 a (new)

Text proposed by the Commission

Amendment

This detailed schedule shall take into account the provisions of Article 11 (2), the concept for public participation

pursuant to Article 10(3) and the best applicable authorization process to the kind of the project.

Or. en

Amendment 493
Marian-Jean Marinescu

Proposal for a regulation
Article 11 – paragraph 3 – subparagraph 2

Text proposed by the Commission

For projects crossing the border between two or more Member States, the competent authorities of the Member States concerned shall align their timetables and elaborate a joint schedule.

Amendment

This detailed schedule shall take into account the provisions of Article 11(2), the concept for public participation pursuant to Article 10(3) and the best applicable authorization process as regards the specificity of the project.

For projects crossing the border between two or more Member States, the competent authorities of the Member States concerned shall align their timetables and elaborate a joint schedule.

Or. en

Amendment 494
Evžen Tošenovský

Proposal for a regulation
Article 11 – paragraph 4

Text proposed by the Commission

4. The project promoter shall ensure the completeness and adequate quality of the application file and seek the competent authority's opinion on this as early as possible ***during the pre-application procedure***. The project promoter shall cooperate with the competent authority to meet deadlines and comply with the

Amendment

4. The project promoter shall ensure the completeness and adequate quality of the application file and seek the competent authority's opinion on this as early as possible. The project promoter shall cooperate with the competent authority to meet deadlines and comply with the detailed schedule as defined in paragraph

detailed schedule as defined in paragraph 3.

3.

Or. en

Amendment 495
Lena Kolarska-Bobińska

Proposal for a regulation
Article 11 – paragraph 4

Text proposed by the Commission

4. The project promoter shall ensure the completeness and adequate quality of the application file and seek the competent authority's opinion on this as early as possible during the pre-application procedure. The project promoter shall cooperate with the competent authority to meet deadlines and comply with the detailed schedule as defined in paragraph 3.

Amendment

4. The project promoter shall ensure the completeness and adequate quality of the application file and seek the competent authority's opinion on this as early as possible during the pre-application procedure. The project promoter shall **fully** cooperate with the competent authority to meet deadlines and comply with the detailed schedule as defined in paragraph 3.

Or. en

Amendment 496
András Gyürk

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

Text proposed by the Commission

Amendment

5a. The competent authorities concerned shall report at the meetings of the Group on the progress of the permit granting procedures concerning projects of common interest.

Or. en

Amendment 497
András Gyürk

Proposal for a regulation
Article 11 – paragraph 6

Text proposed by the Commission

6. In the event of an expiry of the time-limit for the comprehensive decision, the competent authority shall present to the competent Group the measures taken or to be taken to conclude the permit granting process with the least possible delay. The Group may request the competent authority to report regularly on progress achieved in this regard.

Amendment

6. In the event of an expiry of the time-limit for the comprehensive decision, the competent authority shall present to the competent Group the **additional** measures taken or to be taken to conclude the permit granting process with the least possible delay. The Group may request the competent authority to report regularly on progress achieved in this regard.

Or. en

Amendment 498
Sabine Wils

Proposal for a regulation
Article 11 a (new)

Text proposed by the Commission

Amendment

Article 11 a

Network development planning and projects of common interest

(1) When drawing up national and regional development plans for transmission networks that could be significantly affected by projects of common interest, and when drawing up EU network development plans for transmission networks, the Member States, the distribution system operators and ENTSO-E shall ensure that the following minimum criteria are complied with:

- As a basis for the network development plans, at least three different plausible scenarios for the future development of

supply and demand shall be worked out and approved by the regulatory authority.

- The scenarios shall be geared in particular to compliance with the Member State's targets for increasing the share of renewable energy, reducing greenhouse gas emissions and boosting energy efficiency.

- The scenarios and the data that underlie them shall be published on submission to the regulatory authority in accordance with paragraph 2.

- The regulatory authority shall conduct at least one public consultation before approval is granted.

(2) Provided that the interest in the publication of the grounds underlying the network development plans is not, exceptionally, outweighed by private interests in the protection of personal or commercial data, all data from the transmission system operators which is needed for the independent monitoring of the need for development projects shall be made available to the public. The same requirement shall apply to ENTSO-E in respect of the grounds for the ten-year network development plan in accordance with Article 8 of Regulation (EC) 714/2009.

Or. de

Amendment 499

Yannick Jadot

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 12 – paragraph 1

Text proposed by the Commission

1. Within **one month** of the entry into force of this Regulation, the ENTSO for

Amendment

1. Within **three months** of the entry into force of this Regulation, the ENTSO for

Electricity and the ENTSO for Gas shall submit to the Agency and the Commission their respective methodology, including on network and market modelling, for a harmonised energy system-wide cost-benefit analysis at Union-wide level for projects of common interest falling under the categories set out in points 1(a) to (d) and 2 of Annex II. The methodology shall be elaborated in line with the principles laid down in Annex V.

Electricity and the ENTSO for Gas shall submit to the Agency and the Commission their respective methodology, including on network and market modelling, for a harmonised **long term** energy system-wide cost-benefit analysis at Union-wide level, **taking into account wider socio-economic as well as environmental benefits of energy infrastructure**, for projects of common interest falling under the categories set out in points 1(a) to (d) and 2 of Annex II. The methodology shall be elaborated in **a transparent manner, after formally consulting organisations representing relevant stakeholders. The elaboration of the methodology shall be in line with the principles laid down in Annex V and its underlying scenarios shall be in line with the targets of the Directive 2009/28/EC, other relevant Union legislation and the long term policy objectives of the 2050 Roadmaps. The draft methodology shall be made public and subject to a public consultation in accordance with standard Union procedures.**

Or. en

Justification

This methodology should properly capture wider socio-economic as well as environmental benefits of energy infrastructure to ensure a trans-European evaluation, rather than the current approach by National Regulators, which is limited to look at national impacts. Since this methodology will be a cornerstone in the evaluation of which projects should be listed as of common European interest it should be underlined that the applied scenarios should fully respect EU legislation and long term policy objectives. Public consultation on the draft methodology for cost-benefit analysis is necessary, not just final publication of the methodology.

Amendment 500
Evžen Tošenovský

Proposal for a regulation
Article 12 – paragraph 1

Text proposed by the Commission

1. Within **one month** of the entry into force of this Regulation, the ENTSO for Electricity and the ENTSO for Gas shall submit to the Agency and the Commission their respective **methodology, including on network and market modelling**, for a harmonised energy system-wide cost-benefit analysis at Union-wide level for projects of common interest falling under the categories set out in points 1(a) to (d) and 2 of Annex II. The methodology shall be elaborated in line with the principles laid down in Annex V.

Amendment

1. Within **twelve months** of the entry into force of this Regulation, the ENTSO for Electricity and the ENTSO for Gas, **after formally consulting the organisations representing all relevant stakeholders**, shall submit to the Agency and the Commission their respective **methodologies**, for a harmonised energy system-wide cost-benefit analysis at Union-wide level **to be applied by ENTSOs through their Union-wide ten year network development plans as well as for project-specific analysis to be applied by project promoters for their** projects of common interest falling under the categories set out in points 1(a), **(b) and** (d) and 2 of Annex II. The methodology shall be elaborated in line with the principles laid down in Annex V **and be consistent with the rules and indicators set out in Annex IV**.

Or. en

Justification

Given that for the purposes of this Regulation storage of electricity is not a regulated activity, the methodology for a harmonised cost-benefit analysis should not apply to the category falling under point 1(c) of Annex II.

Amendment 501

Jolanta Emilia Hibner

**Proposal for a regulation
Article 12 – paragraph 1**

Text proposed by the Commission

1. Within **one month** of the entry into force of this Regulation, the ENTSO for Electricity and the ENTSO for Gas shall submit to the Agency and the Commission

Amendment

1. Within **twelve months** of the entry into force of this Regulation, the ENTSO for Electricity and the ENTSO for Gas, **after formally consulting the organisations**

their respective **methodology, including on network and market modelling**, for a harmonised energy system-wide cost-benefit analysis at Union-wide level for projects of common interest falling under the categories set out in points 1(a) to (d) and 2 of Annex II. The methodology shall be elaborated in line with the principles laid down in Annex V.

representing all relevant stakeholders, shall submit to the Agency and the Commission their respective **methodologies**, for a harmonised energy system-wide cost-benefit analysis at Union-wide level **to be applied by ENTSOs through their Union-wide ten year network development plans as well as for project-specific analysis to be applied by project promoters for their** projects of common interest falling under the categories set out in points 1(a) to (d) and 2 of Annex II. The methodology shall be elaborated in line with the principles laid down in Annex V **and be consistent with the rules and indicators set out in Annex IV**.

Or. en

Amendment 502
Amalia Sartori, Mario Mauro

Proposal for a regulation
Article 12 – paragraph 1

Text proposed by the Commission

1. Within **one month** of the entry into force of this Regulation, the ENTSO for Electricity and the ENTSO for Gas shall submit to the Agency and the Commission their respective methodology, including on network and market modelling, for a harmonised energy system-wide cost-benefit analysis at Union-wide level for projects of common interest falling under the categories set out in points 1(a) to (d) and 2 of Annex II. The methodology shall be elaborated in line with the principles laid down in Annex V.

Amendment

1. Within **twelve months** of the entry into force of this Regulation, the ENTSO for Electricity and the ENTSO for Gas shall submit to the Agency and the Commission their respective methodology, including on network and market modelling, for a harmonised energy system-wide cost-benefit analysis at Union-wide level for projects of common interest falling under the categories set out in points 1(a) to (d) and 2 of Annex II. The methodology shall be elaborated in line with the principles laid down in Annex V.

Or. en

Justification

One month for ENTSO-E to provide a methodology is inadequate, since some of the criteria given in Annex V are additional to the ones taken into account in the ENTSO-E TYNDP. Besides, it is necessary to build the methodology on a clear legal basis. One year is the minimum needed for the development of new methodologies, especially including externalities.

Amendment 503

Lambert van Nistelrooij

Proposal for a regulation

Article 12 – paragraph 1

Text proposed by the Commission

1. Within one month of the entry into force of this Regulation, the ENTSO for Electricity and the ENTSO for Gas shall submit to the Agency and the Commission their respective methodology, including on network and market modelling, for a harmonised energy system-wide **cost-benefit** analysis at Union-wide level for projects of common interest falling under the categories set out in points 1(a) to (d) and 2 of Annex II. The methodology shall be elaborated in line with the principles laid down in Annex V.

Amendment

1. Within one month of the entry into force of this Regulation, the ENTSO for Electricity and the ENTSO for Gas shall submit to the Agency and the Commission their respective methodology, including on network and market modelling, for a harmonised energy system-wide **cost benefit** analysis at Union-wide level for projects of common interest falling under the categories set out in points 1(a) to (d) and 2 of Annex II. The methodology shall be elaborated in line with the principles **and criteria** laid down in **Article 4 (2), Annex IV and Annex V. The ENTSO for Electricity and the ENTSO for Gas shall consult with relevant stakeholders, including infrastructure users, organisations representing the infrastructure operators and non-TSO project developers, early during the development of the methodology.**

Or. en

Justification

This in order to consult an organization representing all gas infrastructure operators as well.

Amendment 504
Adina-Ioana Vălean

Proposal for a regulation
Article 12 – paragraph 1

Text proposed by the Commission

1. Within **one month** of the entry into force of this Regulation, the ENTSO for Electricity and the ENTSO for Gas shall submit to the Agency and the Commission their respective methodology, including on network and market modelling, for a harmonised energy system-wide cost-benefit analysis at Union-wide level for projects of common interest falling under the categories set out in points 1(a) to (d) and 2 of Annex II. The methodology shall be elaborated in line with the principles laid down in Annex V.

Amendment

1. Within **four months** of the entry into force of this Regulation, the ENTSO for Electricity and the ENTSO for Gas shall submit to the Agency and the Commission their respective methodology, including on network and market modelling, for a harmonised energy system-wide cost-benefit analysis at Union-wide level for projects of common interest falling under the categories set out in points 1(a) to (d) and 2 of Annex II. The methodology shall be elaborated in line with the principles laid down in Annex V **in particular in consultation with the users group as referred to in Annex V**.

Or. en

Justification

Due to collaboration and the need for stakeholders involvement, 4 months seems a more realistic timeline. Stakeholders should also be involved at an early stage in the development of the CBA methodology and should be consulted through the users group representing all relevant stakeholder associations. The users group shall meet at least twice before the ENTSO for Electricity and the ENTSO for Gas submit the methodology to the Agency and the Commission. (see AM in Annex V new point 13).

Amendment 505
Alejo Vidal-Quadras

Proposal for a regulation
Article 12 – paragraph 1

Text proposed by the Commission

1. Within one month of the entry into force of this Regulation, the ENTSO for

Amendment

1. Within one month of the entry into force of this Regulation, the ENTSO for

Electricity and the ENTSO for Gas shall submit to the Agency and the Commission their respective methodology, including on network and market modelling, for a harmonised energy system-wide cost-benefit analysis at Union-wide level for projects of common interest falling under the categories set out in points 1(a) to (d) and 2 of Annex II. The methodology shall be elaborated in line with the principles laid down in Annex V.

Electricity and the ENTSO for Gas shall submit to the Agency and the Commission their respective methodology, **as well as standard costs for different categories of projects**, including on network and market modelling, for a harmonised energy system-wide cost-benefit analysis at Union-wide level for projects of common interest falling under the categories set out in points 1(a) to (d) and 2 of Annex II, **except for hydro-pumped electricity storage projects**. The methodology shall be elaborated in line with the principles laid down in Annex V.

Or. en

Amendment 506
Francisco Sosa Wagner

Proposal for a regulation
Article 12 – paragraph 1

Text proposed by the Commission

1. Within one month of the entry into force of this Regulation, the ENTSO for Electricity and the ENTSO for Gas shall submit to the Agency and the Commission their respective methodology, including on network and market modelling, for a harmonised energy system-wide cost-benefit analysis at Union-wide level for projects of common interest falling under the categories set out in points 1(a) to (d) and 2 of Annex II. The methodology shall be elaborated in line with the principles laid down in Annex V.

Amendment

1. Within one month of the entry into force of this Regulation, the ENTSO for Electricity and the ENTSO for Gas shall submit to the Agency and the Commission their respective methodology, including on network and market modelling, for a harmonised energy system-wide cost-benefit analysis at Union-wide level for projects of common interest falling under the categories set out in points 1(a) to (d) and 2 of Annex II. The methodology shall be elaborated in line with the principles laid down in Annex V. **The draft methodology shall be made public and subject to consultation in accordance with standard Union procedures**

Or. en

Justification

Public consultation on the draft methodology for cost-benefit analysis is necessary, not just final publication of the methodology

Amendment 507 **Konrad Szymański**

Proposal for a regulation **Article 12 – paragraph 1**

Text proposed by the Commission

1. Within one month of the entry into force of this Regulation, the ENTSO for Electricity and the ENTSO for Gas shall submit to the Agency and the Commission their respective methodology, including on network and market modelling, for a harmonised energy system-wide cost-benefit analysis at Union-wide level for projects of common interest falling under the categories set out in points 1(a) to (d) and 2 of Annex II. The methodology shall be elaborated in line with the principles laid down in Annex V.

Amendment

1. Within one month of the entry into force of this Regulation, the ENTSO for Electricity and the ENTSO for Gas shall submit to the Agency and the Commission their respective methodology, including on network and market modelling, for a harmonised energy system-wide cost-benefit analysis at Union-wide level for projects of common interest falling under the categories set out in points 1(a) to (d) and 2 of Annex II. The methodology shall be elaborated in line with the principles laid down in Annex V ***in particular the consultation of relevant stakeholders, including other infrastructure operators and the respective organizations representing them.***

Or. en

Amendment 508 **Marian-Jean Marinescu**

Proposal for a regulation **Article 12 – paragraph 1**

Text proposed by the Commission

1. Within one month of the entry into force of this Regulation, the ENTSO for Electricity and the ENTSO for Gas shall

Amendment

1. Within one month of the entry into force of this Regulation, the ENTSO for Electricity and the ENTSO for Gas shall

submit to the Agency and the Commission their respective methodology, including on network and market modelling, for a harmonised energy system-wide cost-benefit analysis at Union-wide level for projects of common interest falling under the categories set out in points 1(a) to (d) and 2 of Annex II. The methodology shall be elaborated in line with the principles laid down in Annex V.

submit to the Agency and the Commission their respective methodology, including on network and market modelling, for a harmonised energy system-wide cost-benefit analysis at Union-wide level ***taking into account wider socio-economic as well as environmental benefits of energy infrastructure on a regional scale*** for projects of common interest falling under the categories set out in points 1(a) to (d) and 2 of Annex II. The methodology shall be elaborated in line with the principles laid down in Annex V.

Or. en

Amendment 509
Fiona Hall

Proposal for a regulation
Article 12 – paragraph 1

Text proposed by the Commission

1. Within one month of the entry into force of this Regulation, the ENTSO for Electricity and the ENTSO for Gas shall submit to the Agency and the Commission their respective methodology, including on network and market modelling, for a harmonised energy system-wide cost-benefit analysis at Union-wide level for projects of common interest falling under the categories set out in points 1(a) to (d) and 2 of Annex II. The methodology shall be elaborated in line with the principles laid down in Annex V.

Amendment

1. Within one month of the entry into force of this Regulation, the ENTSO for Electricity and the ENTSO for Gas shall submit to the Agency and the Commission their respective methodology, including on network and market modelling, for a harmonised energy system-wide cost-benefit analysis at Union-wide level ***taking into account wider socio-economic as well as environmental benefits of energy infrastructure on a regional scale*** for projects of common interest falling under the categories set out in points 1(a) to (d) and 2 of Annex II. The methodology shall be elaborated in line with the principles laid down in Annex V.

Or. en

Justification

This cost-benefit analysis should include wider economic, social and environmental benefits of energy infrastructure, such as avoided carbon emissions and faster integration of renewables into the grid.

Amendment 510

Gaston Franco

Proposal for a regulation

Article 12 – paragraph 1

Text proposed by the Commission

1. Within **one month** of the entry into force of this Regulation, the ENTSO for Electricity and the ENTSO for Gas shall submit to the Agency and the Commission their respective methodology, including on network and market modelling, for a harmonised energy system-wide cost-benefit analysis at Union-wide level for projects of common interest falling under the categories set out in points 1(a) to (d) and 2 of Annex II. The methodology shall be elaborated in line with the principles laid down in Annex V.

Amendment

1. Within **12 months** of the entry into force of this Regulation, the ENTSO for Electricity and the ENTSO for Gas shall submit to the Agency and the Commission their respective methodology, including on network and market modelling, for a harmonised energy system-wide cost-benefit analysis at Union-wide level for projects of common interest falling under the categories set out in points 1(a) to (d) and 2 of Annex II. The methodology shall be elaborated in line with the principles laid down in Annex V.

Or. fr

Justification

The deadline is too short for a proper consultation to be carried out. It should therefore be extended.

Amendment 511

Amalia Sartori

Proposal for a regulation

Article 12 – paragraph 2

Text proposed by the Commission

2. Within three months of the day of

Amendment

2. Within three months of the day of

receipt of the methodology, the Agency, after formally consulting **the organisations representing** all relevant stakeholders, shall provide an opinion to the Commission on the methodology.

receipt of the methodology, the Agency, after formally consulting all relevant stakeholders, shall provide an opinion to the Commission on the methodology.

Or. en

Justification

In the Commission's proposal, ACER should play a strategic "go-between" role (between ENTSOs and the Commission) for the final definition of the CBA methodology. Stakeholders should be associated by ACER in a transparent way before the CBA methodology will be used as a reference tool for future projects. At least, it is highly relevant for EDF to be consulted and to get feedback on the methodology at this level.

Amendment 512

Bendt Bendtsen, Krišjānis Kariņš, Gunnar Hökmark

Proposal for a regulation

Article 12 – paragraph 2

Text proposed by the Commission

2. Within three months of the day of receipt of the methodology, the Agency, after formally consulting **the organisations representing** all relevant stakeholders, shall provide an opinion to the Commission on the methodology.

Amendment

2. Within three months of the day of receipt of the methodology, the Agency, after formally consulting all relevant stakeholders, shall provide an opinion to the Commission on the methodology.

Or. en

Justification

A sound, independent and transparent scrutiny of the CBA methodology by all relevant actors is a primary condition for designing a methodology which is fit for purpose. All stakeholders should have a chance to comment on such a methodology, not only the relevant organisations representing them – as it is common practice with the public consultations already run by the Commission, the Agency and the ENTSOs.

Amendment 513

Alejo Vidal-Quadras, Pilar del Castillo Vera

Proposal for a regulation
Article 12 – paragraph 2

Text proposed by the Commission

2. Within three months of the day of receipt of the methodology, the Agency, after formally consulting ***the organisations representing*** all relevant stakeholders, shall provide an opinion to the Commission on the methodology.

Amendment

2. Within three months of the day of receipt of the methodology, the Agency, after formally consulting all relevant stakeholders, shall provide an opinion to the Commission on the methodology.

Or. en

Amendment 514
Silvia-Adriana Țicău

Proposal for a regulation
Article 12 – paragraph 3

Text proposed by the Commission

3. Within three months of the receipt of the opinion of the Agency, the Commission shall deliver an opinion on the methodology.

Amendment

3. Within three months of the receipt of the opinion of the Agency, the Commission shall deliver an opinion on the methodology, ***which it shall forward to the European Parliament and the EU Council for approval, together with the two methodologies.***

Or. ro

Amendment 515
Silvia-Adriana Țicău

Proposal for a regulation
Article 12 – paragraph 4

Text proposed by the Commission

4. Within three months of the day of ***receipt of the Commission's opinion***, the

Amendment

4. Within three months of the day of ***approval by the European Parliament and***

ENTSO for Electricity and the ENTSO for Gas shall adapt their methodology accordingly and submit it to the Commission for approval.

EU Council, the ENTSO for Electricity and the ENTSO for Gas shall adapt their methodology accordingly and submit it to the Commission for approval.

Or. ro

Amendment 516

Bogdan Kazimierz Marcinkiewicz, Jerzy Buzek

Proposal for a regulation Article 12 – paragraph 5

Text proposed by the Commission

5. Within two weeks of the approval by the Commission, the ENTSO for Electricity and the ENTSO for Gas shall publish **the methodology** on their websites. They shall transmit the corresponding input data sets as defined in point 1 of Annex V **and other relevant network, load flow and market data in a sufficiently accurate form according to national legislations and relevant confidentiality agreements** to the Commission and the Agency, upon request. The data shall be valid at the date of the request. The Commission and the Agency shall ensure the confidential treatment of the data received, by themselves and by any party carrying out analytical work for them on the basis of those data.

Amendment

5. Within two weeks of the approval by the Commission, the ENTSO for Electricity and the ENTSO for Gas shall publish **their respective methodologies** on their websites. They shall transmit the corresponding input data sets as defined in point 1 of Annex V to the Commission and the Agency, upon request. The data shall be valid at the date of the request. The Commission and the Agency shall ensure the confidential treatment of the data received, by themselves and by any party carrying out analytical work for them on the basis of those data.

Or. en

Justification

Proposal to ensure consistency with amendment of Article 12.1

Amendment 517

Jolanta Emilia Hibner

Proposal for a regulation
Article 12 – paragraph 5

Text proposed by the Commission

5. Within two weeks of the approval by the Commission, the ENTSO for Electricity and the ENTSO for Gas shall publish ***the methodology*** on their websites. They shall transmit the corresponding input data sets as defined in point 1 of Annex V ***and other relevant network, load flow and market data in a sufficiently accurate form according to national legislations and relevant confidentiality agreements*** to the Commission and the Agency, upon request. The data shall be valid at the date of the request. The Commission and the Agency shall ensure the confidential treatment of the data received, by themselves and by any party carrying out analytical work for them on the basis of those data.

Amendment

5. Within two weeks of the approval by the Commission, the ENTSO for Electricity and the ENTSO for Gas shall publish ***their respective methodologies*** on their websites. They shall transmit the corresponding input data sets as defined in point 1 of Annex V to the Commission and the Agency, upon request. The data shall be valid at the date of the request. The Commission and the Agency shall ensure the confidential treatment of the data received, by themselves and by any party carrying out analytical work for them on the basis of those data.

Or. en

Amendment 518
András Gyürk

Proposal for a regulation
Article 12 – paragraph 5

Text proposed by the Commission

5. Within two weeks of the approval by the Commission, the ENTSO for Electricity and the ENTSO for Gas shall publish the methodology on their websites. They shall transmit the corresponding input data sets as defined in point 1 of Annex V and other relevant network, load flow and market data in a sufficiently accurate form according to national legislations and relevant confidentiality agreements to the Commission and the Agency, upon request. The data shall be valid at the date of the request. The Commission and the Agency

Amendment

5. Within two weeks of the approval by the Commission, the ENTSO for Electricity and the ENTSO for Gas shall publish the methodology on their websites. They shall transmit the corresponding input data sets as defined in point 1 of Annex V and other relevant network, load flow and market data in a sufficiently accurate form according to national legislations and relevant confidentiality agreements to the Commission and the Agency, upon request. ***For verification purposes, the Commission or the Agency may request***

shall ensure the confidential treatment of the data received, by themselves and by any party carrying out analytical work for them on the basis of those data.

the underlying calculation of the data set to be sent by the ENTSOs for Electricity and Gas. The data shall be valid at the date of the request. The Commission and the Agency shall ensure the confidential treatment of the data received, by themselves and by any party carrying out analytical work for them on the basis of those data.

Or. en

Amendment 519
Jolanta Emilia Hibner

Proposal for a regulation
Article 12 – paragraph 6

Text proposed by the Commission

6. The ***methodology*** shall be updated and improved ***regularly*** by following the procedure laid down in paragraphs 1 to 5. ***The Agency, after formally consulting the organisations representing all relevant stakeholders and the Commission, may request such updates and improvements with due justification and timescales.***

Amendment

6. The ***methodologies*** shall be updated and improved ***if necessary in line with the publication of the Ten-Year Network Development Plans*** by following the procedure laid down in paragraphs 1 to 5.

Or. en

Amendment 520
András Gyürk

Proposal for a regulation
Article 12 – paragraph 7

Text proposed by the Commission

7. The methodology shall be applied to the cost-benefit analysis under all subsequent ten-year network development plans for electricity or gas developed by the ENTSOs for Electricity or Gas pursuant

Amendment

7. The methodology shall be applied to the cost-benefit analysis under ***the selection procedure of projects of common interests pursuant to Article 3, under the cross-border allocation of corresponding costs***

Article 8 of Regulation (EC) 714/2009 and Regulation (EC) 715/2009.

of projects of common interests pursuant to Article 13 and under all subsequent ten-year network development plans for electricity or gas developed by the ENTSOs for Electricity or Gas pursuant *to* Article 8 of Regulation (EC) 714/2009 and Regulation (EC) 715/2009.

Or. en

Amendment 521

Bendt Bendtsen, Krišjānis Kariņš, Gunnar Hökmark, Maria Da Graça Carvalho

Proposal for a regulation Article 12 – paragraph 7

Text proposed by the Commission

7. The methodology shall be applied to the cost-benefit analysis under all subsequent ten-year network development plans for electricity or gas developed by the ENTSOs for Electricity or Gas pursuant Article 8 of Regulation (EC) 714/2009 and Regulation (EC) 715/2009.

Amendment

7. The methodology shall be applied to the cost-benefit analysis under all subsequent ten-year network development plans for electricity or gas developed by the ENTSOs for Electricity or Gas pursuant Article 8 of Regulation (EC) 714/2009 and Regulation (EC) 715/2009, ***and the main results of the cost-benefit analysis in relevant scenarios must be included in the consultation process and final reporting of the ten-year network development plans.***

Or. en

Amendment 522

Jolanta Emilia Hibner

Proposal for a regulation Article 12 – paragraph 7

Text proposed by the Commission

7. The ***methodology*** shall be applied ***to the cost-benefit analysis*** under all subsequent ten-year network development plans for

Amendment

7. The ***methodologies*** shall be applied under all subsequent ten-year network development plans for electricity or gas

electricity or gas developed by the ENTSOs for Electricity or Gas pursuant Article 8 of Regulation (EC) 714/2009 and Regulation (EC) 715/2009.

developed by the ENTSOs for Electricity or Gas pursuant Article 8 of Regulation (EC) 714/2009 and Regulation (EC) 715/2009 **regarding the energy system-wide cost-benefit analysis at Union-wide level.**

Or. en

Amendment 523
Teresa Riera Madurell

Proposal for a regulation
Article 12 – paragraph 8

Text proposed by the Commission

8. By 31 December 2016, the ENTSO for Electricity and the ENTSO for Gas shall **jointly** submit to the Commission and the Agency **common** electricity and gas market and network **model** including **both** electricity and gas transmission and storage, covering the priority corridors and areas designated in Annex I and elaborated in line with the principles laid down in Annex V. After approval of **this model** by the Commission according to the procedure set out in paragraphs 2 to 4, **it** shall be included **in the methodology**.

Amendment

8. By 31 December 2016, the ENTSO for Electricity and the ENTSO for Gas shall submit to the Commission and the Agency **their corresponding** electricity and gas market and network **models** including **respectively** electricity and gas transmission and storage, covering the priority corridors and areas designated in Annex I and elaborated in line with the principles laid down in Annex V. After approval of **these models** by the Commission according to the procedure set out in paragraphs 2 to 4, **they** shall be included **their respective methodologies**.

Or. en

Justification

Synergies of a joint electricity and gas market and network model are far from evident. Both models should be developed separately for electricity and gas.

Amendment 524
Silvia-Adriana Țicău

Proposal for a regulation
Article 12 – paragraph 8

Text proposed by the Commission

8. By 31 December 2016, the ENTSO for Electricity and the ENTSO for Gas shall jointly submit to the Commission **and the Agency** a common electricity and gas market and network model including both electricity and gas transmission and storage, covering the priority corridors and areas designated in Annex I and elaborated in line with the principles laid down in Annex V. After approval of this model by the Commission according to the procedure set out in paragraphs 2 to 4, it shall be included in the methodology.

Amendment

8. By 31 December 2016, the ENTSO for Electricity and the ENTSO for Gas shall jointly submit to **the Agency, the Commission, the European Parliament and the EU Council** a common electricity and gas market and network model including both electricity and gas transmission and storage, covering the priority corridors and areas designated in Annex I and elaborated in line with the principles laid down in Annex V. <<<<
After approval of this model by the Commission **the European Parliament and the EU Council** according to the procedure set out in paragraphs 2 to 4, it shall be included in the methodology.

Or. ro

Amendment 525
Alejo Vidal-Quadras, Pilar del Castillo Vera

Proposal for a regulation
Article 12 – paragraph 8

Text proposed by the Commission

8. By 31 December 2016, the ENTSO for Electricity and the ENTSO for Gas shall jointly submit to the Commission and the Agency **common** electricity and gas market and network **model** including both electricity and gas transmission and storage, covering the priority corridors and areas designated in Annex I and elaborated in line with the principles laid down in Annex V. After approval of **this model** by the Commission according to the procedure

Amendment

8. By 31 December 2016, the ENTSO for Electricity and the ENTSO for Gas shall jointly submit to the Commission and the Agency **consistent and interactive** electricity and gas market and network **models** including both electricity and gas transmission and storage, covering the priority corridors and areas designated in Annex I and elaborated in line with the principles laid down in Annex V. After approval of **these models** by the

set out in paragraphs 2 to 4, **it** shall be included in the methodology.

Commission according to the procedure set out in paragraphs 2 to 4, **they** shall be included in the methodology.

Or. en

Amendment 526
Adina-Ioana Vălean

Proposal for a regulation
Article 12 – paragraph 8

Text proposed by the Commission

8. By 31 December 2016, the ENTSO for Electricity and the ENTSO for Gas shall jointly submit to the Commission and the Agency common electricity and gas market and network model including both electricity and gas transmission and storage, covering the priority corridors and areas designated in Annex I and elaborated in line with the principles laid down in Annex V. After approval of this model by the Commission according to the procedure set out in paragraphs 2 to 4, it shall be included in the methodology.

Amendment

8. By 31 December 2016, the ENTSO for Electricity and the ENTSO for Gas shall jointly submit to the Commission and the Agency common electricity and gas market and network model including both electricity and gas transmission, **LNG terminals** and storage, covering the priority corridors and areas designated in Annex I and elaborated in line with the principles laid down in Annex V. After approval of this model by the Commission according to the procedure set out in paragraphs 2 to 4, it shall be included in the methodology.

Or. en

Amendment 527
Konrad Szymański

Proposal for a regulation
Article 12 – paragraph 8

Text proposed by the Commission

8. By 31 December 2016, the ENTSO for Electricity and the ENTSO for Gas shall jointly submit to the Commission and the Agency common electricity and gas market and network model including both electricity and gas transmission and

Amendment

8. By 31 December 2016, the ENTSO for Electricity and the ENTSO for Gas shall jointly submit to the Commission and the Agency common electricity and gas market and network model including both electricity and gas transmission, **LNG**

storage, covering the priority corridors and areas designated in Annex I and elaborated in line with the principles laid down in Annex V. After approval of this model by the Commission according to the procedure set out in paragraphs 2 to 4, it shall be included in the methodology.

terminals and storage, covering the priority corridors and areas designated in Annex I and elaborated in line with the principles laid down in Annex V. After approval of this model by the Commission according to the procedure set out in paragraphs 2 to 4, it shall be included in the methodology.

Or. en

Amendment 528
Marian-Jean Marinescu

Proposal for a regulation
Article 12 – paragraph 8

Text proposed by the Commission

8. By 31 December 2016, the ENTSO for Electricity and the ENTSO for Gas shall jointly submit to the Commission and the Agency common electricity and gas market and network model including both electricity and gas transmission and storage, covering the priority corridors and areas designated in Annex I and elaborated in line with the principles laid down in Annex V. After approval of this model by the Commission according to the procedure set out in paragraphs 2 to 4, it shall be included in the methodology.

Amendment

8. By 31 December 2016, the ENTSO for Electricity and the ENTSO for Gas shall jointly submit to the Commission and the Agency common electricity and gas market and network model including both electricity and gas transmission *LNG terminals* and storage, covering the priority corridors and areas designated in Annex I and elaborated in line with the principles laid down in Annex V. After approval of this model by the Commission according to the procedure set out in paragraphs 2 to 4, it shall be included in the methodology.

Or. en

Amendment 529
Lambert van Nistelrooij

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

Text proposed by the Commission

The investment costs related to a project of common interest falling under the

Amendment

The investment costs related to a project of common interest falling under the

categories set out in points 1(a) *to* (d) and 2 of Annex II shall be borne by the transmission system operator(s) of the Member State(s) to which the project provides a net positive impact, and be paid for by network users through tariffs for network access.

categories set out in points 1(a), **(b) and** (d) and 2 of Annex II shall be borne by the transmission system operator(s) **or the project promoter** of the **transmission infrastructure of the** Member State(s) to 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 this or these Member States**.

For projects of common interest falling under the categories set out in point 2 of Annex II, the previous sentence only applies if at least one project promoter requests the relevant national authorities to apply this Article for all or parts of the costs of the project and insofar as an assessment of market demand has shown that costs cannot be expected to be covered by the tariffs paid by the infrastructure users. Where the project has several promoters, the relevant national regulatory authorities shall without delay request all promoters to submit the investment request jointly according to paragraph 4. The provisions of this Article shall not apply to projects of common interest having received an exemption pursuant Article 36 of Directive 2009/73/EC or Article 17 of Regulation (EC) 714/2009.

Or. en

Amendment 530
Evžen Tošenovský

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

Text proposed by the Commission

The investment costs related to a project of common interest falling under the

Amendment

The investment costs related to a project of common interest falling under the

categories set out in points 1(a) *to* (d) and 2 of Annex II shall be borne by the transmission system operator(s) of the Member State(s) to which the project provides a net positive impact, and be paid for by network users through *tariffs* for network access.

categories set out in points 1(a), *(b) and* (d) of Annex II shall be borne by the *transmission system operator(s) of the Member State(s) to which the project provides a net positive impact, and be paid for by network users through tariffs for network access.*

1bis. The investment costs related to a project of common interest falling under the categories set out in points 2 of Annex II shall be borne by *either* the transmission system operator(s), *the storage system operator(s) in case of regulated storage facilities or the LNG system operator(s) of the Member State(s) to which the project provides a net positive impact, and be paid for by network users through tariffs for network access.*

Or. en

Amendment 531

Alejo Vidal-Quadras, Pilar del Castillo Vera

Proposal for a regulation

Article 13 – paragraph 1 – subparagraph 1

Text proposed by the Commission

The *investment* costs *related to a project* of common interest falling under the categories set out in points 1(a) to (d) and 2 of Annex II shall be borne by the transmission system operator(s) of the Member State(s) to which the project provides a net positive impact, and be paid for by network users through tariffs for network access.

Amendment

The costs *set out in point (5) of Annex V relating to projects* of common interest falling under the categories set out in points 1(a) to (d) and 2 of Annex II, *except for hydro-pumped electricity storage projects*, shall be borne by the transmission system operator(s) of the Member State(s) to which the project provides a net positive impact, and be paid for by network users through tariffs for network access.

Or. en

Amendment 532
Silvia-Adriana Țicău

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

Text proposed by the Commission

The investment costs related to a project of common interest falling under the categories set out in points 1(a) to (d) and 2 of Annex II shall be borne by the transmission system operator(s) of the Member State(s) to which the project provides a net positive impact, and be paid for by network users through tariffs for network access.

Amendment

The investment costs related to a project of common interest falling under the categories set out in points 1(a) to (d) and 2 of Annex II shall be borne by the transmission system operator(s) of the Member State(s) to which the project provides a net positive impact, and be paid for ***where possible, given the economic and social situation***, by network users through tariffs for network access.

Or. ro

Amendment 533
Teresa Riera Madurell

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

Text proposed by the Commission

The investment costs related to a project of common interest falling under the categories set out in points 1(a) to (d) and 2 of Annex II shall be borne by the transmission system operator(s) of the Member State(s) to which the project provides a net positive impact, and be paid for by network users through tariffs for network access.

Amendment

Costs of project of common interest ***according to point (5) of Annex V*** falling under the categories set out in points 1(a) to (d) and 2 of Annex II shall be borne by the transmission system operator(s) of the Member State(s) to which the project provides a net positive impact, and be paid for by network users through tariffs for network access.

Or. en

Justification

All costs of project of common interest should be considered in the cost allocation decision,

not only investment costs, otherwise cost allocation will not be efficient.

Amendment 534
Werner Langen

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

Text proposed by the Commission

The investment costs related to a project of common interest falling under the categories set out in points 1(a) *to (d)* and 2 of Annex II shall be borne by the transmission system operator(s) of the Member State(s) to which the project provides a net positive impact, and be paid for by network users through tariffs for network access.

Amendment

The investment costs related to a project of common interest falling under the categories set out in points 1(a), *(b) and (d)* and 2*(a) and (d)* of Annex II shall be borne by the transmission system operator(s) of the Member State(s) to which the project provides a net positive impact, and be paid for by network users through tariffs for network access.

Or. de

Amendment 535
Konrad Szymański

Proposal for a regulation
Article 13 – paragraph 1 – subparagraph 2 a (new)

Text proposed by the Commission

Amendment

The provisions of this Article shall not apply to the investment costs which can be recovered through tariffs for access to the network, charged to network users in accordance with Article 13 of Regulation (EC) 715/2009.

Or. en

Amendment 536
Holger Krahmer

Proposal for a regulation
Article 13 – paragraph 1 – subparagraph 2 a (new)

Text proposed by the Commission

Amendment

The provisions of this article shall not apply to the investment costs which can be recovered through tariffs for access to the network, charged to network users in accordance with Article 13 of Regulation (EC) 715/2009.

Or. en

Justification

If the investment costs can be allocated to network users, for example following firm commitments as a result of market testing or commitments from the regulator, a complex procedure for cost allocation would introduce unnecessary regulatory burden.

Amendment 537
Francisco Sosa Wagner

Proposal for a regulation
Article 13 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. A benchmarking of investment costs of TSOs will be developed in order to find references and best practises that could guarantee that costs will be incurred in an efficient way. When there are significant unjustified differences regarding costs, a tender could be launched by the Commission to ensure the infrastructure is built in the most efficient costs.

Or. en

Amendment 538
Alejo Vidal-Quadras, Pilar del Castillo Vera

Proposal for a regulation
Article 13 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. Significant increases in investment costs shall be notified by the national regulatory authorities and the Agency to the Commission. If no sufficient justification is provided by the project promoter, the Commission may launch a call for proposals open to any project promoter to build the project.

Or. en

Amendment 539
Lambert van Nistelrooij

Proposal for a regulation
Article 13 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. National regulatory authorities shall, in cooperation with the Agency, establish a set of adequate indicators to compare unit investment costs between project promoters across Member States.

Or. en

Justification

A benchmark can already be done by cooperation between the national regulatory authorities.

Amendment 540
Lambert van Nistelrooij

Proposal for a regulation
Article 13 – paragraph 4 – subparagraph 1 – introductory part

Text proposed by the Commission

The promoter(s) of a project of common interest falling under the categories set out in points 1(a) **to** (d) and 2 of Annex II shall keep all concerned national regulatory authorities regularly informed of the progress of that project and the identification of costs and impacts associated with it. As soon as **a project of common interest selected pursuant to and falling under the categories set out in points 1(a) to (d) and 2 of Annex II** has reached sufficient maturity, the project promoter shall submit an investment request including a cross-border cost allocation, to the relevant national regulatory authorities, accompanied by the following:

Amendment

Where the first sentence of point (1) is applied, the promoter(s) of a project of common interest falling under the categories set out in points 1(a), **(b) and** (d) and 2 of Annex II shall keep all concerned national regulatory authorities regularly informed of the progress of that project and the identification of costs and impacts associated with it. As soon as **such projects have** reached sufficient maturity, the project promoter shall submit an investment request including a **request for a** cross-border cost allocation **decision**, to the relevant national regulatory authorities, accompanied by the following:

Or. en

Amendment 541
Evžen Tošenovský

Proposal for a regulation
Article 13 – paragraph 4 – subparagraph 1 – introductory part

Text proposed by the Commission

The promoter(s) of a project of common interest falling under the categories set out in points 1(a) **to** (d) and 2 of Annex II shall keep all concerned national regulatory authorities regularly informed of the progress of that project and the identification of costs and impacts associated with it. As soon as a project of common interest selected pursuant to and falling under the categories set out in points 1(a) to (d) and 2 of Annex II has reached sufficient maturity, the project promoter shall submit an investment request including a cross-border cost allocation, to the relevant national

Amendment

The promoter(s) of a project of common interest falling under the categories set out in points 1(a), **(b) and** (d) and 2 of Annex II shall keep all concerned national regulatory authorities regularly informed of the progress of that project and the identification of costs and impacts associated with it. As soon as a project of common interest selected pursuant to and falling under the categories set out in points 1(a) to (d) and 2 of Annex II has reached sufficient maturity, the project promoter shall submit an investment request including a cross-border cost allocation, to the relevant national

regulatory authorities, accompanied by the following:

regulatory authorities, accompanied by the following:

Or. en

Amendment 542

András Gyürk

Proposal for a regulation

Article 13 – paragraph 4 – subparagraph 1 – point a

Text proposed by the Commission

Amendment

(a) a cost-benefit analysis on the basis of the methodology elaborated pursuant to ; and

(a) ***detailed*** cost-benefit analysis ***concluded by the project promoter or by an accredited independent party appointed by project promoter*** on the basis of the methodology elaborated pursuant to ***Article 12***; and

Or. en

Amendment 543

Lena Kolarska-Bobińska

Proposal for a regulation

Article 13 – paragraph 4 – subparagraph 1 a (new)

Text proposed by the Commission

Amendment

After the adoption of the first ten-year network development plans based on the methodology pursuant to article 12(7), point (a) shall be mean an updated version of the ENTSO cost-benefit analysis results based on any developments since its publication. The promoter(s) may also include their remarks to the ENTSO cost-benefit analysis results or additional data not covered by the ENTSO analysis.

Or. en

Amendment 544
András Gyürk

Proposal for a regulation
Article 13 – paragraph 4 – subparagraph 5 a (new)

Text proposed by the Commission

Amendment

The project promoter or the appointed accredited independent party completing the detailed cost-benefit analysis shall submit all data used to calculate the cost-benefit analysis to the Agency, which shall review, evaluate and confirm that the submitted cost-benefit analyses are concluded in objective and neutral way, on the basis of the methodology elaborated pursuant to Article 12.

Or. en

Amendment 545
András Gyürk

Proposal for a regulation
Article 13 – paragraph 5 – subparagraph 1

Text proposed by the Commission

Amendment

Within six months of the date on which the last request was received by the last of the national regulatory authorities concerned, the national regulatory authorities shall, after consultation of the project promoter(s) concerned, take a joint decision on the allocation of investment costs to be borne by each system operator for that project, as well as their inclusion in network tariffs. The national regulatory authorities may decide to allocate only part of the costs or to allocate costs among a package of several projects of common interest.

Within six months of the date on which the last request was received by the last of the national regulatory authorities concerned, the national regulatory authorities shall, after ***the approval by the Agency of the cost-benefit analysis concluded by the project promoter or the appointed accredited independent party and after*** consultation of the project promoter(s) concerned, take a joint decision on the allocation of investment costs to be borne by each system operator for that project, as well as their inclusion in network tariffs. The national regulatory authorities may decide to allocate only part of the costs or

to allocate costs among a package of several projects of common interest.

Or. en

Amendment 546

András Gyürk

Proposal for a regulation

Article 13 – paragraph 5 – subparagraph 2

Text proposed by the Commission

In deciding to allocate costs across borders, the economic, social and environmental costs and benefits of the project(s) in the Member States concerned and the possible need for financial support shall be taken into account.

Amendment

In deciding to allocate costs across borders, the ***results of the cost-benefit analysis on the basis of the methodology elaborated pursuant to Article 12 (e.g. the*** economic, social and environmental costs and benefits of the project(s) in the Member States concerned) and the possible need for financial support shall be taken into account.

Or. en

Amendment 547

Werner Langen

Proposal for a regulation

Article 13 – paragraph 5 – subparagraph 2

Text proposed by the Commission

In deciding to allocate costs across borders, the economic, ***social and environmental*** costs and benefits of the project(s) in the Member States concerned and the possible need for financial support shall be taken into account.

Amendment

In deciding to allocate costs across borders, the economic costs and benefits of the project(s) in the Member States concerned and the possible need for financial support shall be taken into account.

Or. de

Amendment 548
Ioannis A. Tsoukalas

Proposal for a regulation
Article 13 – paragraph 5 – subparagraph 3 – introductory part

Text proposed by the Commission

The decision shall be notified, without delay, by the national regulatory authorities to the Agency, together with all the relevant information with respect to the decision. In particular, the information shall contain detailed reasons on the basis of which costs were allocated among Member States, such as the following:

Amendment

The **cost allocation** decision shall be notified, without delay, by the national regulatory authorities to the Agency, together with all the relevant information with respect to the decision. In particular, the information shall contain detailed reasons on the basis of which costs were allocated among Member States, such as the following:

Or. en

Amendment 549
Ioannis A. Tsoukalas

Proposal for a regulation
Article 13 – paragraph 5 – subparagraph 4

Text proposed by the Commission

The allocation decision shall be published.

Amendment

The **cost** allocation decision shall be published.

Or. en

Amendment 550
António Fernando Correia de Campos

Proposal for a regulation
Article 13 – paragraph 6 – subparagraph 4

Text proposed by the Commission

The allocation decision shall be published.

Amendment

The **cost** allocation decision shall be published. **Articles 19, 20 and 22 of Regulation (EC) No. 713/2009 are**

applicable.

Or. en

Amendment 551

Ioannis A. Tsoukalas

Proposal for a regulation

Article 13 – paragraph 6 – subparagraph 4

Text proposed by the Commission

The allocation decision shall be published.

Amendment

The **cost** allocation decision shall be published.

Or. en

Amendment 552

Ioannis A. Tsoukalas

Proposal for a regulation

Article 13 – paragraph 7

Text proposed by the Commission

7. A copy of all decisions, together with all the relevant information with respect to each decision, shall be notified, without delay, by the Agency to the Commission. That information may be submitted in aggregate form. The Commission shall preserve the confidentiality of commercially sensitive information.

Amendment

7. A copy of all **cost allocation** decisions, together with all the relevant information with respect to each decision, shall be notified, without delay, by the Agency to the Commission. That information may be submitted in aggregate form. The Commission shall preserve the confidentiality of commercially sensitive information.

Or. en

Amendment 553

Kathleen Van Brempt, Judith A. Merkies

Proposal for a regulation

Article 13 a (new)

Text proposed by the Commission

Amendment

Article 13 a

Of the funding allocated to energy infrastructure projects, at least two thirds should be assigned to electricity infrastructure projects.

Or. nl

Justification

In its report of June 2011, the Commission estimated the total investment required for infrastructure at approximately €200 bn by 2020. Of this, approximately €140 bn would be needed for electricity infrastructure and €70 bn for gas infrastructure. The proportion between these required investments should be reflected in the allocation of funding. Two thirds of the total available budget should be reserved for electricity infrastructure.

Amendment 554
Werner Langen

Proposal for a regulation
Article 14 – paragraph 1

Text proposed by the Commission

Amendment

1. Where a project promoter incurs higher risks for the development, construction, operation or maintenance of a project of common interest falling under the categories set out in points 1 and 2 of Annex II, except for hydro-pumped electricity storage projects, compared to the risks normally incurred by a comparable infrastructure project, and where such risks are not covered under an exemption pursuant to Article 36 of Directive 2009/73/EC or Article 17 of Regulation (EC) No 714/2009, national regulatory authorities shall ensure that appropriate incentives are granted to that project when applying Article 37(8) of Directive 2009/72/EC, Article 41(8) of Directive 2009/73/EC, Article 14 of

1. Where a project promoter incurs higher risks for the development, construction, operation or maintenance of a project of common interest falling under the categories set out in points 1 and 2 of Annex II, except for hydro-pumped electricity storage projects, ***gas storage facilities and LNG plants***, compared to the risks normally incurred by a comparable infrastructure project, and where such risks are not covered under an exemption pursuant to Article 36 of Directive 2009/73/EC or Article 17 of Regulation (EC) No 714/2009, national regulatory authorities shall ensure that appropriate incentives are granted to that project when applying Article 37(8) of Directive 2009/72/EC, Article 41(8) of Directive

Regulation (EC) No 714/2009, and Article 13 of Regulation (EC) No 715/2009.

2009/73/EC, Article 14 of Regulation (EC) No 714/2009, and Article 13 of Regulation (EC) No 715/2009.

In connection with the payment of network charges, hydro-pumped electricity storage plants, gas storage facilities and LNG plants shall not be treated as final consumers, in order not to jeopardise their competitiveness.

Or. de

Amendment 555
Herbert Reul

Proposal for a regulation
Article 14 – paragraph 1

Text proposed by the Commission

1. Where a project promoter incurs higher risks for the development, construction, operation or maintenance of a project of common interest falling under the categories set out in points 1 and 2 of Annex II, except for hydro-pumped electricity storage projects, compared to the risks normally incurred by a comparable infrastructure project, and where such risks are not covered under an exemption pursuant to Article 36 of Directive 2009/73/EC or Article 17 of Regulation (EC) No 714/2009, national regulatory authorities shall ensure that appropriate incentives are granted to that project when applying Article 37(8) of Directive 2009/72/EC, Article 41(8) of Directive 2009/73/EC, Article 14 of Regulation (EC) No 714/2009, and Article 13 of Regulation (EC) No 715/2009.

Amendment

1. Where a project promoter incurs higher risks for the development, construction, operation or maintenance of a project of common interest falling under the categories set out in points 1 and 2 of Annex II, except for hydro-pumped electricity storage projects, ***gas storage facilities and LNG plants***, compared to the risks normally incurred by a comparable infrastructure project, and where such risks are not covered under an exemption pursuant to Article 36 of Directive 2009/73/EC or Article 17 of Regulation (EC) No 714/2009, national regulatory authorities shall ensure that appropriate incentives are granted to that project when applying Article 37(8) of Directive 2009/72/EC, Article 41(8) of Directive 2009/73/EC, Article 14 of Regulation (EC) No 714/2009, and Article 13 of Regulation (EC) No 715/2009.

Where hydro-pumped electricity storage plants are treated as final consumers in respect of the payment of network charges, the Member States shall in

future exempt such plants from the levying of such charges.

Or. de

Justification

The proposed exemption for hydro-pumped electricity storage projects is appropriate, as they form an important part of a holistic approach and are of major significance for a properly functioning network infrastructure, but are in competition both among themselves and with other storage and flexibility options. The same should also apply to gas storage facilities and LNG plants. Since hydro-pumped electricity storage plants are not end consumers, investments for the continued operation of existing projects should be encouraged by exemption from charges.

Amendment 556

Amalia Sartori, Mario Mauro

Proposal for a regulation

Article 14 – paragraph 1

Text proposed by the Commission

1. Where a project promoter incurs higher risks for the development, construction, operation or maintenance of a project of common interest falling under the categories set out in points 1 and 2 of Annex II, except for hydro-pumped electricity storage projects, compared to the risks normally incurred by a comparable infrastructure project, and where such risks are not covered under an exemption pursuant to Article 36 of Directive 2009/73/EC or Article 17 of Regulation (EC) No 714/2009, national regulatory authorities shall ensure that appropriate incentives are granted to that project when applying Article 37(8) of Directive 2009/72/EC, Article 41(8) of Directive 2009/73/EC, Article 14 of Regulation (EC) No 714/2009, and Article 13 of Regulation (EC) No 715/2009.

Amendment

1. Where a project promoter incurs higher risks for the development, construction, operation or maintenance of a project of common interest falling under the categories set out in points 1 and 2 of Annex II, except for hydro-pumped electricity storage projects, compared to the risks normally incurred by a comparable infrastructure project, and where such risks are not covered under an exemption pursuant to Article 36 of Directive 2009/73/EC or Article 17 of Regulation (EC) No 714/2009, national regulatory authorities shall ensure that appropriate incentives are granted to that project when applying Article 37(8) of Directive 2009/72/EC, Article 41(8) of Directive 2009/73/EC, Article 14 of Regulation (EC) No 714/2009, and Article 13 of Regulation (EC) No 715/2009. ***This paragraph is without prejudice to the incentives schemes already provided under the national legislation.***

*Justification**Self-explanatory.***Amendment 557****Ioan Enciu****Proposal for a regulation****Article 14 – paragraph 1***Text proposed by the Commission*

1. Where a project promoter incurs higher risks for the development, construction, operation or maintenance of a project of common interest falling under the categories set out in points 1 and 2 of Annex II, except for hydro-pumped electricity storage projects, compared to the risks normally incurred by a comparable infrastructure project, and where such risks are not covered under an exemption pursuant to Article 36 of Directive 2009/73/EC or Article 17 of Regulation (EC) No 714/2009, national regulatory authorities shall ensure that appropriate incentives are granted to that project when applying Article 37(8) of Directive 2009/72/EC, Article 41(8) of Directive 2009/73/EC, Article 14 of Regulation (EC) No 714/2009, and Article 13 of Regulation (EC) No 715/2009.

Amendment

1. Where a project promoter incurs higher risks for the development, construction, operation or maintenance of a project of common interest falling under the categories set out in points 1 and 2 of Annex II, except for hydro-pumped electricity storage projects, compared to the risks normally incurred by a comparable infrastructure project, and where such risks are not covered under an exemption pursuant to Article 36 of Directive 2009/73/EC or Article 17 of Regulation (EC) No 714/2009, **and taking into account anticipated future costs for energy consumers**, national regulatory authorities shall ensure that appropriate incentives are granted to that project when applying Article 37(8) of Directive 2009/72/EC, Article 41(8) of Directive 2009/73/EC, Article 14 of Regulation (EC) No 714/2009, and Article 13 of Regulation (EC) No 715/2009.

Or. en

Amendment 558**Evžen Tošenovský****Proposal for a regulation****Article 14 – paragraph 1**

Text proposed by the Commission

1. Where a project promoter incurs higher risks for the development, construction, operation or maintenance of a project of common interest falling under the categories set out in points 1 and 2 of Annex II, except for hydro-pumped electricity storage projects, compared to the risks normally incurred by a comparable infrastructure project, and where such risks are not covered under an exemption pursuant to Article 36 of Directive 2009/73/EC or Article 17 of Regulation (EC) No 714/2009, national regulatory authorities shall ensure that appropriate incentives are granted to that project when applying Article 37(8) of Directive 2009/72/EC, Article 41(8) of Directive 2009/73/EC, Article 14 of Regulation (EC) No 714/2009, and Article 13 of Regulation (EC) No 715/2009.

Amendment

1. Where a project promoter incurs higher risks for the development, construction, operation or maintenance of a project of common interest falling under the categories set out in points 1 **(a), (b), (d)** and **(e), as well as** 2 of Annex II, except for hydro-pumped electricity storage projects, compared to the risks normally incurred by a comparable infrastructure project, and where such risks are not covered under an exemption pursuant to Article 36 of Directive 2009/73/EC or Article 17 of Regulation (EC) No 714/2009, national regulatory authorities shall ensure that appropriate incentives are granted to that project when applying Article 37(8) of Directive 2009/72/EC, Article 41(8) of Directive 2009/73/EC, Article 14 of Regulation (EC) No 714/2009, and Article 13 of Regulation (EC) No 715/2009.

Or. en

Amendment 559
Bernd Lange

Proposal for a regulation
Article 14 – paragraph 2

Text proposed by the Commission

2. The decision of the national regulatory authorities for granting such incentives shall consider the results of the cost-benefit analysis on the basis of the methodology elaborated pursuant to Article 12 and in particular the regional or Union-wide positive **externalities** generated by the project. The national regulatory authorities shall further analyse the specific risks incurred by the project promoter(s), the risk mitigation measures taken and the justification of this risk profile in view of

Amendment

2. The decision of the national regulatory authorities for granting such incentives shall consider the results of the cost-benefit analysis on the basis of the methodology elaborated pursuant to Article 12 and in particular the regional or Union-wide positive **effects** generated by the project. The national regulatory authorities shall further analyse the specific risks incurred by the project promoter(s), the risk mitigation measures taken and the justification of this risk profile in view of

the net positive impact provided by the project, when compared to a lower-risk alternative. Eligible risks shall **notably** include **risks related to new transmission technologies, both onshore and offshore**, risks related to under-recovery of costs and development risks.

the net positive impact provided by the project, when compared to a lower-risk alternative. Eligible risks shall include risks related to under-recovery of costs and development risks.

Or. de

Amendment 560
Kathleen Van Brempt

Proposal for a regulation
Article 14 – paragraph 2

Text proposed by the Commission

2. The decision of the national regulatory authorities for granting such incentives shall consider the results of the cost-benefit analysis on the basis of the methodology elaborated pursuant to Article 12 and in particular the regional or Union-wide positive externalities generated by the project. The national regulatory authorities shall further analyse the specific risks incurred by the project promoter(s), the risk mitigation measures taken and the justification of this risk profile in view of the net positive impact provided by the project, when compared to a lower-risk alternative. Eligible risks shall notably include risks related to new transmission technologies, both onshore and offshore, risks related to under-recovery of costs and development risks.

Amendment

2. The decision of the national regulatory authorities for granting such incentives shall consider the results of the cost-benefit analysis on the basis of the methodology elaborated pursuant to Article 12 and in particular the regional or Union-wide positive externalities generated by the project. The national regulatory authorities shall further analyse the specific risks incurred by the project promoter(s), the risk mitigation measures taken and the justification of this risk profile in view of the net positive impact provided by the project, when compared to a lower-risk alternative. Eligible risks shall notably include risks related to new transmission **and distribution** technologies, both onshore and offshore, risks related to under-recovery of costs and development risks.

Or. nl

Amendment 561
Lambert van Nistelrooij

Proposal for a regulation
Article 14 – paragraph 2

Text proposed by the Commission

2. The decision of the national regulatory authorities for granting such incentives shall consider the results of the **cost-benefit** analysis on the basis of the methodology elaborated **pursuant to** and in particular the regional or Union-wide positive externalities generated by the project. The national regulatory authorities shall further analyse the specific risks incurred by the project promoter(s), the risk mitigation measures taken and the justification of this risk profile in view of the net positive impact provided by the project, when compared to a lower-risk alternative. Eligible risks shall notably include risks related to new transmission technologies, both onshore and offshore, risks related to under-recovery of costs and development risks.

Amendment

2. The decision of the national regulatory authorities for granting such incentives shall consider the **overall** results of the **cost benefit** analysis on the basis of the methodology elaborated and in particular the regional or Union-wide positive externalities generated by the project. The national regulatory authorities shall further analyse the specific risks incurred by the project promoter(s), the risk mitigation measures taken and the justification of this risk profile in view of the net positive impact provided by the project, when compared to a lower-risk alternative. Eligible risks shall notably include risks related to new transmission technologies, both onshore and offshore, risks related to under-recovery of costs and development risks.

Or. en

Amendment 562

Yannick Jadot

on behalf of the Verts/ALE Group

Proposal for a regulation
Article 14 – paragraph 2

Text proposed by the Commission

2. The decision of the national regulatory authorities for granting such incentives shall consider the results of the cost-benefit analysis on the basis of the methodology elaborated pursuant to and in particular the regional or Union-wide positive externalities generated by the project. The national regulatory authorities shall further analyse the specific risks incurred by the project promoter(s), the risk mitigation

Amendment

2. The decision of the national regulatory authorities for granting such incentives shall consider the results of the cost-benefit analysis on the basis of the methodology elaborated pursuant to and in particular the regional or Union-wide positive externalities generated by the project. The national regulatory authorities shall further analyse the specific risks incurred by the project promoter(s), the risk mitigation

measures taken and the justification of this risk profile in view of the net positive impact provided by the project, when compared to a lower-risk alternative. Eligible risks shall notably include risks related to new transmission technologies, both onshore and offshore, risks related to under-recovery of costs **and** development risks.

measures taken and the justification of this risk profile in view of the net positive impact provided by the project, when compared to a lower-risk alternative. Eligible risks shall notably include risks related to new transmission technologies, both onshore and offshore, **to new distribution technologies, and** risks related to under-recovery of costs **as well as** development risks.

Or. en

Amendment 563
Paul Rübiger

Proposal for a regulation
Article 14 – paragraph 3 – introductory part

Text proposed by the Commission

Amendment

3. The incentive granted by the decision shall take account of the specific nature of the risk incurred and cover:

deleted

(a) rules for anticipatory investment; or
(b) rules for recognition of efficiently incurred costs before commissioning of the project; or

(c) rules for providing additional return on the capital invested for the project; or

(d) any other measure deemed necessary and appropriate.

Or. xm

Justification

Incentives should be a matter for decision by the national authority only. The nature of incentives may vary according to the specific design of a Member States' tariff system and should be tailor made to the needs of a particular project. Therefore, a general list of possible incentives does not seem appropriate.

Amendment 564
Adina-Ioana Vălean

Proposal for a regulation
Article 14 – paragraph 3 – introductory part

Text proposed by the Commission

3. The incentive granted by the decision shall take account of the specific nature of the risk incurred and cover:

Amendment

3. The incentive granted by the decision shall take account of the specific nature of the risk incurred and cover *inter alia*:

Or. en

Justification

The list of incentives granted should not be restricted to those listed above because it would prevent from finding new ways of incentivising investment.

Amendment 565
Lena Kolarska-Bobińska

Proposal for a regulation
Article 14 – paragraph 3 – introductory part

Text proposed by the Commission

3. The incentive granted by the decision shall take account of the specific nature of the risk incurred and cover:

Amendment

3. The incentive granted by the decision shall take account of the specific nature of the risk incurred and cover, *among others*:

Or. en

Amendment 566
Kathleen Van Brempt

Proposal for a regulation
Article 14 – paragraph 4 – point b

Text proposed by the Commission

(b) regarding a common methodology to evaluate the incurred higher risks of investments in electricity and gas

Amendment

(b) regarding a common methodology to evaluate the incurred higher risks of investments in electricity and gas

transmission projects.

transmission projects *and smart network projects*.

Or. nl

Amendment 567

Yannick Jadot

on behalf of the Verts/ALE Group

Francisco Sosa Wagner

Proposal for a regulation

Article 14 – paragraph 4 – point b

Text proposed by the Commission

(b) regarding a common methodology to evaluate the incurred higher risks of investments in electricity and gas transmission projects.

Amendment

(b) regarding a common methodology to evaluate the incurred higher risks of investments in electricity and gas transmission projects *and in smart-grid projects*.

Or. en

Amendment 568

Bernd Lange

Proposal for a regulation

Article 14 – paragraph 4 – point b

Text proposed by the Commission

(b) regarding a common methodology to evaluate the incurred higher risks of investments in electricity and gas transmission projects.

Amendment

(b) *Does not affect the English text.*

Or. de

Amendment 569

Lena Kolarska-Bobińska

Proposal for a regulation
Article 14 – paragraph 5

Text proposed by the Commission

5. By 31 July 2013, each national regulatory authority shall publish its methodology and the criteria used to evaluate investments in electricity and gas transmission projects and the higher risks incurred by them.

Amendment

5. By 31 July 2013, each national regulatory authority, **which made a decision on providing additional incentives**, shall publish its methodology and the criteria used to evaluate investments in electricity and gas transmission projects and the higher risks incurred by them.

Or. en

Amendment 570
Kathleen Van Brempt

Proposal for a regulation
Article 14 – paragraph 5

Text proposed by the Commission

5. By 31 July 2013, each national regulatory authority shall publish its methodology and the criteria used to evaluate investments in electricity and gas transmission projects and the higher risks incurred by them.

Amendment

5. By 31 July 2013, each national regulatory authority shall publish its methodology and the criteria used to evaluate investments in electricity and gas transmission projects **and smart network projects** and the higher risks incurred by them.

Or. nl

Amendment 571
Yannick Jadot
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 14 – paragraph 5

Text proposed by the Commission

5. By 31 July 2013, each national

Amendment

5. By 31 July 2013, each national

regulatory authority shall publish its methodology and the criteria used to evaluate investments in electricity and gas transmission projects and the higher risks incurred by them.

regulatory authority shall publish its methodology and the criteria used to evaluate investments in electricity and gas transmission projects and ***in smart-grid projects and*** the higher risks incurred by them.

Or. en

Amendment 572
Bernd Lange

Proposal for a regulation
Article 14 – paragraph 5

Text proposed by the Commission

5. By 31 July 2013, each national regulatory authority shall publish its methodology and the criteria used to evaluate investments in electricity and gas transmission projects and the higher risks incurred by them.

Amendment

5. *Does not affect the English text..*

Or. de

Amendment 573
António Fernando Correia de Campos

Proposal for a regulation
Article 14 – paragraph 6

Text proposed by the Commission

6. The Commission ***may*** issue guidelines regarding the incentives laid down in this Article in accordance with Article 18(1) to (3) of Regulation (EC) No 714/2009 and Article 23 (1) of Regulation (EC) No 715/2009.

Amendment

6. The Commission, ***in cooperation with ACER, shall*** issue guidelines regarding the incentives laid down in this Article in accordance with Article 18(1) to (3) of Regulation (EC) No 714/2009 and Article 23 (1) of Regulation (EC) No 715/2009, ***taking into account national specificities, where necessary.***

Or. en

Amendment 574
Werner Langen

Proposal for a regulation
Article 14 – paragraph 6

Text proposed by the Commission

6. The Commission *may* issue guidelines regarding the incentives laid down in this Article in accordance with Article 18(1) to (3) of Regulation (EC) No 714/2009 and Article 23 (1) of Regulation (EC) No 715/2009.

Amendment

6. The Commission *shall* issue guidelines regarding the incentives laid down in this Article in accordance with Article 18(1) to (3) of Regulation (EC) No 714/2009 and Article 23 (1) of Regulation (EC) No 715/2009. ***In that connection, particular account shall be taken of the rules governing additional return on capital laid down in paragraph 3(c) of this Article.***

Or. de

Amendment 575
Adina-Ioana Vălean

Proposal for a regulation
Article 14 – paragraph 6

Text proposed by the Commission

6. The Commission may issue guidelines regarding ***the incentives laid down in this Article*** in accordance with Article 18(1) to (3) of Regulation (EC) No 714/2009 and Article 23 (1) of Regulation (EC) No 715/2009.

Amendment

6. The Commission may issue guidelines regarding incentives in accordance with Article 18(1) to (3) of Regulation (EC) No 714/2009 and Article 23 (1) of Regulation (EC) No 715/2009.

Or. en

Justification

As the possibility for providing incentives for building new infrastructure is already foreseen in Regulation (EC) No. 715/2009, the article should not be limited to projects of common interests mentioned in this article.

Amendment 576
Silvia-Adriana Țicău

Proposal for a regulation
Article 14 – paragraph 6

Text proposed by the Commission

6. The Commission *may* issue guidelines regarding the incentives laid down in this Article in accordance with Article 18(1) to (3) of Regulation (EC) No 714/2009 and Article 23 (1) of Regulation (EC) No 715/2009.

Amendment

6. The Commission *shall* issue guidelines regarding the incentives laid down in this Article in accordance with Article 18(1) to (3) of Regulation (EC) No 714/2009 and Article 23 (1) of Regulation (EC) No 715/2009.

Or. ro

Amendment 577
Yannick Jadot
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 14 a (new)

Text proposed by the Commission

Amendment

Article 14 a

Operational coordination

- 1. In order to ensure the reliable and efficient operation of the Union's energy infrastructure, including projects of common interest, the Agency shall submit to the Commission, within 6 months of the entry into force of this Regulation, their proposal for the design and implementation of appropriate real-time operational coordination.***
- 2. The proposals shall include:***
 - a) complete functional specifications, clearly indicating the information to be***

collected and shared among all interconnected transmission system operators within each interconnected area;

b) governance models, including ownership;

c) implementation schedules;

3. Within 6 months of the date of receipt of the proposal, the Commission shall consult with all relevant stakeholders and publish a reasoned opinion on the proposal.

4. Within 3 months of the date of the receipt of the Agency's opinion, the Commission shall instruct the ENTSO for Electricity and the ENTSO for Gas to start the implementation of the appropriate operational coordination.

5. The operational information referred to in Article 2a shall be made available in real-time to all interconnected system operators and to the Agency. Each system operator shall designate a contact point in charge of answering inquiries concerning such information from the Agency or from other system operators.

6. After an implementation period of 2 years the coordination mechanism shall be subject to an evaluation by the Agency.

Or. en

Amendment 578

António Fernando Correia de Campos

Proposal for a regulation

Article 14 a (new)

Text proposed by the Commission

Amendment

Article 14 a

Operational Coordination

1. In order to ensure the reliable and efficient operation of the European energy infrastructure, including projects of common interest, the ENTSO for electricity and the ENTSO for gas shall submit to the Agency and to the Commission, within 6 months of the entry into force of this Regulation, their respective proposals for the design and implementation of appropriate real-time operational coordination. The submission may take the form of specific and binding provisions of network codes to be approved according to existing procedures.

2. The proposals shall include:

a) complete functional specifications, clearly indicating the information to be collected and shared among all interconnected transmission system operators within each interconnected area;

b) governance model, including ownership;

c) implementation schedule.

3. Within 3 months of the date of the receipt of the proposals, the Agency shall publish a reasoned opinion on the proposals.

4. Within 3 months of the date of the receipt of the Agency's opinion, the Commission shall instruct the ENTSO for electricity and the ENTSO for gas to start the implementation of the appropriate operational coordination.

5. The operational information referred to in Article 2a shall be made available in real-time to all interconnected system operators and to the Agency. Each system operator shall designate a contact point in charge of answering inquiries from the Agency or from other system operators, concerning such information.

Justification

Due to an ever increasing complexity and interdependency of the network, an operational systems coordination is needed at European level to collect real time information about the cross-border exchanges of electricity and gas, their relative costs, in order to provide the Commission, Member States, regulators and transmission system operators with useful data needed for the safe and effective operation of infrastructures networks and their future planning.

Amendment 579**Herbert Reul, Lambert van Nistelrooij****Proposal for a regulation****Article 14 a (new)***Text proposed by the Commission**Amendment**Article 14 a****Operational coordination***

1. In order to ensure the reliable and efficient operation of the Union's energy infrastructure, including projects of common interest, the ENTSO for Electricity and the ENTSO for Gas shall submit to the Agency and to the Commission, within 6 months of the entry into force of this Regulation, their respective proposals for the design and implementation of appropriate real-time operational coordination, taking into account different regional operational requirements.

2. The proposals shall include:

a) complete functional specifications, clearly indicating the information to be collected and shared among all interconnected transmission system operators within each interconnected area;

b) implementation schedules;

3. Within 3 months of the date of receipt

of the proposals, the Agency shall publish a reasoned opinion on the proposals.

4. Within 3 months of the date of the receipt of the Agency's opinion, the Commission shall instruct the ENTSO for Electricity and the ENTSO for Gas to start the implementation of the appropriate operational coordination.

5. The operational information referred to in Article 2a shall be made available in real-time to all interconnected system operators and to the Agency. Each system operator shall designate a contact point in charge of answering inquiries concerning such information from the Agency or from other system operators.

Or. en

Justification

While supporting the idea of a coordination of real-time operation of TSO's, the legal responsibility for security of supply and a secure operation needs to be ensured by Member States and their TSO's. The vast differences in the operational requirements of the transmission systems need to be taken into account. Furthermore there are sufficient exigencies on governance and ownership of TSOs in present European legislation.

Amendment 580 **Paul Rübzig**

Proposal for a regulation **Chapter V – Article -15 (new)**

Text proposed by the Commission

Amendment

Article -15

Projects having received an exemption pursuant to Article 36 of Directive 2009/73/EC or Article 17 of Regulation (EC) No 714/2009 shall not be eligible for Union financial support under the provisions of (Regulation of the European Parliament and the Council establishing

the Connecting Europe Facility).

Or. en

Justification

The benefits of PCI status overlap with the benefits of an exemption pursuant to Article 36 of Directive 2009/73/EC or Article 17 of Regulation (EC) No 714/2009. In particular, additional financial support may influence the amortisation period of new infrastructure and thus have an impact on the exemption decision. Exempted projects should therefore not benefit from additional funding under the Connection Europe Facility.

Amendment 581

Adina-Ioana Vălean, Inés Ayala Sender, Dominique Riquet, Antonio Cancian, Mario Pirillo

Proposal for a regulation

Article 15

Text proposed by the Commission

Amendment

Eligibility of projects for Union financial assistance

deleted

1. Projects of common interest falling under the categories set out in points 1, 2 and 4 of Annex II are eligible for Union financial support in the form of grants for studies and financial instruments in accordance with the provisions of [Regulation of the European Parliament and the Council establishing the Connecting Europe Facility].

2. Projects of common interest falling under the categories set out in points 1(a) to (d) and 2 of Annex II, except for hydro-pumped electricity storage projects, shall be also eligible for Union financial support in the form of grants for works in accordance with the provisions of [Regulation of the European Parliament and the Council establishing the Connecting Europe Facility], if they are carried out according to the procedure

referred to in paragraph 6(b) of Article 5 or if they fulfil the following criteria:

(a) the project specific cost-benefit analysis pursuant to paragraph 4(a) of Article 13 provides evidence concerning the existence of significant positive externalities, such as security of supply, solidarity or innovation; and

(b) the project is commercially not viable according to the business plan and other assessments carried out, notably by possible investors or creditors. The decision on incentives and its justification referred to in paragraph 3 of Article 14 shall be taken into account when assessing the project's commercial viability; and

(c) the project has received a cross-border cost allocation decision pursuant to Article 36 or, for projects having received an exemption pursuant to Article 36 of Directive 2009/73/EC or Article 17 of Regulation (EC) No 714/2009, an opinion from the competent national regulatory authorities and the Agency on the commercial viability of the project.

3. Projects of common interest falling under the categories set out in points 1(e) and 4 of Annex II shall be also eligible for Union financial support in the form of grants for works in accordance with the provisions of [Regulation of the European Parliament and the Council establishing the Connecting Europe Facility], if the concerned project promoters can clearly demonstrate the significant positive externalities generated by the projects and their lack of commercial viability.

Or. en

Justification

The energy guidelines should determine the projects of common interest that should be realised by 2020. It is therefore important that the guidelines will be adopted as soon as

possible. The conditions for the eligibility of projects of common interest for Union financial assistance under the CEF regulation should be determined inside the CEF. By this means, we could improve not only the consistency between allocation of EU funding available after the conclusion of the MFF and the projects of common interest that should be funded through the CEF.

Amendment 582

Alejo Vidal-Quadras

Proposal for a regulation

Article 15 – title

Text proposed by the Commission

Amendment

Eligibility of projects for Union financial assistance

Eligibility of projects **and conditionality** for Union financial assistance

Or. en

Amendment 583

Adina-Ioana Vălean, Inés Ayala Sender, Dominique Riquet, Antonio Cancian, Mario Pirillo

Proposal for a regulation

Article 15 – paragraph 1

Text proposed by the Commission

Amendment

1. Projects of common interest falling under the categories set out in points 1, 2 and 4 of Annex II are eligible for Union financial support in the form of grants for studies and financial instruments in accordance with the provisions of [Regulation of the European Parliament and the Council establishing the Connecting Europe Facility].

deleted

Or. en

Justification

The energy guidelines should determine the projects of common interest that should be

realised by 2020. It is therefore important that the guidelines will be adopted as soon as possible. The conditions for the eligibility of projects of common interest for Union financial assistance under the CEF regulation should be determined inside the CEF. By this means, we could improve not only the consistency between allocation of EU funding available after the conclusion of the MFF and the projects of common interest that should be funded through the CEF.

Amendment 584

Roberts Zile, Evžen Tošenovský, Konrad Szymański

Proposal for a regulation

Article 15 – paragraph 1

Text proposed by the Commission

1. Projects of common interest falling under the categories set out in points 1, 2 and 4 of Annex II are eligible for Union financial support in the form of grants for studies and financial instruments in accordance with the provisions of [Regulation of the European Parliament and the Council establishing the Connecting Europe Facility].

Amendment

1. Projects of common interest falling under the categories set out in ***point 2 of Annex II are eligible for Union financial support in the form of grants for studies and works and financial instruments in accordance with the provisions of [Regulation of the European Parliament and the Council establishing the Connecting Europe Facility], if they are carried out in the parts of gas infrastructure sectors where the provisions on unbundling of Directive 2009/73/EC concerning common rules for the internal market in natural gas are implemented, including in those Member States where derogations are applied in this regard.***

Projects of common interest falling under the categories set out in points 1, 2 and 4 of Annex II are eligible for Union financial support in the form of grants for studies and financial instruments in accordance with the provisions of [Regulation of the European Parliament and the Council establishing the Connecting Europe Facility].

Or. en

Justification

It is essential to implement the Third Energy Liberalisation Package, especially with regard to gas market, and to ensure that gas production and supply activities are separated and the existing monopoly networks are unbundled. This can be facilitated by laying down a precondition that only those projects of common interest concerning gas that are carried out in gas infrastructure sectors in Member States where the effective ownership unbundling is implemented, shall be eligible for Union financial assistance.

Amendment 585

Werner Langen

Proposal for a regulation

Article 15 – paragraph 1

Text proposed by the Commission

1. Projects of common interest falling under the categories set out in points 1, 2 and 4 of Annex II are eligible for Union financial support in the form of grants for studies **and financial instruments** in accordance with the provisions of [Regulation of the European Parliament and the Council establishing the Connecting Europe Facility].

Amendment

1. Projects of common interest falling under the categories set out in points 1, 2 and 4 of Annex II are eligible for Union financial support in the form of grants for studies in accordance with the provisions of [Regulation of the European Parliament and the Council establishing the Connecting Europe Facility].

Or. de

Amendment 586

Werner Langen

Proposal for a regulation

Article 15 – paragraph 1

Text proposed by the Commission

1. Projects of common interest falling under the categories set out in points 1, 2 and 4 of Annex II are eligible for Union financial support in the form of grants for studies and financial instruments in accordance with the provisions of [Regulation of the European Parliament

Amendment

1. Projects of common interest falling under the categories set out in points 1, 2 and 4 of Annex II are eligible for Union financial support in the form of grants for studies and financial instruments in accordance with the provisions of [Regulation of the European Parliament

and the Council establishing the Connecting Europe Facility].

and the Council establishing the Connecting Europe Facility]. ***The choice of financial instruments shall be determined by the nature of the projects. Not every form of financing shall necessarily be applicable to every project.***

Or. de

Amendment 587
Lena Kolarska-Bobińska

Proposal for a regulation
Article 15 – paragraph 1

Text proposed by the Commission

1. Projects of common interest ***falling under the categories set out in points 1, 2 and 4 of Annex II*** are eligible for Union financial support in the form of grants for studies and financial instruments in accordance with the provisions of [Regulation of the European Parliament and the Council establishing the Connecting Europe Facility].

Amendment

1. Projects of common interest are eligible for Union financial support in the form of grants for studies and financial instruments in accordance with the provisions of [Regulation of the European Parliament and the Council establishing the Connecting Europe Facility].

Or. en

Amendment 588
Sabine Wils

Proposal for a regulation
Article 15 – paragraph 1

Text proposed by the Commission

1. Projects of common interest falling under the categories set out in points 1, 2 ***and 4*** of Annex II are eligible for Union financial support in the form of grants for studies and financial instruments in accordance with the provisions of [Regulation of the European Parliament

Amendment

1. Projects of common interest falling under the categories set out in points 1 ***and 2*** of Annex II are eligible for Union financial support in the form of grants for studies and financial instruments in accordance with the provisions of [Regulation of the European Parliament

and the Council establishing the Connecting Europe Facility].

and of the Council establishing the Connecting Europe Facility].

Or. de

Amendment 589

Yannick Jadot

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 15 – paragraph 1

Text proposed by the Commission

1. Projects of common interest falling under the categories set out in points 1, 2 **and 4** of Annex II are eligible for Union financial support in the form of grants for studies and financial instruments in accordance with the provisions of [Regulation of the European Parliament and the Council establishing the Connecting Europe Facility].

Amendment

1. Projects of common interest falling under the categories set out in points 1 **and** 2 of Annex II are eligible for Union financial support in the form of grants for studies and financial instruments in accordance with the provisions of [Regulation of the European Parliament and the Council establishing the Connecting Europe Facility].

Or. en

Amendment 590

Werner Langen

Proposal for a regulation

Article 15 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1 a. Projects of common interest falling under the categories set out in points 1 and 2 of Annex II are eligible for Union financial support in the form of financial instruments in accordance with the provisions of [regulation of the European Parliament and the Council establishing the Connecting Europe Facility], if the project is commercially not viable according to the business plan and other

assessments carried out, notably by possible investors or creditors.

Or. de

Amendment 591

Adina-Ioana Vălean, Dominique Riquet, Inés Ayala Sender, Antonio Cancian, Mario Pirillo

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

Text proposed by the Commission

Amendment

2. Projects of common interest falling under the categories set out in points 1(a) to (d) and 2 of Annex II, except for hydro-pumped electricity storage projects, shall be also eligible for Union financial support in the form of grants for works in accordance with the provisions of [Regulation of the European Parliament and the Council establishing the Connecting Europe Facility], if they are carried out according to the procedure referred to in paragraph 6(b) of or if they fulfil the following criteria:

deleted

(a) the project specific cost-benefit analysis pursuant to paragraph 4(a) of provides evidence concerning the existence of significant positive externalities, such as security of supply, solidarity or innovation; and

(b) the project is commercially not viable according to the business plan and other assessments carried out, notably by possible investors or creditors. The decision on incentives and its justification referred to in paragraph 3 of shall be taken into account when assessing the project's commercial viability; and

(c) the project has received a cross-border cost allocation decision pursuant to or, for projects having received an exemption pursuant to Article 36 of Directive

2009/73/EC or Article 17 of Regulation (EC) No 714/2009, an opinion from the competent national regulatory authorities and the Agency on the commercial viability of the project.

Or. en

Justification

The energy guidelines should determine the projects of common interest that should be realised by 2020. It is therefore important that the guidelines will be adopted as soon as possible. The conditions for the eligibility of projects of common interest for Union financial assistance under the CEF regulation should be determined inside the CEF. By this means, we could improve not only the consistency between allocation of EU funding available after the conclusion of the MFF and the projects of common interest that should be funded through the CEF.

Amendment 592
Paul Rübiger

Proposal for a regulation
Article 15 – paragraph 2 – introductory part

Text proposed by the Commission

2. Projects of common interest falling under the categories set out in points 1(a) to (d) and 2 of Annex II, ***except for hydro-pumped electricity storage projects***, shall be also eligible for Union financial support in the form of grants for works in accordance with the provisions of [Regulation of the European Parliament and the Council establishing the Connecting Europe Facility], if they are carried out according to the procedure referred to in paragraph 6(b) of Article 5 or if they fulfil the following criteria:

Amendment

2. Projects of common interest falling under the categories set out in points 1(a) to (d) and 2 of Annex II shall be also eligible for Union financial support in the form of grants for works in accordance with the provisions of [Regulation of the European Parliament and the Council establishing the Connecting Europe Facility], if they are carried out according to the procedure referred to in paragraph 6(b) of Article 5 or if they fulfil the following criteria:

Or. de

Justification

The extremely rapid development of renewables calls for a massive expansion of storage capacity. Hydro-pumped electricity storage is currently the technically and economically most efficient technology for storing electricity. If hydro-pumped electricity storage plants are placed at a disadvantage under financial support systems, this may lead to reduced development of such plants and thus to lower security of electricity supply. It should also be noted that the future construction of hydro-pumped electricity storage plants will require significantly higher development costs, since the projects with the greatest economic potential have already been realised.

«««««

Amendment 593

Bogdan Kazimierz Marcinkiewicz

Proposal for a regulation

Article 15 – paragraph 2 – introductory part

Text proposed by the Commission

2. Projects of common interest falling under the categories set out in points 1(a) to (d) and 2 of Annex II, ***except for hydro-pumped electricity storage projects***, shall be also eligible for Union financial support in the form of grants for works in accordance with the provisions of [Regulation of the European Parliament and the Council establishing the Connecting Europe Facility], if they are carried out according to the procedure referred to in paragraph 6(b) of or if they fulfil the following criteria:

Amendment

2. Projects of common interest falling under the categories set out in points 1(a) to (d) and 2 ***and 3*** of Annex II shall be also eligible for Union financial support in the form of grants for works in accordance with the provisions of [Regulation of the European Parliament and the Council establishing the Connecting Europe Facility], if they are carried out according to the procedure referred to in paragraph 6(b) of ***Article 5*** or if they fulfil the following criteria:

Or. en

Amendment 594

Evžen Tošenovský

Proposal for a regulation

Article 15 – paragraph 2 – introductory part

Text proposed by the Commission

2. Projects of common interest falling under the categories set out in points 1(a)

Amendment

2. Projects of common interest falling under the categories set out in points 1(a),

to (d) and 2 of Annex II, ***except for hydro-pumped electricity storage projects***, shall be also eligible for Union financial support in the form of grants for works in accordance with the provisions of [Regulation of the European Parliament and the Council establishing the Connecting Europe Facility], if they are carried out according to the procedure referred to in paragraph 6(b) of or if they fulfil the following criteria:

(b) and (d) and 2 of Annex II, shall be also eligible for Union financial support in the form of grants for works in accordance with the provisions of [Regulation of the European Parliament and the Council establishing the Connecting Europe Facility], if they are carried out according to the procedure referred to in paragraph 6(b) of or if they fulfil the following criteria:

Or. en

Amendment 595

Yannick Jadot

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 15 – paragraph 2 – introductory part

Text proposed by the Commission

2. Projects of common interest falling under the categories set out in points 1(a) to (d) and 2 of Annex II, ***except for hydro-pumped electricity storage projects***, shall be also eligible for Union financial support in the form of grants for works in accordance with the provisions of [Regulation of the European Parliament and the Council establishing the Connecting Europe Facility], if they are carried out according to the procedure referred to in paragraph 6(b) of or if they fulfil the following criteria:

Amendment

2. Projects of common interest falling under the categories set out in points 1(a) to (d) and 2 of Annex II, shall be also eligible for Union financial support in the form of grants for works in accordance with the provisions of [Regulation of the European Parliament and the Council establishing the Connecting Europe Facility], if they are carried out according to the procedure referred to in paragraph 6(b) of or if they fulfil the following criteria:

Or. en

Amendment 596

Lena Kolarska-Bobińska

Proposal for a regulation

Article 15 – paragraph 2 – introductory part

Text proposed by the Commission

2. Projects of common interest falling under the categories set out in points 1(a) to (d) and 2 of Annex II, except for hydro-pumped electricity storage projects, shall be also eligible for Union financial support in the form of grants for works in accordance with the provisions of [Regulation of the European Parliament and the Council establishing the Connecting Europe Facility], if they are carried out according to the procedure referred to in paragraph 6(b) of or if they fulfil the following criteria:

Amendment

2. Projects of common interest falling under the categories set out in points 1(a) to (d), 2 and 3 of Annex II, except for hydro-pumped electricity storage projects, shall be also eligible for Union financial support in the form of grants for works in accordance with the provisions of [Regulation of the European Parliament and the Council establishing the Connecting Europe Facility], if they are carried out according to the procedure referred to in paragraph 6(b) of *Article 5* or if they fulfil the following criteria:

Or. en

Justification

There is no logic in excluding oil pipelines from financial support.

Amendment 597
Konrad Szymański

Proposal for a regulation
Article 15 – paragraph 2 – introductory part

Text proposed by the Commission

2. Projects of common interest falling under the categories set out in points 1(a) to (d) and 2 of Annex II, except for hydro-pumped electricity storage projects, shall be also eligible for Union financial support in the form of grants for works in accordance with the provisions of [Regulation of the European Parliament and the Council establishing the Connecting Europe Facility], if they are carried out according to the procedure referred to in paragraph 6(b) of or if they fulfil the following criteria:

Amendment

2. Projects of common interest falling under the categories set out in points 1(a) to (d), 2 and 3 of Annex II, except for hydro-pumped electricity storage projects, shall be also eligible for Union financial support in the form of grants for works in accordance with the provisions of [Regulation of the European Parliament and the Council establishing the Connecting Europe Facility], if they are carried out according to the procedure referred to in paragraph 6(b) of or if they fulfil the following criteria:

Amendment 598

Yannick Jadot

on behalf of the Verts/ALE Group

Francisco Sosa Wagner

Proposal for a regulation

Article 15 – paragraph 2 – point a

Text proposed by the Commission

(a) the project specific cost-benefit analysis pursuant to paragraph 4(a) of provides evidence concerning the existence of significant positive externalities, such as security of supply, solidarity or innovation; and

Amendment

(a) the project specific cost-benefit analysis pursuant to paragraph 4(a) of provides evidence concerning the existence of significant positive externalities, such as ***environmental and social benefits***, security of supply, solidarity or innovation; and

Or. en

Justification

Environmental protection, including reduction of green house gases can be one of the key sources of public value from infrastructure investment. This should be taken into account in decisions on financing and eligibility for the Connecting Europe Facility.

Amendment 599

Alejo Vidal-Quadras, Pilar del Castillo Vera

Proposal for a regulation

Article 15 – paragraph 2 – point b

Text proposed by the Commission

(b) the project is commercially not viable according to the business plan and other assessments carried out, notably by possible investors or creditors. The decision on incentives and its justification referred to in paragraph 3 of shall be taken into account when assessing the project's

Amendment

(b) the project is commercially not viable according to the business plan and other assessments carried out, notably by possible investors or creditors. The decision on incentives and its justification referred to in paragraph 3 of shall be taken into account when assessing the project's commercial viability; ***In any case, Union***

commercial viability; and

financial assistance for construction works shall only support projects of common interest providing economic, environmental and social benefits which cannot be achieved by any competing commercial projects; and

Or. en

Amendment 600

Pavel Poc

Proposal for a regulation

Article 15 – paragraph 2 – point b

Text proposed by the Commission

(b) the project is commercially not viable according to the business plan and other assessments carried out, notably by possible investors or creditors. The decision on incentives and its justification referred to in paragraph 3 of shall be taken into account when assessing the project's commercial viability; **and**

Amendment

(b) the project is commercially not viable according to the business plan and other assessments carried out, notably by possible investors or creditors. The decision on incentives and its justification referred to in paragraph 3 of shall be taken into account when assessing the project's commercial viability; ***In any case, Union financial assistance for construction works shall only support projects of common interest providing economic and/or social and/or environmental benefits which cannot be achieved by any competing commercial projects.***

Or. en

Justification

Any financial mechanism for energy infrastructures should be designed to sustain a proper flow of private investment without distorting competition in European energy markets. If a derogation to this principle might be considered to include “non-commercially viable” projects in the final list of PCIs, it should be clearly and strictly limited.

Amendment 601

Amalia Sartori

Proposal for a regulation
Article 15 – paragraph 2 – point b

Text proposed by the Commission

(b) the project is commercially not viable according to the business plan and other assessments carried out, notably by possible investors or creditors. The decision on incentives and its justification referred to in paragraph 3 of shall be taken into account when assessing the project's commercial viability; and

Amendment

(b) the project is commercially not viable according to the business plan and other assessments carried out, notably by possible investors or creditors. The decision on incentives and its justification referred to in paragraph 3 of shall be taken into account when assessing the project's commercial viability; ***In any case, Union financial assistance for construction works shall only support projects of common interest providing economic and social benefits which cannot be achieved by any competing commercial projects;***

Or. en

Justification

Any financial mechanism for energy infrastructures should be designed to sustain a proper flow of private investment without distorting competition in European energy markets. If a derogation to this principle might be considered to include “non-commercially viable” projects in the final list of PCIs, it should be clearly and strictly limited.

Amendment 602
Rachida Dati

Proposal for a regulation
Article 15 – paragraph 2 – point b

Text proposed by the Commission

(b) the project is commercially not viable according to the business plan and other assessments carried out, notably by possible investors or creditors. The decision on incentives and its justification referred to in paragraph 3 of Article 14 shall be taken into account when assessing the project's commercial viability; and

Amendment

(b) the project is commercially not viable according to the business plan and other assessments carried out, notably by possible investors or creditors. The decision on incentives and its justification referred to in paragraph 3 of Article 14 shall be taken into account when assessing the project's commercial viability; ***if***

several commercially non-viable projects are in competition, all the costs and benefits of each project should be compared and the one which offers the best cost-benefit ratio should be chosen; and

Or. fr

Justification

Commercial non-viability is not sufficient as the sole criterion if it is not accompanied by a guarantee that the project in question is the best commercially non-viable one.

Amendment 603

Marian-Jean Marinescu

Proposal for a regulation

Article 15 – paragraph 2 – point b

Text proposed by the Commission

(b) the project is commercially not viable according to the business plan and other assessments carried out, notably by possible investors or creditors. The decision on incentives and its justification referred to in paragraph 3 of shall be taken into account when assessing the project's commercial viability; and

Amendment

(b) the project is commercially not viable according to the business plan and other assessments carried out, notably by possible investors or creditors. The decision on incentives and its justification referred to in paragraph 3 of shall be taken into account when assessing the project's commercial viability; ***when giving financial support to a project of common interest, it shall be checked that there is no harmful consequences to other commercially viable projects;*** and

Or. en

Amendment 604

Bogdan Kazimierz Marcinkiewicz, Jerzy Buzek

Proposal for a regulation

Article 15 – paragraph 2 – point c

Text proposed by the Commission

Amendment

(c) the project has received **a** cross-border cost allocation decision pursuant to **or, for projects having received an exemption pursuant to Article 36 of Directive 2009/73/EC or Article 17 of Regulation (EC) No 714/2009, an opinion from the competent national regulatory authorities and the Agency on the commercial viability of the project.**

(c) the project has received cross-border cost allocation decision pursuant to Article 13.

Or. en

Justification

The similar role of the direct EU funding and TPA exemption in supporting financial viability of a project, the decisions on both issues should be taken at the same stage, to ensure the right balance between the two tools avoiding distortion between projects.

Amendment 605

Ioannis A. Tsoukalas

Proposal for a regulation

Article 15 – paragraph 2 – point c a (new)

Text proposed by the Commission

Amendment

(ca) there is no distortion of competition between projects contributing to the fulfilment of the same Union priority corridors.

Or. en

Amendment 606

Lambert van Nistelrooij

Proposal for a regulation

Article 15 – paragraph 2 – point c a (new)

Text proposed by the Commission

Amendment

(ca) the project does not lead to market distortion by disadvantaging other commercially viable projects.

Or. en

Justification

The selection of PCIs should be done carefully as to not distort market conditions.

Amendment 607

Adina-Ioana Vălean, Dominique Riquet, Inés Ayala Sender, Antonio Cancian, Mario Pirillo

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

Text proposed by the Commission

Amendment

3. Projects of common interest falling under the categories set out in points 1(e) and 4 of Annex II shall be also eligible for Union financial support in the form of grants for works in accordance with the provisions of [Regulation of the European Parliament and the Council establishing the Connecting Europe Facility], if the concerned project promoters can clearly demonstrate the significant positive externalities generated by the projects and their lack of commercial viability.

deleted

Or. en

Justification

The energy guidelines should determine the projects of common interest that should be realised by 2020. It is therefore important that the guidelines will be adopted as soon as possible. The conditions for the eligibility of projects of common interest for Union financial assistance under the CEF regulation should be determined inside the CEF. By this means, we could improve not only the consistency between allocation of EU funding available after the conclusion of the MFF and the projects of common interest that should be funded through the

CEF.

Amendment 608

Bogdan Kazimierz Marcinkiewicz, Jerzy Buzek

Proposal for a regulation

Article 15 – paragraph 3

Text proposed by the Commission

3. Projects of common interest falling under the categories set out in points 1(e) and 4 of Annex II shall be also eligible for Union financial support in the form of grants for works in accordance with the provisions of [Regulation of the European Parliament and the Council establishing the Connecting Europe Facility], if the concerned project promoters can clearly demonstrate the significant positive externalities generated by the projects and their lack of commercial viability.

Amendment

3. Projects of common interest falling under the categories set out in points 1(e) and 4 of Annex II shall be also eligible for Union financial support in the form of grants for works in accordance with the provisions of [Regulation of the European Parliament and the Council establishing the Connecting Europe Facility], if the concerned project promoters can clearly demonstrate the significant positive externalities generated by the projects and their lack of commercial viability.

The financial support already granted to a project of common interest may not be retrospectively recalled should the project lose its project of common interest status. This is without prejudice to any decision by the Court of Auditors.

Or. en

Justification

It should be ensured that financial support already given to a PCI project (including also investment incentives) may not be retrospectively recalled should the project lose its status, unless the project promoter clearly gave wrongfully information to obtain a PCI status.

Amendment 609

Sabine Wils

Proposal for a regulation

Article 15 – paragraph 3

Text proposed by the Commission

3. Projects of common interest falling under the categories set out in **points 1(e) and 4** of Annex II shall be also eligible for Union financial support in the form of grants for works in accordance with the provisions of [Regulation of the European Parliament and the Council establishing the Connecting Europe Facility], if the concerned project promoters can clearly demonstrate the significant positive externalities generated by the projects and their lack of commercial viability.

Amendment

3. Projects of common interest falling under the categories set out in **point 1(e)** of Annex II shall be also eligible for Union financial support in the form of grants for works in accordance with the provisions of [Regulation of the European Parliament and of the Council establishing the Connecting Europe Facility], if the project promoters concerned can clearly demonstrate the significant positive externalities generated by the projects and their lack of commercial viability.

Or. de

Amendment 610

Yannick Jadot

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 15 – paragraph 3

Text proposed by the Commission

3. Projects of common interest falling under the categories set out in **points 1(e) and 4** of Annex II shall be also eligible for Union financial support in the form of grants for works in accordance with the provisions of [Regulation of the European Parliament and the Council establishing the Connecting Europe Facility], if the concerned project promoters can clearly demonstrate the significant positive externalities generated by the projects and their lack of commercial viability.

Amendment

3. Projects of common interest falling under the categories set out in **points 1(e)** of Annex II shall be also eligible for Union financial support in the form of grants for works in accordance with the provisions of [Regulation of the European Parliament and the Council establishing the Connecting Europe Facility], if the concerned project promoters can clearly demonstrate the significant positive externalities generated by the projects and their lack of commercial viability.

Or. en

Amendment 611

Algirdas Saudargas

Proposal for a regulation
Article 15 – paragraph 3

Text proposed by the Commission

3. Projects of common interest falling under the categories set out in points 1(e) **and 4** of Annex II shall be also eligible for Union financial support in the form of grants for works in accordance with the provisions of [Regulation of the European Parliament and the Council establishing the Connecting Europe Facility], if the concerned project promoters can clearly demonstrate the significant positive externalities generated by the projects and their lack of commercial viability.

Amendment

3. Projects of common interest falling under the categories set out in points 1(e) of Annex II shall be also eligible for Union financial support in the form of grants for works in accordance with the provisions of [Regulation of the European Parliament and the Council establishing the Connecting Europe Facility], if the concerned project promoters can clearly demonstrate the significant positive externalities generated by the projects and their lack of commercial viability.

Or. en

Amendment 612
Alejo Vidal-Quadras

Proposal for a regulation
Article 15 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. Conditionality for financial assistance from the Union for projects of common interest will be examined according to their degree of contribution to one or more of the relevant objectives, as established in article 1a. The contribution should be measured against given criteria for each objective as follows:

(i) Promoting the further integration of the internal energy market and the interoperability of electricity and gas networks across borders:

- the number of projects effectively interconnecting Member States networks and removing internal constraints;

- the reduction or elimination of Member States energy isolation;

- the percentage of electricity cross border transmission power in relation to installed electricity generation capacity in the relevant Member States; and

- the percentage of the highest peak demand of the two Member States concerned covered by reversible flow interconnections for gas.

(ii) Enhancing Union security of energy supply, to be measured by the evolution of system resilience and security of system operations:

- the number of projects and their capacity to allow diversification of supply sources, supplying counterparts and routes;

- the number of projects increasing storage capacity;

- the reduction of the foreseeable number of disruptions and their duration;

- the amount of avoidable spillage of renewable energy due to a lack of cross border connections;

- the connections of isolated markets with more diversified supply sources; or

(iii) Contributing to a sustainable development and protection of the environment:

- the transmission of renewable electricity from generation to major consumption centres and storage sites;

- the amount of CO₂ emissions prevented by the construction of the projects which benefited from CEF.

Or. en

Amendment 613
Sabine Wils

Proposal for a regulation
Article 15 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3 a. Projects contributing to energy efficiency and the integration of decentralised renewable energy generation shall receive at least two thirds of the financial support available for energy infrastructure projects.

Or. de

Amendment 614
Niki Tzavela

Proposal for a regulation
Article 15 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. Underlines the need to avoid any distortion of competition in particular between projects contributing to the fulfilment of the same Union priority corridor.

Or. en

Amendment 615
Yannick Jadot
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 15 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3 a. Electricity infrastructure projects shall receive at least two thirds of the financial support available for projects for energy infrastructure.

Justification

The Commission has estimated total investment needs in European energy infrastructures up to 2020 at about EUR 200 billion divided into about EUR 140 billion for high voltage electricity transmission systems, both onshore and offshore, storage, and smart grid applications at transmission and distribution level. Whereas the remaining amount of approximately EUR 70 billion would be intended for high pressure gas transmission pipelines, this difference in investment needs should be properly reflected with a prioritisation of at least double the amount for electricity infrastructure in the available budget.

Amendment 616

Fiona Hall

Proposal for a regulation

Article 15 a (new)

Text proposed by the Commission

Amendment

Article 15 a

Earmarking of funding for electricity infrastructure

1. Financial support for energy infrastructure shall be earmarked. Projects for electricity infrastructure shall receive at least two thirds of the total financial support available for projects for energy infrastructure.

Or. en

Justification

Given that financing needs for electricity projects are twice those for gas, this difference in investment needs should be clearly reflected by earmarking at least double the amount for electricity infrastructure compared to gas and other potential energy infrastructure projects.

Amendment 617

Silvia-Adriana Țicău

Proposal for a regulation
Article 16 – paragraph 1 – introductory part

Text proposed by the Commission

Not later than 2017, the Commission shall publish a report on the implementation of projects of common interest. This report shall provide an evaluation of:

Amendment

1. The Commission shall each year forward to the European Parliament and EU Council a report providing:

Or. ro

Amendment 618
András Gyürk

Proposal for a regulation
Article 16 – paragraph 1 – point b a (new)

Text proposed by the Commission

Amendment

(ba) the actual costs and the Union-wide impact of projects of common interest;

Or. en

Amendment 619
Yannick Jadot
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 16 – paragraph 1 – point d - third indent (new)

Text proposed by the Commission

Amendment

– the identification of best and innovative practices with regard to stakeholder involvement and mitigation of environmental impact during permit granting processes and project implementation;

Or. en

Amendment 620
Silvia-Adriana Țicău

Proposal for a regulation
Article 16 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

By 2017 at the latest the Commission shall forward to the European Parliament and the EU Council a report on the implementation of projects of common interest. This report shall provide an evaluation of:

(a) progress in the drawing up, development and implementation of projects of common interest selected in accordance with Article 3 and, where appropriate, delays in implementation and other difficulties encountered;

(b) the funds engaged and disbursed by the Union for projects of common interest in accordance with the provisions of [Regulation of the European Parliament and the Council establishing the Connecting Europe Facility], compared to the total value of funded projects of common interest;

(c) concerning the electricity and gas sectors, the evolution of the interconnection level between Member States, the corresponding evolution of energy prices, their causes and related economic costs;

(d) concerning permit granting and public participation: :

-the average and maximum total duration of authorisation procedures for projects of common interest, including the duration of each step of the authorisation procedure, compared to the timing foreseen by the initial major milestones referred to in Article 11 (3);

-the level of opposition faced by projects of common interest (notably number of written objections during the public consultation process, number of legal recourse actions);

(e) concerning regulatory treatment:

-the number of projects of common interest having been granted a cross-border cost allocation decision pursuant to Article 13;

-the number and type of projects of common interest having received specific incentives pursuant to Article 14.

Or. ro

Amendment 621

Sabine Wils

Proposal for a regulation

Article 17 – paragraph 1 – introductory part

Text proposed by the Commission

The Commission shall establish an infrastructure transparency platform easily accessible to the general public. This platform shall contain the following information:

Amendment

The Commission shall establish ***on the internet, in the official languages of the EU***, an infrastructure transparency platform easily accessible to the general public. This platform shall contain the following information:

Or. de

Amendment 622

Ioannis A. Tsoukalas

Proposal for a regulation

Article 17 – paragraph 1 – point a

Text proposed by the Commission

(a) general, regularly updated information, including geographic information, for each

Amendment

(a) general, regularly updated information, including geographic information ***and cost***,

project of common interest;

for each project of common interest;

Or. en

Amendment 623
Francisco Sosa Wagner

Proposal for a regulation
Article 17 – paragraph 1 – point a a (new)

Text proposed by the Commission

Amendment

(aa) regularly updated information on the work of the Groups established pursuant to Article 3(2) including the documents and analyses presented for consideration in the Groups while excluding any commercial secrets contained therein;

Or. en

Justification

In order to ensure an effective approach to public participation and acceptance, transparency of network planning procedures should be established at the earliest stage. If transparency were to be ensure only at a later stage, this would mean projects be seen by some as a fait accompli and so undermine the overall aim of the proposal.

Amendment 624
Pavel Poc

Proposal for a regulation
Article 17 – paragraph 1 – point c

Text proposed by the Commission

Amendment

(c) the ***main*** results of the cost-benefit analysis on the basis of the methodology elaborated pursuant for the projects of common interest concerned, except for any commercially sensitive information.

(c) the ***complete*** results of the cost-benefit analysis on the basis of the methodology elaborated pursuant for the projects of common interest concerned, except for any commercially sensitive information.

Justification

The complete results of the cost-benefit analysis for each project have to be easily and fully accessible to the stakeholders (while respecting the confidentiality of commercially sensitive information). The information and publicity process should allow the stakeholders to be able at any time to know the progress of the project.

Amendment 625

Alejo Vidal-Quadras, Pilar del Castillo Vera

Proposal for a regulation

Article 17 – paragraph 1 – point c

Text proposed by the Commission

(c) the **main** results of the cost-benefit analysis on the basis of the methodology elaborated pursuant for the projects of common interest concerned, except for any commercially sensitive information.

Amendment

(c) the **complete** results of the cost-benefit analysis on the basis of the methodology elaborated pursuant for the projects of common interest concerned, except for any commercially sensitive information.

Or. en

Amendment 626

András Gyürk

Proposal for a regulation

Article 17 – paragraph 1 – point c

Text proposed by the Commission

(c) the main results of the cost-benefit analysis on the basis of the methodology elaborated pursuant for the projects of common interest concerned, except for any commercially sensitive information.

Amendment

(c) the main results of the **ex-ante** cost-benefit analysis on the basis of the methodology elaborated pursuant for the projects of common interest concerned, except for any commercially sensitive information.

Or. en

Amendment 627

António Fernando Correia de Campos, Pavel Poc

Proposal for a regulation

Article 17 – paragraph 1 – point a a (new)

Text proposed by the Commission

Amendment

(aa) regularly updated information on the work of the Groups established pursuant to Article 3(2) including the agenda and the minutes of the meetings while excluding any commercially secret information;

Or. en

Amendment 628

Yannick Jadot

on behalf of the Verts/ALE Group

Francisco Sosa Wagner

Proposal for a regulation

Article 17 – paragraph 1 – point c a (new)

Text proposed by the Commission

Amendment

(ca) information about the current list of project of common interest, overview over the stages of the decision making process, as well as agendas for the meetings of the regional groups, along with subsequently publication of minutes and executed decisions.

Or. en

Amendment 629

András Gyürk

Proposal for a regulation

Article 17 – paragraph 1 – point c a (new)

Text proposed by the Commission

Amendment

(ca) the ex-post impact assessment which describes the Union-wide impacts of the projects of common interest materialised.

Or. en

Amendment 630
António Fernando Correia de Campos

Proposal for a regulation
Article 18 a (new)

Text proposed by the Commission

Amendment

Article 18 a

Regulation EC No 713/2009 is hereby amended as follows:

Art. 22 (a) shall be replaced by the following:

Fees shall be due to the Agency for requesting an exemption decision pursuant to Article 9 (1) and any other services provided by the Agency pursuant to [Regulation on guidelines for trans-European energy infrastructure and repealing Decision No 1364/2006/EC].

Or. en

Justification

Budgetary constraints facing ACER should not impair the accomplishment of its important mission.