



2023/2568(DEA)

16.3.2023

DRAFT MOTION FOR A RESOLUTION

pursuant to Rule 111(3) of the Rules of Procedure

on the Commission delegated regulation of 10 February 2023 supplementing Directive (EU) 2018/2001 of the European Parliament and of the Council by establishing a Union methodology setting out detailed rules for the production of renewable liquid and gaseous transport fuels of non-biological origin (2023/2568(DEA))

Committee on Industry, Research and Energy

Members responsible: Markus Pieper, Cristian-Silviu Buşoi, Christian Ehler, Maria da Graça Carvalho, Evžen Tošenovský, Nicola Beer, Hildegard Bentele, Vasile Blaga, Pilar del Castillo Vera, Eva Maydell, Angelika Niebler, Aldo Patriciello

B9-0000/2023

European Parliament resolution on the Commission delegated regulation of 10 February 2023 supplementing Directive (EU) 2018/2001 of the European Parliament and of the Council by establishing a Union methodology setting out detailed rules for the production of renewable liquid and gaseous transport fuels of non-biological origin (2023/2568(DEA))

The European Parliament,

- having regard to the Commission delegated regulation (C(2023)01087),
 - having regard to Article 290 of the Treaty on the Functioning of the European Union,
 - having regard to Directive (EU) 2018/2001 of the European Parliament and of the Council of 11 December 2018 on the promotion of the use of energy from renewable sources¹, and in particular Article 27(3), seventh subparagraph thereof,
 - having regard to Rule 111(3) of its Rules of Procedure,
 - having regard to the motion for a resolution by the Committee on Industry, Research and Energy,
- A. whereas conditions on additionality set out in Article 4 of the Commission delegated regulation are very restrictive and impede the number of energy sources for the production of hydrogen, as the installation generating renewable electricity can come into operation not earlier 36 months before the installation producing the renewable liquid and gaseous transport fuel of non-biological origin and must not have received support in the form of operating aid or investment aid;
- B. whereas the monthly correlation requirement set out in Article 6 of the Commission delegated regulation risks to create distortions in the single market as it also possible for Member States to start with an hourly correlation as early as July 1, 2027 after a notification to the Commission;
- C. whereas the geographical correlation requirement set out in Article 7 of the Commission delegated regulation remains too complicated since it requires that generation and consumption must be located within the same electricity bidding zone and that neighbouring electricity bidding zones may only be used if the electricity price in the neighbouring zone is equal or higher than in the zone where the electrolyser is located;
- D. whereas the Commission delegated regulation distorts the single market by exempting installations located in bidding zones where the average proportion of renewable electricity exceeded 90% in the previous calendar year as well as bidding zones where the emission intensity of electricity is lower than 18 gCO₂eq/MJ (64.8gCO₂e/kWh), from the obligation to comply with additionality criteria;

¹ OJ L 328, 21.12.2018, p. 82.

- E. whereas the legislation proposed in the framework of the European Green Deal aims to electrify transport, by promoting battery electric vehicles, and buildings, through a shift towards heat pumps as main heating source, without any additional requirements and without the requirement of temporal and geographical correlation;
 - F. whereas the revision of Directive (EU) 2018/2001 requires Member States to considerably ramp up renewable energy production until 2030, thus making the principle of additionality obsolete;
 - G. whereas the Union is in a global competition to build up a hydrogen sector which requires a level playing field for both producers and customers of green hydrogen in order to create and protect jobs and prosperity in the Union;
 - H. whereas, as a consequence of the rules for determining when electricity used for the production of renewable liquid and gaseous transport fuels of non-biological origin can be considered fully renewable being too narrow, the Union will have to rely on hydrogen imports for approximately 50-70% of its needs; whereas the application of those same criteria to imports of hydrogen in the Union would lead to significant restrictions of possible import sources;
1. Objects to the Commission delegated regulation;
 2. Instructs its President to forward this resolution to the Commission and to notify it that the delegated regulation cannot enter into force;
 3. Calls on the Commission to submit a new delegated act which takes account of the following recommendations:
 - a) the additionality conditions for counting electricity taken from the grid as fully renewable (Article 5) should be amended to allow for the counting of renewable electricity received on the basis of power purchase agreements from installation generating renewable electricity, regardless of when those installation came into operation or whether they received any support in the form of operating aid or investment aid;
 - b) the rules on temporal correlation for the production of renewable liquid and gaseous transport fuel of non-biological origin (Article 6) should be amended to provide that the balance between the renewable electricity purchased through one or several power purchase agreements and the amount of electricity taken from the grid to produce the fuel is to be achieved on a quarterly basis in order for the production to be fully qualified as renewable fuel of non-biological origin and that, from 1 January 2030, the balance between the renewable electricity purchased through one or several power purchase agreements and the amount of electricity taken from the grid to produce the fuel may be achieved either on a monthly, quarterly or yearly basis in order for the production to be fully qualified as renewable. This temporal correlation shall be determined on the basis of an assessment carried out by the Commission. The temporal correlation requirement shall apply to all existing plants, including the ones commissioned before 2030;
 - c) the rules on geographical correlation for the production of renewable liquid and

gaseous transport fuel of non-biological origin (Article 7) should be amended to allow the use of renewable electricity under the renewables power purchase agreement from the same country or neighbouring electricity bidding zones where the electrolyser is located or from an offshore bidding zone adjacent to the country where the electrolyser is located;

- d) any reference to an the emission intensity of electricity lower than 18 gCO₂eq/MJ (64.8gCO₂e/kWh) to avoid market distortions in the single market should be removed;
 - e) an Union import strategy for hydrogen in order to ease ramp up of the market and meet expected demand should be set out taking into account that hydrogen imports will account for 50-70%.
4. Instructs its President to forward this resolution to the Council and to the governments and parliaments of the Member States.