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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 26.5.2008
COM(2008) 322 final

COMMUNICATION FROM THE COMMISSION TO THE COUNCIL

**concerning the annotated agenda for the Ministerial Council of the Energy Community
(Brussels, 27 June 2008)**

COMMUNICATION FROM THE COMMISSION TO THE COUNCIL

concerning the annotated agenda for the Ministerial Council of the Energy Community (Brussels, 27 June 2008)

The Ministerial Council of the Energy Community will meet on 27 June 2008 in Brussels. The Commission presents to the Council an annotated agenda with indication of the nature of the different items; for agenda items relating to the adoption of decisions having legal effect, a proposal for a Council Decision accompanies the annotated agenda.

This annotated agenda follows the draft agenda of the Ministerial Council meeting.

1. POINTS WITHOUT DEBATE ("A" POINTS: FROM 1.1 TO 1.6)

1.1. Report on the implementation of the Work Programme of the Energy Community (For information)

The Commission will take note of the report.

1.2. Financial Statements of the Energy Community 2007 (For information)

The Commission will take note of the Financial Statements.

1.3. Decision on Financial Discharge of the Director (For decision by the Council)

The Commission will approve the financial discharge of the Director pursuant the Council Decision on establishing the European Community position within the Ministerial Council of the Energy Community¹

1.4. Decision on the implementation of Commission Decision of 9 November 2006 amending the Annex to Regulation (EC) No 1228/2003 on conditions for access to the network for cross-border exchanges in electricity (For Decision by the Council)

The Commission will approve the Decision pursuant the Council Decision on establishing the European Community position within the Ministerial Council of the Energy Community².

1.5. PHLG Conclusions (8th and 9th PHLG meetings) (For information)

The Commission will approve the conclusions.

1.6. Report by the Chairperson of the Energy Efficiency Task Force on currently undertaken steps (For information)

The Commission will take note of the report.

¹ Council Decision XX

² Council Decision XX

2. IMPLEMENTATION OF THE TREATY (FOR INFORMATION)

The Commission will take note of the reports.

3. DISPUTE SETTLEMENT UNDER THE TREATY (FOR DECISION BY THE COUNCIL)

The Commission will approve the Procedural Act pursuant the Council Decision on establishing the European Community position within the Ministerial Council of the Energy Community³

4. SECURITY OF SUPPLY (FOR INFORMATION)

It is noted that this point is for discussion and that no formal decision is expected at that stage.

In the discussion, the Commission will stress the importance for the Contracting Parties to implement Directive 2005/89/EC concerning measures to safeguard security of electricity supply and Directive 2004/67/EC concerning measures to safeguard security of natural gas supply before 31 December 2009 as decided. For this purpose, the Commission will support in principle the establishment of a cooperation group, which composition and functioning shall be detailed in a Procedural Act to be proposed by the Secretariat for decision by the Ministerial Council in December 2008. This draft Procedural Act shall also propose a procedure for the implementation of Article 44 to 46 of the Energy Community Treaty regarding mutual assistance.

5. OIL DIMENSION OF THE ENERGY COMMUNITY (FOR INFORMATION)

It is noted that this point is for discussion and that no formal decision is expected at that stage.

In the discussion, the Commission will support the development of an Oil Dimension within the context of the Energy Community, with two main components.

First, the establishment of an Oil Forum should allow discussing and promoting regional oil infrastructure projects and the development of the oil markets in the region.

Second, the oil dimension should allow implementing the EU legislation in relation with the oil sector. Several existing provisions of the Treaty and EU pieces of legislation referred to in the Treaty would become applicable to the oil sector. Besides, new pieces of EU legislation could be taken over, such as Directive 2006/67/EC imposing an obligation on Member States to maintain minimum stocks of crude oil and/or petroleum products. The implementation of this later Directive would improve the security of supply level in the region and would represent a significant preparatory step in the accession or pre-accession context.

6. ENERGY COMMUNITY ENLARGEMENT PROCESS (FOR INFORMATION)

Subject to the adoption of a Council decision authorising the Commission to negotiate the modalities of accession of the Republic of Moldova, Norway, Turkey and Ukraine to the

³ Council Decision XX

Energy Community and the related amendments to the Treaty establishing an Energy Community, the European Commission will present a status report indicating the steps that could lead to the opening of formal negotiations.

7. RENEWABLE ENERGY SOURCES (FOR INFORMATION)

The Commission will present the status of the discussion on the Energy and Climate package.