



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 24.07.2001
COM(2001) 445 final

2000/0116 (COD)

COMMISSION OPINION

**in accordance with point (c) of the third subparagraph of Article 251(2) of the EC Treaty
on the European Parliament's amendments
to the common position of the Council on the proposal for a**

DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

on the promotion of electricity from renewable energy sources in the internal electricity market

**AMENDING THE PROPOSAL FROM THE COMMISSION
in accordance with Article 250(2) of the EC Treaty**

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1. INTRODUCTION

Point (c) of the third subparagraph of Article 251(2) of the EC Treaty requires the Commission to deliver an opinion on amendments proposed by the European Parliament at second reading. The Commission hereby delivers its opinion on the nine amendments proposed by Parliament.

2. BACKGROUND

- a) On 31 May 2000 the Commission sent the Council and the European Parliament its proposal for a Directive (COM(2000) 279 final - 2000/0116 (COD) of 10 May 2000).¹
- b) The Economic and Social Committee delivered a favourable opinion on 20 September 2000.²
- c) The Committee of the Regions delivered a favourable opinion on 21 September 2000.³
- d) On 16 November 2000 the European Parliament delivered a favourable opinion at first reading and adopted a series of amendments designed, *inter alia*, to clarify certain definitions relating to renewable energy sources, and comprising 18 amendments to the Commission's proposal.⁴
- e) The Commission's amended proposal was sent to the European Parliament and to the Council on 29 December 2000.⁵
- f) The Council adopted its common position on 23 March 2001.⁶

¹ OJ C 311E, 31.10.2000, p. 320.

² OJ C 367, 20.12.2000, p. 5.

³ OJ C 22, 24.1.2001, p. 27.

⁴ A5-0320/2000.

⁵ COM(2000)884 final.

⁶ OJ C

- g) The Council's common position and the Commission's communication thereon were sent to European Parliament on 30 March 2001.⁷
- h) On 4 July 2001 the European Parliament adopted at second reading a resolution including nine amendments to the common position.

3. PURPOSE OF THE PROPOSAL

The Commission's proposal is designed to facilitate a significant medium-term increase in the production of electricity from renewable energy sources ("RES electricity") in the EU. In view of the indicative target set in the White Paper on Renewable Energy Sources of doubling the share of renewable energy, and in accordance with the principles accepted by the EU at Kyoto, Member States will be called upon to set national targets for their future consumption of RES electricity.

The main features of the proposal are:

- a basic definition of RES electricity;
- the introduction of indicative targets for electricity consumption in the Member States, with a figure of 22% at European level;
- Commission monitoring of the application of support schemes for producers of electricity generated from renewable energy sources and conventional sources;
- mechanisms to guarantee the origin of RES electricity;
- priority access to the transmission and distribution of RES electricity.

4. COMMISSION OPINION ON THE EUROPEAN PARLIAMENT'S AMENDMENTS

At second reading Parliament adopted nine amendments to the Council's common position. The Commission accepts those amendments.

4.1. Amendments accepted by the Commission

- Amendment 1 - Recital 7 makes it possible for the Commission to propose mandatory targets should this prove necessary.
- Amendment 3 - Recital 16 reinforces the argument that it is important to maintain investors' confidence.
- Amendment 5 - Article 3 makes it possible for the Commission to propose mandatory targets should this prove necessary.
- Amendment 6 - Article 4(2) clarifies the contents of a future Commission report on the various support schemes for RES electricity.

⁷ SEC(2001) 506 final.

- Amendment 7 - Article 7(1) introduces compulsory priority for RES electricity, insofar as this is possible under the national electricity system.
- Amendment 8 - Article 7(2a) introduces the possibility of connection costs being shared between transmission and distribution system operators.
- Amendment 9 - Article 7(4a) requires Member States to ensure that the charging of transmission and distribution fees does not discriminate against electricity from renewable energy sources, including electricity from renewable sources produced in outlying regions. Where necessary, Member States are to ensure that fees charged for the transmission and distribution of electricity from plants using renewable sources reflect realisable cost benefits resulting from the plant's connection to the network. Such benefits could arise from the direct use of the low-voltage grid.
- Amendment 10, Article 8, second subparagraph, indent 1 stipulates that in its report the Commission must consider the external costs of non-renewable energies and the impact of public support granted to electricity production.
- Amendment 11, Recital 8 clarifies that support systems for renewable energies must be consistent with the Community's other objectives, particularly regarding the waste treatment hierarchy.

4.2. Amendments rejected by the Commission

- No amendments were rejected by the Commission.

5. CONCLUSION

By virtue of Article 250(2) of the EC Treaty, the Commission is amending its proposal following the preceding terms.