

Given these provisions to ensure that high safety standards are maintained, and in the absence of any indication of an adverse impact upon safety, the Commission has no plans to propose legislation on this matter.

(¹) OJ L 240, 24.8.1992.

(98/C 174/86)

WRITTEN QUESTION E-3372/97
by Lis Jensen (I-EDN) to the Commission
(22 October 1997)

Subject: Energy sector priorities

What is the Commission's position as regards requirements imposed by Member States' energy policies on power producers and distributors to take environmental aspects into account when planning power production, and on the indirect impact this may have on the functioning of the internal market in energy?

Take, for example, the specific case of power production in Denmark, where the law on the supply of electricity has been amended so as to require power producers to take energy from decentralized CHP units and renewable sources and the state also grants aid to such forms of production.

Answer given by Mr Papoutsis on behalf of the Commission

(5 December 1997)

The internal market for electricity is regulated through Directive 96/92/EC of 19 December 1996 (¹) which establishes common rules for the generation, transmission and distribution of electricity. It entered into force on 19 February 1997 and Member States have in general two years to implement the Directive.

The Directive allows Member States to take environmental considerations fully into account when implementing it. Pursuant to Article 8 (3) of the Directive, Member States may require the system operator to give priority to electricity based on renewables and from combined heat and power when dispatching generating installations.

Member States may also, according to Article 3 (2), impose public service obligations on undertakings operating in the electricity sector. These obligations may, inter alia, relate to environmental protection.

Furthermore, when a Member State sets up the criteria for granting an authorization for constructing new generating capacity or lists the tender specifications a possible generator has to follow, it can also apply criteria (Article 5 (1) of the Directive), which relate to the protection of the environment.

It should, however, be underlined that when a Member State applies the provisions of the Directive it must be done in an objective, transparent and non-discriminatory way. The provisions cannot be used to favour producers in the Member State itself.

The specific case of Denmark will be examined according to the provisions of the Directive, including the abovementioned provisions allowing Member States to take environmental aspects into account.

(¹) OJ L 27, 30.1.1997.