



Brussels, 25.9.2019
C(2019) 6631 final

COMMISSION RECOMMENDATION

of 25.9.2019

**on the implementation of the new metering and billing provisions of the Energy
Efficiency Directive 2012/27/EU**

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THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 292 thereof,

Whereas:

- (1) The Union is committed to developing a sustainable, competitive, secure and decarbonised energy system. The energy union sets ambitious Union objectives. It notably aims to: (i) reduce greenhouse gas emissions by at least 40 % by 2030 compared with 1990, (ii) to increase the proportion of renewable energy consumption to at least 32 %, and (iii) to make energy savings, improving the Union's energy security, competitiveness and sustainability. Directive 2012/27/EU of the European Parliament and of the Council¹ ('EED'), as amended by Directive (EU) 2018/2002 of the European Parliament and of the Council², sets an energy efficiency target of at least 32.5 % savings at Union level by 2030.
- (2) Heating and cooling is the most significant source of end-use energy consumption, representing about 50 % of the total energy demand in the European Union. 80 % of this is used in buildings. Therefore, the Union's achievement of its energy and climate goals is greatly influenced by its efforts to renovate building stocks and to promote a more optimal building operation and use.
- (3) Clear and timely information and energy bills based on actual consumption empower consumers to play an active part in reducing energy needs for heating and cooling. More than 40 % of dwellings in the Union are located in multi-family buildings or semi-detached houses, many of which have collective systems for the provision of space heating or for domestic hot water preparation. Accurate, reliable, clear and timely information about energy consumption is therefore important for occupants of such dwellings, regardless of whether or not they have a direct, individual contractual relationship with an energy supplier.
- (4) The EED is the Union level piece of legislation that addresses the metering and billing of thermal energy supplies. In 2018, the EED was amended. One of the aims of the amendment was to clarify and strengthen the applicable rules concerning metering and billing.
- (5) The clarifications include the introduction of the notion of 'final users' alongside the notion of 'final customer' already used in the EED to clarify that the rights to billing and consumption information also apply to consumers without individual or direct

¹ Directive 2012/27/EU of the European Parliament and of the Council of 25 October 2012 on energy efficiency, amending Directives 2009/125/EC and 2010/30/EU and repealing Directives 2004/8/EC and 2006/32/EC (OJ L 315 14.11.2012, p. 1).

² Directive (EU) 2018/2002 of the European Parliament and of the Council of 11 December 2018 amending Directive 2012/27/EU on energy efficiency (OJ L 328, 21.12.2018, p. 210).

contracts with the supplier of energy used for collective heating, cooling or domestic hot water production systems in multi-occupant buildings.

- (6) The changes also make explicit the requirement for Member States to publish criteria, methodologies and procedures used to grant exemptions from the general requirement for sub-metering in multi-occupant buildings, and to clarify the unconditional requirement to meter domestic hot water individually in residential parts of new multi-occupant buildings.
- (7) Given their importance for facilitating fair outcomes and establishing adequate incentives among occupants of multi-apartment and multi-purpose buildings, Directive 2018/2002/EU also requires Member States to have in place transparent and publicly available cost allocation rules for such buildings.
- (8) To strengthen the impact of metering and billing in terms of the behavioural change they might induce, and the consequent energy savings, the revised EED also contains clearer requirements for more useful and complete billing information based on climate corrected consumption data. This includes relevant comparisons and new elements such as information on related energy mix and greenhouse gas emissions, and on available complaints procedures or dispute resolution mechanisms.
- (9) At the same time, stricter requirements for frequent billing or consumption information wherever remotely readable devices are combined with rules ensuring the gradual transition to remote readable meters and heat cost allocators aim to ensure that more timely and frequent information will eventually be available for all final users.
- (10) Member States are to bring into force the laws, regulations and administrative provisions transposing the metering and billing related provisions of Directive (EU) 2018/2002 by 25 October 2020 at the latest.
- (11) The EED gives Member States a margin of discretion in transposing and implementing the revised set of requirements regarding metering and billing, allowing them to do so in a way that best fits their national circumstances, including climatic conditions, tenancy and property ownership models and building stocks. This Recommendation explains the amended requirements and illustrates how the objectives of the Directive can be achieved. The aim in particular is to ensure a uniform understanding of the EED across Member States as they prepare their transposition measures.
- (12) The guidance provided with this Recommendation complements and partially supersedes the guidance previously issued by the Commission in relation to Article 9-11 of the EED³.
- (13) This Recommendation does not alter the legal effects of the EED and is without prejudice to the binding interpretation of the EED as provided by the Court of Justice. It focuses on the provisions relating to metering and billings and concerns Articles 9a, 9b, 9c, 10a, 11a of and Annex VIIa to the EED.

HAS ADOPTED THIS RECOMMENDATION:

Member States should follow the guidelines provided in the Annex to this Recommendation when transposing the requirements introduced by Directive (EU) 2018/2002 and set out in Articles 9a, 9b, 9c, 10a, 11a of, and Annex VIIa to the EED.

³ COM(2013) 762 final and SWD(2013) 448 final, Brussels, 6.11.2013

Done at Brussels, 25.9.2019

For the Commission
Miguel Arias Cañete
Member of the Commission

