



Brussels, 24.9.2015  
C(2015) 6456 final

**COMMISSION OPINION**

**of 24.9.2015**

**under Regulation (EU) No 994/2010 on the Joint Preventive Action Plan submitted by  
the Competent Authorities of Ireland and the United Kingdom to the European  
Commission**

## COMMISSION OPINION

of 24.9.2015

**under Regulation (EU) No 994/2010 on the Joint Preventive Action Plan submitted by the Competent Authorities of Ireland and the United Kingdom to the European Commission**

### 1. PROCEDURE

In accordance with Article 6(3) of Regulation (EU) No 994/2010 ("Regulation"), a joint Preventive Action Plan ("PAP") shall be established where the Competent Authorities of the concerned Member States decide to comply with the N-1 formula as required by Article 6(1) of the Regulation at a regional level instead of at national level. This decision needs to be based on the Risk Assessments referred to in Article 9 of the Regulation. Pursuant to Article 4(5) of the Regulation, after adoption the Joint Plan is to be made public and notified to the Commission. The joint Plan has to be updated every two years, unless circumstances require more frequent updates.

The compliance with the N-1 formula aims at ensuring that in the event of the disruption of the single largest gas infrastructure in a Member State, the capacity of the remaining infrastructure is able to satisfy total gas demand of the calculated area during a day of exceptionally high gas demand occurring with a statistical probability of once in 20 years. Member States must comply with the N-1 formula by 3 December 2014.

The Competent Authorities of Ireland and United Kingdom, the Commission for Energy Regulation ("CER") and the Department of Energy and Climate Change ("DECC") respectively, notified their updated Risk Assessments pursuant to Article 9 of the Regulation to the Commission on 3 June 2014.

The CER and the DECC notified to the Commission on 2 December 2014 their Joint PAP.

Having assessed the Plan in view of the criteria mentioned in Article 4(6)(b)(i) to (iii) of the Regulation, and having reported its main findings to the Gas Coordination Group on 28 January 2015 and 4 May 2015, the Commission notes as follows.

### 2. ASSESSMENT AND CONCLUSION

Based on the analysis of the Joint PAP, the Commission concludes that it complies with the provisions of the Regulation, in light of the criteria in Article 4(6)(b) therein.

Therefore, the Commission has decided not to request amendments to the Joint PAP of Ireland and the United Kingdom as foreseen in Article 4(6)(b) of the Regulation.

The Commission's assessment expressed in this opinion is without prejudice to any position it may take *vis-à-vis* Ireland and the United Kingdom as regards compatibility of national measures with EU law, including in the context of infringement proceedings.

The Commission will publish this opinion. The Commission does not consider the information contained herein to be confidential, in particular as it relates to documents which are publicly available. The CER and DECC are invited to inform the Commission within five

working days following receipt of the opinion whether it considers that it contains commercially sensitive information, the confidentiality of which is to be preserved.

Done at Brussels, 24.9.2015

*For the Commission*  
*M. ARIAS CAÑETE*  
*Member of the Commission*

