

CONSULTATION ON STREAMLINING OF PLANNING AND REPORTING OBLIGATIONS AS PART OF THE ENERGY UNION GOVERNANCE

Fields marked with * are mandatory.

What this consultation is about

The Commission's State of the Energy Union presented on 18 November 2015 states that "[t]he Energy Union needs a reliable and transparent governance process, anchored in legislation, to make sure that energy-related actions at European, regional, national and local level all contribute to the Energy Union's objectives." This corresponds to similar calls from the European Council and the European Parliament[*].

The State of the Energy Union also underlines that "[i]ntegrated national energy and climate plans, addressing all five dimensions of the Energy Union, are necessary tools to have more strategic planning", and that "[i]n order to track progress, a transparent monitoring system needs to be put in place based on key indicators as well as on Member States' biannual reports concerning progress made on their national plans". This builds further on the Commission's Communication on the Energy Union from February 2015, which explained that a purpose of the governance process for the Energy Union is to "streamline current planning and reporting requirements, avoiding unnecessary administrative burden".

In this context, the present consultation seeks stakeholders' views on current planning and reporting arrangements in the energy field, and on how these could be improved to better serve the objectives of the Energy Union and to reduce administrative burden. An overview of existing planning and reporting obligations in the energy sector concerning the Member States as well as the Commission is available here: [COM planning and reporting obligations \(energy field\)](#); [MS planning and reporting obligations \(energy field\)](#); [COM planning and reporting obligations \(climate field\)](#); [MS planning and reporting obligations \(climate field\)](#).

The responses to the public consultation will feed into the Commission's evaluation and fitness check of existing planning and reporting obligations (a REFIT initiative in the Commission's 2015 Work Programme) as well as into the Impact Assessment for the Commission's proposal(s) for streamlining of planning and reporting in the energy field foreseen for late 2016, as announced by the State of the Energy Union.

The consultation as well as the initiatives it will contribute to should be understood in the broader context of the Energy Union strategy; the Commission's guidance to Member States on national plans from 18 November 2015, and the Council's Conclusions on Energy Union governance from 26 November 2015 – which underscore the need for holistic national plans that address all five dimensions of the Energy Union in an integrated way.

This public consultation also relates to the preparation of other initiatives to implement the Energy Union foreseen for 2016 (notably initiatives on energy efficiency, renewable energy and electricity market design). For other completed and ongoing public consultation processes and their outcomes, see: <http://ec.europa.eu/energy/en/consultations>.

[*] REF to EUCO October 2014 and March 2015; EP 15 Dec 2015.

The questionnaire is structured as follows:

- A. Respondent's profile
- B. Evaluation of existing planning obligations
- C. Evaluation of existing reporting obligations
- D. Options for streamlining planning and reporting obligations
- E. Options for the governance of the Energy Union

Questions marked with an asterisk (*) are mandatory.

*

A. Respondent's profile

Please provide information to help us build your profile as a respondent. In accordance with Regulation 45/2001[*], all personal data collected through this survey will be kept securely and will ultimately be destroyed.

[*] Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data, OJ L 008, 12.1.2001, p.1.

A.1 Are you answering as an individual or on behalf of an organisation/institution?

- ☐ I am answering as an individual.
- ☒ I am answering on behalf of an organisation.

A.2 Please specify your main field of activity.

Please tick the appropriate field. Only one choice is possible:

- ☐ Individual citizen
- ☐ National public authority (central or local government)
- ☐ Private company/ Industry association
- ☐ International organisation
- ☐ Workers' organisation/trade union
- ☐ Research organisation/university
- ☐ NGO
- ☒ Other interest group organisation/association

Other - please specify:

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A.3. Please indicate your country of residence/establishment:

If answering as an individual, please provide your country of residence.

If answering on behalf of an organisation/institution, please provide the country of establishment of the organisation/institution.

Please tick the appropriate field, only one choice is possible.

- ☐ Austria
- ☒ Belgium
- ☐ Bulgaria
- ☐ Croatia
- ☐ Cyprus
- ☐ Czech Republic
- ☐ Denmark
- ☐ Estonia
- ☐ Finland
- ☐ France
- ☐ Germany
- ☐ Greece
- ☐ Hungary
- ☐ Iceland
- ☐ Ireland
- ☐ Italy
- ☐ Latvia
- ☐ Liechtenstein
- ☐ Lithuania
- ☐ Luxembourg
- ☐ Malta
- ☐ Netherlands
- ☐ Norway
- ☐ Poland
- ☐ Portugal
- ☐ Romania
- ☐ Slovenia
- ☐ Spain
- ☐ Sweden
- ☐ Slovakia
- ☐ Switzerland
- ☐ United Kingdom

Other/international - please specify:

*

A.4 Name and contact details

- ☐ I prefer to provide a general comment only. Please provide your general comment in the box below. (up to 2000 characters)
- ☒ I will provide my name and contact details in the boxes below.

[Questionnaire ends here]

Name:

Organisation (*where applicable*):

Address:

ID from the Interest Representative Register[*] (*where applicable*):

Telephone:

Email:

[*] In the interest of transparency, organisations (including, for example, NGOs, trade associations and commercial enterprises) are invited to provide the public with relevant information about themselves by registering in the Interest Representative Register and subscribing to its Code of Conduct. If you are a registered organisation, please indicate the name and address of your organisation and your Register ID number on the first page of your contribution. Your contribution will then be considered as representing the views of your organisation.

*

A.5 Received contributions may be published on the Commission's website, with the identity of the contributor. Which publication arrangement would you agree upon?

- ☒ My contribution may be published under the name indicated.
- ☐ My contribution may be published but shall be kept anonymous.
- ☐ I do not agree that my contribution will be published.

B. Evaluation of planning obligations

Existing obligations

The EU energy and climate legislation includes a number of different planning obligations for the Member States. Planning obligations play a crucial role for EU energy policies in e.g. the fields of renewable energy, energy efficiency, security of gas supply, energy performance of buildings, waste management and decarbonisation. The main features of existing planning obligations can be summarised as follows:

- Current planning obligations usually include indicators and projections as an analytical basis as well as policies and measures needed to achieve the plan's objectives;
- Current plans usually cover a specific area of the energy or climate field, but do not necessarily refer to possible overlaps and interactions with other plans in these fields; in some cases templates are provided, which can be either voluntary or compulsory;
- Plans often have to be submitted once, but in many cases a periodical revision or the submission of new plans is required. The process for the adoption of the plans is often left to the discretion of the Member States;
- The role of the Commission varies. In some cases, it monitors plans, in other cases, it analyses plans and is requested to report to the European Parliament and the Council. In some instances the Commission could ask for modifications. Furthermore, it can use its enforcement powers, if the planning obligations are not fulfilled or not all the necessary details/content were provided.

1) How would you rate the following aspects of such planning obligations at EU level?

| | Very important | Important | Less important | Not important | No opinion |
|--|----------------------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| Coherence of national plans among all EU Member States | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Effective and efficient implementation of EU legislation in the energy and climate field | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Achievement of the EU energy and climate objectives | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Increased certainty for investors across all EU Member States stimulating economic growth as well as research, innovation and competitiveness of the EU | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Better implementation of international commitments by the EU as a whole and by Member States (e.g. concerning the reduction of greenhouse gas emissions) | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| The Commission is better enabled to provide substantial and useful advice | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |

If other, please explain: (up to 1000 characters)

Two elements need improvement in the current framework. The objective of planning and reporting is to keep the EU on a decarbonisation pathway compatible with the Paris Agreement, at the least cost. Hence the Commission needs to propose a robust planning framework that includes (1) system wide thinking: least cost approaches along the value chain, across borders and between sectors and (2) risk management: member states should identify key risks to delivery of policy objectives and how these are being managed. The reporting is the other side of the same coin: transparency will help holding member states accountable for the delivery of the objectives and prevent system instabilities.

2) Are you aware of overlaps or inconsistencies among the existing planning obligations in the same or different areas of the energy and climate acquis? Please provide examples. (up to 1000 characters)

The current gas infrastructure planning is based on demand projections inconsistent with other policies' objectives and is not test against assets stranding. Reducing greenhouse gases, energy consumption and increasing the share of renewable energy in the energy mix in line with the 2030 targets would reduce gas imports by 29% compared to a scenario that fails to meet these targets. Gas infrastructure planners however expect a rise in gas demand and hence plan to increase the EU's capacity to import gas by 58%. Planning for the delivery of the targets would reduce infrastructure investments requirements by up to 74%.

By 2050, the dual impact of economy-wide efficiency improvements and electrification trends will sharply reduce gas demand in Europe - making new gas infrastructure superfluous before the end of its economic life. See E3G, More security, lower cost (<https://goo.gl/Cj0mgS>)

3) a) Which of the current planning obligations could in your opinion be streamlined[*] into one integrated plan and why? (up to 1500 characters)

Planning obligations should be streamlined as long as the streamlining is needed to:

1. Enable national governments to make investment decisions on infrastructure deployment considering all options, including demand-side, and to test projects for long-term viability;
2. Provide an integrated overview of the decarbonisation strategy of the member state;
3. Establish a risk management framework that will help identify and mitigate risks associated to the delivery of the Energy Union.

The Commission should streamline with caution: existing directives have performed well with regard identifying and addressing sector-specific issues such as non-regulatory barriers. It would be a mistake to deprive these directives from necessary information, while striking a balance with the benefits from realising an integrated and system-wide planning.

b) Are there any planning obligations that should be kept separate from the integrated plan? (up to 1500 characters)

See question 3) a).

c) Are there any planning obligations that could be repealed? (up to 1500 characters)

See question 3) a).

[*] By streamlining we understand the possibility to integrate planning and reporting obligations resulting from (different) sectorial legislation by reducing possible duplications or gaps in the reporting and planning obligations, thereby ensuring transparency, coherence, relevance, efficiency and effectiveness of the reporting and planning. Furthermore planning and reporting cycles should be harmonised to the extent possible.

4) Which elements/articles of the current planning obligations in the field of renewable energy do you consider indispensable and why? If relevant please, refer to specific [Articles of the Renewable Energy Directive](#). (up to 1000 characters)

Post-2020 national plans should capitalise on the NREAPs' building blocks, namely overall and renewable energy shares by sector by 2030, indicative trajectories and a binding template (Art. 4/ Annex VI).

Member States should define the renewable energy element of their national plans building upon the 2020 national targets. The renewable energy's share per sector and type of source shall be maintained to provide investors with visibility over market growth. Indicative trajectories will allow the European Commission to monitor progress towards the EU-wide renewable energy target. National plans should outline measures to incentivise higher uptakes of renewable energy including support mechanisms, planned reinforcements of transmission and distribution infrastructure, and streamlining of administrative procedures.

National plans should be based on a standardised, binding template to ensure coherence and comparability between Member States contributions to the overall European target.

5) Which elements/articles of the current planning obligations in the field of energy efficiency do you consider indispensable and why? Please, if relevant, refer to specific [Articles of the Energy Efficiency Directive](#) and [Energy Performance of Buildings Directive](#). (up to 1000 characters)

The planning and reporting (P&R) provisions of the EED are linked, and it is difficult to refer to one without the other. Many of the deadlines for key EED planning provisions such as developing plans for the implementation of Art. 5 and 7, or providing relevant assessments under Art. 14 or 15, have already passed and from now on, MS have to report mainly on the progress of the implementation of the measures planned under the EED. Therefore, all the EED reporting requirements addressed through the NEEAPs should be kept and continue. Especially, for the EED provisions that are to be revised, such those under Art. 1, 3 and 7, the P&R requirements, as set currently in the EED, need to be safeguarded and improved, when being adjusted to the 2030 timeframe. All the different elements of what needs to go through a planning process and be reported upon, should be based on what is currently in the existing legislation and decided during the discussions on the revision of the latter.

6) Which elements/articles of the current planning in the field of low-carbon development strategies do you consider indispensable and why? (up to 1000 characters)

The EU and its Member States have committed and have clear obligations to develop low-carbon strategies, both under the Cancun Agreements and the Paris Agreement. The Paris Agreement clearly calls for net zero emissions in the second half of this century and it would from an equity perspective be consistent for all EU Member States to plan the full phase out of emissions by the middle of this century. Also, Article 4 of the MMR regulation stipulates that all Member States need to develop low-carbon strategies, and report on the status of their implementation by January 2015. As many Member States missed this deadline, reporting on the development and review of carbon phase out strategies should be ensured on a regular basis.

7) Which elements/articles of the current planning obligations in the field of infrastructure development (like for example TEN-E) do you consider indispensable and why? (up to 1000 characters)

MS should report planned investment in interconnections for a period of at least 5 years (Security of Electricity Supply Dir., Art. 7) and TSOs submit to National Regulatory Authorities (NRAs) a 10-year development plan (Electricity Dir., Art. 22) to provide long-term visibility on infrastructure needed to balance RES output on broader areas. DSOs should consider efficiency/DSR solutions to supplement the need to upgrade/replace network reinforcement from a system perspective (Electricity Dir., Art. 25), however not at the expense of increased and non-remunerated curtailment of RES. MS should also plan the deployment of smart grids alongside the necessary regulatory framework from NRAs. The PCI selection procedures (Reg. 347/2013) should be more transparent and include better safeguards to prevent PCI status going to projects damaging to the environment and incompatible with EU environmental acquis. Selection should be based on scenarios in line with EU climate and energy objectives.

8) Which elements/articles of other existing planning obligations in the field of energy, including on security of supply, infrastructure and market integration do you consider indispensable and why? (up to 1000 characters)

Overall adequacy of the electricity system to supply current and projected demands for electricity (Directive 2005/89 Security of electricity supply and infrastructure investment).

9) Can you provide qualitative or quantitative evidence on the administrative burden on Member States and other stakeholders resulting from planning obligations at EU level? (up to 1000 characters; a possibility to upload further evidence is provided at the end of the questionnaire)

First, it should be recalled that the deployment of resources at the national level to comply with EU directives on energy and climate is not considered as excessive: the mid-term evaluation of the RES directive in the context of the REFIT program concluded that the administrative burden is reasonable compared to benefits while the High Level Group on Administrative Burden found in 2009 that environmental policies are responsible for less than 1% of red tape in the EU, way below taxations and customs.

Second, the Commission can reduce even more the administrative burden resulting from planning obligations by proposing a binding and harmonized template. In the recent Renewable energy progress report, the Commission notes ‘‘Certain provisions of the Directive were found to have contributed to reducing the administrative burden on Member States, such as the use of templates for planning and reporting requirements provided by the Directive.’’.

Future obligations

10) What level of importance do you attach to future planning obligations for Member States in the following key elements of the Energy Union Strategy?

| | Very important | Important | Less important | Not important | No opinion |
|---|----------------------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| Security of supply | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Internal Energy Market | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Energy infrastructure | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Energy efficiency | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Renewable energy | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| GHG emissions reduction (decarbonisation) | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Research, Innovation and competitiveness | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |

C. Evaluation of reporting obligations


























Existing obligations

In the energy and climate field there are a number reporting obligations for the Member States and for the Commission. These have been developed to cover specific elements of the Energy Union, with less focus on integrated planning and reporting. Both the Member States and the Commission have to abide to reporting obligations. Usually, the information collected through Member States' reports is used by the Commission to assess trends in the climate and energy sectors, assess progress towards certain policy objectives, to monitor implementation and to propose policy and legislative reforms. Importantly, there are several different types of reporting obligations. The following distinctions are useful for the purpose of evaluating them:

- Reporting obligations can be regular or irregular. The former are fulfilled periodically; the latter usually once or after a specific request.
- The content of the reporting obligations may be specified in EU legislation, but the level of detail varies from one sector to another.
- Templates used to respond to reporting obligations are sometimes compulsory. In other cases, they have a voluntary nature.
- Reporting obligations are set up according to the information needs of each area of the energy field linked to the specific requirement of the objective of the initiative. Only in some cases they are coordinated with reporting obligations in other areas.

11) How would you rate the following aspects of reporting obligations in EU legislation?

| | Very important | Important | Less important | Not important | No opinion |
|--|----------------------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| Coherence of reporting formats among all EU Member States | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Possibility to monitor the performance and trends (and put in place corrective measures if the results are lagging behind) | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |

| | | | | | |
|---|---|---|---|---|---|
| Effective and efficient implementation of EU legislation in the energy and climate field |  |  |  |  |  |
| Assess progress to targets at Member State level and enable aggregation of data at EU level |  |  |  |  |  |
| Better comparability of data from different Member States enabling an informed evaluation |  |  |  |  |  |
| Increased certainty for investors across all EU Member States stimulating economic growth as well as research, innovation and competitiveness of the EU |  |  |  |  |  |
| EU as a whole and Member States themselves are better informed on the actual performance and it provides ground for further action |  |  |  |  |  |

If other, please explain: (up to 1000 characters)

Reporting should allow policy makers and stakeholders to monitor both the implementation of policies and measures, and progress towards the fulfilment of the 2030 targets, so that further action is taken on time. Reporting templates should be mandatory and the information publicly available. The more detailed the reporting, the easier it is to see where MS deviate from their planning. Reporting should identify causes of delays in planning and permitting for all energy sectors and infrastructure, and conflicts arising with EU and international legislation for environmental protection and/or access to information and justice. The Commission should suggest improvements to national plans, procedures and institutional structures/capacities to enable more effective delivery, taking into account EU legislation and international agreements. Reporting is also important to assess progress in implementation of international obligations and commitments, e.g. low-carbon development strategies.

12) Are you aware of overlaps or inconsistencies among the existing reporting obligations in the same or different areas of the energy acquis? Please provide examples. (up to 1000 characters)

The current landscape exhibits inconsistencies between weak/strong reporting elements:

- whilst a MS can be asked to update its national plan if it is not on track to meet its indicative target under the RED, there is no such accountability link between plans and target under the EED
- reporting under the EED is fragmented in that MS are allowed to do their annual reporting under their National Reform Programmes
- Reporting under the ESD/MMR is extremely narrow as they are only intended to implement international commitments

Additionally, the Commission's reporting exercise is more retrospective than forward looking and generally fails to provide robust policy signposts and to probe the impact of free riders.

Also instructive is the lack of transparency around compliance and enforcement of reporting obligations as not all MS reports are available on the Commission website and no information is provided on whether the Commission is pursuing MS not complying with their reporting obligations.

13) a) Which of the current reporting obligations could in your opinion be streamlined[*] into one integrated report and why? (up to 1500 characters)

The focus on streamlining should not be used to weaken EU monitoring and accountability controls.

The Commission should streamline with caution: existing directives have performed well with regard identifying and addressing sector-specific issues such as non-regulatory barriers. It would be a mistake to deprive these directives from necessary information, while striking a balance with the benefits from realising an integrated and system-wide thinking.

b) Are there reporting obligations that should be kept separate from the integrated report? (up to 1500 characters)

c) Are there reporting obligations that could be repealed? (up to 1500 characters)

[*] By streamlining we understand the possibility to integrate planning and reporting obligations resulting from different sectorial legislation by reducing possible duplication or gaps in the reporting and planning obligations, thereby ensuring transparency, coherence, relevance, efficiency and effectiveness of the reporting and planning. Furthermore planning and reporting cycles should be harmonised to the extent possible.

14) Which elements/articles of the current reporting obligations in the field of renewable energy do you consider indispensable and why? Please, if relevant, refer to specific articles of the Renewable Energy Directive. (up to 1000 characters)

15) Which elements/articles of the current reporting obligations in the field of energy efficiency do you consider indispensable and why? Please, if relevant, refer to specific articles of the Energy Efficiency Directive, the Energy Performance of Buildings Directive and the legislation on products. (up to 1000 characters)

16) Which elements/articles of the current reporting in the field of low-carbon development strategies do you consider indispensable and why? (up to 1000 characters)

17) Which elements/articles of the current reporting obligations in the field of infrastructure development (like for example TEN-E) do you consider indispensable and why? (up to 1000 characters)

18) Which other reporting obligations in the field of energy, including on security of supply infrastructure and market integration, do you consider indispensable and why? (up to 1000 characters)

19) Which elements of the current reporting obligations in the field of energy research and innovation do you consider indispensable (investments in R&I, R&I funding programmes and projects and direct funding to institutions) and which information is publicly available or reported to other organisations? How can this reporting be made more consistent between Member States and more updated so that it can support more transnational cooperation in this field? (up to 1000 characters)

20) Can you provide qualitative or quantitative evidence on the administrative burden imposed by existing reporting obligations on both Member States and other stakeholders? (up to 1000 characters, a possibility to upload further evidence is provided at the end of the questionnaire)

Future obligations

21) Do you consider future reporting obligations for Member States in the following key elements of the Energy Union Strategy to be?

| | Very important | Important | Less important | Not important | No opinion |
|---|----------------------------------|----------------------------------|-----------------------|-----------------------|-----------------------|
| Security of supply | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Internal Energy Market | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Energy infrastructure | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Energy efficiency | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Renewable energy | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| GHG emissions reduction (decarbonisation) | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Research, Innovation and competitiveness | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |

D. Options for streamlining planning and reporting obligations

This part of the consultation seeks stakeholders' views on the options for the design of the planning and reporting obligations in the new governance system.













22) Do you agree that a comprehensive new legislative act covering both planning and reporting obligations of policy areas related to the Energy Union including the 2030 Energy and Climate framework would ensure consistency and reduce unnecessary administrative burden?

- ☒ YES
- ☐ NO
- ☐ No Opinion

23) Do you think that non-legislative approaches (e.g. guidance to Member States) can assure effective and efficient streamlining of planning and reporting obligations and would provide the necessary certainty for investors?

- ☐ YES
- ☒ NO
- ☐ No Opinion

24) Concerning options to streamline planning and reporting obligations in the framework of the governance of the Energy Union, how would "Non-binding guidance for both planning and reporting obligations covering all Energy Union dimensions" influence the following categories?




| | Considerable Improvement | Improvement | No Change | Deterioration | Significant deterioration | No Opinion |
|--|---|---|---|---|---|---|
| Coherence of national plans and reporting formats among all EU Member States |  |  |  |  |  |  |
| Effective and efficient implementation of EU legislation in the energy and climate field |  |  |  |  |  |  |





| | | | | | | |
|---|---|---|---|---|---|---|
| Achievement of the EU energy and climate objectives |  |  |  |  |  |  |
| Possibility to monitor the performance and trends (and put in place corrective measures if the results are lagging behind) |  |  |  |  |  |  |
| Increased certainty for investors across all EU Member States stimulating economic growth as well as research, innovation and competitiveness of the EU |  |  |  |  |  |  |

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|---|---|---|---|---|---|---|
| <p>Better implementation of international commitments by the EU as a whole and by Member States (e.g. concerning the reduction of greenhouse gas emissions)</p> |  |  |  |  |  |  |
| <p>The Commission is better enabled to provide substantial and useful advice and ensure uniform application of EU legislation</p> |  |  |  |  |  |  |

25) Concerning options to streamline planning and reporting obligations in the framework of the governance of the Energy Union, how would "Regulating planning and reporting obligations in sectorial legislation as currently the case" influence the following categories?






| | Considerable Improvement | Improvement | No Change | Deterioration | Significant deterioration | No Opinion |
|--|---|---|---|---|---|---|
| Coherence of national plans and reporting formats among all EU Member States |  |  |  |  |  |  |
| Effective and efficient implementation of EU legislation in the energy and climate field |  |  |  |  |  |  |
| Achievement of the EU energy and climate objectives |  |  |  |  |  |  |

| | | | | | | |
|---|---|---|---|---|---|---|
| Possibility to monitor the performance and trends (and put in place corrective measures if the results are lagging behind) |  |  |  |  |  |  |
| Increased certainty for investors across all EU Member States stimulating economic growth as well as research, innovation and competitiveness of the EU |  |  |  |  |  |  |

| | | | | | | |
|---|---|---|---|---|---|---|
| <p>Better implementation of international commitments by the EU as a whole and by Member States (e.g. concerning the reduction of greenhouse gas emissions)</p> |  |  |  |  |  |  |
| <p>The Commission is better enabled to provide substantial and useful advice and ensure uniform application of EU legislation</p> |  |  |  |  |  |  |

26) Concerning options to streamline planning and reporting obligations in the framework of the governance of the Energy Union, how would "Regulating both planning and reporting obligations by a new comprehensive legislative act covering all Energy Union dimensions" influence the following categories?

| | Considerable Improvement | Improvement | No Change | Deterioration | Significant deterioration | No Opinion |
|--|---|---|---|---|---|---|
| Coherence of national plans and reporting formats among all EU Member States |  |  |  |  |  |  |
| Effective and efficient implementation of EU legislation in the energy and climate field |  |  |  |  |  |  |

| | | | | | | |
|---|---|---|---|---|---|---|
| Achievement of the EU energy and climate objectives |  |  |  |  |  |  |
| Possibility to monitor the performance and trends (and put in place corrective measures if the results are lagging behind) |  |  |  |  |  |  |
| Increased certainty for investors across all EU Member States stimulating economic growth as well as research, innovation and competitiveness of the EU |  |  |  |  |  |  |

| | | | | | | |
|---|---|---|---|---|---|---|
| <p>Better implementation of international commitments by the EU as a whole and by Member States (e.g. concerning the reduction of greenhouse gas emissions)</p> |  |  |  |  |  |  |
| <p>The Commission is better enabled to provide substantial and useful advice and ensure uniform application of EU legislation</p> |  |  |  |  |  |  |

27) In your view, what should be the nature of the initiative to best streamline the planning and reporting obligations in the framework of the governance of the Energy Union?

- ☐ Non-binding guidance for both planning and reporting obligations covering all Energy Union dimensions
- ☐ Regulating planning and reporting obligations in sectorial legislation as currently the case
- ☐ Regulating both planning and reporting obligations by a new comprehensive legislative act covering all Energy Union dimensions

If other, please elaborate: (up to 1000 characters)

The Commission should ensure the planning and reporting requirements are legally binding.

To keep the make the best out of the streamlining exercise, legislators should adopt a hybrid approach: a transversal instrument focusing on the NECPs and existing directives focusing on sectors.

28) Please elaborate on the reasons justifying your choice in the previous question: (up to 1000 characters)

The transversal instrument would deal with civil society participation, interactions with the SEAPs developed for the Covenant of Mayors, rules regarding updating the NECPs and the first module.

The Commission should indeed require member states to include a long-term goal for the energy system by 2050. It would pull together all the different strands and propose an integrated vision – including a roadmap on how to get there (what is needed in 2030 and 2040), factoring in a revision upwards of the ambition in line with the Paris Agreement and identifying the risks to the delivery of this vision. It should include infrastructure plans and member states should be incentivised to draw regional plans.

The second module should be composed by the sector-specific requirements (in line with the long term vision) included in the directives.

E. Options for the governance system of the Energy Union and its process

E.1 Scope and nature of the integrated national climate and energy plans

National plans should take a holistic approach and address the five dimensions of the Energy Union in an integrated way recognising the interactions between different dimensions. The national plans should cover the period from 2021 to 2030 and build upon what each Member State should deliver in relation to their policies for 2020 and also include a perspective until 2050. These national plans should provide long term predictability and certainty for investment and ensure greater cooperation and coherence among Member States' approaches on climate and energy policies.

29) Notwithstanding the fact that all five dimensions will be part of the National Energy and Climate plans, which elements of the Energy Union Strategy should be given prominence?

| | Very important | Important | Less important | Not important | No opinion |
|---|----------------------------------|----------------------------------|-----------------------|-----------------------|-----------------------|
| Security of supply | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Internal Energy Market | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Energy infrastructure | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Energy efficiency | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Renewable energy | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| GHG emissions reduction (decarbonisation) | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Research, Innovation and competitiveness | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |

30) a) Building further on your replies to the sections devoted to the existing planning and reporting obligations (questions 1-21), which of the areas/articles subject to current planning obligations should be included in the integrated National Energy and Climate Plans? Please explain. (up to 1500 characters)

Existing planning obligations should be integrated in the NECPs if they are needed for the NECP to:

1. Enable national governments to make investment decisions on infrastructure deployment considering all options, including demand-side, and to test projects for long-term viability;
2. Provide an integrated overview of the decarbonisation strategy of the member state;
3. Establish a risk management framework that will help identify and mitigate risks associated to the delivery of the Energy Union.

b) Building further on your replies to the sections devoted to the existing planning and reporting obligations (questions 1-21), which of the areas/articles subject to current reporting obligations should also be included in the integrated National Energy and Climate Plans? Please explain. (up to 1500 characters)

A Semester-type supervision could be helpful to embed P&R in an overall legislative architecture so that process is respected and the system sufficiently transparent.

On the basis of country reporting, the Commission could identify countries requiring an in-depth study into the risks of underperformance and provide robust policy signposts to MS (e.g. non-binding country recommendations). A formalised State of the Energy Union would represent an obvious platform for issuing these annual reports and should be translated into legally binding reporting obligations for both MS and the Commission.

This process should be rooted law (incl. the mandatory tracking of KPIs) and should resort to preventive and corrective/sanctioning measures – not all of which have a punitive nature. In order to take full advantage of this process it is crucial that the Commission utilises its enforcement jurisdiction against MS failing to comply with reporting requirements.

c) Are there current planning obligations that should continue to be treated separately? (up to 1500 characters)

31) What political process would be necessary to ensure the stability of the National Energy and Climate Plans (e.g. approval by national governments, cross-party approval, approval by national parliaments, or national legislative acts)? (up to 1000 characters)

A transparent and participatory planning process to engage relevant stakeholders, such as cities, municipalities and citizens at an early stage will be crucial to create investor confidence and public acceptance, and therefore the stability of the plans.

A concrete timeline has to be provided for finalising the first plans well ahead of 2020. A regular update of plans has to be foreseen, to take stock of progress, taking also into account the reporting cycles under the Paris agreement.

National plans should be established in collaboration with the European Commission whose role should be to ensure the coherence of EU efforts. It should also hold member states accountable for the delivery of their national plan, ensure that the national plans overshoot the EU targets and incentivise member states to draw their plans with their neighbours.

32) What, in your opinion, would be the main factors that could justify an update of the National Energy and Climate Plans in the period from 2021 to 2030 (e.g. energy market developments, economic changes, evolving EU legislation, or collective progress made towards the Energy Union objectives)? (up to 1000 characters)

Plans should be updated in case MS and/or the EU as a whole are not in line with targets - bearing in mind that ambition can obviously only be revised upwards. The Commission should have a reinforced oversight over MS progress and the ability to make country-specific recommendations at every biennial reporting cycle in order to address challenges in meeting national objectives. The introduction of further measures, in case a gap towards achieving the 2030 targets is identified, needs to be foreseen.

There should be regular status updates on national and Commission action, with built-in corrective mechanism(s) in case MS and/or the EU as a whole are not in line with targets and there is a lack of implementation of energy efficiency measures, as required by the legislation.

E.2 Role of different institutions in the governance process

33) How relevant would you rate the role of different institutions in the development of integrated National Energy and Climate Plans?

| | Very relevant | Relevant | Less relevant | Not relevant | No opinion |
|--|----------------------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| European Commission | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| European Parliament | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| European Council | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Energy Council | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Environment Council | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| National administration | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| National parliaments | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| National stakeholders | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Neighbouring or other group of Member States | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Regional fora | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |

34) How relevant would you rate the role of different institutions in the monitoring of the implementation of integrated National Energy and Climate Plans

| | Very relevant | Relevant | Less relevant | Not relevant | No opinion |
|--|----------------------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| European Commission | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| European Parliament | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| European Council | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Energy Council | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Environment Council | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| National administration | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| National parliaments | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| National stakeholders | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Neighbouring or other group of Member States | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Regional fora | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |

35) With respect to the National Energy and Climate Plans, what should be the role of the European Commission in order to ensure the achievement of the Energy Union's objectives?

| | Very relevant | Relevant | Less relevant | Not relevant | No opinion |
|---|----------------------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| Support to Member States in developing national plans, notably by providing templates and technical support and disseminating best practice | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Review national plans and analyse Member States' contributions | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Issue policy recommendations, notably in its annual State of the Energy Union | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Approve national plans | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Propose measures on EU level in view of delivering on the objectives of the Energy Union | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |

E.3 Regional cooperation to establish, and peer review before finalisation of, integrated climate and energy plans

36) In accordance with the conclusions of October 2014 and March 2015 European Councils, the new governance system should facilitate the coordination of national energy policies and foster regional cooperation. How important would you rate regional cooperation in the course of integrated climate and energy plans?

| | Very important | Important | Less important | Not important | No opinion |
|---|----------------------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| As part of their national integrated plans Member States should jointly develop regional objectives, standards and common coherent strategies on the relevant dimensions of the Energy Union. | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| The national plans should describe how they reflect regional integration and cooperation on the Energy Union domains. | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Member States should consult relevant other Member States on national plans before their submission. | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| The plans should provide clear account of these consultations and how they are incorporated in the plans. | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| The Commission should guide the process, and develop appropriate fora for consultations of draft plans and regional cooperation where required. | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |

37) Concerning consultations and mutual reviews of the integrated National Energy and Climate Plans (meaning that plans or progress reports of one Member State being reviewed by other Member States), how important would you rate the following options?

| | Very important | Important | Less important | Not important | No opinion |
|--|----------------------------------|-----------------------|-----------------------|----------------------------------|-----------------------|
| Only consultations should take place in the preparation of the plans leading to the draft plans | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> |
| Mutual reviews should be done on draft plans | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Mutual reviews should be also used for progress reports assessing the implementation of plans | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Mutual reviews should be of voluntary nature for Member States | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input checked="" type="radio"/> | <input type="radio"/> |
| Mutual reviews should be mandatory for Member States | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| A dedicated system of mutual reviews should be established including the creation of adequate fora | <input checked="" type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |

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Thank you for your participation!

Contact

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