

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.

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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:

*

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]

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[*] 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.

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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 type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

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

Planning and reporting obligations must be designed in such a way that ensures the full achievement of MS energy policy objectives and consequently EU targets. Progress towards the attainment of such objectives can be measured only if plans and reports are comparable. This means they must be based on the same template and on a harmonised set of calculation methods and scenarios. Member States must be held accountable for delivering on agreed policies and objectives and the EU Commission must be able to effectively enforce the agreed policies; this is why plans and reports should have a strong legal basis and should provide accurate and exhaustive information. The binding character and the comprehensiveness of plans and reports, along with the transparency of planning and reporting procedures, will be key in providing investors with the necessary visibility and certainty. It is undoubtedly necessary to review the existing mechanisms and redirected efforts to a greater coordination and complementarity between key sectors in order to eliminate inconsistencies.

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)

Analysing mainly the Portuguese reality and in particular the renewable electricity (RES-E) sector, it is possible to identify overlaps and inconsistencies within planning and reporting. Namely the NREAP (National Renewable Energy Action Plan) is not consistent and presents overlaps comparing to the MMR (Monitoring Mechanism Regulation) and respective PAMs (Policies and Measures). These issues are 1 related namely with different time schedules, lack of coordination between the governmental entities involved (areas managed by different ministries) and also lack of harmonization. Moreover, RES-E scenarios for 2020 presented in the NREAP and futures perspectives of growth for 2030 based on already assumed targets are not reflected in the National Network Development Plan and likewise in the Ten-Year Network Development Plan (TYNDP). Once more the absence of coordination and harmonization between strategic sectors creates misunderstands in P&R (Planning and Reporting) and consequently, creates instability and uncertainty for investors blocking the progress and economic growth, as well as, the targets settled.

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

Current planning obligations concerning the electricity sector should be streamlined into one integrated plan divided in sub-sectors including mainly RES-E, internal energy market (IEM), including the interconnection target, demand response (currently covered under the Energy Efficiency Directive – EED), as well as, security adequacy analysis.

Moreover, planning in each MS should contribute to overall targets according to the potential availability of renewable resources and related costs, taking into account factors such as infrastructure deployment, energy dependency, security of supply, etc.

Mainly it is important to focus and plan the strategic sectors that contribute to the overall GHG reduction target. However, a more integrated approach should not compromise the level of details of the energy and climate policies as describe today. Additionally, a more superficial description of policies could lead to a decrease of Member States accountability, undermining investor’s visibility and certainty.

Projects, targets and assumptions need to be harmonize considering the complementary areas and thereby ensuring transparency, coherence, relevance, efficiency and effectiveness of the reporting and planning. Furthermore planning and reporting cycles should be harmonised as much as possible.

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

Focusing in RES-E sector, it is very important to highlight that any streamlined should to set binding targets per MS and biennial reports for RES-E integration.

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

We are not aware of any.

[*] 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)

Existing planning and reporting obligations resulting from the RES Directive are proportionate. However, the measures that MS have to plan and report on are described in such a general way that it appears difficult for the EU to determine whether such measures are being properly implemented. To date, by the way, information about how the EU is enforcing the Directive is very limited despite of a dedicated transparency platform and of biennial progress reports. The obligations contained in the revised Renewable Energy Directive (RED) should be more measurable than the current ones.

Moreover, the IEM structure and design, mainly interconnection capacity, electricity market regulations, subsidies, reserve capacity and balancing markets must be in line with RES E planning obligations which should integrate the existing potential availability of renewable resources by region. There is no requirement on MS to devise a strategy on how and when they intend to contribute to a fully integrated energy market beyond interconnection, as such as, advances in market coupling, further liberalisation and harmonization of market and technical rules.

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)

No comments.

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)

Low-carbon development strategies should clearly describe how MS intend to achieve the GHG emissions reduction target for 2030. These strategies should also contain an indication of the Member States' contribution to the agreed 80-95% GHG reduction target by 2050. Moreover, these documents should provide a clear indication of how Emission Trading System (ETS) will incorporate the real cost of carbon. It is vital an ETS reform in order to ensure scarcity in carbon market through reviewing the quotas distributions. New planning in the field of low-carbon should also establish a deadline for each carbon emission permit, for example, up to three years.

Moreover, ETS funds should be made available only to Member States that are on track with the projected increase in RES, EE and decrease in GHG emissions and with the roadmaps for the phase-out of fossil fuel subsidies.

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)

Streamlining and harmonising the existing infrastructure planning obligations should be a priority. It is important that infrastructure development plans are based on official policy scenarios and on harmonised methodologies taking into account the RES-E integration. Moreover, infrastructure planning at distribution grid level should become more transparent, as the bulk of future production capacities will be connected to low and medium-voltage networks. Future plans have to be centred on the key issue that by 2030 almost 50% electricity will be supplied by renewable energies (in Portugal it is expected to reach at least 80% of renewable electricity if the proposed APREN strategy is implemented, namely the position which advocates the use of the potential availability of renewable resources of each country to define the goals of RES in the new Directive).

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)

Current P&R obligations in the field of security of supply and market integration should be streamlined and harmonised taking into consideration the RES-E penetration. Plans should be based on a single, forward-looking European system adequacy methodology, considering the contribution to system flexibility that RES, storage and demand response (e.g, smart metering deployment and electric vehicles management) can provide. These plans need to be harmonized across borders taking into consideration the effective means that one country can provide to help another and vice-versa, mainly using effectively the interconnection infrastructure.

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)

In Portugal the administrative burden mainly result from lack of consistency, harmonization, guidelines and calculation methods, since the planning and reporting responsibility of the different areas are allocated to various governmental entities.

At least, a well-structured set of templates that merge and define the baselines, guidelines and methodologies for all sectors would increase reliability and trustworthy data information.

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 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 type="radio"/>	<input checked="" 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 type="radio"/>	<input checked="" 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"/>

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)

Harmonize the monitoring reports of MS is a key issue to increase transparency, coherence, consistency and accountability. Therefore, reporting templates should be mandatory, as well as methodologies and guidelines and moreover.

Good reporting is crucial to monitor the progress of MS, and of the overall EU, in order to track, implement policies and measures to correct deviations to ensure the fulfilment of the 2030 targets.

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)

Overlaps exist between the P&R on renewable electricity and reporting requirements for NRAs specified in Directive 2009/72/EC on market rules for electricity. MS need to report on “measures to [...] extend or reinforce existing infrastructure to facilitate the integration of the quantities of energy from renewable sources needed to achieve the 2020 national target, [...]and] measures to reduce non-technological barriers” according to Annex 6, paragraph. 3b of the RED. Under the IEM Directive, NRAs need to report inter alia on network security and reliability, on the time it takes grid operators to connect generators as well as on electricity storage and contractual relations.

Moreover, Art. 4 of the IEM Directive stipulates that MS (or NRAs on their behalf) monitor the balance of power supply and demand on the national market – another overlap with the scenarios on future demand to be carried out for NREAPs and NEEAPs. It is to be expected that for the period 2020–30 these overlaps will gain in importance, as RES E provides a larger share of total electricity generation, is increasingly integrated into the market and provides ancillary services to the electricity grid.

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

Reporting requirements for electricity sector could provide an opportunity to highlight the synergies between the different key areas (RES-E, interconnections, and electricity market) and identify a quicker and more effective approach to eliminate barriers for the deployment and achievement of RES-E targets.

Furthermore, streamline reporting could eliminate inconsistencies in energy statistics within national entities and between EU bodies.

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

No comments.

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

The general information require is extremely important, but is disperse, it is managed by different entities, present different methodologies and baselines, which creates incoherence, consistency and lack of effectiveness. Namely, for the electricity sector it is important to aggregate in the same P&R and in a coherent way the RES-E goal by technology, the network expansion, the market integration model and the security of supply.

[*] 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)

We consider of utmost importance the reporting on the market renewable integration progress along with the harmonization of subsidies policies. The current reporting obligations are important but insufficient. It is required a more focused approach and coordinated reporting in matters such as security of supply which will have to reflect the rising importance of variable renewable electricity on the overall energy supply, that can provide services like storage, demand response and flexibility.

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)

No comments.

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)

See 6.

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)

Reporting in the field of infrastructure development needs to be coordinated with RES-E targets and the potential availability of renewable resources of MS, monitoring closely the development and the dialogue between the different MS' entities involved. The progress on the achievement of the 15% interconnection target must be carefully monitored. Furthermore in the case of isolated European blocks, like the Iberian Peninsula, the 15% goal must be also observed as a whole referred to the rest of Europe.

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)

See 8.

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)

No comments.

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)

See 9.

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 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 type="radio"/>	<input checked="" 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	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Effective and efficient implementation of EU legislation in the energy and climate field	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>





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>						

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)

See 28.

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

APREN considers that a single legislative act covering all dimensions of the Energy Union would simplify planning and reporting obligations for Member States. Providing a holistic overview of Member States progress in different climate and energy strands will facilitate the European Commission's task of overseeing the fulfilment of the Energy Union and will provide investors with better visibility. Though, it very important to highlight that an integration planning and reporting needs to ensure the specificity of each sector guaranteeing a detailed analysis, planning and reporting of each sector including on the pathways and targets.

It is of utmost importance that the planning and reporting obligations make a clear distinction between the Energy Union dimensions with binding and non-binding targets. The EU-wide binding renewables target should receive special treatment. A more solid and detailed planning and reporting framework is needed for areas with EU targets, a softer approach may be appropriate for those dimensions without specific targets, such as energy security, and research, innovation, and competitiveness.

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 nation 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 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"/>

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)

Articles 4 and Annex VI of Directive 2009/28/EC should be adapted to the EU-wide binding target.

As under Article 4, Member States should set 2030 renewable energy contributions in national plans. The uniform and binding template for national plans should include as a minimum:

- Targets and objectives for 2030 and 2050 to align Member States' policies with the EU's long-term decarbonisation objectives and a roadmap to market growth according to potential availability of renewable resources ;
 - RES and EE targets for electricity, heating and cooling and transport sectors. For non-maturing technologies, such as offshore wind, the 2030 national commitments need to indicate specific deployment volumes planned to deliver cost reductions through scalability;
 - Indicative trajectories and intermediate targets to ensure a linear progress towards the 27% renewable target and to give an early indication of potential deviation;
 - National measures for the deployment of renewables including support mechanisms, infrastructure development, market coupling, security of supply, and streamlining of administrative procedures;
 - Indicative measures adopted by Member States in renewable energy-related areas (e.g. taxation) to ensure coherence among different policy streams.
- The renewable energy components of the template should be revealed in the revised REDII.

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)

Articles 22 and 23 of Directive 2009/28/EC should be adapted to the EU-wide binding target.

As under Article 22, Member States should continue to report biennial to the European Commission. The reporting obligations of the European Commission, namely presenting an EU-wide progress report to the Council and the European Parliament, should be maintained in order to provide transparency and visibility over the EU's progress towards the 27% binding renewable target. Article 23 should grant reinforced legal means to the Commission to monitor progress. The Commission should make country-specific recommendations at every biennial reporting cycle in order to address challenges to achieve national goals timely. The Commission should intervene in case of significant target deviations, proposing corrective measures.

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

All planning obligations should be combined into one instrument. This will safeguard consistency, transparency and effectiveness, providing investors with the necessary confidence for the development of the RES in each MS.

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)

To ensure investor certainty, national climate and energy plans should be approved by national governments and should be in line with national climate and energy strategies and objectives. It is important that the national plans are subjected to a common consultation analysis among neighbouring countries, in particular with regards the issues of cross-border electricity flows and required infrastructure.

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)

A lesson learned from the current regulatory regime is that national plans became outdated and progress reports failed to address key regulatory challenges to the deployment of renewable. The European Commission should therefore have a reinforced oversight over Member States' progress and the ability to make country-specific recommendations at every biennial reporting cycle in order to address challenges in meeting national objectives. If the biennial reporting shows a significant planning deviation, MS must have the obligation of reviewing and update National Energy and Climate Plans in order to redefine trajectories and, if necessary, reallocate technology and sector targets according to new economic changes or energy market development.

Despite of the possible biennial reviews, the National plans should be updated at least once, in the middle of the period 2020-2030, let's say 2024, in order to take stock of changing circumstances and to ensure that the EU is on track to reach the target of at least 27%. If that is not the case, such an early indication will allow for the Commission to undertake the necessary corrective measures.

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 type="radio"/>	<input checked="" 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 type="radio"/>	<input checked="" 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 type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Regional fora	<input type="radio"/>	<input type="radio"/>	<input checked="" 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 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 type="radio"/>	<input checked="" 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 type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Regional fora	<input type="radio"/>	<input type="radio"/>	<input checked="" 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 type="radio"/>	<input checked="" 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 type="radio"/>	<input checked="" 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 type="radio"/>	<input checked="" 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 checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Mutual reviews should be done on draft plans	<input type="radio"/>	<input checked="" 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 type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Mutual reviews should be of voluntary nature for Member States	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Mutual reviews should be mandatory for Member States	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
A dedicated system of mutual reviews should be established including the creation of adequate fora	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

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