



Brussels, 6.4.2017  
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**COMMISSION OPINION**

**of 6.4.2017**

**under Regulation (EU) No 994/2010 on the Preventive Action Plan and Emergency Plan  
submitted by the Competent Authority of the Kingdom of Sweden to the European  
Commission**

Only the Swedish text is authentic

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#### **1. PROCEDURE**

Article 4(1) of Regulation (EU) No 994/2010 ("Regulation") requires the Competent Authority of each Member State to establish a Preventive Action Plan ("PAP") and an Emergency Plan ("EP", together: "Plans"). In accordance with Article 5(4) and Article 10(2) of the Regulation, the Plans have to be updated every two years, unless circumstances require more frequent updates. The consultation provided for between Competent Authorities under Article 4(2) shall be carried out before the adoption of the updated Plans.

The Plans (as well as their updates) need to be based on the national Risk Assessment which each Competent Authority has to adopt and notify to the Commission before the adoption of the Plans pursuant to Article 9 of the Regulation. The Risk Assessment should make a full assessment of the risks affecting the security of gas supply in the Member State on the basis of the common elements which include, inter alia, running various scenarios of exceptionally high gas demand and supply disruption. The Risk Assessment has to be updated for the first time at the latest 18 months after the adoption of the Plans.

The Competent Authority of Sweden, the Swedish Energy Agency, has notified its updated Risk Assessment pursuant to Article 9 of the Regulation to the Commission on 22 November 2016.

The Swedish Energy Agency notified to the Commission on 7 December and 13 December 2016 its updated Preventive Action Plan and Emergency Plan, respectively. The Commission has no information regarding the consultation on the Swedish Plans with other Member States, in particular with its neighbours.

The Commission considers it appropriate to communicate any comments on the updated Plans by using the same procedure and applying the same assessment criteria as set out in Article 4(6) of the Regulation in respect of the initial Plans.

Thus having assessed the Plans, as updated, in view of the criteria mentioned in Article 4(6)(b)(i) to (iii) of the Regulation, and having reported its main findings to the Gas Coordination Group on 18 January and 3 February 2017, the Commission notes as follows.

#### **2. ASSESSMENT AND CONCLUSION**

Based on the analysis of the Plans, the Commission concludes that they comply with the provisions of the Regulation, in light of the criteria in Article 4(6)(b) therein.

Therefore, the Commission has decided not to request amendments to the Swedish Plans as foreseen in Article 4(6)(b) of the Regulation.

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

The Commission will publish this opinion. The Commission does not consider the information contained herein to be confidential, in particular as it relates to documents which are publicly available. The Swedish Energy Agency is invited to inform the Commission within five working days following receipt of the opinion whether it considers that it contains commercially sensitive information, the confidentiality of which is to be preserved.

Done at Brussels, 6.4.2017

*For the Commission*

*Miguel ARIAS CAÑETE*  
*Member of the Commission*