



2020/0360(COD)

29.3.2021

DRAFT OPINION

of the Committee on Regional Development

for the Committee on Industry, Research and Energy

on the proposal for a regulation of the European Parliament and of the Council
on guidelines for trans-European energy infrastructure and repealing
Regulation (EU) No 347/2013
(COM(2020)0824 – C9-0417/2020 – 2020/0360(COD))

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SHORT JUSTIFICATION

The cohesion policies are at the core of the development of the European Union. The strive for a balanced, inclusive, sustainable, modern society throughout the union, the principle “no one is left behind” is the key to a successful and thriving political, economic and social construction. The essence of the cohesion policies must be the foundation in all the European Union programs and strategies.

The revision of the TEN-E regulation will ensure the adaptation of the energy infrastructure development strategy to the new environmental and social requirements of the European Union policy, to the Green Deal and will contribute to achieving the objectives stipulated in the Paris Agreement.

The major adaptations required by the Green Deal in the energy infrastructure strategy aimed to dramatically increase the renewable energy production and consumption and the green mobility will have a strong impact on specific regions and on the energy market, but the strong correlation with the cohesion policies and the national and regional development strategies will ensure a successful and beneficial transformation at economic, social and individual level.

The cost-benefit analysis and the assessment of the projects must take into account the changes and challenges in the areas that will be most affected by the transition to the renewable energy and by the elimination of the fossil fuel.

For the cohesive development of all the member states and all the regions of the European Union, the economic and social development must not be hindered by the potential lack of energy and by the possible bottlenecks caused by an uneven energy infrastructure.

It is of utmost importance in the planning of the main corridors and of the energy infrastructure in the European Union to ensure the access to energy for all the regions, making sure the energy security strategy takes into account the present situation, but also the development plans and programmes that would lead to a potential increase in demand.

Ensuring the synergies of the trans-European energy infrastructure with the regional and national development plans and strategies, with the electric mobility development strategy and with other development projects in the area will lead to the contribution of the TEN-E to carbon neutrality, to economic growth, competitiveness and social development enhancing the contribution of the cohesion policies.

AMENDMENTS

The Committee on Regional Development calls on the Committee on Industry, Research and Energy, as the committee responsible, to take into account the following amendments:

Amendment 1

Proposal for a regulation Recital 1

Text proposed by the Commission

(1) The Commission has set out, in its Communication of 11 December 2019 entitled ‘The European Green Deal’²¹, a new growth strategy that aims to transform the Union into a fair and prosperous society, with a modern, resource-efficient and competitive economy, where there are no net emissions of greenhouse gases in 2050 and where economic growth is decoupled from resource use. The Commission’s communication on the Climate Target Plan²² proposing to increase the greenhouse gas emissions’ reduction level to at least 55% by 2030 - an ambition that was endorsed by the European Council on 11 December 2020 - and its underlying impact assessment confirms that the energy mix of the future will be very different from the one of today and underpins the necessity to review and if necessary to revise the energy legislation. The current energy infrastructure investments are clearly insufficient to transform and build the energy infrastructure of the future. That also means infrastructure needs to be in place to support the European energy transition, including rapid electrification, scaling up of renewable electricity generation, the increased use of renewable and low-carbon gases, energy system integration and a higher uptake of innovative solutions.

²¹ Commission Communication - The European Green Deal, COM(2019) 640 final of 11 December 2019.

²² Commission Communication - Stepping up Europe’s 2030 climate ambition,

Amendment

(1) The Commission has set out, in its Communication of 11 December 2019 entitled ‘The European Green Deal’²¹, a new growth strategy that aims to transform the Union into a fair and prosperous society, with a modern, resource-efficient and competitive economy, where there are no net emissions of greenhouse gases in 2050 and where economic growth is decoupled from resource use. The Commission’s communication on the Climate Target Plan²² proposing to increase the greenhouse gas emissions’ reduction level to at least 55% by 2030 - an ambition that was endorsed by the European Council on 11 December 2020 - and its underlying impact assessment confirms that the energy mix of the future will be very different from the one of today and underpins the necessity to review and if necessary to revise the energy legislation ***both at European and national level. The current energy infrastructure investments are clearly insufficient to transform and build the energy infrastructure of the future and to ensure the energy supply according to the specificity of different regions.*** That also means infrastructure needs to be in place to support the European energy transition, including rapid electrification, scaling up of renewable electricity generation, the increased use of renewable and low-carbon gases, energy system integration and a higher uptake of innovative solutions.

²¹ Commission Communication - The European Green Deal, COM(2019) 640 final of 11 December 2019.

²² Commission Communication - Stepping up Europe’s 2030 climate ambition,

Investing in a climate-neutral future for the benefit of our people, COM(2020) 562 final of 17 September 2020

Investing in a climate-neutral future for the benefit of our people, COM(2020) 562 final of 17 September 2020

Or. en

Amendment 2

Proposal for a regulation Recital 5

Text proposed by the Commission

(5) The evaluation of Regulation (EU) No 347/2013 has clearly shown that the framework has effectively improved the integration of Member States' networks, stimulated energy trade and hence contributed to the competitiveness of the Union. Projects of common interest in electricity and gas have strongly contributed to security of supply. For gas, the infrastructure is now well connected and supply resilience has improved substantially since 2013. Regional cooperation in Regional Groups and through cross-border cost allocation is an important enabler for project implementation. However, in many cases the cross-border cost allocation did not result in reducing the financing gap of the project, as intended. While the majority of permitting procedures have been shortened, in some cases the process is still long. The financial assistance from the Connecting Europe Facility (CEF) has been an important factor as grants for studies have helped projects to reduce risks in the early stages of development, while grants for works have supported projects addressing key bottlenecks that market finance could not sufficiently address.

Amendment

(5) The evaluation of Regulation (EU) No 347/2013 has clearly shown that the framework has effectively improved the integration of **most of the** Member States' networks, stimulated energy trade and hence contributed to the competitiveness of the Union. Projects of common interest in electricity and gas have strongly contributed to security of supply. For gas, the infrastructure is now well connected **in most of the regions** and supply resilience has improved substantially since 2013. **Nonetheless, there are still entire regions that did not improve the gas networks and the energy security and resilience capacity.** Regional cooperation in Regional Groups and through cross-border cost allocation is an important enabler for project implementation. However, in many cases the cross-border cost allocation did not result in reducing the financing gap of the project, as intended. While the majority of permitting procedures have been shortened, in some cases the process is still long. The financial assistance from the Connecting Europe Facility (CEF) has been an important factor as grants for studies have helped projects to reduce risks in the early stages of development, while grants for works have supported projects addressing key bottlenecks that market finance could not sufficiently address.

Or. en

Amendment 3

Proposal for a regulation Recital 6

Text proposed by the Commission

(6) The TEN-E policy is a central instrument in the development of an internal energy market and necessary to achieve the European Green Deal objectives. To achieve climate neutrality by 2050 and higher levels of greenhouse gas emission reductions by 2030, Europe will need a more integrated energy system, relying on higher levels of electrification based on renewable sources and the decarbonisation of the gas sector. The TEN-E policy can ensure that the Union energy infrastructure development supports the required energy transition to climate neutrality in line with the energy efficiency first principle.

Amendment

(6) The TEN-E policy is a central instrument in the development of an internal energy market and necessary to achieve the European Green Deal objectives, ***the energy affordability and to reach the economic and social cohesion.*** To achieve climate neutrality by 2050 and higher levels of greenhouse gas emission reductions by 2030, Europe will need a more integrated energy system ***and an energy policy at the Union level which takes into account the regional and local realities and development strategies,*** relying on higher levels of electrification based on renewable sources and the decarbonisation of the gas sector ***backed up by an adapted legislation in all the Member States.*** The TEN-E policy can ensure that the Union energy infrastructure development supports the required energy transition to climate neutrality in line with the energy efficiency first principle ***and leaving no region behind.***

Or. en

Amendment 4

Proposal for a regulation Recital 11

Text proposed by the Commission

(11) Security of supply, as one main driver behind Regulation (EU) No 347/2013, has been significantly improved through projects of common interest. Moreover, the Commission's climate target

Amendment

(11) Security of supply, as one main driver behind Regulation (EU) No 347/2013, has been significantly improved through projects of common interest. Moreover, the Commission's climate target

impact assessment²⁷ expects the consumption of natural gas to be reduced significantly because its non-abated use is not compatible with carbon-neutrality. On the other hand, the consumption of biogas, renewable and low-carbon hydrogen and synthetic gaseous fuels will increase significantly towards 2050. Therefore, the natural gas infrastructure no longer needs support through the TEN-E policy. The planning of energy infrastructure should reflect this changing gas landscape.

²⁷ SWD(2020) 176 final

impact assessment²⁷ expects the consumption of natural gas to be reduced significantly because its non-abated use is not compatible with carbon-neutrality ***although the consumption of gas is a significant step forward to reach carbon neutrality in some regions, especially in the ones using solid fossil fuel.*** On the other hand, the consumption of biogas, renewable and low-carbon hydrogen and synthetic gaseous fuels will increase significantly towards 2050. Therefore, the natural gas infrastructure no longer needs support through the TEN-E policy ***unless it can be converted in hydrogen infrastructure in the years to come according to the development of the sector and the national and regional development strategies.*** The planning of energy infrastructure should reflect this changing gas landscape.

²⁷ SWD(2020) 176 final

Or. en

Amendment 5

Proposal for a regulation Recital 18

Text proposed by the Commission

(18) Furthermore, to achieve the Union's 2030 and 2050 climate and energy targets and climate neutrality objective, Europe needs to significantly scale up renewable electricity generation. The existing infrastructure categories for electricity transmission and storage are crucial for the integration of the significant increase in renewable electricity generation in the power grid. In addition, that requires stepping up investment in offshore renewable energy³⁰. Coordinating long-term planning and development of offshore

Amendment

(18) Furthermore, to achieve the Union's 2030 and 2050 climate and energy targets and climate neutrality objective, Europe needs to significantly scale up renewable electricity generation ***and Member States should adapt the legislation and the strategies in order to ensure the development of the renewable electricity production and infrastructure correlated with the Green Deal and Cohesion Policy, leaving no region behind.*** The existing infrastructure categories for electricity transmission and

and onshore electricity grids should also be addressed. In particular, offshore infrastructure planning should move away from the project-by-project approach towards a coordinated comprehensive approach ensuring the sustainable development of integrated offshore grids in line with the offshore renewable potential of each sea basin, environmental protection and other uses of the sea.

³⁰ Offshore Strategy Communication

storage are crucial for the integration of the significant increase in renewable electricity generation in the power grid. In addition, that requires stepping up investment in offshore renewable energy³⁰. Coordinating long-term planning and development of offshore and onshore electricity grids should also be addressed. In particular, offshore infrastructure planning should move away from the project-by-project approach towards a coordinated comprehensive approach ensuring the sustainable development of integrated offshore grids in line with the offshore renewable potential of each sea basin, environmental protection and other uses of the sea.

³⁰ Offshore Strategy Communication

Or. en

Amendment 6

Proposal for a regulation Recital 22

Text proposed by the Commission

(22) To ensure voltage and frequency stability, particular attention should be given to the stability of the European electricity network under the changing conditions, especially in view of the growing share of renewable electricity.

Amendment

(22) To ensure voltage and frequency stability, particular attention should be given to the stability of the European, ***national and regional*** electricity network under the changing conditions, especially in view of the growing share of renewable electricity.

Or. en

Amendment 7

Proposal for a regulation Recital 37

(37) Member States **can** include in comprehensive decisions, where appropriate, decisions taken in the context of negotiations with individual landowners to grant access to, ownership of, or a right to occupy property, spatial planning which determines the general land use of a defined region, including other developments such as highways, railways, buildings and nature protection areas, which is not undertaken for the specific purpose of the planned project and granting of operational permits. In the context of the permit granting process, a project of common interest can include related infrastructure to the extent that it is essential for the construction or functioning of the project. This Regulation, in particular the provisions on permit granting, public participation and the implementation of projects of common interest, should apply without prejudice to international and Union law, including provisions to protect the environment and human health, and provisions adopted under the Common Fisheries and Maritime Policy, in particular Directive 2014/89/EU of the European Parliament and of the Council⁴⁰.

⁴⁰ Directive 2014/89/EU of the European Parliament and of the Council of 23 July 2014 establishing a framework for maritime spatial planning, OJ L 257, 28.8.2014, p. 135

(37) Member States **should** include in comprehensive decisions, where appropriate, decisions ***based on ex-ante studies and*** taken in the context of negotiations with individual landowners to grant access to, ownership of, or a right to occupy property, spatial planning which determines the general land use of a defined region, including other developments such as highways, railways, buildings and nature protection areas, which is not undertaken for the specific purpose of the planned project and granting of operational permits. ***Inclusion of a land in the spatial planning of these projects should not interfere with the eligibility for other projects in the implementation stage in other EU programmes, due to the change of the category of land use; the inclusion in the energy infrastructure project should lead to a reassessment of the objectives of the pre-existing projects in the implementation stage, but not to ineligibility.*** In the context of the permit granting process, a project of common interest can include related infrastructure to the extent that it is essential for the construction or functioning of the project. This Regulation, in particular the provisions on permit granting, public participation and the implementation of projects of common interest, should apply without prejudice to international and Union law, including provisions to protect the environment and human health, and provisions adopted under the Common Fisheries and Maritime Policy, in particular Directive 2014/89/EU of the European Parliament and of the Council⁴⁰.

⁴⁰ Directive 2014/89/EU of the European Parliament and of the Council of 23 July 2014 establishing a framework for maritime spatial planning, OJ L 257, 28.8.2014, p. 135

Amendment 8

Proposal for a regulation

Article 1 – paragraph 1

Text proposed by the Commission

1. This Regulation lays down guidelines for the timely development and interoperability of the priority corridors and areas of trans-European energy infrastructure set out in Annex I ('energy infrastructure priority corridors and areas') that contribute to the Union's 2030 climate and energy targets and the climate neutrality objective by 2050.

Amendment

1. This Regulation lays down guidelines for the timely development and interoperability of the priority corridors and areas of trans-European energy infrastructure set out in Annex I ('energy infrastructure priority corridors and areas') that contribute to the Union's 2030 climate and energy targets and the climate neutrality objective by 2050, ***taking into account the cohesion policy, making sure that no region is left behind and taking account of the Union, regional and national development strategies and the fast development of the electric mobility.***

Amendment 9

Proposal for a regulation

Article 2 – paragraph 1 – point 4

Text proposed by the Commission

(4) 'project of common interest' means a project necessary to implement the energy infrastructure priority corridors and areas set out in Annex I and which is part of the Union list of projects of common interest referred to in Article 3;

Amendment

(4) 'project of common interest' means a project necessary to implement the energy infrastructure priority corridors and areas set out in Annex I ***taking account of the development strategies of the Member States and of the regions where the project will be implemented, leading to economic growth, competitiveness and social development*** and which is part of the Union list of projects of common interest referred to in Article 3;

Amendment 10

Proposal for a regulation

Article 2 – paragraph 1 – point 5

Text proposed by the Commission

(5) ‘project of mutual interest’ means a project promoted by the Union in cooperation with third countries;

Amendment

(5) ‘project of mutual interest’ means a project promoted by the Union in cooperation with third countries, ***respecting the rule of law and taking account of the development strategies of the Member States and of the regions where the project will be implemented, leading to economic growth, competitiveness and social development;***

Or. en

Amendment 11

Proposal for a regulation

Article 3 – paragraph 1 – subparagraph 2

Text proposed by the Commission

The Commission shall be empowered to adopt delegated acts in accordance with Article 20 supplementing this Regulation concerning the scope and composition of the priority corridors and areas.

Amendment

The Commission shall be empowered to adopt delegated acts in accordance with Article 20 supplementing this Regulation concerning the scope and composition of the priority corridors and areas, ***taking account of the development needs of different Member States, of the economic and social impact the new energy infrastructure could bring in the area, based on the request from the Member States and stakeholders and on social and economic assessments, and of the synergies with other strategies like the one for the electric mobility.***

Or. en

Amendment 12

Proposal for a regulation

Article 3 – paragraph 3 – subparagraph 2 – point a

Text proposed by the Commission

(a) each individual proposal for a project of common interest shall require the approval of the states, to whose territory the project relates; where a state does not to give its approval, it shall present its substantiated reasons for doing so to the Group concerned;

Amendment

(a) each individual proposal for a project of common interest shall require the approval of the states, to whose territory the project relates; where a state does not to give its approval, it shall present its substantiated reasons for doing so to the Group concerned; ***if the project is of major importance for the development of at least two other Member States and for reducing the social and economic gap, the project proposed shall be deemed approved if the project promoter and the investors finance the project on the territory of the Member State that did not give the approval; the Member State concerned shall apply the rules and regulations for permit granting for projects of common interest;***

Or. en

Amendment 13

Proposal for a regulation

Article 3 – paragraph 3 – subparagraph 2 a (new)

Text proposed by the Commission

Amendment

When proposing a new project or a list of projects, the project promoter shall consider the synergies with the regional and national development plans and strategies, especially with the electric mobility development strategy and with other development projects in the area, taking into account the contribution of the project to the strive towards carbon neutrality;

Amendment 14

Proposal for a regulation

Article 3 – paragraph 4 – subparagraph 1

Text proposed by the Commission

The Commission shall be empowered to adopt delegated acts in accordance with Article 20 of this Regulation amending annexes to this Regulation in order to establish the Union list of projects of common interest ('Union list'), subject to the second paragraph of Article 172 of the Treaty on the Functioning of the European Union.

Amendment

The Commission shall be empowered to adopt delegated acts in accordance with Article 20 of this Regulation amending annexes to this Regulation in order to establish the Union list of projects of common interest('Union list'), ***taking account of the development needs of different Member States, of the economic and social impact the new energy infrastructure could bring in the area, based on the request from the Member States and stakeholders and on social and economic assessments, and of the synergies with other strategies like the one for the electric mobility***, subject to the second paragraph of Article 172 of the Treaty on the Functioning of the European Union.

Amendment 15

Proposal for a regulation

Article 3 – paragraph 5 – point b

Text proposed by the Commission

(b) ensure cross-regional consistency, taking into account the opinion of the Agency for the Cooperation of Energy Regulator ('the Agency') as referred to in point (12) of Section 2 of Annex III;

Amendment

(b) ensure cross-regional consistency, ***the synergies with the cohesion policy and with the development strategies***, taking into account the opinion of the Agency for the Cooperation of Energy Regulator ('the Agency') as referred to in point (12) of Section 2 of Annex III;

Amendment 16

Proposal for a regulation

Article 4 – paragraph 1 – point b

Text proposed by the Commission

(b) the potential overall benefits of the project, assessed according to the respective specific criteria in paragraph 3, outweigh its costs, including in the longer term;

Amendment

(b) the potential overall benefits of the project, ***economic, social and environmental benefits and benefits for the establishment of an integrated energy single market***, assessed according to the respective specific criteria in paragraph 3, outweigh its costs, including in the longer term;

Amendment 17

Proposal for a regulation

Article 4 – paragraph 2 – point a

Text proposed by the Commission

(a) the project contributes significantly to the decarbonisation objectives of the Union and those of the third country and to sustainability, including through the integration of renewable energy into the grid and the transmission of renewable generation to major consumption centres and storage sites, and;

Amendment

(a) the project contributes significantly to the decarbonisation objectives of the Union and those of the third country, and to sustainability ***and to the economic and social development of the areas of implementation***, including through the integration of renewable energy into the grid and the transmission of renewable generation to major consumption centres and storage sites, and;

Amendment 18

Proposal for a regulation

Article 4 – paragraph 2 – point b

Text proposed by the Commission

(b) the potential overall benefits of the project, assessed in accordance with the respective specific criteria in paragraph 3, outweigh its costs, including in the longer term;

Amendment

(b) the potential overall benefits of the project, ***considering economic, social and environmental aspects***, assessed in accordance with the respective specific criteria in paragraph 3, outweigh its costs, including in the longer term;

Or. en

Amendment 19

Proposal for a regulation

Article 4 – paragraph 2 – point e – point iii a (new)

Text proposed by the Commission

Amendment

iii a) a well-functioning society from the economic and social point of view with respect for the rule of law and democratic values;

Or. en

Amendment 20

Proposal for a regulation

Article 4 – paragraph 2 – point e – point iii b (new)

Text proposed by the Commission

Amendment

iii b) synergies with other development policies and programs in the area;

Or. en

Amendment 21

Proposal for a regulation

Article 4 – paragraph 3 – point a – point ii a (new)

Text proposed by the Commission

Amendment

ii a) the implementation of the regional development strategies, the economic and social growth of the areas, taking also account of the national and local energy policy and strategies and of the expected significant increase in power demand from the transport sector, in particular for electric vehicles along highways, national roads and in urban areas.

Or. en

Amendment 22

Proposal for a regulation

Article 4 – paragraph 3 – point b – point iii a (new)

Text proposed by the Commission

Amendment

iii a) the implementation of the regional development strategies, the economic and social growth of the areas, taking also account of the national and local energy policy and strategies.

Or. en

Amendment 23

Proposal for a regulation

Article 4 – paragraph 3 – point c – point iii a (new)

Text proposed by the Commission

Amendment

iii a) the implementation of the regional development strategies, the economic and social growth of the areas, taking also account of the national and local energy policy and strategies.

Or. en

Amendment 24

Proposal for a regulation

Article 4 – paragraph 3 – point d – introductory part

Text proposed by the Commission

(d) for hydrogen projects falling under the energy infrastructure categories set out in point (3) of Annex II the project is to contribute significantly to sustainability, including by reducing greenhouse gas emissions, by enhancing the deployment of renewable hydrogen and supporting variable renewable power generation by offering flexibility and/or storage solutions. Furthermore, the project is to contribute significantly to at least one of the following specific criteria:

Amendment

(d) for hydrogen projects falling under the energy infrastructure categories set out in point (3) of Annex II the project is to contribute significantly to sustainability, including by reducing greenhouse gas emissions, by enhancing the deployment of renewable **or low carbon** hydrogen and supporting variable renewable power generation by offering flexibility and/or storage solutions. Furthermore, the project is to contribute significantly to at least one of the following specific criteria:

Or. en

Amendment 25

Proposal for a regulation

Article 4 – paragraph 3 – point d – point iii a (new)

Text proposed by the Commission

Amendment

iii a) the implementation of the regional development strategies, the economic and social growth of the areas, taking also account of the national and local energy policy and strategies.

Or. en

Amendment 26

Proposal for a regulation

Article 4 – paragraph 3 – point e – point i

Text proposed by the Commission

(i) sustainability, including by reducing greenhouse gas emissions and enhancing the deployment of renewable hydrogen.

Amendment

(i) sustainability, including by reducing greenhouse gas emissions and enhancing the deployment of renewable **and low carbon** hydrogen.

Or. en

Amendment 27

Proposal for a regulation

Article 4 – paragraph 3 – point e – point iii a (new)

Text proposed by the Commission

Amendment

iii a) the implementation of the regional development strategies, the economic and social growth of the areas, taking also account of the national and local energy policy and strategies.

Or. en

Amendment 28

Proposal for a regulation

Article 4 – paragraph 3 – point f – introductory part

Text proposed by the Commission

Amendment

(f) for smart gas grid projects falling under the energy infrastructure category set out in point (2) of Annex II, the project is to contribute significantly to sustainability by enabling and facilitating the integration of renewable and low-carbon gases, such as biomethane, or renewable hydrogen, into the gas distribution and transmission networks in order to reduce greenhouse gas emissions. Furthermore, the project is to contribute significantly to at least one of the following specific criteria:

(f) for smart gas grid projects falling under the energy infrastructure category set out in point (2) of Annex II, the project is to contribute significantly to sustainability by enabling and facilitating the integration of renewable and low-carbon gases, such as biomethane, or renewable **and low carbon** hydrogen, into the gas distribution and transmission networks in order to reduce greenhouse gas emissions. Furthermore, the project is to contribute significantly to at least one of the following specific criteria:

Amendment 29

Proposal for a regulation

Article 4 – paragraph 3 – point f – point iii a (new)

Text proposed by the Commission

Amendment

iii a) the implementation of the regional development strategies, the economic and social growth of the areas, taking also account of the national and local energy policy and strategies.

Or. en

Amendment 30

Proposal for a regulation

Article 4 – paragraph 5 – subparagraph 2 – point a

Text proposed by the Commission

Amendment

(a) the urgency of each proposed project in order to meet the Union energy policy targets of decarbonisation, market integration, competition, sustainability and security of supply;

(a) the urgency of each proposed project in order to meet the Union energy policy targets of decarbonisation, market integration ***and integration on the internal market***, competition, sustainability and security of supply ***and the contribution to the cohesion policy***;

Or. en

Amendment 31

Proposal for a regulation

Article 5 – paragraph 1 – point a

Text proposed by the Commission

Amendment

(a) feasibility and design studies including, as regards, climate adaptation and compliance with environmental

(a) feasibility and design studies including, as regards, climate adaptation and compliance with environmental

legislation **and** with the principle of “do no significant harm”;

legislation, with the principle of “do no significant harm” **and with the cohesion policy, while leaving no one behind**;

Or. en

Amendment 32

Proposal for a regulation Article 5 – paragraph 2

Text proposed by the Commission

2. TSOs, distribution system operators and other operators shall co-operate with each other in order to facilitate the development of projects of common interest in their area.

Amendment

2. TSOs, distribution system operators and other operators shall co-operate with each other in order to facilitate the development of projects of common interest in their area **and, in the context of the Cohesion Policy, to address the economic, social, environmental development and regional disparities and the expected significant increase in power demand from the transport sector, in particular for electric vehicles along highways and in urban areas.**

Or. en

Amendment 33

Proposal for a regulation Article 5 – paragraph 4 – subparagraph 1

Text proposed by the Commission

By 31 December of each year following the year of inclusion of a project of common interest on the Union list pursuant to Article 3, project promoters shall submit **an** annual report, for each project falling under the categories set out in points (1) to (4) of Annex II, to the competent authority referred to in Article 8.

Amendment

By 31 December of each year following the year of inclusion of a project of common interest on the Union list pursuant to Article 3, project promoters shall submit **a public** annual report, for each project falling under the categories set out in points (1) to (4) of Annex II, to the competent authority referred to in Article 8.

Amendment 34

Proposal for a regulation Article 5 – paragraph 5

Text proposed by the Commission

5. By 31 January, each year, the competent authorities referred to in Article 8 shall submit to the Agency and to the respective Group the report referred to in paragraph 4 of this Article supplemented with information on the progress and, where relevant, on delays in the implementation of projects of common interest located on their respective territory with regard to the permit granting processes, and on the reasons for such delays. The contribution of the competent authorities to the report shall be clearly marked as such and drafted without modifying the text introduced by the project promoters.

Amendment

5. By 31 January, each year, the competent authorities referred to in Article 8 shall submit to the Agency and to the respective Group the report referred to in paragraph 4 of this Article supplemented with information on the progress and, where relevant, on delays in the implementation of projects of common interest located on their respective territory with regard to the permit granting processes, and on the reasons for such delays. The contribution of the competent authorities to the report shall be clearly marked as such and drafted without modifying the text introduced by the project promoters. ***Each report shall be published on the Commission website within 30 days from the date of its submission.***

Amendment 35

Proposal for a regulation Article 5 – paragraph 6

Text proposed by the Commission

6. By 30 April of each year when a new Union list should be adopted, the Agency shall submit, to the Groups a consolidated report for the projects of common interest subject to the competency of national regulatory authorities, evaluating the progress achieved and make,

Amendment

6. By 30 April of each year when a new Union list should be adopted, the Agency shall submit, to the Groups a consolidated ***public*** report for the projects of common interest subject to the competency of national regulatory authorities, evaluating the progress

where appropriate, recommendations on how to overcome the delays and difficulties encountered. That consolidated report shall also evaluate, in accordance with Article 5 of Regulation (EU) 2019/942, the consistent implementation of the Union-wide network development plans with regard to the energy infrastructure priority corridors and areas.

achieved and make, where appropriate, recommendations on how to overcome the delays and difficulties encountered. That consolidated report shall also evaluate, in accordance with Article 5 of Regulation (EU) 2019/942, the consistent implementation of the Union-wide network development plans with regard to the energy infrastructure priority corridors and areas.

Or. en

Amendment 36

Proposal for a regulation

Article 11 – paragraph 1 – subparagraph 1

Text proposed by the Commission

By [16 November 2022], the European Network of Transmission System Operators (ENTSO) for Electricity and the ENTSO for Gas shall publish and submit to Member States, the Commission and the Agency their respective methodologies, including the network and market modelling, for a harmonised energy system-wide cost-benefit analysis at Union level for projects of common interest falling under the categories set out in points (1)(a), (b), (c) and (e) and point (3) of Annex II.

Amendment

By [16 November 2022], the European Network of Transmission System Operators (ENTSO) for Electricity and the ENTSO for Gas shall publish and submit to Member States, the Commission and the Agency their respective methodologies, including the network and market modelling, for a harmonised energy system-wide cost-benefit analysis at Union level for projects of common interest falling under the categories set out in points (1)(a), (b),(c) and (e) and point (3) of Annex II. ***The cost-benefit analysis shall take account of the objectives of the Green Deal and of the Cohesion Policy.***

Or. en

Amendment 37

Proposal for a regulation

Article 11 – paragraph 1 – subparagraph 2 a (new)

Text proposed by the Commission

Amendment

When drafting the methodologies, the ENTSO for Electricity and the ENTSO for Gas shall take account of the regional development plans, Union, national and regional policies, the cohesion policy and the solutions for reducing the development disparities between Member States and between regions, and shall take into account the aim of promoting all renewable technologies and the expected significant increase in power demand from the transport sector, in particular for electric vehicles along highways, national roads and in urban areas.

Or. en

Amendment 38

Proposal for a regulation

Article 12 – paragraph 1 – subparagraph 2

Text proposed by the Commission

The guidelines shall include the energy efficiency first principle and ensure that the underlying ENTSO for Electricity and ENTSO for Gas scenarios are fully in line with the latest medium and long-term European Union decarbonisation targets **and** the latest available Commission scenarios.

Amendment

The guidelines shall include the energy efficiency first principle and ensure that the underlying ENTSO for Electricity and ENTSO for Gas scenarios are fully in line with the latest medium and long-term European Union decarbonisation targets, the latest available Commission scenarios, ***the regional development plans, the national and regional policies, the Cohesion Policy and with the solutions for reducing the development disparities between Member States and between regions, taking into account the energy security strategy of the European Union as a whole and the expected significant increase in power demand from the transport sector, in particular for electric vehicles along highways, national roads and in urban areas, thus ensuring the synergy with the TEN-T.***

Amendment 39

Proposal for a regulation Article 14 – paragraph 2

Text proposed by the Commission

2. By [31 July 2023] the ENTSO for Electricity, with the involvement of the relevant TSOs, the national regulatory authorities and of the Commission and in line with the agreement referred to in paragraph 1, shall develop and publish integrated offshore network development plans starting from the 2050 objectives, with intermediate steps for 2030 and 2040, for each sea-basin, in line with the priority offshore grid corridors referred to in Annex I, taking into account environmental protection and other uses of the sea. Those integrated offshore network development plans shall thereafter be updated every three years.

Amendment

2. By [31 July 2023] the ENTSO for Electricity, with the involvement of the relevant TSOs, the national regulatory authorities and of the Commission and in line with the agreement referred to in paragraph 1, shall develop and publish integrated offshore network development plans, ***including storage facilities in order to ensure the synergy with energy strategies, the Green Deal and the need to increase the security the renewable energy can provide***, starting from the 2050 objectives, with intermediate steps for 2030 and 2040, for each sea-basin, in line with the priority offshore grid corridors referred to in Annex I, taking into account environmental protection and other uses of the sea. Those integrated offshore network development plans shall thereafter be updated every three years.

Or. en

Amendment 40

Proposal for a regulation Article 18 – paragraph 2 – point a

Text proposed by the Commission

(a) the project specific cost-benefit analysis pursuant to Article 16(3)(a) provides evidence concerning the existence of significant positive externalities, such as security of supply, system flexibility, solidarity or innovation;

Amendment

(a) the project specific cost-benefit analysis pursuant to Article 16(3)(a) provides evidence concerning the existence of significant positive externalities, such as security of supply, system flexibility, solidarity, ***regional development*** or

innovation;

Or. en

Amendment 41

Proposal for a regulation Article 18 – paragraph 4

Text proposed by the Commission

4. Projects of common interest falling under the categories set out in points (1)(d), (2) and (5) of Annex II shall also be eligible for Union financial assistance in the form of grants for works, where the concerned project promoters can clearly demonstrate significant positive externalities, such as security of supply, system flexibility, solidarity or innovation, generated by the projects and provide clear evidence of their lack of commercial viability, in accordance with the cost-benefit analysis, the business plan and assessments carried out, in particular by potential investors or creditors or, where applicable, a national regulatory authority.

Amendment

4. Projects of common interest falling under the categories set out in points (1)(d), (2) and (5) of Annex II shall also be eligible for Union financial assistance in the form of grants for works, where the concerned project promoters can clearly demonstrate significant positive externalities, such as security of supply, system flexibility, solidarity, **regional development** or innovation, generated by the projects and provide clear evidence of their lack of commercial viability, in accordance with the cost-benefit analysis, the business plan and assessments carried out, in particular by potential investors or creditors or, where applicable, a national regulatory authority.

Or. en

Amendment 42

Proposal for a regulation Annex III – part 2 – point 5 – subparagraph 2

Text proposed by the Commission

The ENTSO for Electricity and ENTSO for Gas shall consult with the Commission and the Agency about their respective draft guidelines for inclusion of projects in the Union-wide ten-year network development plans and take due account of the Commission's and the Agency's

Amendment

The ENTSO for Electricity and ENTSO for Gas shall consult **with the Member States for the respective Group regarding the development strategies at national and regional level**, with the Commission and the Agency about their respective draft guidelines for inclusion of projects in the

recommendations before the publication of the final guidelines.

Union-wide ten-year network development plans and take due account of the ***Member States'***, ***the*** Commission's and the Agency's recommendations before the publication of the final guidelines.

Or. en

Amendment 43

Proposal for a regulation Annex III – part 2 – point 10 a (new)

Text proposed by the Commission

Amendment

(10a) if the Group considers the project is of major importance for the development of at least two other Member States and for reducing the social and economic gap, the project proposed shall be deemed approved if the project promoter and the investors finance the project on the territory of the Member State that did not support the project and if the project respects the principle of 'do no significant harm'; the Member State concerned shall apply the rules and regulations for permit granting for projects of common or mutual interest

Or. en

Amendment 44

Proposal for a regulation Annex IV – point 1 – point c

Text proposed by the Commission

Amendment

(c) for smart electricity grids, the project is designed for equipment and installations at high-voltage and medium-voltage level. It involves transmission system operators, transmission and distribution system operators or

(c) for smart electricity grids, the project is designed for equipment and installations at high-voltage and medium-voltage level. It involves transmission system operators, transmission and distribution system operators or

distribution system operators from at least two Member States. Distribution system operators can be involved only with the support of the transmission system operators, of at least two Member States, that are closely associated to the project and ensure interoperability. A project covers at least 50000 users, generators, consumers or prosumers of electricity, in a consumption area of at least 300 Gigawatthours/year, of which at least 20 % originate from variable renewable resources;

distribution system operators from at least two Member States. Distribution system operators can be involved only with the support of the transmission system operators, of at least two Member States, that are closely associated to the project and ensure interoperability. A project covers at least 50000 users, generators, consumers or prosumers of electricity *or the region has a development strategy and on-going projects that have as targets the increase of the population, in the near future, to at least 50000 users, generators, consumers or prosumers* in a consumption area of at least 300 Gigawatthours/year, of which at least 20 % originate from variable renewable resources;

Or. en

Amendment 45

Proposal for a regulation Annex IV – point 3 – point c

Text proposed by the Commission

(c) security of supply, interoperability and secure system operation measured in line with the analysis made in the latest available Union-wide ten-year network development plan in electricity, notably by assessing the impact of the project on the loss of load expectation for the area of analysis as defined in Annex V in terms of generation and transmission adequacy for a set of characteristic load periods, taking into account expected changes in climate-related extreme weather events and their impact on infrastructure resilience. Where applicable, the impact of the project on independent and reliable control of system operation and services shall be measured.

Amendment

(c) security of supply, interoperability and secure system operation measured in line with the analysis made in the latest available Union-wide ten-year network development plan in electricity, notably by assessing the impact of the project on the loss of load expectation for the area of analysis as defined in Annex V in terms of generation and transmission adequacy for a set of characteristic load periods, taking into account expected changes in climate-related extreme weather events and their impact on infrastructure resilience, *expected changes in the economic and social development of the area and the expected significant increase in power demand from the transport sector, in particular for electric vehicles along highways and in urban areas.* Where applicable, the impact of the project on

independent and reliable control of system operation and services shall be measured.

Or. en

Amendment 46

Proposal for a regulation Annex IV – point 4 – point b

Text proposed by the Commission

(b) Security of supply: This criterion shall be measured by the level of losses in distribution and /or transmission networks, the percentage utilisation (i.e. average loading) of electricity network components, the availability of network components (related to planned and unplanned maintenance) and its impact on network performances, the duration and frequency of interruptions, including climate related disruptions.

Amendment

(b) Security of supply: This criterion shall be measured by the level of losses in distribution and /or transmission networks, the percentage utilisation (i.e. average loading) of electricity network components, the availability of network components (related to planned and unplanned maintenance) and its impact on network performances, the duration and frequency of interruptions, including climate related disruptions ***and the expected changes in the economic and social development of the area and their impact on the demand.***

Or. en

Amendment 47

Proposal for a regulation Annex IV – point 6 – point b

Text proposed by the Commission

(b) quality and security of supply measured by assessing the ratio of reliably available gas supply and peak demand, the share of imports replaced by local renewable and low-carbon gases, the stability of system operation, the duration and frequency of interruptions per customer.

Amendment

(b) quality and security of supply measured by assessing the ratio of reliably available gas supply and peak demand, the share of imports replaced by local renewable and low-carbon gases, the stability of system operation, the duration and frequency of interruptions per customer, ***the expected changes in the economic and social development of the area and their impact on the demand.***

Amendment 48

Proposal for a regulation Annex V – point 1

Text proposed by the Commission

(1) the area for the analysis of an individual project shall cover all Member States and third countries, on whose territory the project is located, all directly neighbouring Member States and all other Member States significantly impacted by the project. For this purpose, ENTSO for electricity and ENTSO for gas shall cooperate with all the relevant system operators in the relevant third countries.

Amendment

(1) the area for the analysis of an individual project shall cover all Member States and third countries, on whose territory the project is located, all directly neighbouring Member States and all other Member States significantly impacted by the project. For this purpose, ENTSO for electricity and ENTSO for gas shall cooperate with all the relevant system operators **and authorities** in the relevant third countries.

Amendment 49

Proposal for a regulation Annex V – point 3

Text proposed by the Commission

(3) it shall define the analysis to be carried out, based on the relevant multi-sectorial input data set by determining the impacts with and without each project.

Amendment

(3) it shall define the analysis to be carried out, based on the relevant multi-sectorial input data set, ***the expected significant increase in power demand from the transport sector, in particular for electric vehicles along highways national roads and in urban areas and regional and local development strategies*** by determining the impacts with and without each project.

Amendment 50

Proposal for a regulation Annex VI – point 1 – point a

Text proposed by the Commission

(a) specifications of the relevant pieces of legislation upon which decisions and opinions are based for the different types of relevant projects of common interest, including environmental law;

Amendment

(a) specifications of the relevant pieces of legislation upon which decisions and opinions are based for the different types of relevant projects of common interest, including environmental law ***and development strategies***;

Or. en