

48th PERMANENT HIGH LEVEL GROUP

Pristina

14 December 2017

1. The meeting was chaired by Luan Morina on behalf of Kosovo* and Mr Christopher Jones for the European Commission.
2. The Permanent High Level Group (PHLG) approved the agenda.

Ministerial Council agenda

3. Because of the absence of 5 Contracting Parties the PHLG took note of the decision of the Presidency and Vice Presidency that the decisions proposed on the agenda shall be adopted by correspondence.
4. Following the presentation of the Director, the PHLG welcomed the Annual Report on the Activities of the Energy Community and proposed to the Ministerial Council to adopt it.
5. The Secretariat presented the proposal on the biannual budget for the Energy Community 2018 and 2019 established in accordance with the requirements of the Treaty and of the Energy Community Procedures for the Establishment and Implementation of Budget, Auditing and Inspection. Accession of Georgia minimally changes the proportion of the budget contributions of other Contracting Parties what is reflected in the Amendment of Annex IV of the Treaty in the context of accession of Georgia to the Energy Community.
6. The PHLG welcomed the presented budget document and the amendment to Annex IV of the Treaty.
7. The PHLG, following the opinion of the Climate Action Group, welcomed the European Commission's proposal for a Recommendation on preparing for the development of integrated national energy and climate plans by the Contracting Parties.
8. The PHLG, following the opinion of the Environmental Task Force, welcomed Recommendation 2017/.../MC-EnC on Chapter II and Chapter IV and Annex VI of Directive 2010/75/EU on industrial emissions.
9. The PHLG, following the opinion of the Environmental Task Force, welcomed Recommendation 2017/.../MC-EnC on Directive 98/70/EC relating to the quality of petrol and diesel fuels and amending Council Directive 93/12/EEC.
10. The PHLG, in line with the conclusions from the 44th PHLG of 16 December 2016, welcomed Decision 2017/... /MC-EnC concerning the implementation of Regulation (EU) 2016/1952 of the European Parliament and of the Council of 26 October 2016 on European statistics on natural gas and electricity prices and repealing Directive 2008/92/EC, in the Energy Community
11. The PHLG, having heard the Secretariat, discussed the proposed Decision 2017/.../MC-EnC on extending the measures imposed on Bosnia and Herzegovina under Art. 92(1) of the Treaty in Case ECS-8/11 S upon Request of the Secretariat. Before launching a written procedure, the

Secretariat will duly take into account any measures taken by the respective Contracting Party to be compliant with the Energy Community Treaty.

12. The PHLG discussed the Reasoned Requests and Advisory Committee Opinions in Cases ECS-1/12, ECS-10/13 and ECS-1/14. Before launching a written procedure, the Secretariat will duly take into account any measures taken by the respective Contracting Parties to be compliant with the Energy Community Treaty.
13. Upon hearing of the Secretariat in Case ECS-18/16 and hearing of the representative of the Advisory Committee, the PHLG discussed the Advisory Committee's Opinion and the Reasoned Request. The Secretariat informed about the recent activities initiated by Serbia. Before launching a written procedure, the Secretariat will duly take into account any measures taken by the respective Contracting Party to be compliant with the Energy Community Treaty.
14. The Secretariat shall secure the agreement of the Presidency and the Vice Presidency on the timing of the launch of written procedures related to points 11, 12 and 13. If no written procedure is launched the Secretariat may refer the cases to the next Ministerial Council.

Network Codes

15. The PHLG took note of the Opinion of the Energy Community Regulatory Board on draft Decisions 2017/01-05/PHLG-EnC as proposed by the European Commission.
16. PHLG took note of the decision of the Presidency and Vice Presidency that the following acts shall be adopted by correspondence:
 - The draft Decision 2017/01/PHLG-EnC to amend Annex I to Regulation (EC) No 715/2009 on conditions for access to the natural gas transmission networks as proposed by the European Commission. The draft Decision 2017/02/PHLG-EnC to incorporate Commission Regulation (EU) No 2015/703, establishing a Network Code on Interoperability and Data Exchange Rules as proposed by the European Commission.
 - The draft Decision 2017/03/PHLG-EnC to incorporate Commission Regulation (EU) 2016/631, establishing a Network Code on requirements for grid connection of generators in the Energy Community as proposed by the European Commission.
 - The draft Decision 2017/04/PHLG-EnC to incorporate Commission Regulation (EU) 2016/1447, establishing a network code on requirements for grid connection of high voltage direct current systems and direct current-connected power park modules in the Energy Community as proposed by the European Commission.
 - The draft Decision 2017/05/PHLG-EnC to incorporate Commission Regulation (EU) 2016/1388, establishing a Network Code on Demand Connection in the Energy Community as proposed by the European Commission.
17. The PHLG expressed its commitment to further align the Energy Community acquis with EU gas and electricity network codes and guidelines and invited the Energy Community Secretariat to continue facilitating the technical discussion for adaption of EU gas and electricity network codes and guidelines in 2018 and with a view to, in particular, target PHLG adoption of Regulation

312/2014 (balancing gas) and Regulation 984/2013 (capacity allocation gas) preferably no later than quarter 1 of 2019.

Miscellaneous

The PHLG took note of the low level of implementation of Regulation 347/2013 in all Contracting Parties with the exception of Kosovo*, and expressed its commitment to rectify this situation by also using the technical assistance available. The PHLG thanked the Secretariat for the short update on the PECI/PMI selection process.

18. The Director informed about the organizational aspects of the Ministerial Council.

Done in Pristina on 14 December 2017

For the Permanent High Level Group,

THE PRESIDENCY

