Energy Community

The Energy Community

LEGAL FRAMEWORK

2023 | EDITION 5.0

VOLUME VII: REMIT, INFRASTRUCTURE AND STATISTICS

Energy Community Secretariat
Am Hof 4, 1010 Vienna, Austria
Tel: + 431 535 2222
www.energy-community.org
Ener_Community
energy-community
contact@energy-community.org

Published in October 2023, last update in October 2026
Editors: Dr. Marie-Therese Richter-Kuhnert and Dr. Heli Annika Lesjak
Layout: Medium d.o.o.

The Energy Community

LEGAL FRAMEWORK

2023 | EDITION 5.0

VOLUME I: FUNDAMENTS

VOLUME II: ELECTRICITY

VOLUME III: OIL AND GAS

VOLUME IV: RENEWABLE ENERGY AND CLIMATE

VOLUME V: ENERGY EFFICIENCY

VOLUME VI: ENVIRONMENT

VOLUME VII: REMIT, INFRASTRUCTURE AND STATISTICS

VOLUME IV: **CROSS-SECTORAL**

Table of Contents

I. PART: REMIT 5

REGULATION (EU) 1227/2011 of 25 October 2011
on wholesale energy market integrity and transparency 7

II. PART: INFRASTRUCTURE ACQUIS 21

REGULATION (EU) 2022/869 of 30 May 2022 on guidelines for
trans-European energy infrastructure 23

III. PART: STATISTICS ACQUIS. 69

REGULATION (EU) 2016/1952 of 26 October 2016 on
European statistics on natural gas and electricity prices 71

REGULATION (EC) 1099/2008 of 22 October 2008 on energy statistics 83

IMPLEMENTING REGULATION (EU) 2019/803 of 17 May 2019 concerning the
technical requirements regarding the content of quality reports on European statistics
on natural gas and electricity prices pursuant to Regulation (EU) 2016/1952 153

I. PART

REMIT

REGULATION (EU) 1227/2011 of 25 October 2011 on wholesale energy market integrity and transparency[1]

Incorporated and adapted by Ministerial Council Decision 2018/01/MC-EnC of 29 November 2018.

The adaptations made by Ministerial Council Decision 2018/01/MC-EnC are highlighted in **bold and blue**.

Article 1

Subject matter, scope and relationship with other Energy Community legislation

1. This Regulation establishes rules prohibiting abusive practices affecting wholesale energy markets which are coherent **<…>** with the proper functioning of those wholesale energy markets whilst taking into account their specific characteristics. It provides for the monitoring of wholesale energy markets by **<…>** national regulatory authorities **<…>**.

2. This Regulation applies to trading in wholesale energy products. **<…>** This Regulation is without prejudice to **<…>** the application of **Energy Community** and national competition law to the practices covered by this Regulation

3. **<…>** National regulatory authorities **<…>** and, where appropriate, national competition authorities **<…>** and other relevant national authorities shall cooperate to ensure that a coordinated approach is taken to the enforcement of the relevant rules where actions relate **<…>** to one or more wholesale energy products to which Articles 3, 4 and 5 of this Regulation apply.

4. **<…>**

5. **<…>**

Article 2

Definitions

For the purposes of this Regulation the following definitions shall apply:

(1) 'inside information' means information of a precise nature which has not been made public, which relates, directly or indirectly, to one or more wholesale energy products and which, if it were made public, would be likely to significantly affect the prices of those wholesale energy products.

For the purposes of this definition, 'information' means:

(a) information which is required to be made public in accordance with Regulations (EC) No 714/2009 and (EC) No 715/2009, including guidelines and network codes adopted pursuant to those Regulations;

(b) information relating to the capacity and use of facilities for production, storage, consumption or transmission of electricity or natural gas or related to the capacity and use of LNG facilities, including planned or unplanned unavailability of these facilities;

1 Applicable for both electricity and gas

(c) information which is required to be disclosed in accordance with legal or regulatory provisions at **Energy Community** or national level, market rules, and contracts or customs on the relevant wholesale energy market, in so far as this information is likely to have a significant effect on the prices of wholesale energy products; and

(d) other information that a reasonable market participant would be likely to use as part of the basis of its decision to enter into a transaction relating to, or to issue an order to trade in, a wholesale energy product. Information shall be deemed to be of a precise nature if it indicates a set of circumstances which exists or may reasonably be expected to come into existence, or an event which has occurred or may reasonably be expected to do so, and if it is specific enough to enable a conclusion to be drawn as to the possible effect of that set of circumstances or event on the prices of wholesale energy products;

(2) 'market manipulation' means:

(a) entering into any transaction or issuing any order to trade in wholesale energy products which:

(i) gives, or is likely to give, false or misleading signals as to the supply of, demand for, or price of wholesale energy products;

(ii) secures or attempts to secure, by a person, or persons acting in collaboration, the price of one or several wholesale energy products at an artificial level, unless the person who entered into the transaction or issued the order to trade establishes that his reasons for doing so are legitimate and that that transaction or order to trade conforms to accepted market practices on the wholesale energy market concerned; or

(iii) employs or attempts to employ a fictitious device or any other form of deception or contrivance which gives, or is likely to give, false or misleading signals regarding the supply of, demand for, or price of wholesale energy products;

Or

(b) disseminating information through the media, including the internet, or by any other means, which gives, or is likely to give, false or misleading signals as to the supply of, demand for, or price of wholesale energy products, including the dissemination of rumours and false or misleading news, where the disseminating person knew, or ought to have known, that the information was false or misleading.

When information is disseminated for the purposes of journalism or artistic expression, such dissemination of information shall be assessed taking into account the rules governing the freedom of the press and freedom of expression in other media, unless:

(i) those persons derive, directly or indirectly, an advantage or profits from the dissemination of the information in question; or

(ii) the disclosure or dissemination is made with the intention of misleading the market as to the supply of, demand for, or price of wholesale energy products;

(3) 'attempt to manipulate the market' means:

(a) entering into any transaction, issuing any order to trade or taking any other action relating to a wholesale energy product with the intention of:

(i) giving false or misleading signals as to the supply of, demand for, or price of wholesale energy products;

(ii) securing the price of one or several wholesale energy products at an artificial level, unless the person

who entered into the transaction or issued the order to trade establishes that his reasons for doing so are legitimate and that that transaction or order to trade conforms to accepted market practices on the wholesale energy market concerned; or

(iii) employing a fictitious device or any other form of deception or contrivance which gives, or is likely to give, false or misleading signals regarding the supply of, demand for, or price of wholesale energy products;

Or

(b) disseminating information through the media, including the internet, or by any other means with the intention of giving false or misleading signals as to the supply of, demand for, or price of wholesale energy products;

(4) 'wholesale energy products' means the following contracts and derivatives, irrespective of where and how they are traded:

(a) contracts for the supply of electricity or natural gas where delivery is in the **Contracting Parties**;

(b) **<…>**

(c) contracts relating to the transportation of electricity or natural gas in the **Contracting Parties**;

(d) **<…>** Contracts for the supply and distribution of electricity or natural gas for the use of final customers are not wholesale energy products. However, contracts for the supply and distribution of electricity or natural gas to final customers with a consumption capacity greater than the threshold set out in the second paragraph of point (5) shall be treated as wholesale energy products;

(5) 'consumption capacity' means the consumption of a final customer of either electricity or natural gas at full use of that customer's production capacity. It comprises all consumption by that customer as a single economic entity, in so far as consumption takes place on markets with interrelated wholesale prices.

For the purposes of this definition, consumption at individual plants under the control of a single economic entity that have a consumption capacity of less than 600 GWh per year shall not be taken into account in so far as those plants do not exert a joint influence on wholesale energy market prices due to their being located in different relevant geographical markets;

(6) 'wholesale energy market' means any market within the **Contracting Parties** on which wholesale energy products are traded;

(7) 'market participant' means any person, including transmission and distribution system operators, who enters into transactions, including the placing of orders to trade, in one or more wholesale energy markets;

(8) 'person' means any natural or legal person;

(9) **<…>**

(10) 'national regulatory authority' means a national regulatory authority designated in accordance with Article 35(1) of Directive 2009/72/EC of the European Parliament and of the Council of 13 July 2009 concerning common rules for the internal market in electricity or Article 39(1) of Directive 2009/73/EC of the European Parliament and of the Council of 13 July 2009 concerning common rules for the internal market in natural gas;

(11) 'transmission system operator' has the meaning set out in point 4 of Article 2 of Directive 2009/72/EC and in point 4 of Article 2 of Directive 2009/73/EC;

(12) 'parent undertaking' means a parent undertaking within the meaning of Articles 1 and 2 of the Sev-

enth Council Directive 83/349/EEC of 13 June 1983 based on Article 54(3)(g) of the Treaty on consolidated accounts;

(13) 'related undertaking' means either a subsidiary or other undertaking in which a participation is held, or an undertaking linked with another undertaking by a relationship within the meaning of Article 12(1) of Directive 83/349/EEC;

(14) 'distribution of natural gas' has the meaning set out in point (5) of Article 2 of Directive 2009/73/EC;

(15) 'distribution of electricity' has the meaning set out in point (5) of Article 2 of Directive 2009/72/EC.

(16) 'sensitive critical infrastructure protection related information' means facts about a critical infrastructure, which if disclosed could be used to plan and act with a view to causing disruption or destruction of critical infrastructure installations;

(17) 'critical infrastructure' means an asset, system or part thereof located in Contracting Parties which is essential for the maintenance of vital societal functions, health, safety, security, economic or social well-being of people, and the disruption or destruction of which would have a significant impact in a Contracting Parties as a result of the failure to maintain those functions.

Article 3

Prohibition of insider trading

1. Persons who possess inside information in relation to a wholesale energy product shall be prohibited from:

(a) using that information by acquiring or disposing of, or by trying to acquire or dispose of, for their own account or for the account of a third party, either directly or indirectly, wholesale energy products to which that information relates;

(b) disclosing that information to any other person unless such disclosure is made in the normal course of the exercise of their employment, profession or duties;

(c) recommending or inducing another person, on the basis of inside information, to acquire or dispose of wholesale energy products to which that information relates.

2. The prohibition set out in paragraph 1 applies to the following persons who possess inside information in relation to a wholesale energy product:

(a) members of the administrative, management or supervisory bodies of an undertaking;

(b) persons with holdings in the capital of an undertaking;

(c) persons with access to the information through the exercise of their employment, profession or duties;

(d) persons who have acquired such information through criminal activity;

(e) persons who know, or ought to know, that it is inside information.

3. Points (a) and (c) of paragraph 1 of this Article shall not apply to transmission system operators when purchasing electricity or natural gas in order to ensure the safe and secure operation of the system in accordance with their obligations under points (d) and (e) of Article 12 of Directive 2009/72/EC or points (a) and (c) of Article 13(1) of Directive 2009/73/EC.

4. This Article shall not apply to:

(a) transactions conducted in the discharge of an obligation that has become due to acquire or dispose of wholesale energy products where that obligation results from an agreement concluded, or an order to trade placed, before the person concerned came into possession of inside information;

(b) transactions entered into by electricity and natural gas producers, operators of natural gas storage facilities or operators of LNG import facilities the sole purpose of which is to cover the immediate physical loss resulting from unplanned outages, where not to do so would result in the market participant not being able to meet existing contractual obligations or where such action is undertaken in agreement with the transmission system operator(s) concerned in order to ensure safe and secure operation of the system. In such a situation, the relevant information relating to the transactions shall be reported to the national regulatory authority. This reporting obligation is without prejudice to the obligation set out in Article 4(1);

(c) market participants acting under national emergency rules, where national authorities have intervened in order to secure the supply of electricity or natural gas and market mechanisms have been suspended in a **Contracting Party** or parts thereof. In this case the authority competent for emergency planning shall ensure publication in accordance with Article 4.

5. Where the person who possesses inside information in relation to a wholesale energy product is a legal person, the prohibitions laid down in paragraph 1 shall also apply to the natural persons who take part in the decision to carry out the transaction for the account of the legal person concerned.

6. When information is disseminated for the purposes of journalism or artistic expression such dissemination of information shall be assessed taking into account the rules governing the freedom of the press and freedom of expression in other media, unless:

(a) those persons derive, directly or indirectly, an advantage or profits from the dissemination of the information in question; or

(b) the disclosure or dissemination is made with the intention of misleading the market as to the supply of, demand for, or price of wholesale energy products.

Article 4

Obligation to publish inside information

1. Market participants shall publicly disclose in an effective and timely manner inside information which they possess in respect of business or facilities which the market participant concerned, or its parent undertaking or related undertaking, owns or controls or for whose operational matters that market participant or undertaking is responsible, either in whole or in part. Such disclosure shall include information relevant to the capacity and use of facilities for production, storage, consumption or transmission of electricity or natural gas or related to the capacity and use of LNG facilities, including planned or unplanned unavailability of these facilities.

2. A market participant may under its own responsibility exceptionally delay the public disclosure of inside information so as not to prejudice its legitimate interests provided that such omission is not likely to mislead the public and provided that the market participant is able to ensure the confidentiality of that information and does not make decisions relating to trading in wholesale energy products based upon that information. In such a situation the market participant shall without delay provide that information, together with a justification for the delay of the public disclosure, to **<…>** the relevant national regulatory authority **<…>**.

3. Whenever a market participant or a person employed by, or acting on behalf of, a market participant discloses inside information in relation to a wholesale energy product in the normal exercise of his employment, profession or duties as referred to in point (b) of Article 3(1), that market participant or person shall ensure simultaneous, complete and effective public disclosure of that information. In the event of a non-intentional disclosure the market participant shall ensure complete and effective public disclosure of the information as soon as possible following the non-intentional disclosure. This paragraph shall not apply if the person receiving the information has a duty of confidentiality, regardless of whether such duty derives from law, regulation, articles of association or a contract.

4. The publication of inside information, including in aggregated form, in accordance with Regulation (EC) No 714/2009 or (EC) No 715/2009, or guidelines and network codes adopted pursuant to those Regulations constitutes simultaneous, complete and effective public disclosure.

5. Where an exemption from the obligation to publish certain data has been granted to a transmission system operator, in accordance with Regulation (EC) No 714/2009 or (EC) No 715/2009, that operator is thereby also exempted from the obligation set out in paragraph 1 of this Article in respect of that data.

6. Paragraphs 1 and 2 are without prejudice to the obligations of market participants under Directives 2009/72/EC and 2009/73/EC, and Regulations (EC) No 714/2009 and (EC) No 715/2009, including guidelines and network codes adopted pursuant to those Directives and Regulations, in particular regarding the timing and method of publication of information.

7. Paragraphs 1 and 2 are without prejudice to the right of market participants to delay the disclosure of sensitive information relating to the protection of critical infrastructure **<…>** and the assessment of the need to improve their protection, if it is classified in their country **according to national legislation**.

Article 5

Prohibition of market manipulation

Any engagement in, or attempt to engage in, market manipulation on wholesale energy markets shall be prohibited.

Article 6

<…>

Article 7

Market monitoring

1. **National regulatory authorities** shall monitor trading activity in wholesale energy products to detect and prevent trading based on inside information and market manipulation **in their national market. For this purpose they may use the user manuals developed by the Agency for the Cooperation of Energy Regulators and may adopt rules on related data provision requirements from market participants. <…>**

2. National regulatory authorities shall cooperate at regional level **via the Energy Community Regulatory Board** in carrying out the monitoring of wholesale energy markets referred to in paragraph 1. **<…>**

Contracting Parties may provide for their national competition authority or a market monitoring body established within that authority to carry out market monitoring with the national regulatory authority. In carrying out such market monitoring, the national competition authority or the market monitoring body shall have the same rights and obligations as the national regulatory authority pursuant to the first subparagraph of this paragraph, the second sentence of the second subparagraph of paragraph 3 of this Article, the second sentence of Article 4(2) **<…>** and Article 16.

3. **National regulatory authorities** shall at least on an annual basis submit a report to **the Secretariat** on **their** activities under this Regulation and make this report publicly available.

<…>

4. The Secretariat shall report to the Ministerial Council on an annual basis including but not limited to the information provided under paragraph (3).

Article 8

<…>

Article 9

Registration of market participants

1. Market participants entering into transactions **with wholesale energy products or expressing interest to enter into such transactions through orders to trade <…>** shall register with the national regulatory authority in the **Contracting Party where the delivery of the wholesale energy products takes or will take place. For the purpose of registration, national regulatory authorities shall apply the registration format developed by the Agency for the Cooperation of Energy Regulators under Regulation No 1227/2011. The Energy Community Regulatory Board shall make available an online compilation of all national registrations in the Contracting Parties.**

<…> The registration of market participants is without prejudice to obligations to comply with applicable trading and balancing rules.

2. Not later than **6** months **after the deadline for national transposition of this Regulation in the Energy Community,** national regulatory authorities shall establish national registers of market participants which they shall keep up to date. The register shall give each market participant a unique identifier and shall contain sufficient information to identify the market participant, including relevant details relating to its value added tax number, its place of establishment, the persons responsible for its operational and trading decisions, and the ultimate controller or beneficiary of the market participant's trading activities. **National regulatory authorities shall apply the register format developed by the Agency for the Cooperation of Energy Regulators under Article 9(3) of Regulation No 1227/2011.**

3. National regulatory authorities shall transmit the information in their national registers to the **Energy Community Regulatory Board <…>.** Based on the information provided by national regulatory authorities the **Energy Community Regulatory Board** shall establish a **central** register of market participants.

National regulatory authorities and other relevant authorities shall have access to **this** register. Subject to Article 17, the **Energy Community Regulatory Board** may decide to make the central register, or extracts thereof, publicly available provided that commercially sensitive information on individual market participants is not disclosed.

4. Market participants referred to in paragraph 1 of this Article shall submit the registration form to the national regulatory authority prior to entering into a transaction **with wholesale energy products <…>.**

5. Market participants referred to in paragraph 1 shall communicate promptly to the national regulatory authority any change which has taken place as regards the information provided in the registration form.

Article 10

<…>

Article 11

Data protection

This Regulation shall be without prejudice to the obligations of **Contracting Parties and national regulatory authorities to preserve the confidentiality of commercially sensitive information laid down in national legislation. <…>**

Article 12

Operational reliability

1. The **national regulatory authorities** shall ensure the confidentiality, integrity and protection of the information received pursuant to Article 4(2) **<…>**. The **national regulatory authorities** shall take all necessary measures to prevent any misuse of, and unauthorised access to, the information maintained in its systems. National regulatory authorities, **<…>**, national competition authorities, **<…>** and other relevant authorities shall ensure the confidentiality, integrity and protection of the information which they receive pursuant to Articles 4(2), 7(2) **<…>** and shall take steps to prevent any misuse of such information.

<…>

2. Subject to Article 17, the **national regulatory authorities** may decide to make publicly available parts of the information which it possesses, provided that commercially sensitive information on individual market participants or individual transactions or individual market places are not disclosed and cannot be inferred.

The **national regulatory authorities** shall make its commercially non-sensitive trade database available for scientific purposes, subject to confidentiality requirements.

Information shall be published or made available in the interest of improving transparency of wholesale energy markets and provided it is not likely to create any distortion in competition on those energy markets.

The **national regulatory authorities** shall disseminate information in a fair manner according to transparent rules which it shall draw up and make publicly available.

Article 13

Implementation of prohibitions against market abuse

1. National regulatory authorities shall ensure that the prohibitions set out in Articles 3 and 5 and the obligation set out in Article 4 are applied.

Each **Contracting Party** shall ensure that its national regulatory authorities have the investigatory and enforcement powers necessary for the exercise of that function **<…>**. Those powers shall be exercised in a proportionate manner.

Those powers may be exercised:

(a) directly;

(b) in collaboration with other authorities; or

(c) by application to the competent judicial authorities.

Where appropriate, the national regulatory authorities may exercise their investigatory powers in collaboration with organised markets, trade-matching systems or other persons professionally arranging transactions **<…>**.

2. The investigatory and enforcement powers referred to in paragraph 1 shall be limited to the aim of the investigation. They shall be exercised in conformity with national law and include the right to:

(a) have access to any relevant document in any form, and to receive a copy of it;

(b) demand information from any relevant person, including those who are successively involved in the transmission of orders or conduct of the operations concerned, as well as their principals, and, if necessary, the right to summon and hear any such person or principal;

(c) carry out on-site inspections;

(d) require existing telephone and existing data traffic records;

(e) require the cessation of any practice that is contrary to this Regulation or delegated acts or implementing acts adopted on the basis thereof;

(f) request a court to freeze or sequester assets;

(g) request a court or any competent authority to impose a temporary prohibition of professional activity.

Article 14

Right of appeal

Contracting Parties shall ensure that suitable mechanisms exist at national level under which a party affected by a decision of the regulatory authority has a right of appeal to a body independent of the parties involved and of any government.

Article 15

Obligations of persons professionally arranging transactions

Any person professionally arranging transactions in wholesale energy products who reasonably suspects that a transaction might breach Article 3 or 5 shall notify the national regulatory authority without further delay.

Persons professionally arranging transactions in wholesale energy products shall establish and maintain effective arrangements and procedures to identify breaches of Article 3 or 5.

Article 16

Cooperation at Energy Community and national level

1. The **Energy Community Regulatory Board** shall **facilitate** that national regulatory authorities carry out their tasks under this Regulation in a coordinated and consistent way.

<…> National regulatory authorities shall cooperate **<…>** with each other, including at regional level **via the Energy Community Regulatory Board** for the purpose of carrying out their duties in accordance with this Regulation.

National regulatory authorities **<…>** and the national competition authority in a **Contracting Party** may establish appropriate forms of cooperation in order to ensure effective and efficient investigation and enforcement and to contribute to a coherent and consistent approach to investigation, judicial proceedings and to the enforcement of this Regulation and relevant financial and competition law.

2. National regulatory authorities shall without delay inform the **Energy Community Regulatory Board and the Secretariat** in as specific a manner as possible where they have reasonable grounds to suspect that acts in breach of this Regulation are being, or have been, carried out either in that **Contracting Party** or in another **Contracting Party**.

Where a national regulatory authority suspects that acts which affect wholesale energy markets or the price of wholesale energy products in that **Contracting Party** are being carried out in another **Contracting Party**, it may request the **Energy Community Regulatory Board and the Secretariat** to **ensure that the requirements of this Regulation are implemented in such Contracting Party <…>.**

3. In order to ensure a coordinated and consistent approach to market abuse on wholesale energy markets:

(a) **<…>**

(b) **<…>**

(c) **<…>**

national regulatory authorities shall inform the national competition authority of their **Contracting Party**, the Secretariat and the **Energy Community Regulatory Board** where they have reasonable grounds to suspect that acts are being, or have been, carried out on wholesale energy market which are likely to constitute a breach of competition law.

4. In order to carry out its functions under paragraph 1, where, *inter alia*, on the basis of initial assessments or analysis, the **Energy Community Regulatory Board** suspects that there has been a breach of this Regulation, it shall **be entitled**:

(a) to request one or more national regulatory authorities to supply any information related to the suspected breach;

(b) to request one or more national regulatory authorities to commence an investigation of the suspected breach, and to take appropriate action to remedy any breach found. Any decision as regards the appropriate action to be taken to remedy any breach found shall be the responsibility of the national regulatory authority concerned;

(c) where it considers that the possible breach has, or has had, a cross-border impact, to establish and coordinate an investigatory group consisting of representatives of concerned national regulatory authorities to investigate whether this Regulation has been breached and in which **Contracting Party** the breach took place. Where appropriate, the **Energy Community Regulatory Board** may also seek the participation of representatives of **the Agency** or other relevant authority of one or more **Contracting Party and/or** Member States in the investigatory group.

5. A national regulatory authority receiving a request for information under point (a) of paragraph 4, or receiving a request to commence an investigation of a suspected breach under point (b) of paragraph

4, shall immediately take the necessary measures in order to comply with that request. If that national regulatory authority is not able to supply the required information immediately, it shall without further delay notify the **Energy Community Regulatory Board** of the reasons.

By way of derogation from the first subparagraph, a national regulatory authority may refuse to act on a request where:

(a) compliance might adversely affect the sovereignty or security of the **Contracting Party** addressed;

(b) judicial proceedings have already been initiated in respect of the same actions and against the same persons before the authorities of the **Contracting Party** addressed; or

(c) a final judgment has already been delivered in relation to such persons for the same actions in the **Contracting Party** addressed.

In any such case, the national regulatory authority shall notify the **Energy Community Regulatory Board** accordingly, providing as detailed information as possible on those proceedings or the judgment.

National regulatory authorities shall participate in an investigatory group convened in accordance with point (c) of paragraph 4, rendering all necessary assistance. The investigatory group shall be subject to coordination by the **Energy Community Regulatory Board**.

6. **<…>**

Article 17

Professional secrecy

1. Any confidential information received, exchanged or transmitted pursuant to this Regulation shall be subject to the conditions of professional secrecy laid down in paragraphs 2, 3 and 4.

2. The obligation of professional secrecy shall apply to:

(a) persons who work or who have worked for an **Energy Community institution**;

(b) auditors and experts instructed by an **Energy Community institution**;

(c) persons who work or who have worked for the national regulatory authorities or for other relevant authorities;

(d) auditors and experts instructed by national regulatory authorities or by other relevant authorities who receive confidential information in accordance with this Regulation.

3. Confidential information received by the persons referred to in paragraph 2 in the course of their duties may not be divulged to any other person or authority, except in summary or aggregate form such that an individual market participant or market place cannot be identified, without prejudice to cases covered by criminal law, the other provisions of this Regulation or other relevant **Energy Community** legislation.

4. Without prejudice to cases covered by criminal law, the **<…>** national regulatory authorities, **<…>** bodies or persons which receive confidential information pursuant to this Regulation may use it only in the performance of their duties and for the exercise of their functions. Other authorities, bodies or persons may use that information for the purpose for which it was provided to them or in the context of administrative or judicial proceedings specifically related to the exercise of those functions. The authority receiving the information may use it for other purposes, provided that the **Energy Community Regulatory Board**, national regulatory authorities, **<…>** bodies or persons communicating information consent thereto.

5. This Article shall not prevent an authority in a **Contracting Party** from exchanging or transmitting, in accordance with national law, confidential information provided that it has not been received from an authority of another **Contracting Party** or from the **Energy Community Regulatory Board** or **the Secretariat** under this Regulation.

Article 18

Penalties

The **Contracting Parties** shall lay down the rules on penalties applicable to infringements of this Regulation and shall take all measures necessary to ensure that they are implemented. The penalties provided for must be effective, dissuasive and proportionate, reflecting the nature, duration and seriousness of the infringement, the damage caused to consumers and the potential gains from trading on the basis of inside information and market manipulation.

The **Contracting Parties** shall notify those provisions to the **Secretariat** by **the deadline for transposition of this Regulation in the Energy Community** at the latest and shall notify it without delay of any subsequent amendment affecting them.

Contracting Parties shall provide that the national regulatory authority may disclose to the public measures or penalties imposed for infringement of this Regulation unless such disclosure would cause disproportionate damage to the parties involved.

Article 19

<…>

Article 20

<…>

Article 21

<...>

Article 22

<...>

II. PART

INFRASTRUCTURE ACQUIS

REGULATION (EU) 2022/869 of 30 May 2022 on guidelines for trans-European energy infrastructure

Incorporated and adapted by Ministerial Council Decision 2023/02/MC-EnC of 14 December 2023 amending Annex I to the Energy Community Treaty to adapt to and adopt Regulation (EU) 2022/869 on guidelines for trans-European energy infrastructure and amended by Ministerial Council Decision 2023/03/MC-EnC of 14 December 2023 amending Article 2(2) of the Energy Community Treaty

The adaptations made by Decisions 2023/02/MC-EnC and 2023/03/MC-EnC are highlighted in ***bold and blue****.*[1]

CHAPTER I
GENERAL PROVISIONS

Article 1
Subject matter, objectives and scope

1. This Regulation lays down guidelines for the timely development and interoperability of **projects of Energy Community interest (PECI)** that contribute to ensuring climate change mitigation, in particular achieving the **Energy Community** 2030 targets for energy and climate and **the** climate neutrality objective by 2050 at the latest, and to ensuring interconnections, energy security, market and system integration and competition that benefits all **Contracting Parties**, as well as affordability of energy prices.

2. In particular, this Regulation:

(a) provides for the identification of projects on the list of projects of **Energy Community** interest **(PECI)** established pursuant to Article 3 (**Energy Community** list);

(b) facilitates the timely implementation of projects on the **Energy Community** list by streamlining, coordinating more closely and accelerating permit granting processes, and by enhancing transparency and public participation;

(c) provides rules for the cross-border allocation of costs and risk-related incentives for projects on the **Energy Community** list;

(d) **determines the conditions for eligibility of projects on the Energy Community list for Union technical and financial assistance from the Instrument of Pre-Accession Assistance (IPA), the Neighbourhood Development and International Cooperation Instrument (NDICI) and the Ukraine Facility.**

Article 2
Definitions

1 The consolidated version does not renumber paragraphs from the Regulation (EU) 2022/869 on guidelines for trans-European energy infrastructure to allow for easier comparability.

For the purposes of this Regulation, in addition to the definitions in Regulations (EC) No 715/2009, **as adapted and adopted by Ministerial Council Decision 2011/02/MC-EnC and amended by Ministerial Council Decision 2022/01/MC-EnC,** (EU) 2018/1999**, as adapted and adopted by Ministerial Council Decision 2021/14/MC-EnC**, (EU) 2019/942 and (EU) 2019/943**, as adapted and adopted by Ministerial Council Decision 2022/03/MC-EnC,** and in Directives 2009/73/EC, (EU) 2018/2001**, as adapted and adopted by Ministerial Council Decision 2021/14/MC-EnC,** and (EU) 2019/944**, as adapted and adopted by Ministerial Council Decision 2021/13/MC-EnC**, the following definitions apply:

(1) 'energy infrastructure' means any physical equipment or facility falling under the energy infrastructure categories which is located within the **Energy Community**;

(2) 'energy infrastructure bottleneck' means limitation of physical flows in an energy system due to insufficient transmission capacity, which includes, inter alia, the absence of infrastructure;

(3) 'comprehensive decision' means the decision or set of decisions taken by a **Contracting Party** authority or authorities not including courts or tribunals, that determines whether or not a project promoter is authorised to build the energy infrastructure to realise a project of **Energy Community** interest by having the possibility to start, or procure and start, the necessary construction works (ready-to-build phase) without prejudice to any decision taken in the context of an administrative appeal procedure;

(4) 'project' means one or several lines, pipelines, facilities, equipment or installations falling under the energy infrastructure categories set out in Annex II;

(5) 'project of **Energy Community** interest' means a project necessary to implement the energy infrastructure and which is on the **Energy Community** list;

(6) **<…>;**

(7) 'competing projects' means projects that fully or partially address the same identified infrastructure gap or regional infrastructure need;

(8) 'project promoter' means one of the following:

(a) a transmission system operator (TSO), a distribution system operator (DSO) or another operator or investor developing a project on the **Energy Community** list;

(b) in the case of more than one such TSO, DSO, other operator or investor, or any group thereof, the entity with legal personality under the applicable national law which has been designated by contractual arrangement between them and which has the capacity to undertake legal obligations and assume financial liability on behalf of the parties to the contractual arrangement;

(9) 'smart electricity grid' means an electricity network, including on islands that are not interconnected or not sufficiently connected to the **Energy Community energy networks**, that enables cost-efficient integration and active control of the behaviour and actions of all users connected to it, including generators, consumers and prosumers, in order to ensure an economically efficient and sustainable power system with low losses and a high level of integration of renewable sources, of security of supply and of safety, and in which the grid operator can digitally monitor the actions of the users connected to it, and information and communication technologies for communicating with related grid operators, generators, energy storage facilities, and consumers or prosumers, with a view to transmitting and distributing electricity in a sustainable, cost-efficient and secure way;

(10) 'smart gas grid' means a gas network that makes use of innovative and digital solutions to integrate in

a cost-efficient manner a plurality of low-carbon and particularly renewable gas sources in accordance with consumers' needs and gas quality requirements in order to reduce the carbon footprint of the related gas consumption, enable an increased share of renewable and low-carbon gases, and create links with other energy carriers and sectors, including the related physical upgrades if they are indispensable to the functioning of the equipment and installations for integration of low-carbon and particularly renewable gases;

(11) 'authority concerned' means an authority that, under national law, is competent to issue various permits and authorisations related to the planning, design and construction of immovable assets, including energy infrastructure;

(12) 'national regulatory authority' means a national regulatory authority designated in accordance with Article 39(1) of Directive 2009/73/EC**, as adapted and adopted by Ministerial Council Decision 2011/02/MC-EnC,** or a regulatory authority at national level designated in accordance with Article 57 of Directive (EU) 2019/944**, as adapted and adopted by Ministerial Council Decision 2021/13/MC-EnC**;

(13) 'relevant national regulatory authority' means the national regulatory authority in the **Contacting Parties** hosting the projects and in **the Contacting Parties** to which the project provides a significant positive impact;

(14) 'works' means the purchase, supply and deployment of components, systems and services including software, the carrying out of development, repurposing and construction and installation activities relating to a project, the acceptance of installations and the launching of a project;

(15) 'studies' means activities needed to prepare project implementation, such as preparatory, feasibility, evaluation, testing and validation studies, including software, and any other technical support measure including prior action to define and develop a project and decide on its financing, such as reconnaissance of the sites concerned and preparation of the financial package;

(16) 'commissioning' means the process of bringing a project into operation once it has been constructed;

(17) 'dedicated hydrogen assets' means infrastructure ready to accommodate pure hydrogen without further adaptation works, including pipeline networks or storage facilities that are newly constructed, repurposed from natural gas assets, or both;

(18) 'repurposing' means the technical upgrading or modification of existing natural gas infrastructure in order to ensure that it is dedicated for the use of pure hydrogen;

(19) 'climate adaptation' means a process that ensures that resilience to the potential adverse impacts of climate change of energy infrastructure is achieved through a climate vulnerability and risk assessment, including through relevant adaptation measures.

CHAPTER II
PROJECTS OF ENERGY COMMUNITY INTEREST (PECI)

Article 3
Energy Community list of projects

(1) **This Regulation establishes two Groups as set out in** Section 1 of Annex III. The membership

of each Group shall be based on **the categories** as set out in Annex I**I**. Decision-making power**s** in the Groups shall be restricted to **the Contracting Parties who shall, for those purposes, be referred to as the decision-making body of the Groups**.

(2) Each Group shall adopt its own rules of procedure, having regard to the provisions set out in Annex III.

(3) The decision-making body of each Group shall adopt a **preliminary** list of projects drawn up in accordance with the process set out in Section 2 of Annex III and their fulfilment of the criteria set out in Article 4.

Where a Group draws up its **preliminary** list:

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

(b) it shall take into account the advice from the **Energy Community Secretariat** with the aim of having a manageable total number of projects on the **Energy Community** list.

(4) **The Ministerial Council is empowered to adopt the list of projects of Energy Community interest (PECI) by way of a Decision under Title II of the Energy Community Treaty**.

In exercising its power, the **Ministerial Council** shall ensure that the **list of projects of Energy Community interest** is established every two years, on the basis of the **preliminary** lists adopted by the decision-making bodies of the Groups established pursuant to Section 1, point (1), of Annex III, following the procedure set out in paragraph 3 of this Article.

The **Ministerial Council** shall adopt the **first list of projects of Energy Community interest** pursuant to this Regulation by 3**1 December** 202**4**.

<…>

(5) When establishing the **Energy Community** list by combining the **preliminary** lists referred to in paragraph 3, the **Ministerial Council** shall, taking due account of the deliberations of the Groups:

(a) ensure that only those projects that fulfil the criteria referred to in Article 4 are included;

(b) ensure cross-regional consistency, taking into account the opinion of the **Energy Community Regulatory Board** as referred to in Section 2, point (**9**), of Annex III;

(c) take into account the opinions of **Contracting Parties as** referred to in Section 2, point (10), of Annex III;

(d) aim to ensure a manageable total number of projects on the **Energy Community** list.

(6) Projects of **Energy Community** interest **(PECI)** that fall under the energy infrastructure categories set out in point (1)(a), (b), (c), (d) and (f) of Annex II to this Regulation shall **be submitted with a view to become** an integral part of the relevant regional investment plans under Article 34 of Regulation (EU) 2019/943**, as adapted and adopted by Ministerial Council Decision 2022/03/MC-EnC,** and of the relevant national ten-year network development plans under Article 51 of Directive (EU) 2019/944**, as adapted and adopted by Ministerial Council Decision 2021/13/MC-EnC,** and other national infrastructure plans, as appropriate. Those projects of **Energy Community** interest shall be conferred the highest possible priority within each of those plans. This paragraph shall not apply to competing projects **and** projects that have not reached a sufficient degree of maturity to provide a project-specific cost-benefit analysis as referred to in Section 2, point (1)(d), of Annex III.

(7) Projects of **Energy Community** interest **(PECI)** that fall under the energy infrastructure categories

set out in point (1)(a), (b), (c), (d) and (f) of Annex II and that are competing projects or projects that have not reached a sufficient degree of maturity to provide a project-specific cost-benefit analysis as referred to in Section 2, point (1)(d), of Annex III may be included in the relevant regional investment plans, the national ten-year network development plans and other national infrastructure plans, as appropriate, as projects under consideration.

Article 4

Criteria for the assessment of projects by the Groups

(1) A project of **Energy Community** interest shall meet the following general criteria:

(a) the project **falls in** at least one of the energy infrastructure priority **interconnection** corridors and areas set out in Annex I;

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

(c) the project meets any of the following criteria:

(i) it involves at least two **Contracting Parties** by directly or indirectly, via interconnection with a third country, crossing the border of two or more **Contracting Parties**;

(ii) it is located on the territory of one **Contracting Party**, either inland or offshore, including islands, and has a significant cross-border impact as set out in point (1) of Annex IV.

(2) **<…>**

(3) The following specific criteria shall apply to projects of **Energy Community** interest **(PECI)** falling within specific energy infrastructure categories:

(a) for electricity transmission, distribution and storage projects falling under the energy infrastructure categories set out in point (1)(a), (b), (c), (d) and (f) of Annex II, the project contributes significantly to sustainability through the integration of renewable energy into the grid, the transmission or distribution of renewable generation to major consumption centres and storage sites, and to reducing energy curtailment, where applicable, and contributes to at least one of the following specific criteria:

(i) market integration, including through lifting the energy isolation of at least one **Contracting Party** and reducing energy infrastructure bottlenecks, competition, interoperability and system flexibility;

(ii) security of supply, including through interoperability, system flexibility, cybersecurity, appropriate connections and secure and reliable system operation;

(b) for smart electricity grid projects falling under the energy infrastructure category set out in point (1)(e) of Annex II, the project contributes significantly to sustainability through the integration of renewable energy into the grid, and contributes to at least two of the following specific criteria:

(i) security of supply, including through efficiency and interoperability of electricity transmission and distribution in day-to-day network operation, avoidance of congestion, and integration and involvement of network users;

(ii) market integration, including through efficient system operation and use of interconnectors;

(iii) network security, flexibility and quality of supply, including through higher uptake of innovation in

balancing, flexibility markets, cybersecurity, monitoring, system control and error correction;

(iv) smart sector integration, either in the energy system through linking various energy carriers and sectors, or in a wider way, favouring synergies and coordination between the energy, transport and telecommunication sectors;

(c) for carbon dioxide transport and storage projects falling under the energy infrastructure categories set out in point (5) of Annex II, the project contributes significantly to sustainability through the reduction of carbon dioxide emissions in the connected industrial installations and contributes to all of the following specific criteria:

(i) avoiding carbon dioxide emissions while maintaining security of supply;

(ii) increasing the resilience and security of transport and storage of carbon dioxide;

(iii) the efficient use of resources, by enabling the connection of multiple carbon dioxide sources and storage sites via common infrastructure and minimising environmental burden and risks;

(d) for hydrogen projects falling under the energy infrastructure categories set out in point (3) of Annex II, the project contributes significantly to sustainability, including by reducing greenhouse gas emissions, by enhancing the deployment of renewable or low carbon hydrogen, with an emphasis on hydrogen from renewable sources in particular in end-use applications, such as hard-to-abate sectors, in which more energy efficient solutions are not feasible, and supporting variable renewable power generation by offering flexibility, storage solutions, or both, and the project contributes significantly to at least one of the following specific criteria:

(i) market integration, including by connecting existing or emerging hydrogen networks of **Contracting Parties**, or otherwise contributing to the emergence of an **Energy Community**-wide network for the transport and storage of hydrogen, and ensuring interoperability of connected systems;

(ii) security of supply and flexibility, including through appropriate connections and facilitating secure and reliable system operation;

(iii) competition, including by allowing access to multiple supply sources and network users on a transparent and non-discriminatory basis;

(e) for electrolysers falling under the energy infrastructure category set out in point (4) of Annex II, the project contributes significantly to all of the following specific criteria:

(i) sustainability, including by reducing greenhouse gas emissions and enhancing the deployment of renewable or low-carbon hydrogen in particular from renewable sources, as well as synthetic fuels of those origins;

(ii) security of supply, including by contributing to secure, efficient and reliable system operation, or by offering storage, flexibility solutions, or both, such as demand side response and balancing services;

(iii) enabling flexibility services such as demand response and storage by facilitating smart energy sector integration through the creation of links to other energy carriers and sectors;

(f) for smart gas grid projects falling under the energy infrastructure category set out in point (2) of Annex II, the project contributes significantly to sustainability by ensuring the integration of a plurality of low-carbon and particularly renewable gases, including where they are locally sourced, such as biomethane or renewable hydrogen, into the gas transmission, distribution or storage systems in order to reduce greenhouse gas emissions, and that project contributes significantly to at least one of the following specific criteria:

(i) network security and quality of supply by improving the efficiency and interoperability of gas transmission, distribution or storage systems in day-to-day network operation by, inter alia, addressing challenges arising from the injection of gases of various qualities;

(ii) market functioning and customer services;

(iii) facilitating smart energy sector integration through the creation of links to other energy carriers and sectors and enabling demand response.

(4) For projects falling under the energy infrastructure categories set out in Annex II, the criteria set out in paragraph 3 of this Article shall be assessed in accordance with the indicators set out in points (3) to (8) of Annex IV.

(5) In order to facilitate the assessment of all projects that could be eligible as projects of **Energy Community** interest **(PECI)** and that could be included in a **preliminary** list, each Group shall assess each project's **benefits** in a transparent and objective manner. Each Group shall determine its assessment method on the basis of the aggregated contribution to the criteria referred to in paragraph 3. That assessment shall lead to a ranking of projects for internal use of the Group. Neither the **preliminary** list nor the **Energy Community** list shall contain any ranking, nor shall the ranking be used for any subsequent purpose except as described in Section 2, point (16), of Annex III.

In assessing projects, in order to ensure a consistent assessment approach among the Groups, each Group shall give due consideration to:

(a) the urgency and the contribution of each proposed project in order to meet the **Energy Community** 2030 targets for energy and climate and **the** 2050 climate neutrality objective, market integration, competition, sustainability, and security of supply;

(b) the complementarity of each proposed project with other proposed projects, including competing or potentially competing projects;

(c) **<…>**

(d) for proposed projects that are, at the time of the assessment, projects on the **Energy Community** list, the progress of their implementation and their compliance with the reporting and transparency obligations.

As regards smart electricity grid and smart gas grid projects falling under the energy infrastructure categories set out in point (1) (e) and point (2) of Annex II, ranking shall be carried out for those projects that affect the same two **Contracting Parties**, and due consideration shall also be given to the number of users affected by the project, the annual energy consumption and the share of generation from non-dispatchable resources in the area covered by those users.

Article 5

Implementation and monitoring of projects on the Energy Community list

(1) Project promoters shall draw up an implementation plan for projects on the **Energy Community** list, including a timetable for each of the following:

(a) feasibility and design studies including, as regards, climate adaptation and compliance with environmental legislation and with the doing 'no significant harm' principle;

(b) approval by the national regulatory authority or by any other authority concerned;

(c) construction and commissioning;

(d) the permit granting process referred to in Article 10(6), point (b).

(2) TSOs, DSOs and other operators shall cooperate with each other in order to facilitate the development of projects on the **Energy Community** list in their area.

(3) **The Energy Community Regulatory Board, assisted by the Energy Community Secretariat,** and the Groups concerned shall monitor the progress achieved in implementing the projects on the **Energy Community** list and, where necessary, make recommendations to facilitate their implementation. The Groups may request additional information in accordance with paragraphs 4, 5 and 6, convene meetings with the relevant parties and invite the **Energy Community Secretariat** to verify the information provided on site.

(4) By 31 December of each year following the year of the inclusion of a project on the **Energy Community** list, project promoters shall submit an annual report, for each project falling under the energy infrastructure categories set out in Annex II, to the national competent authority referred to in Article 8(1).

That report shall include details of:

(a) the progress achieved in the development, construction and commissioning of the project, in particular with regard to the permit granting process and the consultation procedure, as well as compliance with environmental legislation, with the principle that the project does 'no significant harm' to the environment, and climate adaptation measures taken;

(b) where relevant, delays compared to the implementation plan, the reasons for such delays and other difficulties encountered;

(c) where relevant, a revised plan aiming to overcome the delays.

(5) By 28 of February of each year following the year in which the project promoter has to submit the report referred to in paragraph 4 of this Article, the competent authorities referred to in Article 8(1) shall submit to the **Regulatory Board, assisted by the Energy Community Secretariat,** and to the relevant 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 on the **Energy Community** list 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.

(6) By 30 April of each year in which a new **Energy Community** list should be adopted, the **Energy Community Regulatory Board, assisted by the Energy Community Secretariat,** shall submit to the Groups a consolidated report for the projects on the **Energy Community** list that are subject to the competence of national regulatory authorities, evaluating the progress achieved and expected changes in project costs, and, where appropriate, make recommendations on how to overcome the delays and difficulties encountered.

<...>

In duly justified cases, the **Energy Community Secretariat** may request additional information necessary for carrying out its tasks set out in this paragraph.

(7) Where the commissioning of a project on the **Energy Community** list is delayed when compared to

the implementation plan, other than for overriding reasons beyond the control of the project promoter, the following measures shall apply:

(a) in so far as measures referred to in Article 22(7), point (a), (b) or (c) of Directive 2009/73/EC**, as adapted and adopted by Ministerial Council Decision 2011/02/MC-EnC,** and Article 51(7), point (a), (b) or (c) of Directive (EU) 2019/944, **as adapted and adopted by Ministerial Council Decision 2021/13/MC-EnC,** are applicable in accordance with respective national law, national regulatory authorities shall ensure that the investment is carried out;

(b) if the measures of national regulatory authorities pursuant to point (a) are not applicable, the project promoter shall, within 24 months of the date of commissioning set out in the implementation plan, choose a third party to finance or construct all or part of the project;

(c) if a third party is not chosen in accordance with point (b), the **Contracting Party** or, when the **Contracting Party** has so provided, the national regulatory authority may, within two months of the expiry of the period referred to in point (b), designate a third party to finance or construct the project which the project promoter shall accept;

(d) where the delay compared to the date of commissioning in the implementation plan exceeds 26 months, the **Energy Community Secretariat**, subject to the agreement and with the full cooperation of the **Contracting Party** concerned, may launch a call for proposals open to any third party capable of becoming a project promoter to build the project in accordance with an agreed timetable;

(e) where measure referred to in point (c) or (d) are applied, the system operator in whose area the investment is located shall provide the implementing operators or investors or third party with all the information needed to realise the investment, shall connect new assets to the transmission network or, where applicable, the distribution network and shall generally make its best efforts to facilitate the implementation of the investment and the secure, reliable and efficient operation and maintenance of the project on the **Energy Community** list.

(8) A project on the **Energy Community** list may be removed from the **Energy Community** list in accordance with the procedure set out in Article 3(4) if its inclusion in that list was based on incorrect information which was a determining factor for that inclusion, or the project does not comply with **Energy Community** law.

(9) Projects which are no longer on the **Energy Community** list shall lose all rights and obligations linked to the status of project of **Energy Community** interest provided for in this Regulation.

However, a project which is no longer on the **Energy Community** list but for which an application file has been accepted for examination by the competent authority shall maintain the rights and obligations laid down in Chapter III, except where the project has been removed from the **Energy Community** list for the reasons set out in paragraph 8 of this Article.

(10) **<…>**

Article 6

PECI Coordinators

(1) Where a project of **Energy Community** interest encounters significant implementation difficulties, the

Energy Community Secretariat may propose, and Permanent High Level Group may designate, in agreement with the Contracting Parties concerned, a **PECI** coordinator for a period of up to one year, renewable twice.

(2) The **PECI** coordinator shall:

(a) promote the projects, for which he or she has been designated as a **PECI** coordinator and the cross-border dialogue between the project promoters and all stakeholders concerned;

(b) assist all parties as necessary in consulting the stakeholders concerned, discussing alternative routing, where appropriate, and obtaining necessary permits for the projects;

(c) where appropriate, advise project promoters on the financing of the project;

(d) ensure that appropriate support and strategic direction by the **Contracting Parties** concerned are provided for the preparation and implementation of the projects;

(e) submit every year, and, where appropriate, upon completion of their mandate, a report to the **Energy Community Secretariat** on the progress of the projects and on any difficulties and obstacles which are likely to significantly delay the commissioning date of the projects.

The Energy Community Secretariat shall transmit the report of the **PECI** coordinator referred to in point (e) to the **Ministerial Council** and the Groups concerned.

(3) The **PECI** coordinator shall be chosen following an open, non-discriminatory and transparent process and on the basis of a candidate's experience with regard to the specific tasks assigned to him or her for the projects concerned.

(4) The decision designating the **PECI** coordinator shall specify the terms of reference, detailing the duration of the mandate, the specific tasks and corresponding deadlines, and the methodology to be followed. The coordination effort shall be proportionate to the complexity and estimated costs of the projects.

(5) The **Contracting Parties** concerned shall fully cooperate with the **PECI** coordinator in the execution of the tasks referred to in paragraphs 2 and 4.

CHAPTER III
PERMIT GRANTING AND PUBLIC PARTICIPATION

Article 7

Priority status for projects on the Energy Community list

(1) The adoption of the **Energy Community** list shall establish, for the purposes of any decisions issued in the permit granting process, the necessity of projects on the **Energy Community** list from an energy policy and climate perspective, without prejudice to the exact location, routing or technology of the project.

This paragraph shall not apply to competing projects or to projects that have not reached a sufficient degree of maturity to provide a project specific cost-benefit analysis as referred to in Section 2, point (1) (d), of Annex III.

(2) For the purpose of ensuring efficient administrative processing of the application files related to projects on the **Energy Community** list, project promoters and all authorities concerned shall ensure that those

files are treated in the most rapid way possible in accordance with **Energy Community** and national law.

(3) Without prejudice to obligations provided for in **Energy Community** law, projects on the **Energy Community** list shall be granted the status of the highest national significance possible, where such a status exists in national law, and be appropriately treated in the permit granting processes and, if national law so provides, in spatial planning, including those processes relating to environmental assessments, in the manner such treatment is provided for in national law applicable to the corresponding type of energy infrastructure.

(4) All dispute resolution procedures, litigation, appeals and judicial remedies related to projects on the **Energy Community** list in front of any national courts, tribunals, panels, including mediation or arbitration, where they exist in national law, shall be treated as urgent, if and to the extent to which national law provides for such urgency procedures.

(5) **Contracting Parties** shall assess, taking due account of the existing guidance issued by the Commission **under Article 7(5) of Regulation (EU) 2022/869**, which legislative and non-legislative measures are necessary to streamline the environmental assessment procedures and to ensure their coherent application and shall inform the **Energy Community Secretariat** of the result of that assessment.

(6) By 24 March 202**5**, **Contracting Parties** shall take the non-legislative measures that they have identified under paragraph 5.

(7) By 24 June 202**5**, **Contracting Parties** shall take the legislative measures that they have identified under paragraph 5. Those legislative measures shall be without prejudice to obligations provided for in **Energy Community** law.

(8) With regard to the environmental impacts addressed in Article 6(4) of Directive 92/43/EEC and Article 4(7) of Directive 2000/60/EC[2]**, once adapted to and adopted in the Energy Community,** provided that all the conditions set out in those Directives are fulfilled, projects on the **Energy Community** list shall be considered as being of public interest from an energy policy perspective, and may be considered as having an overriding public interest.

<…>

This paragraph shall not apply to competing projects or to projects that have not reached a sufficient degree of maturity to provide a project specific cost-benefit analysis as referred to in Section 2, point (1)(d), of Annex III.

Article 8

Organisation of the permit granting process

(1) By 23 June 202**5**, each **Contracting Party** shall update, where necessary, the designation of one national competent authority which shall be responsible for facilitating and coordinating the permit granting process for projects on the **Energy Community** list.

(2) The responsibilities of the national competent authority referred to in paragraph 1 or the tasks related to it may be delegated to, or carried out by, another authority, per project on the **Energy Community** list or per particular category of projects on the **Energy Community** list, provided that:

2 Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy, *Official Journal of the European Union* L 327, 22 December 2000, p.1-73.

(a) the national competent authority notifies the **Energy Community Secretariat** of that delegation and the information therein is published by either the national competent authority or the project promoter on the website referred to in Article 9(7);

(b) only one authority is responsible per project on the **Energy Community** list, and it is the sole point of contact for the project promoter in the process leading to the comprehensive decision for a given project on the **Energy Community** list, and coordinates the submission of all relevant documents and information.

The national competent authority may retain the responsibility to establish time limits, without prejudice to the time limits set in Article 10(1) and (2).

(3) Without prejudice to relevant requirements under **Energy Community** and international law and, to the extent it does not contradict them, national law, the national competent authority shall facilitate the issuing of the comprehensive decision. The comprehensive decision shall be issued within the time limits set in Article 10(1) and (2) and in accordance with one of the following schemes:

(a) integrated scheme: the comprehensive decision shall be issued by the national competent authority and shall be the sole legally binding decision arising from the statutory permit granting procedure. Where other authorities are concerned by the project, they may, in accordance with national law, give their opinion as input to the procedure, which shall be taken into account by the national competent authority;

(b) coordinated scheme: the comprehensive decision comprises multiple individual legally binding decisions issued by several authorities concerned, which shall be coordinated by the national competent authority. The national competent authority may establish a working group where all concerned authorities are represented in order to draw up a detailed schedule for the permit granting process in accordance with Article 10(6), point (b), and to monitor and coordinate its implementation. The national competent authority shall, after consulting the other authorities concerned, where applicable in accordance with national law, and without prejudice to time limits set in Article 10(1) and (2), establish on a case-by-case basis a reasonable time limit within which the individual decisions shall be issued. The national competent authority may take an individual decision on behalf of another national authority concerned, where the decision by that authority is not delivered within the time limit and where the delay cannot be adequately justified; or, where provided under national law, and to the extent that this is compatible with **Energy Community** law, the national competent authority may consider that another national authority concerned has either given its approval or refusal for the project where the decision by that authority is not delivered within the time limit. Where provided under national law, the national competent authority may disregard an individual decision of another national authority concerned if it considers that the decision is not sufficiently substantiated with regard to the underlying evidence presented by the national authority concerned; in doing so, the national competent authority shall ensure that the relevant requirements under **Energy Community** and international law are respected and shall provide reasons for its decision;

(c) collaborative scheme: the comprehensive decision shall be coordinated by the national competent authority. The national competent authority shall, after consulting the other authorities concerned, where applicable in accordance with national law, and without prejudice to time limits set in Article 10(1) and (2), establish on a case-by-case basis a reasonable time limit within which the individual decisions shall be issued. It shall monitor compliance with the time limits by the authorities concerned.

Contracting Parties shall implement the schemes in a manner which, according to national law, contributes to the most efficient and timely issuing of the comprehensive decision.

The competence of the authorities concerned can either be incorporated into the competence of the

national competent authority designated in accordance with paragraph 1 or the authorities concerned can maintain, to a certain extent, their independent competence in line with the respective permitting scheme chosen by the **Contracting Party** in accordance with this paragraph to facilitate the issuing of the comprehensive decision and cooperate with the national competent authority accordingly.

Where an authority concerned does not expect to deliver an individual decision within the set time limit, that authority shall immediately inform the national competent authority, providing reasons for the delay. Subsequently, the national competent authority shall set another time limit within which that individual decision shall be issued, in compliance with the overall time limits set in Article 10(1) and (2).

Contracting Parties shall choose among the three schemes referred to in points (a), (b) and (c) of the first subparagraph to facilitate and coordinate their procedures and shall implement the scheme which is most effective for them in light of national specificities in their planning and permit granting processes. Where a **Contracting Party** chooses the collaborative scheme, it shall inform the **Energy Community Secretariat** of its reasons.

(4) **Contracting Parties** may apply the schemes set out in paragraph 3 to onshore and offshore projects on the **Energy Community** list.

(5) Where a project on the **Energy Community** list requires decisions to be taken in two or more **Contracting Parties**, the relevant national competent authorities **are encouraged to** take all necessary steps for efficient and effective cooperation and communication among themselves, including the steps referred to in Article 10(6). **Contracting Parties are encouraged** to provide joint procedures, particularly with regard to the assessment of environmental impacts.

(6) The relevant national competent authorities of the **Contracting Parties** involved in a project on the **Energy Community** list belonging to one of the priority offshore grid corridors set out in Section 2 of Annex I shall jointly designate among themselves a unique point of contact for project promoters per project, which shall be responsible for facilitating the exchange of information between the national competent authorities on the permit granting process of the project, with the aim of facilitating that process as well as the issuance of decisions by the relevant national competent authorities. The unique points of contact may act as a repository aggregating the existing documents pertaining to the projects.

Article 9

Transparency and public participation

(1) By 24 October 202**5**, the **Contracting Party** or national competent authority shall, where applicable, in collaboration with other authorities concerned, publish an updated manual of procedures for the permit granting process applicable to projects on the **Energy Community** list to include at least the information specified in point (1) of Annex VI. The manual shall not be legally binding, but it shall refer to or quote relevant legal provisions. The national competent authorities shall, where relevant, cooperate and find synergies with the authorities of neighbouring countries with a view to exchanging good practices and facilitating the permit granting process, in particular for the development of the manual of procedures.

(2) Without prejudice to environmental law and any requirements under the Aarhus Convention, the Espoo Convention and relevant **Energy Community** law, all parties involved in the permit granting process shall follow the principles for public participation set out in point (3) of Annex VI.

(3) The project promoter shall, within an indicative period of three months following the start of the permit granting process pursuant to Article 10(3), draw up and submit a concept for public participation to the national competent authority, following the process outlined in the manual referred to in paragraph 1 of this Article and in line with the guidelines set out in Annex VI. The national competent authority shall request modifications or approve the concept for public participation within three months of receipt of the concept, taking into consideration any form of public participation and consultation that took place before the start of the permit granting process, to the extent that such public participation and consultation has fulfilled the requirements of this Article.

Where the project promoter intends to make significant changes to an approved concept for public participation, it shall inform the national competent authority thereof. In that case the national competent authority may request modifications.

(4) Where it is not already required under national law at the same or higher standards, the project promoter or, where required by national law, the national competent authority shall carry out at least one public consultation, before the project promoter submits the final and complete application file to the national competent authority pursuant to Article 10(7). That public consultation shall be without prejudice to any public consultation to be carried out after submission of the request for development consent pursuant to Article 6(2) of Directive 2011/92/EU**, as adapted and adopted by Ministerial Council Decision 2016/12/MC-EnC**. The public consultation shall inform the stakeholders referred to in point (3)(a) of Annex VI about the project at an early stage and shall help to identify the most suitable location, trajectory or technology, including, where relevant, in view of adequate climate adaptation considerations for the project, all impacts relevant under Union and national law, and the relevant issues to be addressed in the application file. The public consultation shall comply with the minimum requirements set out in point (5) of Annex VI. Without prejudice to the procedural and transparency rules in **Contracting Parties**, the project promoter shall publish on the website referred to in paragraph 7 of this Article a report explaining how the opinions expressed in the public consultations were taken into account by showing the amendments made in the location, trajectory and design of the project, or by providing reasons why such opinions have not been taken into account.

The project promoter shall prepare a report summarising the results of activities related to the participation of the public prior to the submission of the application file, including those activities that took place before the start of the permit granting process.

The project promoter shall submit the reports referred to in the first and second subparagraphs together with the application file to the national competent authority. The comprehensive decision shall take due account of the results of these reports.

(5) For cross-border projects involving two or more **Contracting Parties**, the public consultations carried out pursuant to paragraph 4 in each of the **Contracting Parties** concerned shall take place within a period of no more than two months from the date on which the first public consultation started.

(6) For projects likely to have a significant transboundary impact in one or more neighbouring **Contracting Parties**, to which Article 7 of Directive 2011/92/EU**, as adapted and adopted by Ministerial Council Decision 2016/12/MC-EnC**, and the Espoo Convention are applicable, the relevant information shall be made available to the national competent authorities of the neighbouring **Contracting Parties** concerned. The national competent authorities of the neighbouring **Contracting Parties** concerned shall indicate, in the notification process where appropriate, whether they, or any other authority concerned, wishes to

participate in the relevant public consultation procedures.

(7) The project promoter shall establish and regularly update a dedicated project website with relevant information about the project of **Energy Community** interest, which shall be linked to the **Energy Community** website and the transparency platform referred to in Article 23 and which shall meet the requirements specified in point (6) of Annex VI. Commercially sensitive information shall be kept confidential.

Project promoters shall also publish relevant information by other appropriate information means open to the public.

Article 10

Duration and implementation of the permit granting process

(1) The permit granting process shall consist of two procedures:

(a) the pre-application procedure, covering the period between the start of the permit granting process and the acceptance of the submitted application file by the national competent authority, which shall take place within an indicative period of 24 months; and

(b) the statutory permit granting procedure, covering the period from the date of acceptance of the submitted application file until the taking of the comprehensive decision, which shall not exceed 18 months.

With regard to point (b) of the first subparagraph, where appropriate, **Contracting Parties** may provide for a statutory permit granting procedure that is shorter than 18 months.

(2) The national competent authority shall ensure that the combined duration of the two procedures referred to in paragraph 1 does not exceed a period of 42 months.

However, where the national competent authority considers that one or both of the procedures will not be completed within the time limits set in paragraph 1, it may extend one or both of those time limits before their expiry and on a case-by-case basis. The national competent authority shall not extend the combined duration of the two procedures for more than nine months other than in exceptional circumstances.

Where the national competent authority extends the time limits, it shall inform the Group concerned and present it with the measures taken, or to be taken, for the conclusion of the permit granting process, with the least possible delay. The Group may request that the national competent authority reports regularly on progress achieved in that regard and reasons for any delays.

(3) For the purpose of establishing the start of the permit granting process, the project promoters shall notify the project to the national competent authority of each **Contracting Party** concerned in written form and shall include a reasonably detailed outline of the project.

Within three months of receipt of the notification, the national competent authority shall acknowledge or, if it considers the project not to be mature enough to enter the permit granting process, reject the notification, in writing, including on behalf of other authorities concerned. In the event of a rejection, the national competent authority shall provide reasons for its decision, including on behalf of other authorities concerned. The date of signature of the acknowledgement of the notification by the national competent authority shall mark the start of the permit granting process. Where two or more **Contracting Parties** are concerned, the date of the acceptance of the last notification by the national competent authority concerned shall mark the start of the permit granting process.

The national competent authorities shall ensure that the permit granting process is accelerated in line with this Chapter for each category of projects of **Energy Community** interest. To that end, the national competent authorities shall adapt their requirements for the start of the permit granting process and for the acceptance of the submitted application file, to make them fit for projects that due to their nature, dimension or lack of requirement for environmental assessment under national law, may require less authorisations and approvals for reaching the ready-to-build phase. **Contracting Parties** may decide that the pre-application procedure referred to in paragraphs 1 and 6 of this Article is not required for the projects referred to in this subparagraph.

(4) The national competent authorities shall take into consideration in the permit granting process any valid studies conducted and permits or authorisations issued for a given project on the **Energy Community** list before the project entered the permit granting process in accordance with this Article, and shall not require duplicate studies and permits or authorisations.

(5) In **Contracting Parties** where the determination of a route or location undertaken solely for the specific purpose of a planned project, including the planning of specific corridors for grid infrastructures, cannot be included in the process leading to the comprehensive decision, the corresponding decision shall be taken within a separate period of six months, starting on the date of submission of the final and complete application documents by the promoter.

In the circumstances described in the first subparagraph of this paragraph, the extension referred to in paragraph 2, second subparagraph, shall be reduced to six months, other than in exceptional circumstances, including for the procedure referred to in this paragraph.

(6) The pre-application procedure shall comprise the following steps:

(a) as soon as possible and no later than 6 months of the notification pursuant to first subparagraph of paragraph 3, the national competent authority shall determine, on the basis of the checklist referred to in point (1)(e) of Annex VI, and in close cooperation with the other authorities concerned, and where appropriate on the basis of a proposal by the project promoter, the scope of the reports and documents and the level of detail of information to be submitted by the project promoter, as part of the application file, to apply for the comprehensive decision;

(b) the national competent authority shall draw up, in close cooperation with the project promoter and other authorities concerned and taking into account the results of the activities carried out under point (a) of this paragraph, a detailed schedule for the permit granting process in line with the guidelines set out in point (2) of Annex VI;

(c) upon receipt of the draft application file, the national competent authority shall, where necessary, on its own behalf or on behalf of other authorities concerned, request the project promoter to submit missing information relating to the requested elements referred to in point (a).

The pre-application procedure shall include the preparation of any environmental reports by the project promoters, as necessary, including the climate adaptation documentation.

Within three months of submission of the missing information referred to in point (c) of the first subparagraph, the competent authority shall accept for examination the application in written form or on digital platforms, starting the statutory permit granting procedure referred to in paragraph 1, point (b). Requests for additional information may be made, but only where they are justified by new circumstances.

(7) The project promoter shall ensure that the application file is complete and adequate and seek the na-

tional competent authority's opinion on that matter as early as possible during the permit granting process. The project promoter shall cooperate fully with the national competent authority in order to comply with the time limits set in this Regulation.

(8) **Contracting Parties** shall endeavour to ensure that any amendments to the national law do not lead to prolonging any permit granting process started before the entry into force of those amendments. With a view of maintaining an accelerated permit granting process for projects on the **Energy Community** list, national competent authorities shall adequately adapt the schedule established in line with paragraph 6, point (b), of this Article to ensure, to the extent possible, that the time limits for the permit granting process set in this Article are not exceeded.

(9) The time limits set in this Article shall be without prejudice to obligations arising from **Energy Community** and international law, and without prejudice to administrative appeal procedures and judicial remedies before a court or tribunal.

The time limits set in this Article for any of the permit granting procedures shall be without prejudice to any shorter time limits set by **Contracting Parties**.

CHAPTER IV
CROSS-SECTORAL INFRASTRUCTURE PLANNING

Article 11

Energy system wide cost-benefit analysis

(1) **The single sector draft methodologies published by the European Network of Transmission System Operators ('ENTSO') for Electricity and the ENTSO for Gas respectively under Article 11 of Regulation (EU) No 2022/869 shall be applied to projects** falling under the energy infrastructure categories set out in point (1)(a), (b), (d) and (f) and point (3) of Annex II.

(2) **<…>**

(3) **<…>**

(4) **<…>**

(5) **<…>**

(6) **<…>**

(7) **<…>**

(8) For projects falling under the energy infrastructure categories set out in point (1)(c) and (e) and in points (2), (4) and (5) of Annex II, the methodologies for a harmonised energy system-wide cost-benefit analysis **developed by the Commission pursuant to Regulation (EU) 869/2022 shall be applied at Energy Community** level.

(9) Every three years, the **Energy Community Regulatory Board** shall establish and publish a set of indicators and corresponding reference values for the comparison of unit investment costs for comparable projects of the energy infrastructure categories included in Annex II. Project promoters shall provide the requested data to the national regulatory authorities and to the **Energy Community Regulatory Board**.

The **Energy Community Regulatory Board** shall publish the first indicators for the infrastructure categories set out in points (1), (2) and (3) of Annex II by **24 April 2025**, to the extent that data is available to calculate robust indicators and reference values. Those reference values may be used by the **project promoters** for the **project-specific** cost-benefit analyses.

The set of indicators and corresponding reference values for the comparison of unit investment costs, referred to in first subparagraph shall be consistent with those established under Article 11 (9) of Regulation (EU) No 2022/869.

(10) **<…>**

(11) **<…>**

(12) **<…>**

(13) **<…>**

(14) When adopting the preliminary list of Projects of Energy Community Interest, the decision-making body of the Groups approves, by means of its conclusions, the application, at the Energy Community level, of the methodologies developed by the ENTSO for Electricity and the ENTSO for Gas for projects falling under the energy infrastructure categories set out in point (1)(a), (b), (d) and (f) and point (3) of Annex II, and by the Commission for projects falling under the energy infrastructure categories set out in point (1)(c) and (e) and in points (2), (4) and (5) of Annex II.

Article 12

Scenarios for the ten-year network development plan

(1) The joint scenarios report prepared by the ENTSO for Electricity and ENTSO for Gas according to Article 12 of Regulation (EU) 2022/869 shall be considered for the assessment of projects for the Energy Community list, falling under the categories set out in points (1)(a), (b), (d) and (f) and point (3) of Annex II.

<…>

(2) **<…>**

(3) **<…>**

(4) **<…>**

(5) **<…>**

(6) **<…>**

(7) **<…>**

Article 13

Infrastructure Gaps Identifications

<…>

CHAPTER V
OFFSHORE GRIDS FOR RENEWABLE INTEGRATION

Article 14

Offshore grid planning

(1) By 24 January 2025, Contracting Parties, with the support of the Energy Community Secretariat, shall conclude a non-binding agreement to cooperate on goals for offshore renewable generation to be deployed by 2050 within each sea basin set out in section 2, points (2) and (3) of Annex I, with intermediate steps in 2030 and 2040, in line with their national energy and climate plans, and the offshore renewable potential of the relevant sea basin.

That non-binding agreement shall be made in writing as regards the relevant sea basin linked to the territory of the Contracting Parties, and shall be without prejudice to the right of Contracting Parties to develop projects on their territorial sea and exclusive economic zone. The Energy Community Secretariat shall provide guidance for the work in the Groups.

(2) Contracting Parties pursuing the development of offshore renewable grid projects in their respective sea basins may approach, as appropriate, the relevant Member States of the European Union in those sea basins, to propose concluding non-binding Memoranda of Understanding to cooperate on goals for offshore renewable generation. Contracting Parties may cooperate with ENTSO for Electricity with the purpose of being involved in the offshore grid planning process within the relevant sea basins pursuant to Article 14 of Regulation (EU) 2022/869'.

<…>

(3) **<…>**

(4) **<…>**

(5) **<…>**

Article 15

Offshore grids for renewable energy cross-border cost sharing

<…>

CHAPTER VI
REGULATORY FRAMEWORK

Article 16

Enabling Investments with a cross-border impact

(1) The efficiently incurred investment costs, which exclude maintenance costs, related to a project of

Energy Community interest falling under the energy infrastructure categories set out in point (1)(a), (b), (c), (d) and (f) of Annex II, and projects of Energy Community interest falling under the energy infrastructure category set out in point (3) of Annex II, where they fall under the competence of national regulatory authorities in each **Contracting Party** concerned, shall be borne by the relevant TSO or the project promoters of the transmission infrastructure of the **Contracting Parties** to which the project provides a net positive impact, and, to the extent not covered by congestion rents or other charges, be paid for by network users through tariffs for network access in that or those **Contracting Parties**.

(2) The provisions of this Article shall apply to a project of **Energy Community** interest falling under the energy infrastructure categories set out in point (1)(a), (b), (c), (d), (f) and point (3) of Annex II, where at least one project promoter requests the relevant national authorities their application for the costs of the project.

Projects falling under the energy infrastructure category set out in point (1)(e) and point (2) of Annex II may benefit from the provisions of this Article where at least one project promoter requests its application from the relevant national authorities.

Where a project has several project promoters, the relevant national regulatory authorities shall without delay request all project promoters to submit the investment request jointly in accordance with paragraph 4.

(3) For a project of **Energy Community** interest to which paragraph 1 applies, the project promoters shall keep all relevant national regulatory authorities regularly informed, at least once per year, and until the project is commissioned, of the progress of that project and the identification of costs and the impact associated with it.

(4) As soon as such a project of **Energy Community** interest has reached sufficient maturity, and is estimated to be ready to start the construction phase within the next 36 months, the project promoters, after having consulted the TSOs from the **Contracting Parties** which receive a significant net positive impact from it, shall submit an investment request. That investment request shall include a request for a cross-border cost allocation and shall be submitted to all the relevant national regulatory authorities concerned, accompanied by all of the following:

(a) up-to-date project-specific cost-benefit analysis consistent with the methodology drawn up pursuant to Article 11 and taking into account benefits beyond the borders of the **Contracting Parties** on the territory of which the project is located by considering at least the joint scenarios established for network development planning referred to in Article 12. Where additional scenarios are used, those shall be consistent with the **Energy Community's 2030 targets for energy and climate and the 2050 climate neutrality objective** and be subject to the same level of consultation and scrutiny as the process provided for in Article 12. T**he Energy Community Regulatory Board assisted by the Energy Community Secretariat** shall be responsible for assessing any additional scenarios and ensuring their compliance with this paragraph;

(b) a business plan evaluating the financial viability of the project, including the chosen financing solution, and, for a project of **Energy Community** interest falling under the energy infrastructure category referred to in point (3) of Annex II, the results of market testing;

(c) where the project promoters agree, a substantiated proposal for a cross-border cost allocation.

Where a project is promoted by several project promoters, they shall submit their investment request jointly.

The relevant national regulatory authorities shall, upon receipt, transmit to the **Energy Community Regulatory Board and the Energy Community Secretariat**, without delay, a copy of each investment

request, for information purposes.

The relevant national regulatory authorities and the **Energy Community Regulatory Board and the Energy Community Secretariat** shall preserve the confidentiality of commercially sensitive information.

(5) Within six months of the date on which the investment request is received by the last of the relevant national regulatory authorities, those authorities shall, after consulting the project promoters concerned, take joint coordinated decisions on the allocation of efficiently incurred investment costs to be borne by each system operator for the project, as well as their inclusion in tariffs, or on the rejection of the investment request, in whole or in part, if the common analysis of the relevant national regulatory authorities concludes that the project or a part of it fails to provide a significant net benefit in any of the **Contracting Parties** of the relevant national regulatory authorities. The relevant national regulatory authorities shall include the relevant efficiently incurred investment costs in tariffs, as defined in the recommendation referred to in paragraph 11, in line with the allocation of investment costs to be borne by each system operator for the project. For projects in the territories of their respective **Contracting Party**, the relevant national regulatory authorities, shall thereafter assess, where appropriate, whether any affordability issues might arise due to the inclusion of the investment costs in tariffs.

In allocating the costs, the relevant national regulatory authorities shall take into account actual or estimated:

(a) congestion rents or other charges;

(b) revenues stemming from the inter-transmission system operator compensation mechanism established under Article 49 of Regulation (EU) 2019/943, **as adapted to and adopted in the Energy Community by Ministerial Council Decision 2022/03/MC-EnC.**

The allocation of costs across borders shall take into account, the economic, social and environmental costs and benefits of the projects in the **Contracting Parties** concerned and the need to ensure a stable financing framework for the development of projects of Energy Community interest while minimising the need for financial support.

In allocating costs across borders, the relevant national regulatory authorities, after consulting the TSOs concerned, shall seek a mutual agreement based on, but not limited to, the information specified in paragraphs 4, first subparagraph, points (a) and (b), of this Article. Their assessment shall consider all the relevant scenarios referred to in Article 12 and other scenarios for network development planning, allowing a robust analysis of the contribution of the project of **Energy Community** interest to the **Energy Community** energy policy of decarbonisation, market integration, competition, sustainability and security of supply. Where additional scenarios are used, they shall be consistent with the **Energy Community's 2030 targets for energy and climate and the 2050 climate neutrality objective <…>.**

Where a project of **Energy Community** interest mitigates negative externalities, such as loop flows, and that project of **Energy Community** interest is implemented in the **Contracting Party** at the origin of the negative externality, such mitigation shall not be regarded as a cross-border benefit and shall therefore not constitute a basis for allocating costs to the TSO of the Contracting Parties affected by those negative externalities.

(6) The relevant national regulatory authorities shall, on the basis of the cross-border cost allocation referred to in paragraph 5 of this Article, take into account actual costs incurred by a TSO or other project promoter as a result of the investments when fixing or approving tariffs in accordance with Article 41(1), point (a), of Directive 2009/73/EC**, as adapted to and adopted in the Energy Community by Ministerial Council**

Decision 2011/02/MC-EnC and Article 59(1), point (a), of Directive (EU) 2019/944, **as adapted to and adopted in the Energy Community by Ministerial Council Decision 2021/13/MC-EnC,** insofar as those costs correspond to those of an efficient and structurally comparable operator.

The relevant national regulatory authorities shall notify the cost allocation decision to the **Energy Community Regulatory Board and the Energy Community Secretariat,** without delay, together with all the relevant information with respect to that decision. In particular, the cost allocation decision shall set out detailed reasons for the allocation of costs among the **Contracting Parties concerned,** including the following:

(a) an evaluation of the identified impact on each of the concerned **Contracting Parties**, including those concerning network tariffs;

(b) an evaluation of the business plan referred to in paragraph 4, first subparagraph, point (b);

(c) regional or **Energy Community**-wide positive externalities, such as security of supply, system flexibility, solidarity or innovation, which the project would generate;

(d) the result of the consultation of the project promoters concerned.

The cost allocation decision shall be published.

(7) Where the relevant national regulatory authorities have not reached an agreement on the investment request within six months of the date on which the request was received by the last of the relevant national regulatory authorities, they shall inform the **Energy Community Regulatory Board and the Energy Community Secretariat** without delay.

In that case, or upon a joint request from the relevant national regulatory authorities, the decision on the investment request including cross-border cost allocation referred to in paragraph 5 shall be taken by the **Energy Community Regulatory Board** within three months of the date of referral to the **Energy Community Regulatory Board**.

Before taking such a decision, the **Energy Community Regulatory Board** shall consult the **Energy Community Secretariat**, the relevant national regulatory authorities and the project promoters. The three-month period referred to in the second subparagraph may be extended by an additional period of two months where further information is sought by **the Energy Community Regulatory Board**. That additional period shall begin on the day following receipt of the complete information.

The assessment of the **Energy Community Regulatory Board** shall consider all relevant scenarios established under Article 12 and other scenarios for network development planning, allowing a robust analysis of the contribution of the project of **Energy Community interest** to the **Energy Community** energy policy targets of decarbonisation, market integration, competition, sustainability and security of supply. Where additional scenarios are used, they shall be consistent with the **Energy Community's 2030 targets for energy and climate and the 2050 climate neutrality** objective and be subject to the same level of consultation and scrutiny as the process provided for in Article 12.

The Energy Community Regulatory Board, in its decision on the investment request including cross-border cost allocation, shall leave the determination of the way the investment costs are included in the tariffs in line with the cross-border cost allocation prescribed, to the relevant national authorities at the time of the implementation of that decision in accordance with national law.

The decision on the investment request including cross-border cost allocation shall be published. **The procedure referred to in this paragraph shall be applicable to projects having cross-border**

impacts between Contracting Parties.

(8) A copy of all cost allocation decisions, together with all the relevant information with respect to each decision, shall be notified, without delay, by the **Energy Community Regulatory Board** to the **Energy Community Secretariat**. That information may be submitted in aggregate form. **The Energy Community Secretariat** shall preserve the confidentiality of commercially sensitive information.

(9) Cost allocation decisions shall not affect the right of TSOs to apply and of national regulatory authorities to approve charges for access to networks in accordance with Article 13 of Regulation (EC) No 715/2009, **as adapted to and adopted in the Energy Community by Ministerial Council Decision 2011/02/MC-EnC,** Article 18(1) and Article 18(3) to (6) of Regulation (EU) 2019/943**, as adapted to and adopted in the Energy Community by Ministerial Council Decision 2022/03/MC-EnC,** Article 32 of Directive 2009/73/EC**, as adapted to and adopted in the Energy Community by Ministerial Council Decision 2011/02/MC-EnC,** and Article 6 of Directive (EU) 2019/944**, as adapted to and adopted in the Energy Community by Ministerial Council Decision 2021/13/MC-EnC.**

(10) This Article shall not apply to projects of **Energy Community** interest which have received an exemption from:

(a) Articles 32, 33 and 34 and Article 41(6), (8) and (10) of Directive 2009/73/EC, **as adapted to and adopted in the Energy Community by Ministerial Council Decision 2011/02/MC-EnC,** pursuant to Article 36 of that Directive;

(b) Article 19(2) and (3) of Regulation (EU) 2019/943**, as adapted to and adopted in the Energy Community by Ministerial Council Decision 2022/03/MC-EnC,** or Article 6, Article 59(7) and Article 60(1) of Directive (EU) 2019/944**, as adapted to and adopted in the Energy Community by Ministerial Council Decision 2021/13/MC-EnC,** pursuant to Article 63 of Regulation (EU) 2019/943**, as adapted to and adopted in the Energy Community by Ministerial Council Decision 2022/03/MC-EnC;**

(c) unbundling or third party access rules, pursuant to Article 17 of Regulation (EC) No 714/2009 of the European Parliament and of the Council**, as adapted to and adopted in the Energy Community by Ministerial Council Decision 2011/02/MC-EnC,** or to Article 64 of Regulation (EU) 2019/943**, as adapted to and adopted in the Energy Community by Ministerial Council Decision 2022/03/MC-EnC,** and Article 66 of Directive (EU) 2019/944**, as adapted to and adopted in the Energy Community by Ministerial Council Decision 2021/13/MC-EnC.**

(11) By 24 June 202**4, the Energy Community Regulatory Board** shall adopt a recommendation for identifying good practices for the treatment of investment requests for projects of **Energy Community** interest. That recommendation shall be regularly updated as necessary **<…>.** In adopting or amending the recommendation, the **Energy Community Regulatory Board** shall carry out an extensive consultation process, involving all relevant stakeholders.

Article 17

Regulatory incentives

(1) Where a project promoter incurs higher risks for the development, construction, operation or maintenance of a project of **Energy Community** interest falling under the competence of national regulatory authorities, when compared to the risks normally incurred by a comparable infrastructure project, **Con-**

tracting Parties and national regulatory authorities may grant appropriate incentives to that project in accordance with Article 13 of Regulation (EC) No 715/2009**, as adapted to and adopted in the Energy Community by Ministerial Council Decision 2011/02/MC-EnC and amended by Ministerial Council Decision 2022/01/MC-EnC,** Article 18(1) and Article 18(3) to (6) of Regulation (EU) 2019/943**, as adapted to and adopted in the Energy Community by Ministerial Council Decision 2022/03/MC-EnC,** Article 41(8) of Directive 2009/73/EC**, as adapted to and adopted in the Energy Community by Ministerial Council Decision 2011/02/MC-EnC,** and Article 58, point (f), of Directive (EU) 2019/944**, as adapted to and adopted in the Energy Community by Ministerial Council Decision 2021/13/MC-EnC.**

The first subparagraph shall not apply where the project of **Energy Community** interest has received an exemption:

(a) from Articles 32, 33, and 34 and from Article 41(6), (8) and (10) of Directive 2009/73/EC**, as adapted to and adopted in the Energy Community by Ministerial Council Decision 2011/02/MC-EnC,** pursuant to Article 36 of that Directive;

(b) from Article 19(2) and (3) of Regulation (EU) 2019/943**, as adapted to and adopted in the Energy Community by Ministerial Council Decision 2022/03/MC-EnC,** or from Article 6, Article 59(7) and Article 60(1) of Directive (EU) 2019/944**, as adapted to and adopted in the Energy Community by the Ministerial Council Decision 2021/13/MC-EnC,** pursuant to Article 63 of Regulation (EU) 2019/943**, as adapted to and adopted in the Energy Community by Ministerial Council Decision 2022/03/MC-EnC;**

(c) pursuant to Article 36 of Directive 2009/73/EC**, as adapted to and adopted in the Energy Community by Ministerial Council Decision 2011/02/MC-EnC;**

(d) pursuant to Article 17 of Regulation (EC) No 714/2009**, as adapted to and adopted in the Energy Community by Ministerial Council Decision 2011/02/MC-EnC.**

(2) In the case of a decision to grant the incentives referred to in paragraph 1 of this Article, national regulatory authorities shall consider the results of the cost-benefit analysis consistent with the methodology drawn up pursuant to Article 11 and in particular the regional or **Energy Community**-wide positive externalities generated by the project. The national regulatory authorities shall further analyse the specific risks incurred by the project promoters, the risk mitigation measures taken and the reasons for the risk profile in view of the net positive impact provided by the project, when compared to a lower-risk alternative. Eligible risks shall in particular include risks related to new transmission technologies, both onshore and offshore, risks related to under-recovery of costs and development risks.

(3) The decision to grant the incentives shall take into account the specific nature of the risk incurred and may grant incentives covering, inter alia, one or more of the following measures:

(a) the rules for anticipatory investment;

(b) the rules for recognition of efficiently incurred costs before commissioning of the project;

(c) the rules for providing additional return on the capital invested for the project;

(d) any other measure deemed necessary and appropriate.

(4) By 24 January 202**4**, each national regulatory authority shall submit to the **Energy Community Regulatory Board** its methodology and the criteria used to evaluate investments in energy infrastructure projects and the higher risks incurred by those projects, updated in view of latest legislative, policy,

technological and market developments. Such methodology and criteria shall also expressly address the specific risks incurred by offshore grids for renewable energy referred to in point (1)(f) of Annex II and by projects, which, while having low capital expenditure, incur significant operating expenditure.

(5) By 24 June 202**4**, taking due account of the information received pursuant to paragraph 4 of this Article **and pursuant to the recommendations issued by ACER, the Energy Community Regulatory Board** shall facilitate the sharing of good practices and recommendations regarding both of the following:

(a) the incentives referred to in paragraph 1 on the basis of a benchmarking of best practice by national regulatory authorities;

(b) a common methodology to evaluate the incurred higher risks of investments in energy infrastructure projects.

(6) By 24 September 202**4**, each national regulatory authority shall publish its methodology and the criteria used to evaluate investments in energy infrastructure projects and the higher risks incurred by them.

(7) Where the measures referred to in paragraphs 5 and 6 are not sufficient to ensure the timely implementation of projects of **Energy Community interest, the guidelines on incentives issued by the Commission under Article 17(7) of Regulation (EU) 2022/869 shall be applied.**

CHAPTER VII
FINANCING

Article 18

Eligibility of projects for Union financial assistance **<…>**

(1) Projects of **Energy Community** interest falling under the energy infrastructure categories set out in **<…>** and Annex II shall be eligible for Union **technical and** financial assistance **for project preparation and implementation from the Instrument for Pre-Accession Assistance (IPA) and the Neighbourhood Development and International Cooperation Instrument (NDICI), including the Western Balkan Investment Framework (WBIF), the Neighbourhood Investment Platform (NIP), the European Fund for Sustainable Development (EFSD) and the European Fund for Sustainable Development + (EFSD+); and the Ukraine Facility.**

(2) Projects of **Energy Community** interest falling under the energy infrastructure categories set out in **<…> Annex II shall be eligible for Union financial assistance in the form of grants, guarantees or other financial instruments from the Instrument for Pre-Accession Assistance (IPA) and the Neighbourhood Development and International Cooperation Instrument (NDICI), including the Western Balkan Investment Framework (WBIF), the Neighbourhood Investment Platform (NIP), the European Fund for Sustainable Development (EFSD) and the European Fund for Sustainable Development + (EFSD+); and the Ukraine** Facility where they fulfil all of the following criteria:

(a) the project specific cost-benefit analysis drawn up pursuant to Article 16(4), point (a), provides evidence concerning the existence of significant positive externalities, such as security of supply, system flexibility, solidarity or innovation;

(b) the project has received a cross-border cost allocation decision pursuant to Article 16 or, as regards

projects of Energy Community interest falling under the energy infrastructure category set out in point (3) of Annex II, where they do not fall under the competence of national regulatory authorities and therefore they do not receive a cross-border cost allocation decision, the project aims to provide services across borders, brings technological innovation and ensures the safety of cross-border grid operation;

(c) the project cannot be financed by the market or through the regulatory framework in accordance with the business plan and other assessments, in particular those carried out by potential investors, creditors or the national regulatory authority, taking into account any decision on incentives and reasons referred to in Article 17(2) when assessing the project's need for Union financial assistance.

(3) Projects of **Energy Community** interest carried out in accordance with the procedure referred to in Article 5(7), point (d), shall also be eligible for Union financial assistance in the form of grants for works where they fulfil the criteria set out in paragraph 2 of this Article.

(4) **<…>**

(5) **<…>**

Article 19

Guidance for the award criteria of Union financial assistance

The specific criteria set out in Article 4(3) of this Regulation and the parameters set out in Article 4(5) of this Regulation shall **be taken into account when determining the award criteria for Union technical and financial assistance from the instrument for Pre-Accession Assistance (IPA), the Neighbourhood Development and International Cooperation Instrument (NDICI) and the Ukraine Facility**.

CHAPTER VIII
FINAL PROVISIONS

Article 20

Exercise of the delegation

<…>

Article 21

Reporting and evaluation

By 30 June 202**9**, the **Energy Community Secretariat** shall publish a report on the implementation of projects on the **Energy Community** list, and submit it to the **Ministerial Council**. That report shall provide an evaluation of:

(a) the progress achieved in the planning, development, construction and commissioning of projects on the **Energy Community** list, and, where relevant, delays in implementation and other difficulties encountered;

(b) the funds engaged and disbursed by the Union for projects on the **Energy Community** list, compared

to the total value of funded projects on the **Energy Community** list;

(c) the progress achieved in terms of integration of renewable energy sources, including offshore renewable energy sources, and reduced greenhouse gas emissions through the planning, development, construction and commissioning of projects on the **Energy Community** list;

(d) for the electricity and renewable or low-carbon gases including hydrogen sectors, the evolution of the interconnection level between **Contracting Parties**, the corresponding evolution of energy prices, as well as the number of network system failure events, their causes and related economic cost;

(e) the permit granting process and public participation, in particular:

(i) the average and maximum total duration of the permit granting process for projects on the **Energy Community** list, including the duration of each step of the pre-application procedure, compared to the timing foreseen by the initial major milestones referred to in Article 10(6);

(ii) the level of opposition faced by projects on the **Energy Community** list, in particular the number of written objections during the public consultation process and the number of legal recourse actions;

(iii) best and innovative practices with regard to stakeholder involvement;

(iv) best and innovative practices with regard to mitigation of environmental impacts, including climate adaptation, during permit granting processes and project implementation;

(v) the effectiveness of the schemes provided for in Article 8(3) regarding compliance with the time limits set in Article 10(1) and (2);

(f) regulatory treatment, in particular:

(i) the number of projects of **Energy Community** interest **(PECI)** having been granted a cross-border cost allocation decision pursuant to Article 16;

(ii) the number and type of projects of **Energy Community** interest **(PECI)** which received specific incentives pursuant to Article 17;

(g) the effectiveness of this Regulation in contributing to the **Energy Community**'s 2030 targets for energy and climate and the achievement of climate neutrality by 2050 at the latest.

Article 22

Review

<...>

Article 23

Information and publicity

The **Energy Community Secretariat** shall establish and maintain a transparency platform easily accessible to the general public through the internet. The platform shall be regularly updated with information from the reports referred to in Article 5(4) and the website referred to in Article 9(7). The platform shall contain the following information:

(a) general, updated information, including geographic information, for each project on the **Energy**

Community list;

(b) the implementation plan as set out in Article 5(1) for each project on the **Energy Community** list, presented in a manner that allows the assessment of the progress in implementation at any time;

(c) the main expected benefits and contribution to the objectives referred to in Article 1(1) and the costs of the projects except for any commercially sensitive information;

(d) the **Energy Community** list;

(e) the funds allocated and disbursed by the Union for each project on the **Energy Community** list;

(f) the links to the national manual of procedures referred to in Article 9;

(g) existing sea basin studies and plans for **priority offshore grid corridors**, without infringing any intellectual property rights.

Article 24

Derogation for interconnections for Cyprus and Malta

<...>

Article 25

Amendment to Regulation (EC) No 715/2009

<...>

Article 26

Amendment to Regulation (EC) 2019/942

<...>

Article 27

Amendment to Regulation (EC) 2019/943

<...>

Article 28

Amendment to Directive 2009/73/EC

<...>

Article 29

Amendment to Directive 2019/944

<...>

Article 30

Transitional provisions

Chapter III shall not apply to projects of **Energy Community** interest **(PECI)** that have entered in the permit granting process and for which a project promoter has submitted an application file before 16 **October** 201**6**.

Article 31

Transitional period

(1) During a transitional period ending on 31 December 2029, dedicated hydrogen assets converted from natural gas assets falling under the energy infrastructure category set out in point (3) of Annex II may be used for transport or storage of a predefined blend of hydrogen with natural gas or biomethane.

(2) During the transitional period referred to in paragraph 1, the project promoters shall closely cooperate on project design and implementation in order to ensure interoperability of neighbouring networks.

(3) The project promoter shall provide sufficient evidence, including through commercial contracts, how, by the end of the transitional period, the assets referred to in paragraph 1 of this Article will cease to be natural gas assets and become dedicated hydrogen assets, as set out in point (3) of Annex II, and how the increased use of hydrogen will be enabled during the transitional period. Such evidence shall include an assessment of the supply and demand for renewable or low- carbon hydrogen as well as a calculation of the greenhouse gas emissions reduction enabled by the project. In the context of the monitoring of progress achieved in implementing the projects of **Energy Community** interest, the **Energy Community Regulatory board** shall verify the timely transition of the project to a dedicated hydrogen asset as set out in point (3) of Annex II.

(4) Eligibility of projects referred to in paragraph 1 of this Article for Union financial assistance under Article 18 shall end on 31 December 2027.

Article 32

Repeal

1. **Ministerial Council Decision 2015/09/MC-EnC, adapting and adopting Regulation (EU) No 347/2013 is repealed. References to Regulation (EU) No 347/2013 shall be construed as references to this Regulation.**

2. **<...>**

3. **<...>**

Article 33

Entry into force

<...>

ANNEX I

ENERGY INFRASTRUCTURE PRIORITY INTERCONNECTIONS, CORRIDORS AND AREAS

(as referred to in Article 1(1))

This Regulation shall apply to the following energy infrastructure priority **interconnections,** corridors **in the Energy Community** and areas:

1. PRIORITY ELECTRICITY CORRIDORS

Electricity interconnections in the Energy Community:

interconnections between **Contracting Parties**, in particular to integrate electricity from renewable energy sources, reinforce internal grid infrastructures to foster market integration in the region, and to ensure the necessary onshore prolongations of offshore grids for renewable energy and the domestic grid reinforcements necessary to ensure an adequate and reliable transmission grid and to supply electricity generated offshore to landlocked **Contracting Parties**.

<…>

2. PRIORITY OFFSHORE GRID CORRIDORS

Mediterranean offshore grids:

offshore electricity grid development, integrated offshore electricity, as well as, where appropriate, hydrogen grid development and the related interconnectors in the Mediterranean Sea to transport electricity or, where appropriate, hydrogen from renewable offshore energy sources to centres of consumption and storage or to increase cross-border renewable energy exchange.

Contracting Parties concerned: **Albania, Montenegro and Bosnia and Herzegovina**.

Black Sea offshore grids:

offshore electricity grid development, integrated offshore electricity grid development and the related interconnectors in the **Black Sea** waters to transport electricity from renewable offshore energy sources to centres of consumption and storage and to increase cross-border electricity exchange.

Contracting Parties concerned: **Ukraine and Georgia**.

3. PRIORITY HYDROGEN **INTERCONNECTIONS** AND ELECTROLYSERS **IN THE ENERGY COMMUNITY**

Hydrogen interconnections in the Energy Community:

hydrogen infrastructure and the repurposing of gas infrastructure, enabling the emergence of an integrated hydrogen backbone, directly or indirectly (via interconnection with a third country), connecting the countries of the region and addressing their specific infrastructure needs for hydrogen supporting the emergence of an **Energy Community**-wide network for hydrogen transport, and, in addition, as regards islands and island systems, decreasing energy isolation, supporting innovative and other solutions involving at least

two **Contracting Parties** with a significant positive impact on the **Energy Community** 2030 targets for energy and climate and **the** 2050 climate neutrality objective, and contributing significantly to the sustainability of the island energy system and that of the **Energy Community**.

Electrolysers:

supporting the deployment of power-to-gas applications aiming to enable greenhouse gas reductions and contributing to secure, efficient and reliable system operation and smart energy system integration and, in addition, as regards islands and island systems, supporting innovative and other solutions involving at least two **Contracting Parties** with a significant positive impact on the **Energy Community** 2030 targets for energy and climate and **the** 2050 climate neutrality objective, and contributing significantly to the sustainability of the island energy system and that of the **Energy Community**.

Contracting Parties concerned: **all**.

<…>

4. PRIORITY THEMATIC AREAS

Smart electricity grids deployment:

adopting smart grid technologies across the **Energy Community** to efficiently integrate the behaviour and actions of all users connected to the electricity network, in particular the generation of large amounts of electricity from renewable or distributed energy sources and demand response by consumers, energy storage, electric vehicles and other flexibility sources and, in addition, as regards islands and island systems, decreasing energy isolation, supporting innovative and other solutions involving at least two **Contracting Parties** with a significant positive impact on the **Energy Community** 2030 targets for energy and climate and **the** 2050 climate neutrality objective, and contributing significantly to the sustainability of the **Energy Community energy system**.

Contracting Parties concerned: all.

Cross-border carbon dioxide network:

development of infrastructure for transport and storage of carbon dioxide between **the Contracting Parties** of carbon dioxide capture and storage captured from industrial installations for the purpose of permanent geological storage as well as carbon dioxide utilisation for synthetic fuel gases leading to the permanent neutralization of carbon dioxide.

Contracting Parties concerned: all.

Smart gas grids:

adoption of smart gas grid technologies across the **Energy Community** to efficiently integrate a plurality of low- carbon and particularly renewable gas sources into the gas network, support the uptake of innovative and digital solutions for network management and facilitating smart energy sector integration and demand response, including the related physical upgrades if indispensable to the functioning of the equipment and installations for integration of low-carbon and particularly renewable gases.

Contracting Parties concerned: all.

ANNEX II
ENERGY INFRASTRUCTURE CATEGORIES

The energy infrastructure categories to be developed **<...>** shall be the following:

(1) **concerning electricity:**

(a) high and extra-high voltage overhead transmission lines, crossing a border or within a **Contracting Party** territory including the exclusive economic zone, if they have been designed for a voltage of 220 kV or more, and underground and submarine transmission cables, if they have been designed for a voltage of 150 kV or more. For **Contracting Parties** and small isolated systems with a lower voltage overall transmission system, those voltage thresholds are equal to the highest voltage level in their respective electricity systems;

(b) any equipment or installation falling under energy infrastructure category referred to in point (a) enabling transmission of offshore renewable electricity from the offshore generation sites (energy infrastructure for offshore renewable electricity);

(c) energy storage facilities, in individual or aggregated form, used for storing energy on a permanent or temporary basis in above-ground or underground infrastructure or geological sites, provided they are directly connected to high-voltage transmission lines and distribution lines designed for a voltage of 110 kV or more. For **Contracting Parties** and small isolated systems with a lower voltage overall transmission system, those voltage thresholds are equal to the highest voltage level in their respective electricity systems;

(d) any equipment or installation essential for the systems referred to in points (a), (b) and (c) to operate safely, securely and efficiently, including protection, monitoring and control systems at all voltage levels and substations;

(e) smart electricity grids: any equipment or installation, digital systems and components integrating information and communication technologies (ICT), through operational digital platforms, control systems and sensor technologies both at transmission and medium and high voltage distribution level, aiming to ensure a more efficient and intelligent electricity transmission and distribution network, increased capacity to integrate new forms of generation, energy storage and consumption and facilitating new business models and market structures, including investments in islands and island systems to decrease energy isolation, to support innovative and other solutions involving at least two **Contracting Parties** with a significant positive impact on the **Energy Community** 2030 targets for energy and climate and **the** 2050 climate neutrality objective, to contribute significantly to the sustainability of **the Energy Community**;

(f) any equipment or installation falling under energy infrastructure category referred to in point (a) having dual functionality: interconnection and offshore grid connection system from the offshore renewable generation sites to two or more **Contracting Parties** participating in projects on the **Energy Community** list, including the onshore prolongation of this equipment up to the first substation in the onshore transmission system, as well as any offshore adjacent equipment or installation essential to operate safely, securely and efficiently, including protection, monitoring and control systems, and necessary substations if they also ensure technology interoperability, inter alia, interface compatibility between various technologies (offshore grids for renewable energy);

(2) **concerning smart gas grids:**

any of the following equipment or installation aiming to enable and facilitate the integration of a plurality of low-carbon and particularly renewable gases, including biomethane or hydrogen, into the gas network: digital systems and components integrating ICT, control systems and sensor technologies to enable the interactive and intelligent monitoring, metering, quality control and management of gas production, transmission, distribution, storage and consumption within a gas network. Furthermore, such projects may also include equipment to enable reverse flows from the distribution to the transmission level, including the related physical upgrades if indispensable to the functioning of the equipment and installations for integration of low-carbon and particularly renewable gases;

(3) **concerning hydrogen:**

(a) pipelines for the transport, mainly at high pressure, of hydrogen, including repurposed natural gas infrastructure, giving access to multiple network users on a transparent and non-discriminatory basis;

(b) storage facilities connected to the high-pressure hydrogen pipelines referred to in point (a);

(c) reception, storage and regasification or decompression facilities for liquefied hydrogen or hydrogen embedded in other chemical substances with the objective of injecting the hydrogen, where applicable, into the grid;

(d) any equipment or installation essential for the hydrogen system to operate safely, securely and efficiently or to enable bi-directional capacity, including compressor stations;

(e) **any equipment or installation allowing for hydrogen or hydrogen-derived fuels use in the transport sector within the TEN-T core network identified in the Contracting Parties in accordance with the rules applicable to the TEN-T infrastructure development in accordance with the Treaty Establishing the Transport Community.**

Any of the assets listed in points (a) to (d) may be newly constructed or repurposed from natural gas to hydrogen, or a combination of the two;

(4) **concerning electrolyser facilities:**

(a) electrolysers that:

(i) have at least 50 MW capacity, provided by a single electrolyser or by a set of electrolysers that form a single, coordinated project;

(ii) the production complies with the life cycle greenhouse gas emissions savings requirement of 70 % relative to a fossil fuel comparator of 94 g CO2eq/MJ as set out in Article 25(2) and Annex V to Directive (EU) 2018/2001. Life cycle greenhouse gas emissions savings are calculated using the methodology referred to in Article 28(5) of Directive (EU) 2018/2001**, as adapted and adopted by the Ministerial Council Decision 2021/14/MC-EnC,** or, alternatively, using ISO 14067 or ISO 14064-1. The life-cycle greenhouse gas emissions must include indirect emissions. Quantified life-cycle greenhouse gas emission savings are verified in line with Article 30 of Directive (EU) 2018/2001**, as adapted and adopted by the Ministerial Council Decision 2021/14/MC-EnC**, where applicable, or by an independent third party; and

(iii) have a network-related function, particularly with a view to overall system flexibility and overall

system efficiency of electricity and hydrogen networks;

(b) related equipment, including pipeline connection to the network;

(5) **concerning carbon dioxide:**

(a) dedicated pipelines, other than upstream pipeline network, used to transport carbon dioxide from more than one source, for the purpose of permanent geological storage of carbon dioxide pursuant to Directive 2009/31/EC;

(b) fixed facilities for liquefaction, buffer storage and converters of carbon dioxide in view of its further transportation through pipelines and in dedicated modes of transport such as ship, barge, truck, and train;

(c) without prejudice to any prohibition of geological storage of carbon dioxide in a **Contracting Party**, surface and injection facilities associated with infrastructure within a geological formation that is used, in accordance with Directive 2009/31/EC, for the permanent geological storage of carbon dioxide, where they do not involve the use of carbon dioxide for the enhanced recovery of hydrocarbons and are necessary to allow the cross-border transport and storage of carbon dioxide;

(d) any equipment or installation essential for the system in question to operate properly, securely and efficiently, including protection, monitoring and control systems.

ANNEX III
PRELIMINARY LIST OF PROJECTS

1. RULES FOR GROUPS

(1) With regard to energy infrastructure falling under the competence of national regulatory authorities, each Group shall be composed of representatives of the **Contracting Parties**, national regulatory authorities, TSOs, as well as the Commission**, the Energy Community Secretariat, the Energy Community Regulatory Board**, the **ECDSO-E** entity and either the ENTSO for Electricity or the ENTSO for Gas.

For the other energy infrastructure categories, each Group shall be composed of the Energy Community Secretariat, the representatives of the Contracting Parties and project promoters concerned.

(2) Depending on the number of candidate projects for the **Energy Community** list, infrastructure gaps and market developments, the Groups and the decision-making bodies of the Groups may split, merge or meet in different configurations, as necessary, to discuss matters common to all Groups or pertaining solely to particular **Groups**. Such matters may include issues relevant to cross-regional consistency or the number of proposed projects included on the draft **preliminary** lists at risk of becoming unmanageable.

(3) Each Group shall organise its work in line with regional cooperation efforts pursuant to Article 12 of Regulation (EC) No 715/2009, Article 34 of Regulation (EU) 2019/943**, as adapted and adopted by Ministerial Council Decision 2022/03/MC-EnC**, Article 7 of Directive 2009/73/EC**, as adapted and adopted by Ministerial Council Decision 2011/02/MC-EnC,** and Article 61 of Directive (EU) 2019/944**, as adapted and adopted by the Ministerial Council Decision 2021/13/MC-EnC,** and other existing regional cooperation structures.

(4) Each Group shall invite promoters of a project potentially eligible for selection as a project of **Energy Community** interest as well as representatives of national administrations, of regulatory authorities, of civil society and TSOs**, including** from **Member States and** third countries. The decision to invite **Member State and** third-country representatives shall be made by consensus.

(5) For the energy infrastructure priority **interconnections,** corridors **in the Energy Community** set out in Section 2 of Annex I, each Group shall invite, as appropriate, representatives of the landlocked **Contracting Parties**, competent authorities, national regulatory authorities and TSOs.

(6) Each Group shall invite, as appropriate, the organisations representing relevant stakeholders, including representatives from **Member States and** third countries, and, where deemed to be appropriate, directly the stakeholders, including producers, DSOs, suppliers, consumers, local populations and **Energy Community**-based organisations for environmental protection, to express their specific expertise. Each Group shall organise hearings or consultations where relevant for the accomplishments of its tasks.

(7) As regards the meetings of the Groups, the **Energy Community Secretariat** shall publish, on a platform accessible to stakeholders, the internal rules, an updated list of member organisations, regularly updated information on the progress of work, meeting agendas, as well as meeting minutes, where available. The deliberations of the decision-making bodies of the Groups and the project ranking in accordance with Article 4(**4**) shall be confidential. All decisions concerning to the functioning and work of the groups shall be made by consensus between the **Contracting Parties** and the **Energy Community Secretariat**.

(8) The **Energy Community Secretariat** shall strive for consistency between the Groups. For that pur-

pose, the **Energy Community Secretariat** shall ensure, when relevant, the exchange of information on all work **<...>** between the Groups concerned.

(9) The participation of national regulatory authorities and the **Energy Community Regulatory Board** in the Groups shall not jeopardise the fulfilment of their objectives and duties under this Regulation or under Regulation (EU) 2019/942, **as adapted and adopted by Ministerial Council Decision 2022/03/MC-EnC,** Articles 40 and 41 of Directive 2009/73/EC**, as adapted and adopted by Ministerial Council Decision 2011/02/MC-EnC,** and Articles 58, 59 and 60 of Directive (EU) 2019/944**, as adapted and adopted by Ministerial Council Decision 2021/13/MC-EnC**.

2. PROCESS FOR ESTABLISHING **PRELIMINARY** LISTS

(1) Promoters of a project potentially eligible for selection as a project on the **Energy Community** list wanting to obtain that status shall submit an application for selection as a project on the **Energy Community** list to the Group that includes:

(a) an assessment of their projects with regard to their contribution to implementing the Energy Community's 2030 targets for energy and climate and the climate neutrality objective by 2050;

(b) an indication of the relevant project category set out in Annex II;

(c) an analysis of the fulfilment of the relevant criteria laid down in Article 4;

(d) for projects having reached a sufficient degree of maturity, a project-specific cost-benefit analysis consistent with the methodologies drawn up pursuant to Article 11;

e) **<...>**

f) any other relevant information for the evaluation of the project.

(2) All recipients shall ensure the confidentiality of commercially sensitive information.

(3) **<...>**

(4) **<...>**

(5) **<...>**

(6) **<...>**

(7) **<...>**

(8) For projects falling under their competence, the national regulatory authorities and, where necessary, the **Energy Community Regulatory Board** shall, where possible in the context of regional cooperation pursuant to Article 7 of Directive 2009/73/EC**, as adapted and adopted by Ministerial Council Decision 2011/02/MC-EnC,** and Article 61 of Directive (EU) 2019/944, **as adapted and adopted by Ministerial Council decision 2021/13/MC-EnC,** check the consistent application of the criteria and of the cost-benefit analysis methodology and evaluate their cross-border relevance. They shall present their assessment to the Group. The **Energy Community Secretariat** shall ensure that criteria and methodologies referred to in Article 4 of this Regulation and Annex IV are applied in a harmonised way to ensure consistency across the groups.

(9) For all projects not covered in point (8) of this Annex, the **Energy Community Secretariat** shall evaluate the application of the criteria set out in Article 4 of this Regulation. The **Energy Community**

Secretariat shall also take into account the potential for future extension to include additional **Contracting Parties**. The **Energy Community Secretariat** shall present its assessment to the Group **<...>**.

(10) Each **Contracting Party** to whose territory a proposed project does not relate, but on which the proposed project may have a potential net positive impact or a potential significant effect, such as on the environment or on the operation of the energy infrastructure on its territory, may present an opinion to the Group specifying its concerns.

(11) The Group shall examine, at the request of a **Contracting Party** of the Group, the substantiated reasons presented by a **Contracting Party** pursuant to Article 3(3) for not approving a project related to its territory.

(12) The Group shall consider whether the energy efficiency first principle is applied as regards the establishment of the regional infrastructure needs and as regards each of the candidate projects. The Group shall, in particular, consider solutions such as demand-side management, market arrangement solutions, implementation of digital solutions, and renovation of buildings as priority solutions where they are judged more cost-efficient on a system wide perspective than the construction of new supply side infrastructure.

(13) The Group shall meet to examine and rank the proposed projects based on a transparent assessment of the projects and using the criteria set out in Article 4 taking into account the assessment of the regulators, or the assessment of the **Energy Community Secretariat** for projects not falling within the competence of national regulatory authorities.

(14) The draft preliminary lists of proposed projects falling under the competence of national regulatory authorities drawn up by the Groups, together with any opinions as specified in point (10) of this Section, shall be submitted to the Energy Community Regulatory Board and, for information, to the Energy Community Secretariat, six months before the adoption date of the Energy Community list. The draft preliminary lists and the accompanying opinions shall be assessed by the Regulatory Board within three months of the date of receipt. The Energy Community Regulatory Board shall provide an opinion on the draft preliminary lists, in particular on the consistent application of the criteria and cost-benefit analysis.

(15) Within one month of the date of receipt of the **Energy Community Regulatory Board's** opinion, the decision-making body of each Group shall adopt its final **preliminary** list of proposed projects, respecting the provisions set out in Article 3(3), on the basis of the Groups' proposal and taking into account the opinion of the **Energy Community Regulatory Board** and the assessment of the national regulatory authorities submitted in accordance with point (**3**), or the assessment of the **Energy Community Secretariat** for projects not falling within the competence of national regulatory authorities proposed in accordance with point (**4**), and the advice from the **Energy Community Secretariat** that aims to ensure a manageable total number of projects on the **Energy Community** list, especially at borders related to competing or potentially competing projects. The decision-making bodies of the Groups shall submit the final **preliminary** lists to the **Energy Community Secretariat**, together with any opinions as specified in point (**5**).

(16) Where, on the basis of the draft **preliminary** lists, and after having taken into account the **Energy Community Regulatory Board** opinion, the total number of proposed projects on the **Energy Community** list would exceed a manageable number, the **Energy Community Secretariat** shall advise each Group concerned, not to include in the **preliminary** list projects that were ranked lowest by the Group concerned in accordance with the ranking established pursuant to Article 4(5).

ANNEX IV
RULES AND INDICATORS CONCERNING CRITERIA FOR PROJECTS

(1) A project of **Energy Community** interest with a significant cross-border impact shall be a project on the territory of a **Contracting Party** and shall fulfil the following conditions:

(a) for electricity transmission, the project increases the grid transfer capacity, or the capacity available for commercial flows, at the border of that **Contracting Party** with one or several other **Contracting Parties**, having the effect of increasing the cross-border grid transfer capacity at the border of that **Contracting Party** with one or several other **Contracting Parties**, by at least 500 Megawatts (MW) compared to the situation without commissioning of the project, or the project decreases energy isolation of non-interconnected systems in one or more **Contracting Parties** and increases the cross- border grid transfer capacity at the border between two **Contracting Parties** by at least 200 MW;

(b) for electricity storage, the project provides at least 225 MW installed capacity and has a storage capacity that allows a net annual electricity generation of 250 GW-hours/year;

(c) for smart electricity grids, the project is designed for equipment and installations at high-voltage and medium- voltage level, and involves TSOs, TSOs and DSOs, or DSOs from at least two **Contracting Parties**. The project may involve only DSOs provided that they are from at least two **Contracting Parties** and provided that interoperability is ensured. The project shall satisfy at least two of the following criteria: it involves 50 000 users, generators, consumers or prosumers of electricity, it captures a consumption area of at least 300 GW hours/year, at least 20 % of the electricity consumption linked to the project originates from variable renewable resources, or it decreases energy isolation of systems **not connected with any other Contracting Party**. The project does not need to involve a physical common border;

(d) for hydrogen transmission, the project enables the transmission of hydrogen across the borders of the **Contracting Parties** concerned, or increases existing cross-border hydrogen transport capacity at a border between two **Contracting Parties** by at least 10 % compared to the situation prior to the commissioning of the project, and the project sufficiently demonstrates that it is an essential part of a planned cross-border hydrogen network and provides sufficient proof of existing plans and cooperation with neighbouring countries and network operators or, for projects decreasing energy isolation of non-interconnected systems in one or more **Contracting Parties**, the project aims to supply, directly or indirectly, at least two **Contracting Parties**;

(e) for hydrogen storage or hydrogen reception facilities referred to in point (3) of Annex II, the project aims to supply, directly or indirectly, at least two **Contracting Parties**;

(f) for electrolysers, the project provides at least 50 MW installed capacity provided by a single electrolyser or by a set of electrolysers that form a single, coordinated project and brings benefits directly or indirectly to at least two **Contracting Parties**, and, specifically, as regards projects on islands and island systems, supports innovative and other solutions involving at least two Contracting Parties with a significant positive impact on the **Energy Community** 2030 targets for energy and climate and **the** 2050 climate neutrality objective, and contributes significantly to the sustainability of the island energy system and that of the **Energy Community**;

(g) for smart gas grids, a project involves TSOs, TSOs and DSOs or DSOs from at least two **Contracting Parties**. DSOs may be involved, but only with the support of the TSOs of at least two **Contracting Parties**

that are closely associated to the project and ensure interoperability;

(h) for offshore renewable electricity transmission, the project is designed to transfer electricity from offshore generation sites with capacity of at least 500 MW and allows for electricity transmission to onshore grid of a specific **Contracting Party**, increasing the volume of renewable electricity available on the internal market. The project shall be developed in the areas with low penetration of offshore renewable electricity and shall demonstrate a significant positive impact on the **Energy Community** 2030 targets for energy and climate and **the** 2050 climate neutrality objective and shall contribute significantly to the sustainability of the energy system and market integration while not hindering the cross-border capacities and flows;

(i) for carbon dioxide projects, the project is used to transport and, where applicable, store anthropogenic carbon dioxide originating from at least two Contracting Parties.

(2) **<...>**

(3) Concerning projects falling under the energy infrastructure categories set out in point (1)(a), (b), (c), (d) and (f) of Annex II, the criteria listed in Article 4 shall be evaluated as follows:

(a) transmission of renewable energy generation to major consumption centres and storage sites, measured in line with the analysis made in the latest available Union-wide ten-year network development plan in electricity, in particular by:

(i) for electricity transmission, estimating the amount of generation capacity from renewable energy sources (by technology, in MW), which is connected and transmitted due to the project, compared to the amount of planned total generation capacity from those types of renewable energy sources in the **Contracting Parties** concerned in 2030 according to the National Energy and Climate Plans submitted by **Contracting Parties** in accordance with Regulation (EU) 2018/1999**, as adapted and adopted by the Ministerial Council Decision 2021/14/MC-EnC**;

(ii) or energy storage, comparing new capacity provided by the project with total existing capacity for the same storage technology in the area of analysis as set out in Annex V;

(b) market integration, competition and system flexibility, in particular by:

(i) calculating, for cross-border projects, including reinvestment projects, the impact on the grid transfer capability in both power flow directions, measured in terms of amount of power (in MW), and their contribution to reaching the minimum 15 % interconnection target, and for projects with significant cross-border impact, the impact on grid transfer capability at borders between relevant **Contracting Parties**, and on demand-supply balancing and network operations in relevant **Contracting Parties**;

(ii) assessing the impact, for the area of analysis as set out in Annex V, in terms of energy system-wide generation and transmission costs and evolution and convergence of market prices provided by a project under various planning scenarios, in particular taking into account the variations induced on the merit order;

(c) security of supply, interoperability and secure system operation, in particular by assessing the impact of the project on the loss of load expectation for the area of analysis as set out 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.

(4) Concerning projects falling under the energy infrastructure category set out in point (1)(e) of Annex II,

the criteria listed in Article 4 shall be evaluated as follows:

(a) the level of sustainability, measured by assessing the extent of the ability of the grids to connect and transport variable renewable energy;

(b) security of supply, measured by assessing the level of losses in distribution, transmission networks, or both, 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, and on the duration and frequency of interruptions, including climate related disruptions;

(c) market integration, measured by assessing the innovative uptake in system operation, the decrease of energy isolation and interconnection, as well as the level of integrating other sectors and facilitating new business models and market structures;

(d) network security, flexibility and quality of supply, measured by assessing the innovative approach to system flexibility, cybersecurity, efficient operability between TSO and DSO level, the capacity to include demand response, storage, energy efficiency measures, the cost-efficient use of digital tools and ICT for monitoring and control purposes, the stability of the electricity system and the voltage quality performance.

(5) Concerning hydrogen falling under the energy infrastructure category set out in point (3) of Annex II, the criteria listed in Article 4 shall be evaluated as follows:

(a) sustainability, measured as the contribution of a project to greenhouse gas emission reductions in various end-use applications in hard-to-abate sectors, such as industry or transport; flexibility and seasonal storage options for renewable electricity generation; or the integration of renewable and low-carbon hydrogen with a view to consider market needs and promote renewable hydrogen;

(b) market integration and interoperability, measured by calculating the additional value of the project to the integration of market areas and price convergence to the overall flexibility of the system;

(c) security of supply and flexibility, measured by calculating the additional value of the project to the resilience, diversity and flexibility of hydrogen supply;

(d) competition, measured by assessing the project's contribution to supply diversification, including the facilitation of access to indigenous sources of hydrogen supply.

(6) Concerning smart gas grid projects falling under the energy infrastructure category set out in point (2) of Annex II, the criteria listed in Article 4 shall be evaluated as follows:

(a) level of sustainability, measured by assessing the share of renewable and low-carbon gases integrated into the gas network, the related greenhouse gas emission savings towards total system decarbonisation and the adequate detection of leakage;

(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;

(c) enabling flexibility services such as demand response and storage by facilitation of smart energy sector integration through the creation of links to other energy carriers and sectors, measured by assessing the cost savings enabled in connected energy sectors and systems, such as the heat and power system, transport and industry.

(7) Concerning electrolyser projects falling under the energy infrastructure category set out in point (4) of Annex II the criteria listed in Article 4 shall be evaluated as follows:

(a) sustainability, measured by assessing the share of renewable hydrogen or low-carbon hydrogen, in particular from renewable sources meeting the criteria defined in point (4)(a)(ii) of Annex II integrated into the network or estimating the amount of deployment of synthetic fuels of those origins and the related greenhouse gas emission savings;

(b) security of supply, measured by assessing its contribution to the safety, stability and efficiency of network operation, including through the assessment of avoided curtailment of renewable electricity generation;

(c) enabling flexibility services such as demand response and storage by the facilitation of smart energy sector integration through the creation of links to other energy carriers and sectors, measured by assessing the cost savings enabled in connected energy sectors and systems, such as the gas, hydrogen, power and heat networks, the transport and industry sectors.

(8) Concerning carbon dioxide infrastructure falling under the energy infrastructure categories set out in point (5) of Annex II the criteria listed in Article 4 shall be evaluated as follows:

(a) sustainability, measured by assessing the total expected project life-cycle greenhouse gas reductions and the absence of alternative technological solutions such as, but not limited to, energy efficiency, electrification integrating renewable sources, to achieve the same level of greenhouse gas reductions as the amount of carbon dioxide to be captured at connected industrial installations at a comparable cost within a comparable timeline taking into account the greenhouse gas emissions from the energy necessary to capture, transport and store the carbon dioxide, as applicable, considering the infrastructure including, where applicable, other potential future uses;

(b) resilience and security, measured by assessing the security of the infrastructure;

(c) the mitigation of environmental burden and risk via the permanent neutralisation of carbon dioxide.

ANNEX V
ENERGY SYSTEM-WIDE COST-BENEFIT ANALYSIS

The Energy Community Secretariat shall take into account the methodologies for cost-benefit analyses developed by the ENTSO for Electricity and the ENTSO for Gas and develop methodologies consistent with each other, taking into account sectorial specificities. The methodologies for a harmonised and transparent energy system-wide cost-benefit analysis for projects on the **Energy Community** list shall be uniform for all infrastructure categories, unless specific divergences are justified. They shall address costs in the broader sense, including externalities, in view of the **Energy Community** 2030 targets for energy and climate and **the** 2050 climate neutrality objective and shall comply with the following principles:

(1) the area for the analysis of an individual project shall cover all **Contracting Parties** on whose territory the project is located, all directly neighbouring **Contracting Parties** in which the project has a significant impact. For this purpose, **the Energy Community Secretariat** shall cooperate with all the relevant system operators in the relevant countries. In the case of projects falling under the energy infrastructure category set out at point (3) of Annex II, the **Energy Community Secretariat** shall cooperate with the project promoter, including where it is not a system operator;

(2) each cost-benefit analysis shall include sensitivity analyses concerning the input data set, including the cost of generation and greenhouse gases as well as the expected development of demand and supply, including with regard to renewable energy sources, and including the flexibility of both, and the availability of storage, the commissioning date of various projects in the same area of analysis, climate impacts and other relevant parameters;

(3) they shall establish the analysis to be carried out, based on the relevant multi-sectorial input data set by determining the impact with and without each project and shall include the relevant interdependencies with other projects;

(4) they shall give guidance for the development and use of energy network and market modelling necessary for the cost- benefit analysis. The modelling shall allow for a full assessment of economic benefits, including market integration, security of supply and competition, as well as lifting energy isolation, social and environmental and climate impacts, including the cross-sectorial impacts. The methodology shall be fully transparent including details on why, what and how each of the benefits and costs are calculated;

(5) they shall include an explanation on how the energy efficiency first principle is implemented **<...>**;

(6) they shall explain that the development and deployment of renewable energy will not be hampered by the project;

(7) they shall ensure that the **Contracting Parties** on which the project has a net positive impact, the beneficiaries, the **Contracting Parties** on which the project has a net negative impact, and the cost bearers, which may be **Contracting Parties** other than those on which territory the infrastructure is constructed, are identified;

(8) they shall take into account, at least, the capital expenditure, operational and maintenance expenditure costs, as well as the costs induced for the related system over the technical lifecycle of the project as a whole, such as decommissioning and waste management costs, including external costs. The methodologies shall give guidance on discount rates, technical lifetime and residual value to be used for the cost- benefit

calculations. They shall furthermore include a mandatory methodology to calculate benefit-to-cost ratio and the net present value, as well as a differentiation of benefits in accordance with the level of reliability of their estimation methods. Methods to calculate the climate and environmental impacts of the projects and the contribution to **Energy Community** energy targets, such as renewable penetrations, energy efficiency and interconnection targets shall also be taken into account;

(9) they shall ensure that the climate adaptation measures taken for each project are assessed and reflect the cost of greenhouse gas emissions and that the assessment is robust and consistent with other Union policies in order to enable comparison with other solutions which do not require new infrastructures.

ANNEX VI
GUIDELINES FOR TRANSPARENCY AND PUBLIC PARTICIPATION

(1) The manual of procedures referred to in Article 9(1) shall contain at least:

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

(b) the list of relevant decisions and opinions to be obtained;

(c) the names and contact details of the competent authority, other authorities concerned and major stakeholders concerned;

(d) the work flow, outlining each stage in the process, including an indicative timeline and a concise overview of the decision-making process for the various types of relevant projects of **Energy Community** interest;

(e) information about the scope, structure and level of detail of documents to be submitted with the application for decisions, including a checklist;

(f) the stages and means for the general public to participate in the process;

(g) the manner in which the competent authority, other authorities concerned and the project promoter shall demonstrate that the opinions expressed in the public consultation were taken into account, for example by showing what amendments were done in the location and design of the project or by providing reasons why such opinions have not been taken into account;

(h) to the extent possible, translations of its content in all languages of the neighbouring **Contracting Parties** to be realised in coordination with the relevant neighbouring **Contracting Parties**.

(2) The detailed schedule referred to in Article 10(6), point (b), shall at least specify the following:

(a) the decisions and opinions to be obtained;

(b) the authorities, stakeholders, and the public likely to be concerned;

(c) the individual stages of the procedure and their duration;

(d) major milestones to be accomplished and their deadlines in view of the comprehensive decision to be taken;

(e) the resources planned by the authorities and possible additional resource needs.

(3) Without prejudice to the requirements for public consultations under environmental law, to increase public participation in the permit granting process and ensure in advance information and dialogue with the public, the following principles shall be applied:

(a) the stakeholders affected by a project of **Energy Community** interest, including relevant national, regional and local authorities, landowners and citizens living in the vicinity of the project, the general public and their associations, organisations or groups, shall be extensively informed and consulted at an early stage, in an inclusive manner, when potential concerns by the public can still be taken into account and in an open and transparent manner. Where relevant, the competent authority shall actively support the activities undertaken by the project promoter;

(b) competent authorities shall ensure that public consultation procedures for projects of **Contracting Party** interest are grouped together where possible including public consultations already required under

national law. Each public consultation shall cover all subject matters relevant to the particular stage of the procedure, and one subject matter relevant to the particular stage of the procedure shall not be addressed in more than one public consultation; however, one public consultation may take place in more than one geographical location. The subject matters addressed by a public consultation shall be clearly indicated in the notification of the public consultation;

(c) comments and objections shall be admissible only from the beginning of the public consultation until the expiry of the deadline;

(d) the project promoters shall ensure that consultations take place during a period that allows for open and inclusive public participation.

(4) The concept for public participation shall at least include information about:

(a) the stakeholders concerned and addressed;

(b) the measures envisaged, including proposed general locations and dates of dedicated meetings;

(c) the timeline;

(d) the human resources allocated to various tasks.

(5) In the context of the public consultation to be carried out before submission of the application file, the relevant parties shall at least:

(a) publish in electronic and, where relevant, printed form, an information leaflet of no more than 15 pages, giving, in a clear and concise manner, an overview of the description, purpose and preliminary timetable of the development steps of the project, the national grid development plan, alternative routes considered, types and characteristics of the potential impact, including of cross-border or transboundary nature, and possible mitigation measures, such information leaflet is to be published prior to the start of the consultation and to list the web addresses of the website of the project of common interest referred to in Article 9(7), the transparency platform referred to in Article 23 and the manual of procedures referred to in point (1) of this Annex;

(b) publish the information on the consultation on the website of the project of **Energy Community** interest referred to in Article 9(7), on the bulletin boards of the offices of local administrations, and, at least, in one or, if applicable, two local media outlets;

(c) invite, in written or electronic form, the relevant affected stakeholders, associations, organisations and groups to dedicated meetings, during which concerns shall be discussed.

(6) The project website referred to in Article 9(7) shall at least publish the following information:

(a) the date when the project website was last updated;

(b) translations of its content in all languages of the **Contracting Parties** concerned by the project or on which the project has a significant cross-border impact in accordance with point (1) of Annex IV;

(c) the information leaflet referred to in point (**4**) updated with the latest data on the project;

(d) a non-technical and regularly updated summary reflecting the current status of the project, including geographic information, and clearly indicating, in case of updates, changes to previous versions;

(e) the implementation plan as set out in Article 5(1) updated with the latest data on the project;

(f) the funds allocated and disbursed by the Union for the project;

(g) the project and public consultation planning, clearly indicating dates and locations for public consulta-

tions and hearings and the envisaged subject matters relevant for those hearings;

(h) contact details in view of obtaining additional information or documents;

(i) contact details in view of conveying comments and objections during public consultations.

III. PART

STATISTICS ACQUIS

REGULATION (EU) 2016/1952 of 26 October 2016 on European statistics on natural gas and electricity prices

Incorporated and adapted by Ministerial Council Decision 2018/1/MC-EnC of 3 January 2018 on adopting Regulation (EU) 2016/1952 of 26 October 2016 on European statistics on natural gas and electricity prices and repealing Directive 2008/92/EC

The adaptations made by Ministerial Council Decision 2018/1/MC-EnC are highlighted in **bold and blue**.

Article 1

Subject matter

This Regulation establishes a common framework for the development, production and dissemination of comparable European statistics on natural gas and electricity prices for household and final non-household customers in the Union.

Article 2

Definitions

For the purposes of this Regulation, the following definitions apply:

(1) 'autoproducers', 'final energy consumption' and 'household' have the same meaning as that attributed to those terms in Annex A to Regulation (EC) No 1099/2008 of the European Parliament and of the Council;

(2) 'transmission', 'distribution', 'customer', 'final customer', 'household customer', 'non-household customer' and 'supply' have the same meaning as that attributed to those terms in Article 2 of Directive 2009/72/EC of the European Parliament and of the Council, when used in relation to electricity;

(3) 'transmission', 'distribution', 'supply', 'customer', 'household customer', 'non-household customer' and 'final customer' have the same meaning as that attributed to those terms in Article 2 of Directive 2009/73/EC of the European Parliament and of the Council, when used in relation to natural gas;

(4) 'network component' means the combination of transmission and distribution network costs as set out in point 6 of Annex I and in point 5 of Annex II.

Article 3

Data sources

Contracting Parties shall compile data on natural gas and electricity prices, and their components and sub-components concerning network costs, taxes, fees, levies and charges, and on consumption volumes, in accordance with Annexes I and II. One or more of the following sources shall be used, after taking into account the principles of reducing burden on respondents and of administrative simplification:

(a) statistical surveys;

(b) administrative sources;

(c) other sources applying statistical estimation methods.

Article 4

Coverage

1. **Contracting Parties** shall ensure that the data collection and compilation in accordance with Annexes I and II provide comprehensible and comparable high-quality data that are representative of their respective natural gas and electricity prices and consumption.

2. **Contracting Parties** shall not be obliged to transmit data on natural gas prices for household customers if the consumption of natural gas in the household sector accounts for less than 1,5% of national final energy consumption in the household sector.

3. At least every three years, **Energy Community Secretariat** shall review which **Contracting Parties** are not obliged to transmit data pursuant to paragraph 2.

Article 5

Data transmission

1. **Contracting Parties** shall provide to the Commission (Eurostat) the data as set out in Annexes I and II.

2. The Commission shall adopt implementing acts establishing the format and arrangements for the transmission of the data as set out in Annexes I and II. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 10(2).

3. **Contracting Parties** shall provide statistics to the Commission (Eurostat) within three months of the end of the relevant reference period.

Article 6

Reference periods and transmission frequency

1. The reference periods for the data specified in Annexes I and II shall be annual (January to December) or biannual (January to June and July to December). The first reference periods shall start in 2017.

2. The transmission frequency shall be:

(a) annual (for the period from January to December) for data referred to in points 6(a) and 7 of Annex I and points 5(a) and 6 of Annex II;

(b) biannual (for the periods from January to June and from July to December) for data referred to in point 6(b) of Annex I and point 5(b) of Annex II.

Article 7

Quality assurance

1. **Contracting Parties** shall ensure the quality of the data provided in accordance with this Regulation. To that end, the standard quality criteria laid down in Article 12(1) of Regulation (EC) No 223/2009 apply.

2. Contracting Parties shall inform the Commission (Eurostat), without delay, of any methodological or other changes that might have a significant impact on natural gas and electricity price statistics, and in any event no later than one month after that change occurs.

3. Every three years, **Contracting Parties** shall provide the Commission (Eurostat) with a standard quality report on the data in accordance with the quality criteria laid down in Article 12(1) of Regulation (EC) No 223/2009. Those reports shall include information on the scope and collection of the data, the calculation criteria, the methodology and data sources used, and any changes thereto.

4. The Commission (Eurostat) shall assess the quality of the data provided and shall use that assessment and an analysis of the quality reports referred to in paragraph 3 in order to prepare and publish a report on the quality of European statistics covered by this Regulation.

5. The Commission shall adopt implementing acts establishing technical quality assurance requirements regarding the content of the quality reports referred to in paragraph 3 of this Article. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 10(2).

Article 8

Dissemination

The Commission (Eurostat) shall disseminate natural gas and electricity price statistics no later than five months after the end of each reference period.

Article 9

Derogations

1. Derogations may be granted by the **Energy Community Secretariat** by means of implementing acts in relation to specific obligations for which the application of this Regulation to the national statistical system of a **Contracting Party** requires major adaptations or is likely to lead to a significant additional burden on respondents. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 10(2).

2. For the purposes of paragraph 1, the **Contracting Party** concerned shall submit a duly reasoned request to the **Energy Community Secretariat** by 8 August 2017.

3. Derogations granted pursuant to paragraph 1 shall remain in force for the shortest period of time possible and in any event for no longer than three years.

4. A **Contracting Party** that has been granted a derogation pursuant to paragraph 1 shall apply the relevant provisions of Directive 2008/92/EC for the duration of the derogation.

Article 10

Committee procedure

1. The Commission shall be assisted by the European Statistical System Committee established by Regulation (EC) No 223/2009. That Committee shall be a committee within the meaning of Regulation (EU) No 182/2011.

2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.

Article 11

Repeal of Directive 2008/92/EC

1. Directive 2008/92/EC is repealed with effect from 1 March 2017.

2. Notwithstanding paragraph 1 of this Article, Directive 2008/92/EC shall continue to apply under the conditions provided for in Article 9 of this Regulation.

3. References to the repealed Directive shall be construed as references to this Regulation.

Article 12

Entry into force

This Decision enters into force on the day of its adoption and is addressed to the Contracting Parties.

Each Contracting Party shall, not later than 1 March 2018, bring into force the laws, regulations and administrative provisions necessary to comply with Regulation (EU) 2016/1952 of 26 October 2016 on European statistics on natural gas and electricity prices and repealing Directive 2008/92/EC.

ANNEX I
NATURAL GAS PRICES

This Annex sets out the methodology for the collection and compilation of statistical data on natural gas prices for household and final non-household customers.

1 Prices

Prices shall be those charged to household and final non-household customers buying natural gas for their own use that is distributed through mains.

2 Natural gas

Natural gas shall include natural gas and other gaseous fuels blended with natural gas in the transmission and distribution network, such as biogas. Other gaseous fuels that are distributed through dedicated networks without being blended with natural gas (e.g. gas works gas, coke oven gas, blast furnace gas and biogas) shall be excluded.

3 Reporting units

The data shall include all household and final non-household customers of natural gas, but shall exclude customers who use natural gas only for:

- electricity generation in power plants or in combined heat and power (CHP) plants; or
- non-energy purposes (e.g. for use in the chemicals industry).

4 Units of measurement

Prices shall be the national average prices charged to household and final non-household customers.

Prices shall be expressed in national currency per gigajoule (GJ). The unit of energy used shall be measured on the basis of the gross calorific value (GCV).

Prices shall be weighted according to the market share of natural gas supply undertakings in each consumption band. If it is not possible to calculate weighted average prices, arithmetic average prices may be provided. In either case, the data shall cover a representative share of the national market.

5 Consumption bands

Prices shall be based on a system of standard annual natural gas consumption bands.

(a) For household customers, the following bands shall be applied:

Consumption band	**Annual natural gas consumption** (GJ)	
	Minimum	Maximum
Band D1		< 20
Band D2	≥ 20	< 200
Band D3	≥ 200	

(b) For final non-household customers, the following bands shall be applied:

Consumption band	**Annual natural gas consumption** (GJ)	
	Minimum	Maximum
Band I1		< 1 000
Band I2	≥ 1 000	< 10 000
Band I3	≥ 10 000	< 100 000
Band I4	≥ 100 000	< 1 000 000
Band I5	≥ 1 000 000	< 4 000 000
Band I6	≥ 4 000 000	

6 Level of detail

Prices shall include all charges payable: network charges plus energy consumed, minus any rebates or premiums, plus any other charges (e.g. meter rental, standing charges). Initial connection charges shall be excluded.

Detailed data shall be transmitted as specified below.

(a) Level of detail required for components and sub-components

Prices shall be subdivided into three main components and into separate sub-components.

The final customer price for natural gas by consumption band is the sum of the three main components: the energy and supply component, the network component (transmission and distribution) and the component comprising taxes, fees, levies and charges.

Component and sub-component	**Description**
Energy and supply	This component shall include the commodity price for natural gas paid by the supplier or the price of natural gas at the point of entry into the transmission system, including, if applicable, the following end-user costs: storage costs plus costs relating to the sale of natural gas to final customers.

Network	The network price shall include the following end-user costs: transmission and distribution tariffs, transmission and distribution losses, network costs, after-sale service costs, system service costs and meter rental and metering costs.
Sub-component	The network component shall be subdivided into end-user transmission and distribution network costs, as follows:
	1. Average relative share of transmission costs for household customers and average relative share of transmission costs for final non-household customers, expressed as a percentage of total network costs.
	2. Average relative share of distribution costs for household customers and average relative share of distribution costs for final non-household customers, expressed as a percentage of total network costs.
Taxes, fees, levies and charges	This component is the sum of all the sub-components (taxes, fees, levies and charges) listed below.
Sub-component	The following sub-components shall be transmitted as individual items for each consumption band defined in point 5.
	1. Value added tax as defined in Council Directive 2006/112/EC.
	2. Taxes, fees, levies or charges relating to the promotion of renewable energy sources, energy efficiency and CHP generation.
	3. Taxes, fees, levies or charges relating to strategic stockpiles, capacity payments and energy security; taxes on natural gas distribution; stranded costs and levies on financing energy regulatory authorities or market and system operators.
	4. Taxes, fees, levies or charges relating to air quality and for other environmental purposes; taxes on emissions of CO_2 or other greenhouse gases.
	5. All other taxes, fees, levies or charges not covered by any of the previous four categories: support for district heating; local or regional fiscal charges; island compensation; concession fees relating to licences and fees for the occupation of land and public or private property by networks or other devices.

(b) Level of detail based on taxation

Prices shall be broken down into the following three levels:

Level	**Description**
Prices excluding all taxes, fees, levies and charges	This price level shall include only the energy and supply component and the network component.

Prices excluding value added tax (VAT) and other recoverable taxes	This price level shall include the energy and supply component, the network component and taxes, fees, levies and charges considered as non-recoverable for final non-household customers. For household customers this price level shall include the energy and network components and taxes, fees, levies and charges but excludes VAT.
Prices including all taxes	This price level shall include the energy and supply component, the network component, and all recoverable and non-recoverable taxes, fees, levies and charges, including VAT.

7 Consumption volumes

Contracting Parties shall transmit information on the relative share of natural gas in each consumption band based on the total volume to which the prices refer.

The annual consumption volumes for each consumption band shall be transmitted once per year, together with the price data for the second semester.

The data shall not be older than two years.

ANNEX II
ELECTRICITY PRICES

This Annex sets out the methodology for the collection and compilation of statistical data on electricity prices for household and final non-household customers.

1 Prices

Prices shall be those charged to household and final non-household customers buying electricity for their own use.

2 Reporting units

The data shall include all household and final non-household customers of electricity, but electricity generated and subsequently consumed by autoproducers shall be excluded from the reporting obligation.

3 Units of measurement

Prices shall be the national average prices charged to household and final non-household customers. Prices shall be expressed in national currency per kilowatt-hour (kWh).

Prices shall be weighted according to the market share of electricity supply undertakings in each consumption band. If it is not possible to calculate weighted average prices, arithmetic average prices may be provided. In either case, the data shall cover a representative share of the national market.

4 Consumption bands

Prices shall be based on a system of standard annual electricity consumption bands.

(a) For household customers, the following bands shall be applied:

Consumption band	**Annual electricity consumption** (kWh)	
	Minimum	Maximum
Band DA		< 1 000
Band DB	≥ 1 000	< 2 500
Band DC	≥ 2 500	< 5 000
Band DD	≥ 5 000	< 15 000
Band DE	≥ 15 000	

(b) For final non-household customers, the following bands shall be applied:

Consumption band	**Annual electricity consumption** (kWh)	
	Minimum	Maximum
Band IA		< 20
Band IB	≥ 20	< 500
Band IC	≥ 500	< 2 000
Band ID	≥ 2 000	< 20 000
Band IE	≥ 20 000	< 70 000
Band IF	≥ 70 000	< 150 000
Band IG	≥ 150 000	

5 Level of detail

Prices shall include all charges payable: network charges plus energy consumed, minus any rebates or premiums, plus any other charges (e.g. meter rental, standing charges). Initial connection charges shall be excluded.

Detailed data shall be transmitted as specified below.

(a) Level of detail required for components and sub-components

Prices shall be subdivided into three main components and into separate sub-components.

The final customer price for electricity by consumption band is the sum of the three main components: the energy and supply component, the network component (transmission and distribution) and the component comprising taxes, fees, levies and charges.

Component and sub-component	**Description**
Energy and supply	This component shall include the following end-user costs: generation, aggregation, balancing energy, supplied energy costs, customer services, after-sales management and other supply costs.
Network	The network price shall include the following end-user costs: transmission and distribution tariffs, transmission and distribution losses, network costs, after-sale service costs, system service costs, and meter rental and metering costs.
Sub-component	The network component shall be subdivided into end-user transmission and distribution network costs, as follows:
	1. Average relative share of transmission costs for household customers and average relative share of transmission costs for final non-household customers, expressed as a percentage of total network costs.
	2. Average relative share of distribution costs for household customers and average relative share of distribution costs for final non-household customers, expressed as a percentage of total network costs.
Taxes, fees, levies and charges	This component is the sum of all the sub-components (taxes, fees, levies and charges) listed below.

Sub-component	The following sub-components shall be transmitted as individual items for each consumption band defined in point 4.
	1. Value added tax as defined in Directive 2006/112/EC.
	2. Taxes, fees, levies or charges relating to the promotion of renewable energy sources, energy efficiency and CHP generation.
	3. Taxes, fees, levies or charges relating to capacity payments, energy security and generation adequacy; taxes on coal industry restructuring; taxes on electricity distribution; stranded costs and levies on financing energy regulatory authorities or market and system operators.
	4. Taxes, fees, levies or charges relating to air quality and for other environmental purposes; taxes on emissions of CO_2 or other greenhouse gases.
	5. Taxes, fees, levies or charges relating to the nuclear sector, including nuclear decommissioning, inspections and fees for nuclear installations.
	6. All other taxes, fees, levies or charges not covered by any of the previous five categories: support for district heating; local or regional fiscal charges; island compensation; concession fees relating to licences and fees for the occupation of land and public or private property by networks or other devices.

(b) Level of detail based on taxation

Prices shall be broken down into the following three levels:

Level	Description
Prices excluding all taxes, fees, levies and charges	This price level shall include only the energy and supply component and the network component.
Prices excluding value added tax (VAT) and other recoverable taxes	This price level shall include the energy and supply component, the network component and taxes, fees, levies and charges considered as non-recoverable for final non-household customers. For household customers this price level shall include the energy and the network components and taxes, fees, levies and charges but excludes VAT.
Prices including all taxes	This price level shall include the energy and supply component, the network component, and all recoverable and non-recoverable taxes, fees, levies and charges, including VAT.

6 Consumption volumes

Contracting Parties shall transmit information on the relative share of electricity in each consumption band based on the total volume to which the prices refer.

The annual consumption volumes for each consumption band shall be transmitted once per year, together with the price data for the second semester. The data shall not be older than two years.

REGULATION (EC) 1099/2008 OF 22 OCTOBER 2008 ON ENERGY STATISTICS

Incorporated and adapted by Ministerial Council Decision 2012/02/MC-EnC of 18 October 2012 concerning the implementation of the rules on energy statistics in the energy community and amended by Decision 2013/02/MC-EnC of 24 October 2013 on implementation of Regulation (EU) 147/2013 and the Decision 2015/02/MC-EnC of 16 October 2015 on implementation of Regulation 431/2014, Decision 2021/12/MC-EnC on adapting and implementing Regulation 2019/2146 amending Regulation 1099/2008 on energy statistics, Permanent High Level Group Decision 2022/01/PHLG-EnC on adapting and implementing Commission Regulation (EU) 2022/132 of 28 January 2022 amending Regulation (EC) No 1099/2008, and Permanent High Level Group Decision 2026/01/PHLG-EnC on adapting and implementing Commission Regulation (EU) 2024/264 of 17 January 2024 amending Regulation (EC) No 1099/2008 of the European Parliament and of the Council on energy statistics, as regards the implementation of updates for the annual, monthly and short-term monthly energy statistics.

The adaptations made by Ministerial Council Decisions 2012/02/MC-EnC, 2013/02/MC-EnC, 2015/02/MC-EnC and 2021/12/MC-EnC, and Permanent High Level Group Decisions 2022/01/PHLG-EnC and 2026/01/PHLG-EnC are highlighted in ***bold and blue.***

Article 1

Subject matter and scope

1. This Regulation establishes a common framework for the production, transmission, evaluation and dissemination of comparable energy statistics in the **Energy Community**.

2. This Regulation shall apply to statistical data concerning energy products and their aggregates in the **Energy Community**.

Article 2

Definitions

For the purpose of this Regulation, the following definitions shall apply:

(a) '**Energy Community** statistics' mean **quantitative, aggregated and representative information taken from the collection and systematic processing of data, produced by the national authorities of the Contracting Parties**;

(b) 'production of statistics' means **the process of encompassing all the activities necessary for the collection, storage, processing, compilation, analysis and dissemination of the statistical information**;

(c) 'Commission (Eurostat)' means the Community authority as defined in the fourth indent of Article 2 of Regulation (EC) No 322/97;

(d) 'energy products' mean combustible fuels, heat, renewable energy, electricity, or any other form of energy;

(e) 'aggregates' mean data aggregated at national level on the treatment or use of energy products, namely

production, trade, stocks, transformation, consumption, and structural characteristics of the energy system such as installed capacities for electricity generation or production capacities for oil products;

(f) 'quality of data' means the following aspects of statistical quality: relevance, accuracy, timeliness and punctuality, accessibility and clarity, comparability, coherence and completeness.

Article 3

Data sources

1. While applying the principles of maintaining a reduced burden on respondents and of administrative simplification, **Contracting Parties** shall compile data concerning energy products and their aggregates in the **Energy Community** from the following sources:

(a) specific statistical surveys addressed to the primary and transformed energy producers and traders, distributors and transporters, importers and exporters of energy products;

(b) other statistical surveys addressed to final energy users in the sectors of manufacturing industry, transport, and other sectors, including households;

(c) other statistical estimation procedures or other sources, including administrative sources, such as regulators of the electricity and gas markets.

2. **Contracting Parties** shall lay down the detailed rules concerning the reporting of the data needed for the national statistics as specified in Article 4 by undertakings and other sources.

3. The list of data sources may be modified in accordance with the regulatory procedure with scrutiny referred to in Article 11(2) **of Regulation (EC) No 1099/2008**.

Article 4

Aggregates, energy products and the transmission frequency of national statistics

1. The national statistics to be reported shall be as set out in the Annexes. They shall be transmitted with the following frequencies:

(a) annual, for the energy statistics in Annex B;

(b) monthly, for the energy statistics in Annex C;

(c) short-term monthly, for the energy statistics in Annex D.

2. Applicable clarifications or definitions of the technical terms used are provided in the individual Annexes and also in Annex A (Clarifications of terminology).

3. The data to be forwarded and the applicable clarifications or definitions may be modified in accordance with the regulatory procedure with scrutiny referred to in Article 11(2) **of Regulation (EC) No 1099/2008**.

Article 5

Transmission and dissemination

1. **Contracting Parties** shall transmit to the Commission (Eurostat) the national statistics referred to in Article 4.

2. The arrangements for their transmission, including the applicable time limits, derogations and exemptions therefrom, shall be as set out in the Annexes.

3. The arrangements for the transmission of the national statistics may be modified in accordance with the regulatory procedure with scrutiny referred in Article 11(2).

4. At the duly justified request of a **Contracting Party**, additional exemptions or derogations may be granted by the **Permanent High Level Group** for those parts of the national statistics for which the collection would lead to an excessive burden on respondents. **Before adopting such a decision in accordance with Title II of the Treaty, the Permanent High Level Group shall consult the Secretariat.**

5. **<...>**

Article 6

Quality assessment and reports

1. **Contracting Parties** shall ensure the quality of the data transmitted.

2. Every reasonable effort shall be undertaken to ensure coherence between energy data declared in accordance with Annex B and data declared in accordance with Commission Decision 2005/166/EC of 10 February 2005 laying down the rules for implementing Decision No 280/2004/EC of the European Parliament and of the Council concerning a mechanism for monitoring Community greenhouse gas emissions and for implementing the Kyoto Protocol [1].

3. For the purposes of this Regulation, the following quality assessment dimensions shall apply to the data to be transmitted:

(a) 'relevance' shall refer to the degree to which statistics meet current and potential needs of the users;

(b) 'accuracy' shall refer to the closeness of estimates to the unknown true values;

(c) 'timeliness' shall refer to the delay between the availability of the information and the event or phenomenon it describes;

(d) 'punctuality' shall refer to the delay between the date of the release of the data and the target date when it should have been delivered;

(e) 'accessibility' and 'clarity' shall refer to the conditions and modalities by which users can obtain, use and interpret data;

(f) 'comparability' shall refer to the measurement of the impact of differences in applied statistical concepts and measurement tools and procedures where statistics are compared between geographical areas, sectoral domains or over time;

(g) 'coherence' shall refer to the adequacy of the data to be reliably combined in different ways and for various uses.

4. Every five years, **Contracting Parties** shall provide the Commission (Eurostat) with a report on the quality of the data transmitted as well as on any methodological changes that have been made.

1 OJ L 55, 1.3.2005, p. 57.

5. Within six months of receipt of a request from the Commission (Eurostat), and in order to allow it to assess the quality of the data transmitted, **Contracting Parties** shall send to the Commission (Eurostat) a report containing any relevant information concerning the implementation of this Regulation.

Article 7

Time reference and frequency

Contracting Parties shall compile all data specified in this Regulation from the beginning of the calendar year following the adoption of this Regulation, and shall transmit them from then onwards with the frequencies laid down in Article 4(1).

Article 8

Annual nuclear statistics

<…>

Article 9

Renewable energy statistics and final energy consumption statistics

1. **<…>**

2. The set of renewable energy statistics may be modified in accordance with the regulatory procedure with scrutiny referred to in Article 11(2) **of Regulation (EC) No 1099/2008**.

3. The set of final energy consumption statistics shall be established and may be modified in accordance with the regulatory procedure with scrutiny referred to in Article 11(2) **of Regulation (EC) No 1099/2008**.

Article 10

Implementing measures

<…>

Article 11

Committee

<…>

Article 12

Entry into force

This Decision shall enter into force upon its adoption on 1 October 2026 and is addressed to the Contracting Parties.

ANNEX

ANNEX A

CLARIFICATIONS OF TERMINOLOGY

This annex provides explanations, geographical notes and definitions of terms that are used in the other annexes, unless specified differently in these annexes.

1. GEOGRAPHICAL NOTES

For statistical reporting purposes only, the following geographical definitions apply:

— Australia excludes its external territories,

— Denmark excludes the Faeroe Islands and Greenland,

— France includes Monaco and the French overseas departments of Guadeloupe, Martinique, Guyane, Reunion and Mayotte,

— Italy includes San Marino and the Vatican (Holy See),

— Japan includes Okinawa,

— Portugal includes the Açores and Madeira,

— Spain includes the Canary Islands, the Balearic Islands, and Ceuta and Melilla,

— Switzerland does not include Liechtenstein,

— United States includes the 50 states, the District of Columbia, the US Virgin Islands, Puerto Rico and Guam.

2. AGGREGATES

Producers of electricity and heat are classified according to the purpose of production:

— main activity producers are privately- or publicly owned producers that generate electricity and/or heat for sale to third parties as their principal activity,

— autoproducers are privately- or publicly owned producers that generate electricity and/or heat wholly or partly for their own use as an activity which supports their primary activity.

Note: the Commission may further clarify the terminology by adding relevant NACE [2] references in accordance with the regulatory procedure with scrutiny referred to in Article 11(2), after a revision of the NACE classification has entered into force.

2.1. Supply

2.1.1. PRODUCTION/INDIGENOUS PRODUCTION

Quantities of fuels extracted or produced are calculated after any operation that removes inert matter.

2 Regulation (EC) No 1893/2006 of the European Parliament and of the Council of 20 December 2006 establishing the statistical classification of economic activities NACE Revision 2 and amending Council Regulation (EEC) No 3037/90 as well as certain EC Regulations on specific statistical domains (OJ L 393, 30.12.2006, p. 1).

Production includes the quantities consumed by the producer during the production process (e.g. for heating or operation of equipment and auxiliaries), as well as supplies to other producers of energy for transformation or other uses.

'Indigenous production' means production from resources within a specific territory – national territory of the reporting country.

2.1.2. RECOVERED PRODUCTS

Applies to hard coal only. Slurries and waste-heap shale recovered by mines.

2.1.3. RECEIPTS FROM OTHER SOURCES

Quantities of fuels whose production is covered in other fuel reporting, but which are mixed with other fuels and consumed as a mix. Further details of this component are to be provided as:

Receipts from other sources: Coal

Receipts from other sources: Oil and petroleum products

Receipts from other sources: Natural gas

Receipts from other sources: Renewables

Receipts from other sources: Hydrogen

2.1.4. IMPORTS/EXPORTS

Unless otherwise specified, 'imports' refer to ultimate origin (the country in which the energy product was produced) for use in the country and 'exports' refer to the ultimate country of consumption of the produced energy product. Amounts are considered as imported or exported when they have crossed the political boundaries of the country, whether customs clearance has taken place or not.

If no origin or destination can be specified, 'Non-specified/Other' may be used.

2.1.5. INTERNATIONAL MARINE BUNKERS

Quantities of fuels delivered to ships of all flags that are engaged in international navigation. The international navigation may take place at sea, on inland lakes and waterways, and in coastal waters. The following are excluded:

— consumption by ships engaged in domestic navigation; the domestic/international split should be determined based on port of departure and port of arrival, and not by the flag or nationality of the ship;

— consumption by fishing vessels;

— consumption by military forces.

2.1.6. INTERNATIONAL AVIATION

Quantities of fuels delivered to aircrafts for international aviation. The domestic/international split should be determined based on departure and landing locations and not on the nationality of the airline. Excludes fuels used by airlines for their road vehicles (to be reported in 'Not elsewhere specified – Transport') and military use of aviation fuels (to be reported in 'Not elsewhere specified – Other').

2.1.7. STOCK CHANGES

The difference between the opening stock level and closing stock level for stocks held on national territory. Unless otherwise specified, a stock build is shown as a negative number and a stock draw is shown as a positive number.

2.1.8. OPENING AND CLOSING TOTAL STOCKS ON NATIONAL TERRITORY

All stocks on national territory, including stocks held by governments, by major consumers or by stockholding organisations, stocks held on board incoming ocean vessels, stocks held in bonded areas and stocks held for others, whether under bilateral government agreement or not. Opening and closing refers to the first and last day of the reporting period, respectively. Stock includes stocks held in all types of special storage facilities, either on the surface or underground.

2.1.9. DIRECT USE

Oil (Crude oil and petroleum products) used directly without being processed in petroleum refineries. Includes crude oil burned for electricity generation.

2.1.10. PRIMARY PRODUCT RECEIPTS

Includes quantities of indigenous or imported crude oil (including condensate) and indigenous NGL ([3]) used directly without being processed in a petroleum refinery, and quantities of backflows from the petrochemical industry which, although not primary fuel, are used directly.

2.1.11. GROSS REFINERY OUTPUT

Production of finished products at a refinery or blending plant. Excludes refinery losses, but includes refinery fuel.

2.1.12. RECYCLED PRODUCTS

Finished products that pass through the marketing network a second time, after having been delivered to final consumers (e.g. used lubricants which are reprocessed). These quantities should be distinguished from petrochemical backflows.

2.1.13. BACKFLOWS

Finished or semi-finished products which are returned from final consumers to refineries for processing, blending or sale. They are usually by-products of petrochemical manufacturing.

2.1.14. INTERPRODUCT TRANSFERS

Quantities reclassified either because their specification has changed or because they are blended into another product. A negative entry for one product is compensated by a positive entry (or several entries) for one or several products and vice versa; the total net effect should be zero.

2.1.15. PRODUCTS TRANSFERRED

Imported petroleum products which are reclassified as feedstocks for further processing in the refinery, without delivery to final consumers.

2.1.16. STATISTICAL DIFFERENCES

Calculated value, defined as difference between calculation from the supply perspective (top-down approach) and the calculation from the consumption perspective (bottom-up approach). Any major statistical differences should be explained by reporting countries.

2.2. Transformation sector

In the transformation sector, only quantities of fuels that were transformed into other fuels should be reported. Quantities of fuels used for heating, operation of equipment and as general support for trans-

3 Natural gas liquids.

formation should be declared in the energy sector.

2.2.1. MAIN ACTIVITY PRODUCER ELECTRICITY ONLY

Quantities of fuels used by main activity producers to produce electricity in electricity-only units/plants.

2.2.2. MAIN ACTIVITY PRODUCER COMBINED HEAT AND POWER (CHP) UNITS

Quantities of fuels used by main activity producers to produce electricity and/or heat in CHP units.

2.2.3. MAIN ACTIVITY PRODUCER HEAT ONLY

Quantities of fuels used by main activity producers to produce heat in heat-only units/plants.

2.2.4. AUTOPRODUCER ELECTRICITY ONLY

Quantities of fuels used by autoproducers to produce electricity in electricity-only units/plants.

2.2.5. AUTOPRODUCER COMBINED HEAT AND POWER (CHP) UNITS

All quantities of fuels used by autoproducers to produce electricity and the proportional part of fuels used to produce heat sold in CHP units. The proportional part of fuels used to produce heat that was not sold (auto-consumed heat) is to be reported in the relevant sector of final energy consumption based on NACE classification. Heat not sold but delivered to other entities under non-financial agreements or to entities with different ownership should be reported based on the same principle as heat sold.

2.2.6. AUTOPRODUCER HEAT ONLY

The proportional part of fuels used to produce heat sold in heat-only units/plants by autoproducers. The proportional part of fuels used to produce heat that was not sold (auto-consumed heat) is to be reported in the relevant sector of final energy consumption based on NACE classification. Heat not sold but delivered to other entities under non-financial agreements or to entities with different ownership should be reported based on the same principle as heat sold.

2.2.7. PATENT FUEL PLANTS

Quantities of fuels used in patent fuel plants to produce patent fuel.

2.2.8. COKE OVENS

Quantities of fuels used in coke ovens to produce coke oven coke and coke oven gas.

2.2.9. BKB/PB PLANTS

Quantities of fuels used to produce brown coal briquettes (BKB) in BKB plants and quantities of fuels used in peat briquette plants to produce peat briquettes (PB).

2.2.10. GAS WORKS

Quantities of fuels used to produce gas work gas in gas works and in coal gasification plants.

2.2.11. BLAST FURNACE

Quantities of fuels entering the blast furnace vessel, whether through the top along with the iron ore, or through the tuyeres in the bottom along with the heated blast air.

2.2.12. COAL LIQUEFACTION

Quantities of fuel used to produce synthetic oil.

2.2.13. GAS-TO-LIQUID PLANTS

Quantities of gaseous fuels converted to liquid fuels.

2.2.14. CHARCOAL PRODUCTION PLANT

Quantities of solid biofuels converted to charcoal.

2.2.15. PETROLEUM REFINERIES

Quantities of fuels used to produce petroleum products.

2.2.16. NATURAL GAS BLENDING PLANTS (FOR BLENDED NATURAL GAS)

Quantities of gases blended with natural gas into the gas grid (gas network).

2.2.17. FOR BLENDING WITH MOTOR GASOLINE / DIESEL / KEROSENE:

Quantities of liquid biofuels blended with their fossil counterparts. Quantities of hydrogen blended in the fuels.

2.2.18. PRODUCTION OF HYDROGEN

Quantities of fuels used to produce hydrogen.

2.2.19. NOT ELSEWHERE SPECIFIED

Quantities of fuels used for transformation activities not included elsewhere. If used, what is included under this heading should be explained in the report.

2.3. Energy sector

Quantities consumed by the energy industry to support extraction (mining, oil and gas production) or plant operations related to transformation activities. This corresponds to NACE Divisions 05, 06, 19 and 35, NACE Group 09.1 and NACE classes 07.21 and 08.92.

Excludes quantities of fuels transformed into another energy form (which should be reported under the transformation sector) or used to support the operation of oil, gas and coal slurry pipelines (which should be reported in the transport sector).

2.3.1. OWN USE OF ELECTRICITY, CHP AND HEAT PLANTS

Quantities of fuels consumed as energy for support operations at plants with electricity-only, heat-only and CHP units.

2.3.2. COAL MINES

Quantities of fuels consumed as energy to support the extraction and preparation of coal within the coal mining industry. Coal burned in pithead power stations should be reported in the transformation sector.

2.3.3. PATENT FUEL PLANTS

Quantities of fuels consumed as energy for support operations at patent fuel plants.

2.3.4. COKE OVENS

Quantities of fuels consumed as energy for support operations in coke ovens (coking plants).

2.3.5. BKB/PB PLANTS

Quantities of fuels used as energy for support operations in BKP/PB plants (briquetting plants).

2.3.6. GAS WORKS/COAL GASIFICATION WORKS

Quantities of fuels consumed as energy for support operations at gas works and coal gasification plants.

2.3.7. BLAST FURNACES

Quantities of fuels consumed as energy for support operations at blast furnaces.

2.3.8. COAL LIQUEFACTION

Quantities of fuels consumed as energy for support operations at coal liquefaction plants.

2.3.9. LIQUEFACTION (LNG) / REGASIFICATION

Quantities of fuels consumed as energy for support operations in natural gas liquefaction and regasification plants.

2.3.10. GASIFICATION PLANTS (BIOGAS)

Quantities of fuels consumed as energy for support operations in biogas gasification plants.

2.3.11. GAS-TO-LIQUID (GTL) PLANTS

Quantities of fuels consumed as energy for support operations in gas-to-liquid conversion plants.

2.3.12. CHARCOAL PRODUCTION PLANTS

Quantities of fuels consumed as energy for support operations in charcoal production plants.

2.3.13. PETROLEUM REFINERIES

Quantities of fuels consumed as energy for support operations at petroleum refineries.

2.3.14. NUCLEAR INDUSTRY

Quantities of fuels consumed as energy for support operations of nuclear industry (mining, processing, reprocessing of nuclear materials for atomic fission and fusion) and including treatment, disposal and storage of radioactive nuclear waste.

2.3.15. OIL AND GAS EXTRACTION

Quantities of fuels consumed in oil and natural gas extraction facilities. Excludes pipeline losses (to be reported as distribution losses) and energy quantities used to operate pipelines (to be reported in the transport sector).

2.3.16. HYDROGEN PRODUCTION, LIQUEFACTION AND GASIFICATION.

Quantities of fuels consumed as energy in support of the production, liquefaction and gasification of hydrogen.

2.3.17. NOT ELSEWHERE SPECIFIED – ENERGY

Quantities of fuels related to energy activities not included elsewhere. If used, what is included under this heading should be explained in the report.

2.4. Transmission and distribution losses

2.4.1. TRANSMISSION LOSSES

Quantities of fuel losses that occur due to transmission, at the part of the system operated by the transmission system operator. It includes technical and non-technical losses. For electricity, it includes losses in transformers that are not considered as integral parts of power plants. For gas, it includes venting and flaring during transmission.

2.4.2. DISTRIBUTION LOSSES

Quantities of fuel losses that occur due to distribution, at the part of the system operated by the distribution system operator. It includes technical and non-technical losses. For gas, it includes venting and flaring

during distribution.

2.5. Final non-energy consumption

Quantities of -fuels used for non-energy purposes – fuels not combusted.

2.6. Final energy consumption (end-use specifications)

2.6.1. INDUSTRY SECTOR

This refers to fuel quantities consumed by the industrial undertaking to support its primary activities.

For heat-only or CHP units, only quantities of fuels consumed for the production of heat used by the entity itself (heat auto-consumed) are to be reported. Quantities of fuels consumed for the production of heat sold and for the production of electricity should be reported under the appropriate transformation sector.

2.6.1.1. Mining and quarrying: NACE Divisions 07 (excluding 07.21) and 08 (excluding 08.92); NACE Group 09.9.

2.6.1.1.1. Mining of metal ores [NACE Division 07; excludes NACE Class 07.21 Mining of uranium and thorium ores]

2.6.1.1.2. Other mining and quarrying [NACE Div. 08; excludes NACE Class 08.92 Extraction of peat]

2.6.1.1.3. Mining support service activities [NACE Div. 09; excludes NACE Group 09.1 Support activities for petroleum and natural gas extraction]

2.6.1.2. Food, beverages and tobacco: NACE Divisions 10, 11 and 12.

2.6.1.2.1. Manufacture of food products [NACE Div. 10]

2.6.1.2.2. Manufacture of beverages [NACE Div. 11]

2.6.1.2.3. Manufacture of tobacco products [NACE Div. 12]

2.6.1.3. Textile and leather [NACE Div. 13, 14 and 15; includes the Manufacture of textiles, the Manufacture of wearing apparel and the Manufacture of leather and related products]

2.6.1.4. Wood and wood products – Manufacture of wood and of products of wood and cork, except furniture; Manufacture of articles of straw and plaiting materials [NACE Div. 16]

2.6.1.5. Pulp, paper and printing: NACE Divisions 17 and 18.

2.6.1.5.1. Manufacture of paper and paper products [NACE Div. 17]

2.6.1.5.1.1. Manufacture of pulp [NACE Class 17.11]

2.6.1.5.1.2. Other paper and paper products [NACE Class 17.12 and NACE Group 17.2]

2.6.1.5.2. Printing and reproduction of recorded media [NACE Div. 18]

2.6.1.6. Chemical and petrochemical: NACE Divisions 20 and 21.

2.6.1.6.1. Manufacture of chemicals and chemical products [NACE Div. 20]

2.6.1.6.2. Manufacture of basic pharmaceutical products and pharmaceutical preparations [NACE Div. 21]

2.6.1.7. Non-metallic minerals [NACE Div. 23]

2.6.1.7.1. Manufacture of glass and glass products [NACE Group 23.1]

2.6.1.7.2. Manufacture of cement, lime and plaster (incl. Clinker) [NACE Group 23.5]

2.6.1.7.3. Other non-metallic mineral products [NACE Groups 23.2, 23.3, 23.4, 23.6, 23.7 and 23.9]

2.6.1.8. Iron and steel [Manufacture of basic metals A: NACE Groups 24.1, 24.2 and 24.3 and Classes 24.51 and 24.52]

2.6.1.9. Non-ferrous metals industries [Manufacture of basic metals B: NACE Group 24.4 and Classes 24.53 and 24.54]

2.6.1.9.1. Aluminium production [NACE Class 24.42]

2.6.1.9.2. Other non-ferrous metals industries [NACE Group 24.4 – excl. NACE Class 24.42; NACE Classes 24.53 and 24.54]

2.6.1.10. Machinery: NACE Divisions 25, 26, 27 and 28.

2.6.1.10.1. Manufacture of fabricated metal products, except machinery and equipment [NACE Div. 25]

2.6.1.10.2. Manufacture of computer, electronic and optical products [NACE Div. 26]

2.6.1.10.3. Manufacture of electrical equipment [NACE Div. 27]

2.6.1.10.4. Manufacture of machinery and equipment n.e.c. [NACE Div. 28]

2.6.1.11. Transport equipment: Industries related to the equipment used for transport [NACE Div. 29 and 30; includes the Manufacture of motor vehicles, trailers and semi-trailers and the Manufacture of other transport equipment]

2.6.1.12. Not elsewhere specified – Industry: NACE Divisions 22, 31 and 32

2.6.1.12.1. Manufacture of rubber and plastic products [NACE Div. 22]

2.6.1.12.2. Manufacture of furniture [NACE Div. 31]

2.6.1.12.3. Other manufacturing [NACE Div. 32]

2.6.1.13. Construction [NACE Div. 41, 42 and 43]

2.6.2. TRANSPORT SECTOR

Energy used in all transport activities irrespective of the NACE category (economic sector) in which the activity occurs. Fuels used for heating and lighting at railway stations, bus stations, shipping piers and airports should be reported under 'Commercial and Public Services' and not in the transport sector.

2.6.2.1. Rail

Quantities of fuels used by rail traffic, including industrial railways and rail transport as part of urban or suburban transport systems (for example trains, trams, metros).

2.6.2.1.1. High-speed rail

Energy used by trains running on lines where speed can exceed 200 kilometres per hour.

2.6.2.1.2. Conventional rail

Energy used by rail traffic, excluding high-speed rail and metro and tram.

2.6.2.1.2.1. Passenger transport by conventional rail

Energy used by rail for the transport of passengers, meaning for the movement of passengers using railway vehicles between the place of embarkation and the place of disembarkation. passenger is any person excluding members of the train crew, who makes a trip by rail.

2.6.2.1.2.2. Freight transport by conventional rail

Energy used by rail for the transport of goods, meaning for the movement of goods using railway vehicles between the place of loading and the place of unloading.

2.6.2.1.3. Metro and tram

Energy used by metro, tram, light rail and other elevated or underground urban railway systems.

2.6.2.2. Domestic navigation

Quantities of fuels delivered to vessels of all flags not engaged in international navigation (see international marine bunkers). The domestic/international split should be determined based on the port of departure and port of arrival and not by the flag or nationality of the ship.

2.6.2.3. Road

Quantities of fuels used in road vehicles. Includes fuel used by agricultural vehicles on highways and lubricants for use in road vehicles.

Excludes energy used in stationary engines (see 'Other sector'), for non-highway use in tractors (see 'Agriculture'), military use in road vehicles (see 'Other sector – Not elsewhere specified'), bitumen used in road surfacing and energy used in engines at construction sites (see 'Industry' sub-sector 'Construction').

2.6.2.3.1. Heavy-duty vehicles carrying freight

Quantities of fuels used in trucks over 3,5t load capacity, carrying freight (categories N2 and N3 vehicles according to the European classification for vehicle category, based on UNECE standards).

2.6.2.3.2. Collective transport

Quantities of fuels used in large vehicles, carrying passengers, such as buses, coaches, large vans, etc. (categories M2 and M3 vehicles according to the European classification for vehicle category, based on UNECE standards).

2.6.2.3.3. Cars and vans

Quantities of fuels used in small vehicles, such as cars and vans, carrying passengers or freight (categories N1 and M1 vehicles according to the European classification for vehicle category, based on UNECE standards).

2.6.2.3.4. Other road transport:

Quantities of fuels used in all forms of road transport aside from heavy-duty vehicles carrying freight, collective transport and cars and vans.

2.6.2.4. Pipeline transport

Quantities of fuels used as energy to support the operation of pipelines transporting gases, liquids, slurries and other commodities. Includes energy used for pump stations and for pipeline maintenance. Excludes energy used for the pipeline distribution of natural or manufactured gas, hot water or steam from the distributor to final users (to be reported in the energy sector), energy used for the final distribution of water to households, industrial, commercial and other users (to be included in Commercial and public services) and losses occurring during the transport between distributor and final users (to be reported as distribution losses).

2.6.2.5. Domestic aviation

Quantities of fuels delivered to aircraft for domestic aviation. Includes fuel used for purposes other than flying, e.g. the bench testing of engines. The domestic/international split should be determined based on departure and landing locations and not on the nationality of the airline. This includes journeys of consid-

erable length between two airports in a country with overseas territories. Excludes fuels used by airlines for their road vehicles (to be reported in 'Not elsewhere specified – Transport') and military use of aviation fuels (to be reported in 'Not elsewhere specified – Other').

2.6.2.6. Not elsewhere specified – Transport

Quantities of fuels used for transport activities not included elsewhere. Includes fuels used by airlines for their road vehicles and fuels used in ports for ships' unloaders, various types of cranes. If used, what is included under this heading should be explained in the report.

2.6.3. OTHER SECTORS

This category covers quantities of fuels used in sectors not specifically mentioned or not belonging to transformation, energy, industry or transport.

2.6.3.1. Commercial and public services

Quantities of fuels consumed by business and offices in the public and private sectors. NACE Divisions 33, 36, 37, 38, 39, 45, 46, 47, 52, 53, 55, 56, 58, 59, 60, 61, 62, 63, 64, 65, 66, 68, 69, 70, 71, 72, 73, 74, 75, 77, 78, 79, 80, 81, 82, 84 (excluding Class 84.22), 85, 86, 87, 88, 90, 91, 92, 93, 94, 95, 96 and 99. Fuels used for heating and lighting at railway, bus stations, shipping piers and airports should be reported in this category. This includes fuels used for all non-transport activities of NACE Division 49, 50 and 51.

2.6.3.1.1. Repair and installation of machinery and equipment [NACE Section C division 33]

2.6.3.1.2. Water supply; sewerage, waste management and remediation activities [NACE Section E]

2.6.3.1.3. Wholesale and retail trade; repair of motor vehicles and motorcycles [NACE Section G]

2.6.3.1.3.1. Wholesale trade [NACE Section G, Division 46]

2.6.3.1.3.2. Retail trade [NACE Section G, Division 47]

2.6.3.1.4. Warehousing and support activities for transportation [NACE Section H, Division 52]

2.6.3.1.5. Postal and courier activities [NACE Section H, Division 53]

2.6.3.1.6. Accommodation and food service activities [NACE Section I]

2.6.3.1.6.1. Accommodation [NACE Section I, Division 55]

2.6.3.1.6.2. Food service activities [NACE Section I, Division 56]

2.6.3.1.7. Information and communication [NACE Section J]

2.6.3.1.8. Financial and insurance activities and Real estate activities [NACE Section K and NACE Section L]

2.6.3.1.9. Administrative and support service activities [NACE Section N]

2.6.3.1.10. Public administration and defence; compulsory social security
[NACE Section O]

2.6.3.1.11. Education [NACE Section P]

2.6.3.1.12. Human health and social work activities [NACE Section Q]

2.6.3.1.12.1. Hospital activities [NACE Section Q Group 86.1]

2.6.3.1.13. Arts, entertainment and recreation [NACE Section R]

2.6.3.1.13.1. Sports activities [NACE Section R Division 93]

2.6.3.1.14. Activities of extra-territorial organisations and bodies [NACE Section U]

2.6.3.1.15. Professional, scientific and technical activities and Other services [NACE Section M and NACE Section S]

2.6.3.1.16. Data centres. A data centre is defined as a structure or a group of structures used to house, connect and operate computer systems/servers and associated equipment for data storage, processing and/or distribution, as well as related activities.

2.6.3.2. Households

Quantities of fuels consumed by all households including 'households with employed persons'. NACE Divisions 97 and 98.

The following specific definitions apply for the households sector:

A household is a person living alone, a family, or a group of people living together in the same private dwelling and sharing utilities and other essential living expenses. The households sector, also known as the residential or domestic sector, is therefore a collective pool of all households in a country.

Collective residences, either permanent (e.g. prisons) or temporary (e.g. hospitals), should be excluded as they are covered under consumption in the service sector. Energy used in transport activities should be reported in the transport sector and not in the households sector.

Energy consumption associated with significant economic activities carried out by households should also be excluded from total household energy consumption. Such activities include agricultural economic activities on small farms and other economic activities carried out in a household's residence and should be reported in the appropriate sector of final consumption.

2.6.3.2.1. Space heating

This energy service refers to the use of energy to provide heat in an interior area of a dwelling.

2.6.3.2.2. Space cooling

This energy service refers to the use of energy for cooling in a dwelling, by a refrigeration system and/or unit.

Fans, blowers and other appliances not connected to a refrigeration unit are excluded from this section, but should be covered in the 'Lighting and electrical appliances' section.

2.6.3.2.3. Water heating

This energy service refers to the use of energy to heat water for hot running water, bathing, cleaning and other non-cooking applications.

Swimming pool heating is excluded, but should be covered in the 'Other end uses' section.

2.6.3.2.4. Cooking

This energy service refers to the use of energy to prepare meals.

Appliances for auxiliary cooking (microwave ovens, kettles, coffee makers, etc.) are excluded and should be covered in the 'Lighting and electrical appliances' section.

2.6.3.2.5. Lighting and electrical appliances (electricity only):

Use of electricity for lighting and any other electrical appliances in a dwelling not considered within other end uses.

2.6.3.2.6. Other end uses

Any other energy consumption in households, such as use of energy for outdoor and any other activities

not included into the five energy end uses mentioned above (e.g. lawn mowers, swimming pool heating, outdoor heaters, outdoor barbecues, saunas etc.).

2.6.3.3. Agriculture

Quantities of fuels consumed by users classified as crop and animal production, hunting and related service activities; NACE Division 01.

2.6.3.4. Forestry

Quantities of fuels consumed by users classified as forestry and logging; NACE Division 02.

2.6.3.5. Fishing

Quantities of fuels delivered for inland, coastal and deep-sea fishing. Fishing should cover fuels delivered to ships of all flags that have refuelled in the country (including international fishing) and energy used in the fishing industry. NACE Division 03.

2.6.3.6. Not elsewhere specified – Other

Quantities of fuels used for activities not included elsewhere (such as NACE Class 84.22). This category includes military fuel use for all mobile and stationary consumption (e.g. ships, aircraft, road and energy used in living quarters), regardless of whether the fuel delivered is for the military of that country or for the military of another country. If used, what is included under this heading should be explained in the report.

3. PRODUCTS

3.1. COAL (solid fossil fuels and manufactured gases)

3.1.1. HARD COAL

Hard coal is a product aggregate equal to the sum of anthracite, coking coal and other bituminous coal.

3.1.2. ANTHRACITE

High rank coal used for industrial and household applications. It generally has less than 10% volatile matter and a high carbon content (about 90% fixed carbon). Its gross calorific value is greater than 24 000 kJ/kg on an ash-free but moist basis.

3.1.3. COKING COAL

Bituminous coal with a quality that allows the production of a coke (coke oven coke) suitable to support a blast furnace charge. Its gross calorific value is greater than 24 000 kJ/kg on an ash-free but moist basis.

3.1.4. OTHER BITUMINOUS COAL

Coal used for steam raising purposes and includes all bituminous coal that is not included under coking coal nor anthracite. It is characterised by higher volatile matter than anthracite (more than 10%) and lower carbon content (less than 90% fixed carbon). Its gross calorific value is greater than 24 000 kJ/kg on an ash-free but moist basis.

3.1.5. BROWN COAL

Brown coal is a product aggregate equal to the sum of sub-bituminous coal and lignite.

3.1.6. SUB-BITUMINOUS COAL

Refers to non-agglomerating coal with a gross calorific value between 20 000 kJ/kg and 24 000 kJ/kg containing more than 31% volatile matter on a dry mineral matter free basis.

3.1.7. LIGNITE

Non-agglomerating coal with a gross calorific value less than 20 000 kJ/kg and greater than 31% volatile matter on a dry mineral matter free basis.

3.1.8. PATENT FUEL

A composition fuel manufactured from hard coal fines with the addition of a binding agent. The amount of patent fuel produced may, therefore, be slightly higher than the actual amount of coal consumed in the transformation process.

3.1.9. COKE OVEN COKE

The solid product obtained from the carbonisation of coal, principally coking coal, at high temperature; it is low in moisture and volatile matter. Coke oven coke is used mainly in the iron and steel industry, acting as an energy source and chemical agent.

Coke breeze and foundry coke are to be reported in this category.

Semi-coke (a solid product obtained from the carbonisation of coal at a low temperature) should be included in this category. Semi-coke is used as a heating fuel or by the transformation plant itself.

This heading also includes coke, coke breeze and semi-coke made from lignite.

3.1.10. GAS COKE

By-product of hard coal used for production of town gas in gas works. Gas coke is used for heating purposes.

3.1.11. COAL TAR

A result of the destructive distillation of bituminous coal. Coal tar is the liquid by-product of the distillation of coal to make coke in the coke oven process or is produced from brown coal ('low-temperature tar').

3.1.12. BKB (BROWN COAL BRIQUETTES)

BKB is a composition fuel manufactured from lignite or sub-bituminous coal, produced by briquetting under high pressure without the addition of a binding agent, including dried lignite fines and dust.

3.1.13. MANUFACTURED GASES

Manufactured gases is a product aggregate equal to the sum of gas works gas, coke oven gas, blast furnace gas and other recovered gases.

3.1.14. GAS WORKS GAS

Covers all types of gases produced in public utility or private plants whose main purpose is the manufacture, transport and distribution of gas. It includes gas produced by carbonisation (including gas produced by coke ovens and transferred to gas works gas), by total gasification with or without enrichment with oil products (LPG, residual fuel oil, etc.), and by reforming and simple mixing of gases and/or air, including blending with natural gas which will be distributed and consumed through the natural gas grid. The amount of gas resulting from transfers of other coal gases to gas works gas should be reported as the production of the gas works gas.

3.1.15. COKE OVEN GAS

Coke oven gas is a gas obtained as a by-product of the manufacture of coke oven coke for the production of iron and steel.

3.1.16. BLAST FURNACE GAS

Blast furnace gas is produced during the combustion of coke in blast furnaces in the iron and steel industry. It is recovered and used as a fuel partly within the plant and partly in other steel industry processes or in power stations equipped to burn it.

3.1.17. OTHER RECOVERED GASES

By-product of the production of steel in an oxygen furnace, recovered on leaving the furnace. The gases are also known as converter gas, LD gas or BOS gas. The quantity of recuperated fuel should be reported on a gross calorific value basis. Also covers non-specified manufactured gases not mentioned above, such as combustible gases of solid carbonaceous origin recovered from manufacturing and chemical processes not defined elsewhere.

3.1.18. PEAT

Peat is a combustible soft, porous or compressed, sedimentary deposit of plant origin with high water content (up to 90% in the raw state), easily cut, of light to dark brown colour. Peat includes sod peat and milled peat. Peat used for non-energy purposes is not included.

3.1.19. PEAT PRODUCTS

Products such as peat briquettes derived directly or indirectly from sod peat and milled peat.

3.1.20. OIL SHALE AND OIL SANDS

Oil shale and oil sands are sedimentary rock that contains organic matter in the form of kerogen. Kerogen is a waxy hydrocarbon-rich material regarded as a precursor of petroleum. Oil shale may be burned directly or processed by heating to extract shale oil. Shale oil and other products derived from liquefaction should be reported as other hydrocarbons within petroleum products.

3.2. Natural gas

3.2.1. NATURAL GAS

Natural gas comprises gases occurring in underground deposits, whether liquefied or gaseous, consisting mainly of methane, independent from the extraction method (conventional and non-conventional). It includes both 'non-associated' gas originating from fields producing hydrocarbons only in gaseous form, and 'associated' gas produced in association with crude oil, as well as methane recovered from coal mines (colliery gas) or from coal seams (coal seam gas). Natural gas does not include biogas or manufactured gases. Transfers of these products to the natural gas network are to be reported separately from natural gas. Natural gas includes liquefied natural gas (LNG) and compressed natural gas (CNG).

3.3. Electricity and heat

3.3.1. ELECTRICITY

Electricity refers to the transfer of energy through the physical phenomenon involving electric charges and their effects when at rest and in motion. All electricity that is used, produced and consumed is to be reported, including off-grid and self-consumed. Off-grid electricity is produced by installations that are disconnected from the grid from the production perspective; the installation cannot inject electricity produced into the grid. Self-consumed electricity is electricity consumed by the producer before it is injected in the grid.

3.3.2. HEAT (DERIVED HEAT)

Heat refers to the energy obtained from the translational, rotational and vibrational motion of the constituents of matter as well as changes in its physical state. All heat produced, except for heat produced by autoproducers for their own use and not sold, is to be reported; all other forms of heat are reported as use of products from which the heat was produced.

3.4. OIL (Crude oil and petroleum products)

3.4.1. CRUDE OIL

Crude oil is a mineral oil of natural origin comprising a mixture of hydrocarbons and associated impurities, such as sulphur. It exists in the liquid state under normal surface temperature and pressure and its physical characteristics (density, viscosity, etc.) are highly variable. This category includes field or lease condensate recovered from associated and non-associated gas where it is commingled with the commercial crude oil stream. Quantities should be reported independently from the extraction method (conventional and non-conventional). Crude oil excludes NGL.

3.4.2. NATURAL GAS LIQUIDS (NGL)

NGL are liquid or liquefied hydrocarbons recovered from natural gas in separation facilities or gas processing plants. NGL include ethane, propane, butane (normal and iso-), (iso) pentane and pentanes plus (sometimes referred to as natural gasoline or plant condensate).

3.4.3. REFINERY FEEDSTOCKS

A refinery feedstock is a processed oil destined for further processing (e.g. straight run fuel oil or vacuum gas oil) excluding blending. With further processing, it will be transformed into one or more components and/or finished products. This definition also covers returns from the petrochemical industry to the refining industry (e.g. pyrolysis gasoline, C4 fractions, gasoil and fuel oil fractions).

3.4.4. ADDITIVES/OXYGENATES

Additives are non-hydrocarbon compounds added to or blended with a petroleum products to modify their properties (octane, cetane, cold properties, etc.). Additives include oxygenates (such as alcohols (methanol, ethanol), ethers (methyl tertiary butyl ether(MTBE), ethyl tertiary butyl ether (ETBE), tertiary amyl methyl ether (TAME), etc.), esters (rapeseed oil or dimethylester, etc.), chemical compounds (such as tetramethyl lead (TML), tetraethyl lead (TEL) and detergents). Quantities of additives/oxygenates (alcohols, ethers, esters and other chemical compounds) reported in this category should relate to the quantities blended with fuels or for fuel use. This category includes biofuels that are blended with liquid fossil fuels.

3.4.5. BIOFUELS IN ADDITIVES/OXYGENATES

Quantities of liquid biofuels reported in this category relate to blended liquid biofuels and refer only to the liquid biofuel portion and not to the total volume of liquids into which the liquid biofuels are blended. Excludes all liquid biofuels that have not been blended.

3.4.6. OTHER HYDROCARBONS

Synthetic crude oil from tar sands, shale oil, etc., liquids from coal liquefaction, output of liquids from natural gas conversion into gasoline, emulsified oils (e.g. orimulsion); excludes oil shale; includes the shale oil (secondary product).

3.4.7. PETROLEUM PRODUCTS

Petroleum products are a product aggregate equal to the sum of refinery gas, ethane, liquefied petroleum

gases, naphtha, motor gasoline, aviation gasoline, gasoline type jet fuel, kerosene type jet fuel, other kerosene, gas/diesel oil, fuel oil, white spirit ad SPB, lubricants, bitumen, paraffin waxes, petroleum coke and other products.

3.4.8. REFINERY GAS

Refinery gas includes a mixture of non-condensed gases mainly consisting of hydrogen, methane, ethane and olefins obtained during the distillation of crude oil or treatment of oil products (e.g. cracking) in refineries. This also includes gases which are returned from the petrochemical industry.

3.4.9. ETHANE

A naturally gaseous straight-chain hydrocarbon, (C_2H_6) extracted from natural gas and refinery gas streams.

3.4.10. LIQUEFIED PETROLEUM GASES (LPG)

LPG are light paraffinic hydrocarbons derived from refinery processes, crude oil stabilisation and natural gas processing plants. They consist mainly of propane (C_3H_8) and butane (C_4H_{10}) or a combination of the two. They could also include propylene, butylene, isopropylene and isobutylene. LPG are normally liquefied under pressure for transportation and storage.

3.4.11. NAPHTHA

Naphtha is a feedstock destined for either the petrochemical industry (e.g. ethylene manufacture or aromatics production) or for gasoline production by reforming or isomerisation within the refinery. Naphtha comprises material in the 30 °C and 210 °C distillation range or part of this range.

3.4.12. MOTOR GASOLINE

Motor gasoline consists of a mixture of light hydrocarbons distilling at between 35 °C and 215 °C. It is used as a fuel for land-based spark ignition engines. Motor gasoline may include additives, oxygenates and octane enhancers, including lead compounds. Includes motor gasoline blending components (excluding additives/oxygenates), e.g. alkylates, isomerate, reformate, cracked gasoline destined for use as finished motor gasoline. Motor gasoline is a product aggregate equal to the sum of blended biogasoline (biogasoline in motor gasoline) and non-biogasoline.

3.4.12.1. Blended biogasoline (biogasoline in motor gasoline)

Biogasoline that was blended in motor gasoline.

3.4.12.2. Non-biogasoline

The remaining part of motor gasoline – motor gasoline excluding blended biogasoline (this is mostly motor gasoline of fossil origin).

3.4.13. AVIATION GASOLINE

Motor spirit prepared especially for aviation piston engines, with an octane number suited to the engine, a freezing point of – 60 °C and a distillation range usually between 30 °C and 180 °C.

3.4.14. GASOLINE TYPE JET FUEL (NAPHTHA TYPE JET FUEL OR JP4)

This includes all light hydrocarbon oils for use in aviation turbine power units, distilling at between 100 °C and 250 °C. They are obtained by blending kerosenes and gasoline or naphthas in such a way that the aromatic content does not exceed 25% in volume, and the vapour pressure is between 13,7 kPa and 20,6 kPa.

3.4.15. KEROSENE TYPE JET FUEL

Distillate used for aviation turbine power units. It has the same distillation characteristics at between 150

°C and 300 °C (generally not above 250 °C) and flash point as kerosene. In addition, it has particular specifications (such as freezing point) which are established by the International Air Transport Association. Includes kerosene blending components. Kerosene type jet fuel is a product aggregate equal to the sum of blended bio jet kerosene (bio jet kerosene in kerosene type jet fuel) and non-bio jet kerosene.

3.4.15.1. Blended bio jet kerosene (bio jet kerosene in kerosene type jet fuel)

Bio jet kerosene that was blended in kerosene type jet fuel.

3.4.15.2. Non-bio jet kerosene

The remaining part of kerosene type jet fuel – kerosene type jet fuel excluding blended bio jet kerosene (this is mostly kerosene type jet fuel of fossil origin).

3.4.16. OTHER KEROSENE

Refined petroleum distillate used in sectors other than aircraft transport. It distils at between 150 °C and 300 °C.

3.4.17. GAS/DIESEL OIL (DISTILLATE FUEL OIL)

Gas/diesel oil is primarily a medium distillate distilling at between 180 °C and 380 °C. Includes blending components. Several grades are available depending on uses. Gas/diesel oil includes on-road diesel oil for diesel compression ignition engines of cars and trucks. Gas/diesel oil includes light heating oil for industrial and commercial uses, marine diesel and diesel used in rail traffic, other gas oil including heavy gas oils which distil at between 380 °C and 540 °C and which are used as petrochemical feedstocks. Gas/diesel oil is a product aggregate equal to the sum of blended biodiesels (biodiesels in gas/diesel oil) and non-biodiesels.

3.4.17.1. Blended biodiesels (biodiesels in gas/diesel oil)

Biodiesels that were blended in gas/diesel oil.

3.4.17.2. Non-biodiesels

The remaining part of gas/diesel oil – gas/diesel oil excluding blended biodiesels (this is mostly gas/diesel oil of fossil origin).

3.4.18. FUEL OIL (HEAVY FUEL OIL)

All residual (heavy) fuel oils (including those obtained by blending). Kinematic viscosity is above 10 cSt at 80 °C. The flash point is always above 50 °C and density is always more than 0,90 kg/l. Fuel oil is a product aggregate equal to the sum of low sulphur fuel oil and high sulphur fuel oil.

3.4.18.1. Low sulphur fuel oil (LSFO)

Fuel oil with sulphur content lower than 0,5%.

3.4.18.2. High sulphur fuel oil (HSFO)

Fuel oil with sulphur content of 0,5% or higher.

3.4.19. WHITE SPIRIT AND SBP

White spirit and SBP are defined as refined distillate intermediates with a distillation in the naphtha/kerosene range. They include industrial spirit (also called SBP; light oils distilling at between 30 °C and 200 °C in 7 or 8 grades of industrial spirit, depending on the position of the cut in the distillation range – the grades are defined according to the temperature difference between the 5% volume and 90% volume distillation points, which is not more than 60 °C) and white spirits (industrial spirit with a flash point above 30 °C and the distillation range between 135 °C and 200 °C).

3.4.20. LUBRICANTS

Hydrocarbons produced from distillate by-product. They are mainly used to reduce friction between bearing surfaces. Includes all finished grades of lubricating oil, from spindle oil to cylinder oil, and those used in greases, motor oils and all grades of lubricating oil base stocks.

3.4.21. BITUMEN

Solid, semi-solid or viscous hydrocarbon with a colloidal structure, being brown to black in colour, obtained as a residue in the distillation of crude oil, by vacuum distillation of oil residues from atmospheric distillation. Bitumen is often referred to as asphalt and is primarily used for the construction of roads and for roofing material. Includes fluidised and cut back bitumen.

3.4.22. PARAFFIN WAXES

These are saturated aliphatic hydrocarbons. They are residues extracted when dewaxing lubricant oils. They have a crystalline structure which is more or less fine depending on the grade. Their main characteristics are as follows: they are colourless, odourless and translucent, with a melting point above 45 °C.

3.4.23. PETROLEUM COKE

Black solid by-product, obtained mainly by cracking and carbonising petroleum derived feedstock, vacuum bottoms, tar and pitches in processes such as delayed coking or fluid coking. It consists mainly of carbon (90-95 %) and has a low ash content. It is used as a feedstock in coke ovens for the steel industry, for heating purposes, for electrode manufacture and for the production of chemicals. The two most important qualities are 'green coke' and 'calcinated coke'. Includes 'catalyst coke' deposited on the catalyst during refining processes; this coke is not recoverable and is usually burned as refinery fuel.

3.4.24. OTHER PRODUCTS

All other products not specifically mentioned above, for example: tar and sulphur. Includes aromatics (e.g. BTX or benzene, toluene and xylene) and olefins (e.g. propylene) produced within refineries.

3.5. Renewables and waste

3.5.1. HYDRO

Potential and kinetic energy of water converted into electricity in hydroelectric plants. Hydro is a product aggregate equal to the sum of pure hydro plants, mixed hydro plants and pure pumped storage plants.

3.5.1.1. Pure hydro plants

Hydro plants that only use direct natural water inflow and have no capacity for hydro pump storage (pumping water uphill).

3.5.1.2. Mixed hydro plants

Hydro plants with natural water inflow into an upper reservoir where part or all equipment can be used for pumping water uphill; the electricity generated is a consequence of both natural water inflow and water previously pumped uphill.

3.5.1.2.1. Of which pumping

This is the portion of the electricity generated in mixed hydro plants in the pumped hydro mode (from water that was previously pumped uphill).

3.5.1.3. Pure pumped storage plants

Hydro plants with no natural water inflow into the upper reservoir; the vast majority of water that generates electricity was previously pumped uphill; excluding rainfall and snowfall.

3.5.2. GEOTHERMAL

Energy available as heat emitted from within the earth's crust, usually in the form of hot water or steam; excluding ambient heat captured by ground source heat pumps. Geothermal energy production is the difference between the enthalpy of the fluid produced in the production borehole and that of the fluid eventually disposed of.

3.5.3. SOLAR

Solar is a product aggregate equal to the sum of solar photovoltaic and solar thermal.

3.5.3.1. Solar photovoltaic

Sunlight converted into electricity by the use of solar cells which when exposed to light will generate electricity. All electricity produced is to be reported (including small-scale production and off-grid installations).

3.5.3.1.1. Rooftop

Report here the quantity of energy produced by solar photovoltaic panels located on building structures that have another primary purpose than energy production. It also includes BIPV (building integrated PV), where the PV panels are not on the roof, but e.g. attached to the building. Solar PV panels are not be considered rooftop if they are placed on a wide area, on the ground, such as consuming extra space (e.g. agricultural areas).

3.5.3.1.2. Off-grid

Report here off-grid as defined in Annex A, 3.3.1.

3.5.3.2. Solar thermal

Heat from solar radiation (sunlight) exploited for useful energy purposes. This includes, for example, solar thermal-electric plants and active systems for producing sanitary hot water or for space heating of buildings. This energy production is the heat available to the heat transfer medium, i.e. the incident solar energy less the optical and collectors losses. Solar energy captured by passive systems for heating, cooling and lighting of buildings is not to be included; only solar energy in relation to the active systems is to be included.

3.5.4. TIDE, WAVE, OCEAN

Mechanical energy derived from tidal movement, wave motion or ocean current and exploited for electricity generation.

3.5.5. WIND

Kinetic energy of wind exploited for electricity generation in wind turbines. Wind is a product aggregate equal to the sum of on-shore wind and offshore wind.

3.5.5.1. On-shore wind

Production of electricity by wind in locations on-shore (inland, including lakes and other bodies of water located inland).

3.5.5.2. Offshore wind

Production of electricity in offshore locations (e.g. sea, ocean and artificial islands). For offshore wind production outside of the territorial waters of the concerned territory, all installations located in a country's exclusive economic zone should be taken into account.

3.5.6. INDUSTRIAL WASTE (NON-RENEWABLE PORTION)

Report waste of industrial non-renewable origin combusted directly at specific installations for meaningful energy purposes. The quantity of fuel used should be reported on a net calorific value basis. Waste incinerated without any energy recovery is excluded. The renewable portion of industrial waste should be reported in the biofuels category that best describes it.

3.5.7. MUNICIPAL WASTE:

Wastes produced by households, hospitals and the tertiary sector (in general all waste that resembles household waste), combusted directly at specific installations for meaningful energy purposes. The quantity of fuel used should be reported on a net calorific value basis. Waste incinerated without any energy recovery is excluded. Municipal waste is a product aggregate equal to the sum of renewable municipal waste and non-renewable municipal waste.

3.5.7.1. Renewable municipal waste

The portion of municipal waste which is of biological origin.

3.5.7.2. Non-renewable municipal waste

The portion of municipal waste which is of non-biological origin.

3.5.8. BIOFUELS

Biofuels is a product aggregate equal to the sum of solid biofuels, biogas and liquid biofuels. Biofuels used for non-energy purposes are excluded from the scope of energy statistics (for example wood used for construction or as furniture, biolubricant for engine lubrication and biobitumen used for road surface).

3.5.8.1. Solid biofuels

Covers solid organic, non-fossil material of biological origin (also known as biomass) which may be used as fuel for heat production or electricity generation. Solid biofuels is a product aggregate equal to the sum of charcoal, fuelwood, wood residues and by-products, black liquor, bagasse, animal waste, other vegetal materials and residuals and renewable fraction of industrial waste.

3.5.8.1.1. Charcoal

Charcoal is a manufactured fuel from solid biofuels – the solid residue of the destructive distillation and pyrolysis of wood and other vegetal material.

3.5.8.1.2. Fuelwood, wood residues and by-products

Fuelwood or firewood (in log, brushwood, pellet or chip form) obtained from natural or managed forests or isolated trees. Included are wood residues used as fuel and in which the original composition of wood is retained; wood pellets are included. Charcoal and black liquor are excluded. The quantity of fuel used should be reported on a net calorific value basis.

3.5.8.1.2.1. Wood pellets

Wood pellets are a cylindrical product which has been agglomerated from wood residues by compression.

3.5.8.1.3. Black liquor

Energy from the alkaline-spent liquor obtained from the digesters during the production of sulphate or soda pulp required for paper manufacture. The quantity of fuel used should be reported on a net calorific value basis.

3.5.8.1.4. Bagasse

Fuel obtained from the fibre which remains after juice extraction in sugar cane processing. The quantity of fuel used should be reported on a net calorific value basis.

3.5.8.1.5. Animal waste

Energy from excreta of animals, meat and fish residues which when dry is used directly as a fuel. This excludes waste used in anaerobic fermentation plants. Fuel gases from these plants are included under biogases. The quantity of fuel used should be reported on a net calorific value basis.

3.5.8.1.6. Other vegetal materials and residuals

Biofuels not specified elsewhere and including straw, vegetable husks, ground nut shells, pruning brushwood, olive pomace and other wastes arising from the maintenance, cropping and processing of plants. The quantity of fuel used should be reported on a net calorific value basis.

3.5.8.1.7. Renewable portion of industrial waste

Solid renewable portion of industrial waste combusted directly at specific installations for meaningful energy purposes (for example but not only, the portion of natural rubber in waste rubber tires or the portion of natural fibres in textile waste – from waste categories 07.3 and 07.6, respectively, as defined in Regulation (EC) No 2150/2002 on waste statistics). The quantity of fuel used should be reported on a net calorific value basis.

3.5.8.2. Biogas

A gas composed principally of methane and carbon dioxide produced by anaerobic digestion of biomass or by thermal processes from biomass, including biomass in waste. The quantity of fuel used should be reported on a net calorific value basis. Biogas is a product aggregate equal to the sum of landfill gas, sewage sludge gas, other biogases from anaerobic digestion and biogases from thermal processes.

3.5.8.2.1. Landfill gas

Biogas produced from the anaerobic digestion of landfill waste.

3.5.8.2.2. Sewage sludge gas

Biogas produced from the anaerobic fermentation of sewage sludge.

3.5.8.2.3. Other biogases from anaerobic digestion

Biogas produced from the anaerobic fermentation of animal slurries and of waste in abattoirs, breweries and other agro-food industries.

3.5.8.2.4. Biogases from thermal processes

Biogas produced from thermal processes (by gasification or pyrolysis) of biomass.

3.5.8.3. Liquid biofuels

This category includes all liquid fuels of natural origin (e.g. produced from biomass and/or the biodegradable fraction of waste) suitable to be blended with or to replace liquid fuels of fossil origin. The quantities of liquid biofuels reported in this category should include the quantities of pure biofuel that were not blended with fossil fuels. In the particular case of imports and exports of liquid biofuels, only trade of quantities that have not been blended with transport fuels (i.e. in their pure form) is relevant; trade of liquid biofuels blended into transport fuels should be reported within the oil category of products. Only liquid biofuels used for energy purposes – combusted directly or blended with fossil fuels – are to be reported. Liquid biofuels is a product aggregate equal to the sum of biogasoline, biodiesels, bio jet kerosene and other liquid biofuels.

3.5.8.3.1. Biogasoline

Liquid biofuels suitable to be blended with or to replace motor gasoline from fossil origin.

3.5.8.3.1.1. Bioethanol

Ethanol as part of biogasoline.

3.5.8.3.2. Biodiesels

Liquid biofuels suitable to be blended with or to replace gas/diesel oil from fossil origin.

3.5.8.3.3. Bio jet kerosene

Liquid biofuels suitable to be blended with or to replace jet kerosene from fossil origin.

3.5.8.3.4. Other liquid biofuels

Liquid biofuels not included in any of the previous categories.

3.5.9. AMBIENT HEAT

Heat energy at a useful temperature level, extracted (captured) by means of heat pumps that need electricity or other auxiliary energy to function. This heat energy can be stored in the ambient air, beneath the surface of solid earth or in surface water. Values should be reported using the same methodology as the one used for reporting heat energy captured by heat pumps under Directive 2009/28/EC and Directive (EU) 2018/2001, but all heat pumps must be included regardless of their performance level.

3.6. Hydrogen

Hydrogen used as a feedstock, a fuel or an energy carrier/storage must be reported. Hydrogen shall be reported, also when auto produced and auto consumed. Hydrogen present in mixtures is not to be reported unless extracted (separated) for energy or non-energy use.

ANNEX B

ANNUAL ENERGY STATISTICS

This annex describes the scope, units, reported period, frequency, deadline and transmission arrangements for the annual collection of energy statistics.

Unless otherwise specified, the following provisions apply to all data collections specified in this annex:

(a) Reported period: The reported period of declared data will be a calendar year (1 January to 31 December), starting at reference year 2022.

(b) Frequency: Data should be declared on an annual basis.

(c) Deadline for transmission of data: Data should be submitted by 31 October of the year following the reported year, unless otherwise specified.

(d) Transmission format: The transmission format should conform to the relevant interchange standard specified by Eurostat.

(e) Transmission method: Data should be submitted or uploaded by electronic means to Eurostat's single entry point for data.

Annex A provides explanations of terms not explained in this annex.

1. SOLID FOSSIL FUELS AND MANUFACTURED GASES

1.1. Applicable energy products

Unless otherwise specified, this data collection applies to all energy products listed in Annex A, Chapter 3.1. COAL (solid fossil fuels and manufactured gases).

1.2. List of aggregates

The following list of aggregates must be declared for all energy products listed in the previous paragraph unless otherwise specified.

1.2.1. SUPPLY

1.2.1.1. Production

1.2.1.1.1. Underground production

Applicable only for anthracite, coking coal, other bituminous coal, sub-bituminous coal and lignite.

1.2.1.1.2. Surface production

Applicable only for anthracite, coking coal, other bituminous coal, sub-bituminous coal and lignite.

1.2.1.2. Receipts from other sources

This consists of two components:

recovered slurries, middlings and other low-grade coal products, which cannot be classified according to type of coal, including coal recovered from waste piles and other waste receptacles,

receipts from other sources.

1.2.1.3. Receipts from other sources: from oil products

Not applicable for anthracite, coking coal, other bituminous coal, sub-bituminous coal, lignite, peat, and oil shale and oil sands.

1.2.1.4. Receipts from other sources: from natural gas

Not applicable for anthracite, coking coal, other bituminous coal, sub-bituminous coal, lignite, peat, and oil shale and oil sands.

1.2.1.5. Receipts from other sources: from renewables

Not applicable for anthracite, coking coal, other bituminous coal, sub-bituminous coal, lignite, peat, oil shale and oil sands.

1.2.1.6. Imports

1.2.1.7. Exports

1.2.1.8. International Marine Bunkers

1.2.1.9. Stock changes

1.2.2. TRANSFORMATION SECTOR

1.2.2.1. Main activity producer electricity only

1.2.2.2. Main activity producer combined heat and power (CHP) units

1.2.2.3. Main activity producer heat only

1.2.2.4. Autoproducer electricity only

1.2.2.5. Autoproducer combined heat and power (CHP) units

1.2.2.6. Autoproducer heat only

1.2.2.7. Patent fuel plants

1.2.2.8. Coke ovens

1.2.2.9. BKB/PB plants

1.2.2.10. Gas works

1.2.2.11. Blast furnaces

1.2.2.12. Coal liquefaction

1.2.2.13. For blended natural gas

1.2.2.14. Production of hydrogen

1.2.2.15. Not elsewhere specified – Transformation

1.2.3. ENERGY SECTOR

1.2.3.1. Electricity, CHP and heat plants

1.2.3.2. Coal mines

1.2.3.3. Patent fuel plants

1.2.3.4. Coke ovens

1.2.3.5. BKB/PB plants

1.2.3.6. Gas works

1.2.3.7. Blast furnaces

1.2.3.8. Petroleum refineries

1.2.3.9. Coal liquefaction

1.2.3.10. Hydrogen production, liquefaction and gasification

1.2.3.11. Not elsewhere specified – Energy

1.2.4. TRANSMISSION AND DISTRIBUTION LOSSES

1.2.5. NON-ENERGY USE

1.2.5.1. Industry, transformation and energy sectors

Non-energy use in all industry, transformation and energy sub-sectors.

1.2.5.1.1. Chemical and petrochemical sector

NACE Divisions 20 and 21; non-energy use of coal includes use as feedstocks to produce fertiliser and as feedstocks for other petrochemical products.

1.2.5.2. Transport sector

Non-energy use in all transport sub-sectors.

1.2.5.3. Other sectors

Non-energy use in Commercial and public services, households, agriculture and Not elsewhere specified – Other.

1.2.6. FINAL ENERGY CONSUMPTION — INDUSTRY SECTOR

1.2.6.1. Iron and steel

1.2.6.2. Chemical and petrochemical

1.2.6.3. Non-ferrous metals

1.2.6.4. Non-metallic minerals

1.2.6.5. Transport equipment

1.2.6.6. Machinery

1.2.6.7. Mining and quarrying

1.2.6.8. Food, beverages and tobacco

1.2.6.9. Pulp, paper and printing

1.2.6.10. Wood and wood products

1.2.6.11. Construction

1.2.6.12. Textile and leather

1.2.6.13. Not elsewhere specified – Industry

1.2.7. FINAL ENERGY CONSUMPTION — TRANSPORT SECTOR

1.2.7.1. Rail

1.2.7.2. Domestic Navigation

1.2.7.3. Not Elsewhere Specified — Transport

1.2.8. FINAL ENERGY CONSUMPTION — OTHER SECTORS

1.2.8.1. Commercial and public services

1.2.8.2. Households

1.2.8.3. Agriculture

1.2.8.4. Forestry

1.2.8.5. Fishing

1.2.8.6. Not elsewhere specified – Other

1.2.9. IMPORTS BY COUNTRY OF ORIGIN AND EXPORTS BY COUNTRY OF DESTINATION

Imports by country of origin and exports by country of destination should be reported. Applicable to anthracite, coking coal, other bituminous coal, sub-bituminous coal, lignite, patent fuel, coke oven coke, coal tar, BKB, peat, peat products and oil shale and oil sands.

1.2.10. CALORIFIC VALUES

Applicable for anthracite, coking coal, other bituminous coal, sub-bituminous coal, lignite, patent fuel, coke oven coke, gas coke, coal tar, BKB, peat, peat products, oil shale and oil sands.

Both gross and net calorific values are to be declared for the following aggregates:

1.2.10.1. Production

1.2.10.2. Imports

1.2.10.3. Exports

1.2.10.4. Used in coke ovens

1.2.10.5. Used in blast furnaces

1.2.10.6. Used in main activity producer electricity only, heat only and CHP units

1.2.10.7. Used in industry

1.2.10.8. For other uses

1.3. Units of measurement

Reported quantities must be declared in kt (kilo-tonnes), except for manufactured gases (gas works gas, coke oven gas, blast furnace gas, other recovered gases), where the reported quantity must be declared in TJ GCV (tera-joules based on gross calorific values). Calorific values must be declared in MJ/t (mega-joules per tonne).

1.4. Derogations and exemptions

Not applicable.

2. NATURAL GAS

2.1. Applicable energy products

This chapter covers the reporting of natural gas.

2.2. List of aggregates

The following list of aggregates must be declared for natural gas.

2.2.1. SUPPLY

Declared quantities for the supply sector must be expressed in both volume and energy units, and must include the gross and net calorific values.

2.2.1.1. Indigenous production

Includes offshore production.

2.2.1.1.1. Associated gas

Natural gas produced in association with crude oil.

2.2.1.1.2. Non-associated gas

Natural gas originating from fields producing hydrocarbons only in gaseous form.

2.2.1.1.3. Colliery gas

Methane produced at coal mines or from coal seams, piped to the surface and consumed at collieries or transmitted by pipeline to consumers.

2.2.1.2. Receipts from other sources

2.2.1.2.1. Receipts from other sources: Oil and petroleum products

2.2.1.2.2. Receipts from other sources: Coal

2.2.1.2.3. Receipts from other sources: Renewables

2.2.1.2.4. Receipts from other sources: Hydrogen

2.2.1.3. Imports

2.2.1.4. Exports

2.2.1.5. International marine bunkers

2.2.1.6. Stock changes

Opening and closing stock levels should be declared separately, as stocks on national territory and stocks held abroad, respectively. 'Stock level' means the quantity of gas available for delivery during any input-output cycle.

2.2.1.7. Inland consumption (Observed)

2.2.1.8. Recoverable gas

This refers to recoverable natural gas stored in special storage facilities (depleted gas and/or oil field, aquifer, salt cavity, mixed caverns, or other), as well as stored liquefied natural gas. Cushion gas should be excluded. The requirement of declaring calorific values is not applicable here.

2.2.1.9. Gas vented

The volume of gas released into the air on the production site or at the gas processing plant. The requirement of declaring calorific values is not applicable here.

2.2.1.10. Gas Flared

The volume of gas burned in flares on the production site or at the gas processing plant. The requirement of declaring calorific values is not applicable here.

2.2.2. TRANSFORMATION SECTOR

2.2.2.1. Main activity producer Electricity Only

2.2.2.2. Autoproducer electricity only

2.2.2.3. Main activity producer CHP units

2.2.2.4. Autoproducer CHP units

2.2.2.5. Main activity producer heat only

2.2.2.6. Autoproducer heat only

2.2.2.7. Gas works

2.2.2.8. Coke ovens

2.2.2.9. Blast furnaces

2.2.2.10. Gas to liquids

2.2.2.11. Production of hydrogen

2.2.2.12. Non specified – Transformation

2.2.3. ENERGY SECTOR

2.2.3.1. Coal mines

2.2.3.2. Oil and gas extraction

2.2.3.3. Petroleum refineries

2.2.3.4. Coke ovens

2.2.3.5. Blast furnaces

2.2.3.6. Gas works

2.2.3.7. Electricity, CHP and heat plants

2.2.3.8. Liquefaction (LNG) or gasification (GNG)

2.2.3.9. Gas to liquids

2.2.3.10. Hydrogen production, liquefaction and gasification

2.2.3.11. Not elsewhere specified – Energy

2.2.4. TRANSMISSION LOSSES

2.2.5. DISTRIBUTION LOSSES

2.2.6. TRANSPORT SECTOR

Final energy consumption and final non-energy consumption should be declared separately for the following aggregates.

2.2.6.1. Road

2.2.6.2. Pipeline transport

2.2.6.3. Domestic navigation

2.2.6.4. Not elsewhere specified – transport

2.2.7. INDUSTRY SECTOR

Final energy consumption and final non-energy consumption should be declared separately for the following aggregates.

2.2.7.1. Iron and steel

2.2.7.2. Chemical and petrochemical

2.2.7.3. Non-ferrous metals

2.2.7.4. Non-metallic minerals

2.2.7.5. Transport equipment

2.2.7.6. Machinery

2.2.7.7. Mining and quarrying

2.2.7.8. Food, beverages and tobacco

2.2.7.9. Pulp, paper and printing

2.2.7.10. Wood and wood products

2.2.7.11. Construction

2.2.7.12. Textile and leather

2.2.7.13. Not elsewhere specified – industry

2.2.8. OTHER SECTORS

Final energy consumption and final non-energy consumption should be declared separately for the following aggregates.

2.2.8.1. Commercial and public services

2.2.8.2. Households

2.2.8.3. Agriculture

2.2.8.4. Forestry

2.2.8.5. Fishing

2.2.8.6. Not elsewhere specified – Other

2.2.9. IMPORTS BY COUNTRY OF ORIGIN AND EXPORTS BY COUNTRY OF DESTINATION

Both the quantities of total natural gas and of the LNG part of it should be declared, per country of origin for imports and per country of destination for exports.

2.2.10. GAS STORAGE CAPACITIES

To be reported separately as gaseous gas storage facilities and LNG terminals (to be further distinguished as LNG import terminals or LNG export terminals).

2.2.10.1. Name

Name of the site of the storage facility or the LNG terminal.

2.2.10.2. Type (for the gaseous gas storage facilities only)

Type of storage, such as depleted gas field, aquifer, salt cavern, etc.

2.2.10.3. Working capacity

For gaseous gas storage facilities: total gas storage capacity, minus the cushion gas. The cushion gas is the total volume of gas required as a permanent inventory to maintain adequate underground storage reservoir pressures and deliverability rates throughout the output cycle.

For LNG terminals: total gas storage capacity expressed in gaseous gas equivalent.

2.2.10.4. Peak output

Maximum rate at which gas can be withdrawn from the storage concerned; this corresponds to the maximum withdrawal capacity.

2.2.10.5. Regasifying or liquefying capacity (for LNG terminals only)

The regasifying capacity must be reported for import terminals and the liquefying capacity must be reported for export terminals.

2.3. Units of measurement

Quantities of natural gas should be declared as their energy content, i.e. in TJ, based on the gross calorific value. Where physical quantities are required, the unit is in 10^6 m^3 assuming reference gas conditions (15 °C, 101 325 Pa).

Calorific values should be declared in kJ/m^3, assuming reference gas conditions (15 °C, 101 325 Pa).

Working capacity should be declared in 10^6 m^3, assuming reference gas conditions (15 °C, 101 325 Pa).

Peak output, regasifying capacity and liquefying capacity should be declared in 10^6 m^3/day, assuming reference gas conditions (15 °C, 101 325 Pa).

3. ELECTRICITY AND HEAT

3.1. Applicable energy products

This chapter covers heat and electricity.

3.2. List of aggregates

The following list of aggregates should be declared for heat and electricity unless otherwise specified.

3.2.1. ELECTRICITY AND HEAT PRODUCTION

The following specific definitions apply to the electricity and heat aggregates discussed in this chapter:

— Gross electricity production: the sum of the electrical energy produced by all the generating sets concerned (including pumped storage) measured at the output terminals of the main generators.

— Gross heat production: the total heat produced by the installation, including the heat used by the installation's auxiliaries that use a hot fluid (space heating, liquid fuel heating etc.) and losses in the installation/network heat exchanges, as well as heat from chemical processes used as a primary energy form.

— Net electricity production: the gross electricity production less the electrical energy absorbed by the generating auxiliaries and the losses in the main generator transformers.

— Net heat production: the heat supplied to the distribution system as determined based on measurements of the outgoing and return flows.

Aggregates 3.2.1.1 to 3.2.1.11 must be declared separately for main activity producers and for autoproducers. Within these two types of plant, both gross and net electricity and heat production must be declared for electricity-only, heat-only and CHP units, separately wherever applicable. For gross electricity produced in CHP units, the subcategory of which in full CHP-mode should be declared. For net heat produced in CHP units, a separate item on auto-consumed heat should be declared.

3.2.1.1. Nuclear

3.2.1.2. Hydro (applicable only for electricity)

3.2.1.3. Geothermal

3.2.1.4. Solar

3.2.1.5. Tide, wave, ocean (applicable only for electricity)

3.2.1.6. Wind (applicable only for electricity)

3.2.1.7. Combustible fuels

Fuels capable of igniting or burning, i.e. reacting with oxygen to produce a significant rise in temperature, and combusted directly for the production of electricity and/or heat.

3.2.1.8. Heat pumps (applicable only for heat)

3.2.1.9. Electric boilers (applicable only for heat)

3.2.1.10. Heat from chemical processes

Heat originating from processes without input energy, such as a chemical reaction. Excludes waste heat originating from energy-driven processes, which should be reported as heat produced from the corresponding fuel.

3.2.1.11. Other sources

3.2.2. SUPPLY

For 3.2.2.1 and 3.2.2.2., quantities declared should be coherent with the values declared for aggregates 3.2.1.1 to 3.2.1.11.

3.2.2.1. Total gross production

3.2.2.2. Total net production

3.2.2.3. Imports

Amounts of electricity are considered as imported or exported when they have crossed the political boundaries of a country, whether customs clearance has taken place or not. If electricity transits through a country, the amount should be reported as both an import and an export.

3.2.2.4. Exports

See explanation under 3.2.2.3. 'Imports'.

3.2.2.5. International marine bunkers

3.2.2.6. Used for heat pumps (applicable only for electricity)

3.2.2.7. Used for electric boilers (applicable only for electricity)

3.2.2.8. Used for pumped storage – pure pumped storage plants (applicable only for electricity)

3.2.2.9. Used for pumped storage – Mixed hydro plants (applicable only for electricity)

3.2.2.10. Used for electricity production (applicable only for heat)

3.2.2.11. Used for hydrogen production (transformation)

3.2.3. TRANSMISSION LOSSES

3.2.4. DISTRIBUTION LOSSES

3.2.5. FINAL ENERGY CONSUMPTION – TRANSPORT SECTOR

Final energy consumption and final non-energy consumption should be declared separately for the following aggregates.

3.2.5.1. Rail

3.2.5.2. Pipeline transport

3.2.5.3. Road

3.2.5.4. Domestic navigation

3.2.5.5. Not elsewhere specified – Transport

3.2.6. FINAL ENERGY CONSUMPTION – OTHER SECTORS

3.2.6.1. Commercial and public services

3.2.6.2. Households

3.2.6.3. Agriculture

3.2.6.4. Forestry

3.2.6.5. Fishing

3.2.6.6. Not elsewhere specified – Other

3.2.7. ENERGY SECTOR

Excludes plants' own use for pumped storage, heat pumps and electric boilers.

3.2.7.1. Coal mines

3.2.7.2. Oil and gas extraction

3.2.7.3. Patent fuel plants

3.2.7.4. Coke ovens

3.2.7.5. BKB/PB plants

3.2.7.6. Gas works

3.2.7.7. Blast furnaces

3.2.7.8. Petroleum refineries

3.2.7.9. Nuclear industry

3.2.7.10. Coal liquefaction plants

3.2.7.11. Liquefaction (LNG)/Regasification (GNG) plants

3.2.7.12. Gasification plants (biogas)

3.2.7.13. Gas to liquids

3.2.7.14. Hydrogen production, liquefaction and gasification of hydrogen.

3.2.7.16. Charcoal production plants

3.2.7.17. Not elsewhere specified – Energy

3.2.8. INDUSTRY SECTOR

3.2.8.1. Iron and steel

3.2.8.2. Chemical and petrochemical

3.2.8.3. Non-ferrous metals

3.2.8.4. Non-metallic minerals

3.2.8.5. Transport equipment

3.2.8.6. Machinery

3.2.8.7. Mining and quarrying

3.2.8.8. Food, beverages and tobacco

3.2.8.9. Pulp, paper and printing

3.2.8.10. Wood and wood products

3.2.8.11. Construction

3.2.8.12. Textile and leather

3.2.8.13. Not elsewhere specified – Industry

3.2.9. IMPORTS AND EXPORTS

Imports and exports of quantities of electricity and heat by country of origin and destination, respectively, have to be reported. See explanation under 3.2.2.3. 'Imports'.

3.2.10. NET PRODUCTION FROM AUTOPRODUCERS

For the following plants or activities, net production of electricity and net generation of heat from auto-

producers should be declared separately for electricity-only, heat-only and CHP units:

3.2.10.1. Energy sector: Coal mines

3.2.10.2. Energy sector: Oil and gas extraction

3.2.10.3. Energy sector: Patent fuel plants

3.2.10.4. Energy sector: Coke ovens

3.2.10.5. Energy sector: BKB/PB plants

3.2.10.6. Energy sector: Gas works

3.2.10.7. Energy sector: Blast furnaces

3.2.10.8. Energy sector: Petroleum refineries

3.2.10.9. Energy sector: Coal liquefaction plants

3.2.10.10. Energy sector: Liquefaction (LNG)/Regasification plants

3.2.10.11. Energy sector: Gasification plants (biogas)

3.2.10.12. Energy sector: Gas to liquids

3.2.10.13. Energy sector: Charcoal production plants

3.2.10.14. Energy sector: Hydrogen production, liquefaction, gasification.

3.2.10.15. Energy sector: Not elsewhere specified – Energy

3.2.10.16. Industry sector: Iron and steel

3.2.10.17. Industry sector: Chemical and petrochemical

3.2.10.18. Industry sector: Non-ferrous metals

3.2.10.19. Industry sector: Non-metallic minerals

3.2.10.20. Industry sector: Transport equipment

3.2.10.21. Industry sector: Machinery

3.2.10.22. Industry sector: Mining and quarrying

3.2.10.23. Industry sector: Food, beverages and tobacco

3.2.10.24. Industry sector: Pulp, paper and printing

3.2.10.25. Industry sector: Wood and wood products

3.2.10.26. Industry sector: Construction

3.2.10.27. Industry sector: Textile and leather

3.2.10.28. Industry sector: Not elsewhere specified – Industry

3.2.10.29. Transport Sector: Rail

3.2.10.30. Transport Sector: Pipeline transport

3.2.10.31. Transport Sector: Road

3.2.10.32. Transport Sector: Not elsewhere specified – Transport

3.2.10.33. Other sectors: Households

3.2.10.34. Other sectors: Commercial and public services

3.2.10.35. Other sectors: Agriculture/Forestry

3.2.10.36. Other sectors: Fishing

3.2.10.37. Other sectors: Not elsewhere specified – Other

3.2.11. NET PRODUCTION OF ELECTRICITY BY SECTOR

Total net production of electricity and the part that is auto-consumed (without splitting between main activity producer and autoproducer) must be declared separately for households, commercial and public services, energy sector, industry sector and other sectors for each of the following groups of fuels:

3.2.11.1. Solar PV

3.2.11.2. Solid, liquid and gaseous biofuels

3.2.11.3. Other renewables

3.2.11.4. Natural gas

3.2.11.5. Other (non-renewables)

3.2.12. GROSS ELECTRICITY AND HEAT PRODUCTION FROM COMBUSTIBLE FUELS

The gross electricity produced, the heat sold and the fuel quantities used, including their corresponding total energy from the combustibles listed below, must be declared separately for main activity producers and for autoproducers. For these two types of producer, electricity and heat production must be declared separately wherever applicable for electricity-only, heat-only and CHP units.

3.2.12.1. Anthracite

3.2.12.2. Coking Coal

3.2.12.3. Other bituminous coal

3.2.12.4. Sub-bituminous coal

3.2.12.5. Lignite

3.2.12.6. Peat

3.2.12.7. Patent fuel

3.2.12.8. Coke oven coke

3.2.12.9. Gas coke

3.2.12.10. Coal tar

3.2.12.11. BKB (brown coal briquettes)

3.2.12.12. Gas works gas

3.2.12.13. Coke oven gas

3.2.12.14. Blast furnace gas

3.2.12.15. Other recovered gases

3.2.12.16. Peat products

3.2.12.17. Oil shale and oil sands

3.2.12.18. Crude oil

3.2.12.19. NGL

3.2.12.20. Refinery gas

3.2.12.21. LPG

3.2.12.22. Naphtha

3.2.12.23. Kerosene type jet fuel

3.2.12.24. Other kerosene

3.2.12.25. Gas/Diesel oil

3.2.12.26. Fuel oil

3.2.12.27. Bitumen

3.2.12.28. Petroleum coke

3.2.12.29. Other oil products

3.2.12.30. Natural gas

3.2.12.31. Industrial waste

3.2.12.32. Renewable municipal waste

3.2.12.33. Non-renewable municipal waste

3.2.12.34. Solid biofuels

3.2.12.35. Biogases

3.2.12.36. Biodiesels

3.2.12.37. Biogasolines

3.2.12.38. Other liquid biofuels

3.2.12.39. Hydrogen

3.2.13. NET MAXIMUM ELECTRICAL CAPACITY

The capacity should be declared as on 31 December of the relevant reported year and for the fuels indicated below. Includes electrical capacity of both electricity-only and CHP units. The net maximum electrical capacity must be declared for both main activity producers and autoproducers. It is the sum of the net maximum capacities of all stations taken individually over a given period of operation. The period of operation assumed for present purposes is continuous running: in practice 15 hours or more per day. The net maximum capacity is the maximum power assumed to be solely active power that can be supplied, continuously, with the whole plant running, at the point of outlet to the network.

3.2.13.1. Nuclear

3.2.13.2. Pure hydro plants

3.2.13.3. Mixed hydro plants

3.2.13.4. Pure pumped storage plants

3.2.13.5. Geothermal

3.2.13.6. Solar photovoltaic

3.2.13.7. Solar thermal

3.2.13.8. Tide, wave, ocean

3.2.13.9. Wind

3.2.13.10. Combustible fuels

3.2.13.10.1. Type of generation: Steam

3.2.13.10.2. Type of generation: Internal combustion

3.2.13.10.3. Type of generation: Gas turbine

3.2.13.10.4. Type of generation: Combined cycle

3.2.13.10.5. Type of generation: Other

3.2.13.11. Hydrogen fuel cells

3.2.13.12. Other sources

3.2.14. NET MAXIMUM ELECTRICAL CAPACITY OF COMBUSTIBLE FUELS

Net maximum electrical capacity of combustible fuels must be declared for both main activity producers and autoproducers, and separately for each type of single-fired or multi-fired plant mentioned below. Multi-fired systems include only units which can burn more than one fuel type on a continuous basis. Stations which have separate units using different fuels should be divided into the appropriate single-fuel categories. Indications on which type of fuel is used as primary and alternate must be added for each category of multi-fired plants.

3.2.14.1. Single-fuel fired (for all categories of primary fuels)

3.2.14.2. Multi-fired solids and liquids

3.2.14.3. Multi-fired solids and natural gas

3.2.14.4. Multi-fired liquids and natural gas

3.2.14.5. Multi-fired solids, liquids and natural gas

3.2.15. NEWLY INSTALLED AND DECOMMISSIONED ELECTRICAL CAPACITY

Newly installed capacity is the net maximum electrical capacity of the generation units that become operational in the reference year. Decommissioned capacity is the net maximum electrical capacity that is no longer operational during the reference year.

For all fuels indicated under 3.2.13 and 3.2.14, the newly installed and decommissioned capacity should be reported for the reference year.

3.2.16. BATTERIES

The storage capacity or energy capacity of a battery is the total quantity of energy that the battery can store. The rated power capacity is the maximum rate of discharge that the battery can achieve, starting from a fully charged state. The information below should be declared for batteries connected to the grid and used as storing/balancing element. Only batteries with a storage capacity equal to or above 1 MWh and only exchanges with the grid need to be declared.

3.2.16.1. Storage capacity of batteries

3.2.16.2. Rated power capacity of batteries

3.2.16.3. Electricity injected in the grid from batteries

3.2.16.4. Electricity used from the grid to charge batteries

Each of the elements above should be split in the following size groups of storage capacity:

— From 1 MWh to 10 MWh

— From more than 10 MWh to 100 MWh

— More than 100 MWh.

3.3. Units of measurement

Electricity should be declared in GWh (giga-watt hours), heat in TJ (tera-joules) and capacity in MW (megawatts). For batteries, storage capacity should be declared in MWh and rated power capacity in MW.

If reporting of other fuels is required, the applicable units are defined in the relevant chapters of this annex.

4. OIL AND PETROLEUM PRODUCTS

4.1. Applicable energy products

Unless otherwise specified, this data collection applies to all energy products listed in Annex A, Chapter 3.4. OIL (crude oil and petroleum products)

4.2. List of aggregates

The following list of aggregates should be declared for all energy products listed in the previous paragraph, unless otherwise specified.

4.2.1. SUPPLY OF CRUDE OIL, NGL, REFINERY FEEDSTOCKS, ADDITIVES AND OTHER HYDROCARBONS

The following aggregates should be declared for crude oil, NGL, refinery feedstocks, additives/oxygenates, biofuels in additives/oxygenates and other hydrocarbons:

4.2.1.1. Indigenous production

Not applicable for refinery feedstocks and for biofuels.

4.2.1.2. Receipts from other sources.

Not applicable for crude oil, NGL and refinery feedstocks.

4.2.1.2.1. Receipts from other sources: from coal

4.2.1.2.2. Receipts from other sources: from natural gas

4.2.1.2.3. Receipts from other sources: from renewables

4.2.1.2.4. Receipts from other sources: from hydrogen

4.2.1.3. Backflows from petrochemical sector

Only applicable for refinery feedstocks.

4.2.1.4. Products transferred

Only applicable for refinery feedstocks.

4.2.1.5. Imports

Includes quantities of crude oil and products imported or exported under processing agreements (i.e. refining on account). Crude oil and NGLs should be reported as coming from the country of ultimate origin; refinery feedstocks and finished products should be reported as coming from the country of last consignment. Includes any gas liquids (e.g. LPG) extracted during the regasification of imported liquefied natural gas and petroleum products imported or exported directly by the petrochemical industry. Note:

all trade of biofuels which have not been blended with transport fuels (i.e. in their pure form) should not be reported here. Re-exports of oil imported for processing within bonded areas should be included as an export of product from the processing country to the final destination.

4.2.1.6. Exports

The note for imports (4.2.1.5.) also applies to exports.

4.2.1.7. Direct Use

4.2.1.8. Stock changes

4.2.1.9. Observed refinery intake

Amounts measured as input to refineries

4.2.1.10. Refinery losses

The difference between refinery intake (observed) and gross refinery output. Losses may occur during the distillation processes due to evaporation. Reported losses are positive. There may be volumetric gains but no gains in mass.

4.2.1.11. Opening total stocks on national territory

4.2.1.12. Closing total stocks on national territory

4.2.1.13. Net calorific value

4.2.1.13.1. Production (not applicable for refinery feedstocks and Biofuels in Additives/Oxygenates)

4.2.1.13.2. Imports (not applicable for biofuels in additives/oxygenates)

4.2.1.13.3. Exports (not applicable for biofuels in additives/oxygenates)

4.2.1.13.4. Overall average

4.2.2. SUPPLY OF OIL PRODUCTS

The following aggregates apply to finished products (refinery gas, ethane, LPG, naphtha, motor gasoline as well as its part of biogasoline, aviation gasoline, gasoline type jet fuel, kerosene type jet fuel as well as its bio part, other kerosene, gas/diesel oil, low and high sulphur fuel oil, white spirit and SBP, lubricants, bitumen, paraffin waxes, petroleum coke and other products). Crude oil and NGL used for direct burn should be included in deliveries of finished products and interproduct transfers.

4.2.2.1. Primary product receipts

4.2.2.2. Gross refinery output

4.2.2.3. Recycled products

4.2.2.4. Refinery fuel (petroleum refineries)

Fuels used for production at refineries of electricity and heat sold should also be included in this category.

4.2.2.4.1. Used in electricity only units/plants

4.2.2.4.2. Used in CHP units

4.2.2.4.3. Used in heat only units/plants

4.2.2.5. Imports

The note for imports in Section 4.2.1.5. also applies here.

4.2.2.6. Exports

The note for imports in Section 4.2.1.5. also applies here.

4.2.2.7. International marine bunkers

4.2.2.8. Interproduct transfers

4.2.2.9. Products transferred

4.2.2.10. Stock changes

4.2.2.11. Opening stock levels

4.2.2.12. Closing stock levels

4.2.2.13. Stock changes at main activity producers

Changes in stocks which are held by public utilities and are not included in stock levels and stock changes reported elsewhere. A stock build is shown as a negative number and a stock draw is shown as a positive number.

4.2.2.14. Average net calorific values

4.2.3. DELIVERIES TO THE PETROCHEMICAL SECTOR

The observed delivery of finished petroleum products from primary sources (e.g. refineries, blending plants, etc.) to the inland market.

4.2.3.1. Gross deliveries to the petrochemical sector

4.2.3.2. Energy use in the petrochemical sector

Quantities of oil used as fuel for petrochemical processes such as steam cracking.

4.2.3.3. Non-energy use in the petrochemical sector

Quantities of oil used in the petrochemical sector for the purpose of producing ethylene, propylene, butylene, synthesis gas, aromatics, butadiene and other hydrocarbon-based raw materials in processes such as steam cracking, aromatics plants and steam reforming. Excludes amounts of oil used for fuel purposes.

4.2.3.4. Backflows from petrochemical sector to refineries

4.2.4. TRANSFORMATION SECTOR

The quantities involved in both energy use and non-energy use must be declared.

4.2.4.1. Main activity producer electricity only

4.2.4.2. Autoproducer electricity only

4.2.4.3. Main activity producer CHP units

4.2.4.4. Autoproducer CHP units

4.2.4.5. Main activity producer heat Only

4.2.4.6. Autoproducer heat only

4.2.4.7. Gas works/Gasification plants

4.2.4.8. Blended natural gas

4.2.4.9. Coke ovens

4.2.4.10. Blast furnaces

4.2.4.11. Petrochemical industry

4.2.4.12. Patent fuel plants

4.2.4.13. Production of hydrogen

4.2.4.14. Not elsewhere specified – Transformation

4.2.5. ENERGY SECTOR

Both the quantities involved in energy use and non-energy use shall be declared.

4.2.5.1. Coal Mines

4.2.5.2. Oil and Gas Extraction

4.2.5.3. Coke Ovens

4.2.5.4. Blast Furnaces

4.2.5.5. Gas Works

4.2.5.6. Own use Electricity, CHP and heat plants

4.2.5.7. Hydrogen production, liquefaction and gasification.

4.2.5.8. Not Elsewhere Specified – Energy

4.2.6. TRANSMISSION AND DISTRIBUTION LOSSES

The quantities involved both in energy use and non-energy use must be declared.

4.2.7. FINAL ENERGY CONSUMPTION – INDUSTRY SECTOR

The quantities involved both in energy use and non-energy use must be declared.

4.2.7.1. Iron and steel

4.2.7.2. Chemical and petrochemical

4.2.7.3. Non-ferrous metals

4.2.7.4. Non-metallic minerals

4.2.7.5. Transport equipment

4.2.7.6. Machinery

4.2.7.7. Mining and quarrying

4.2.7.8. Food, beverages and tobacco

4.2.7.9. Pulp, paper and printing

4.2.7.10. Wood and wood products

4.2.7.11. Construction

4.2.7.12. Textile and leather

4.2.7.13. Not elsewhere specified – Industry

4.2.8. FINAL ENERGY CONSUMPTION – TRANSPORT SECTOR

The quantities involved in both energy use and non-energy use must be declared.

4.2.8.1. International aviation

4.2.8.2. Domestic aviation

4.2.8.3. Road

4.2.8.4. Rail

4.2.8.5. Domestic navigation

4.2.8.6. Pipeline transport

4.2.8.7. Not elsewhere specified – Transport

4.2.9. FINAL ENERGY CONSUMPTION – OTHER SECTORS

The quantities involved in both energy use and non-energy use must be declared.

4.2.9.1. Commercial and public services

4.2.9.2. Households

4.2.9.3. Agriculture

4.2.9.4. Forestry

4.2.9.5. Fishing

4.2.9.6. Not elsewhere specified – Other

4.2.10. IMPORTS BY COUNTRY OF ORIGIN AND EXPORTS BY COUNTRY OF DESTINATION

Imports should be declared by country of origin and exports by country of destination. The note for imports in Section 4.2.1.5 also applies here.

4.2.11. REFINERY CAPACITY

Report the national total refining capacity and the breakdown of annual capacity by refinery in thousand metric tons per year. The following items should be reported:

4.2.11.1. Name/Location

4.2.11.2. Atmospheric distillation

4.2.11.3. Vacuum distillation

4.2.11.4. Cracking (thermal)

4.2.11.4.1. Of which visbreaking

4.2.11.4.2. Of which coking

4.2.11.5. Cracking (catalytic)

4.2.11.5.1. Of which fluid catalytic cracking (FCC)

4.2.11.5.2. Of which hydro-cracking (HCK)

4.2.11.6. Reforming

4.2.11.7. Desulphurisation

4.2.11.8. Alkylation, polymerisation, isomeration

4.2.11.9. Etherification

4.3. Units of measurement

Reported quantities must be declared in kt (kilo-tonnes). Calorific values must be declared in MJ/t (mega-joules per tonne).

4.4. Exemptions

Cyprus is exempted from reporting the aggregates specified in Section 4.2.9 (Final energy consumption – Other sectors); only the total values should be reported. Cyprus is also exempted from reporting non-energy use under Sections 4.2.4 (Transformation sector), 4.2.5 (Energy sector), 4.2.7 (Industry), 4.2.7.2 (Industry sector – of which chemical and petrochemical), 4.2.8 (Transport) and 4.2.9 (Other sectors).

5. RENEWABLE ENERGY AND ENERGY FROM WASTE

5.1. Applicable energy products

Unless otherwise specified, this data collection applies to all energy products listed in Annex A, Chapter 3.5. RENEWABLES AND WASTE. Only quantities of fuels used for energy purposes (for example in electricity and heat generation, combustion with energy recovery, in mobile engines in transport and for use in stationary engines) should be reported. Quantities of renewable energy products used to replace fossil fuels for non-energy purposes should be reported in Section 5.2.9, but they should not be included in the rest of sections in this chapter. Renewable products that have not been developed to replace fossil fuels should be excluded from reporting in Section 5.2.9, such as solid biofuels used for furniture, construction and paper/cardboard production, alcohols used in food industry and cotton/natural fibres used in textile industry. Passive thermal energy should be excluded from reporting in Chapter 5 (for example, passive solar thermal heating of buildings).

5.2. List of aggregates

Unless otherwise specified, the following list of aggregates should be declared for all energy products listed in the previous paragraph. Ambient heat (heat pumps) only needs to be reported for the following sectors: Transformation (only for aggregates related to heat sold), Energy (only total, no subcategories), Industry total (only total, no subcategories), Commercial and public services, Households and Not elsewhere specified – Other. For ambient heat (heat pumps), the subcategories Aerothermal, Geothermal and Hydrothermal should be declared under indigenous production. For each of these three categories, the subcategory Of which from heat pumps with SPF above the threshold should be declared. The SPF (seasonal performance factor) threshold should be in accordance with Directive 2009/28/EC and Directive (EU) 2018/2001 on the promotion of the use of energy from renewable sources.

5.2.1. GROSS ELECTRICITY AND HEAT PRODUCTION

The definitions offset out in Chapter 3.2.1. apply. The aggregates 5.2.1.1 to 5.2.1.18 must be declared separately for main activity producers and for autoproducers. For these two types of plant, gross electricity and gross heat production must be declared for electricity-only, heat-only and CHP units, separately wherever applicable.

5.2.1.1. Pure hydro plants (applicable only for electricity)

5.2.1.2. Mixed hydro plants (applicable only for electricity)

5.2.1.2.1. Of which pumping (applicable only for electricity)

5.2.1.3. Pure pumped storage plants (applicable only for electricity)

5.2.1.4. Geothermal

5.2.1.5. Solar photovoltaic (applicable only for electricity)

The following size subcategories should be declared for solar photovoltaic:

5.2.1.5.1. Less than 30 kW

5.2.1.5.2. From 30 to 1 000 kW

5.2.1.5.3. More than 1 000 kW

For 5.2.1.5.1 to 5.2.1.5.3, the subcategories rooftop and off-grid should be declared. The off-grid category is mandatory only if it accounts for 1% or more of the photovoltaic capacity in its respective size category.

5.2.1.6. Solar thermal

5.2.1.7. Tide, wave, ocean (applicable only for electricity)

5.2.1.8. Wind (applicable only for electricity)

5.2.1.9. On-shore wind

5.2.1.10. Offshore wind

5.2.1.11. Renewable municipal waste

5.2.1.12. Non-renewable municipal waste

5.2.1.13. Solid biofuels

5.2.1.14. Biogases

5.2.1.15. Biodiesels

5.2.1.16. Biogasolines

5.2.1.17. Other liquid biofuels

5.2.1.18. Heat pumps (applicable only for heat)

5.2.2. SUPPLY

5.2.2.1. Production

5.2.2.2. Imports

5.2.2.3. Exports

5.2.2.4. International marine bunkers

5.2.2.5. Stock changes

5.2.3. TRANSFORMATION SECTOR

5.2.3.1. Main activity producer electricity only

5.2.3.2. Main activity producer combined heat and power (CHP) units

5.2.3.3. Main activity producer heat only

5.2.3.4. Autoproducer electricity only

5.2.3.5. Autoproducer combined heat and power (CHP) units

5.2.3.6. Autoproducer heat only

5.2.3.7. Patent fuel plants

5.2.3.8. BKB/PB plants

5.2.3.9. Blast Furnaces

5.2.3.10. Blended in the gas grid (e.g. Natural gas blending plants)

5.2.3.11. Blended with liquid fossil fuels (e.g. motor gasoline / diesel / kerosene)

5.2.3.12. Charcoal production plants

5.2.3.13. Production of hydrogen

5.2.3.14. Not elsewhere specified – Transformation

5.2.4. ENERGY SECTOR

5.2.4.1. Gasification plants (biogas)

5.2.4.2. Electricity, CHP and heat plants

5.2.4.3. Coal mines

5.2.4.4. Patent fuel plants

5.2.4.5. Coke ovens

5.2.4.6. Petroleum refineries

5.2.4.7. BKB/PB plants

5.2.4.8. Gas works

5.2.4.9. Blast furnaces

5.2.4.10. Charcoal production plants

5.2.4.11. Hydrogen production, liquefaction and gasification

5.2.4.12. Not elsewhere specified – Energy

5.2.5. TRANSMISSION AND DISTRIBUTION LOSSES

5.2.6. FINAL ENERGY CONSUMPTION – INDUSTRY SECTOR

5.2.6.1. Iron and steel

5.2.6.2. Chemical and petrochemical

5.2.6.3. Non-ferrous metals

5.2.6.4. Non-metallic minerals

5.2.6.5. Transport equipment

5.2.6.6. Machinery

5.2.6.7. Mining and quarrying

5.2.6.8. Food, beverages and tobacco

5.2.6.9. Pulp, paper and printing

5.2.6.10. Wood and wood products

5.2.6.11. Construction

5.2.6.12. Textile and leather

5.2.6.13. Not elsewhere specified – Industry

5.2.7. FINAL ENERGY CONSUMPTION – TRANSPORT SECTOR

5.2.7.1. Rail

5.2.7.2. Road

5.2.7.3. Domestic navigation

5.2.7.4. Domestic aviation

5.2.7.5. International aviation

5.2.7.6. Not elsewhere specified – Transport

5.2.8. FINAL ENERGY CONSUMPTION – OTHER SECTORS

5.2.8.1. Commercial and public services

5.2.8.2. Households

5.2.8.3. Agriculture

5.2.8.4. Forestry

5.2.8.5. Fishing

5.2.8.6. Not elsewhere specified – Other

5.2.9. FINAL CONSUMPTION – NON-ENERGY USE

For the following items:

5.2.9.1. Transport sector

5.2.9.2. Industry sector

5.2.9.3. Other sectors

The final consumption – non-energy use should be declared for the following groups of fuels:

5.2.9.4. Solid biofuels

5.2.9.5. Liquid biofuels

5.2.9.6. Biogases

The first reference year to declare the elements in Section 5.2.9 is 2024. Until reference year 2027 only the aggregate total final consumption – non-energy use can be declared instead of items 5.2.9.1 to 5.2.9.3 separately. The quantities reported in 5.2.9 should not be included in 5.2.2 to 5.2.8.

5.2.10. NET MAXIMUM ELECTRICAL CAPACITY

Capacity should be declared as on 31 December of the relevant reported year. Includes the electrical capacity of both electricity-only and CHP units. The net maximum electrical capacity is the sum of the net maximum capacities of all stations taken individually over a specific period of operation. The period of operation assumed for present purposes is continuous running: in practice 15 hours or more per day. The net maximum capacity is the maximum power assumed to be solely active power that can be supplied, continuously, with the whole plant running, at the point of outlet to the network.

5.2.10.1. Pure hydro plants

5.2.10.2. Mixed hydro plants

5.2.10.3. Pure pumped storage plants

5.2.10.4. Geothermal

5.2.10.5. Solar photovoltaic

The following size subcategories should be declared for solar photovoltaic:

5.2.10.5.1. Less than 30 kW

5.2.10.5.2. Between 30 and 1 000 kW

5.2.10.5.3. More than 1 000 kW

For 5.2.10.5.1 to 5.2.10.5.3, the subcategories rooftop and off-grid should be declared. The off-grid category is mandatory only if it accounts for 1% or more of the capacity in its respective size category.

5.2.10.6. Solar thermal

5.2.10.7. Tide, wave, ocean

5.2.10.8. On-shore wind

5.2.10.9. Offshore wind

5.2.10.10. Industrial waste

5.2.10.11. Municipal waste

5.2.10.12. Solid biofuels

5.2.10.13. Biogases

5.2.10.14. Biodiesels

5.2.10.15. Biogasolines

5.2.10.16. Other liquid biofuels

5.2.11. TECHNICAL CHARACTERISTICS

5.2.11.1. Solar collector surface

The total surface area of the installed solar collectors is to be declared. The solar collector surface relates only to solar collectors used for the production of solar thermal heat; solar collector surface used for electricity generation does not have to be reported here (solar PV and concentrated solar power). The surface area of all solar collectors should be included: glazed and unglazed collectors, flat-plate and vacuum tube with a liquid or air as the energy carrier.

5.2.11.2. Production capacity for Biogasoline

5.2.11.3. Production capacity for Biodiesels

5.2.11.4. Production capacity for Bio jet kerosene

5.2.11.5. Production capacity for Other liquid biofuels

5.2.11.6. Average net calorific value for Biogasoline

5.2.11.7. Average net calorific value for Bioethanol

5.2.11.8. Average net calorific value for Biodiesels

5.2.11.9. Average net calorific value for Bio jet kerosene

5.2.11.10. Average net calorific value for Other liquid biofuels

5.2.11.11. Average net calorific value for Charcoal

5.2.11.12. Thermal capacity of heat pumps: Aerothermal

5.2.11.12.1. Thermal capacity of heat pumps: Aerothermal Air-Air

5.2.11.12.2. Thermal capacity of heat pumps: Aerothermal Air-Water

5.2.11.12.3. Thermal capacity of heat pumps: Aerothermal Air-Air (reversible)

5.2.11.12.4. Thermal capacity of heat pumps: Aerothermal Air-Water (reversible)

5.2.11.12.5. Thermal capacity of heat pumps: Aerothermal Exhaust Air-Air

5.2.11.12.6. Thermal capacity of heat pumps: Aerothermal Exhaust Air-Water

5.2.11.13. Thermal capacity of heat pumps: Geothermal energy

5.2.11.13.1. Thermal capacity of heat pumps: Geothermal energy Ground-Air

5.2.11.13.2. Thermal capacity of heat pumps: Geothermal energy Ground-Water

5.2.11.14. Thermal capacity of heat pumps: Hydrothermal heat

5.2.11.14.1. Thermal capacity of heat pumps: Hydrothermal heat Water-Air

5.2.11.14.2. Thermal capacity of heat pumps: Hydrothermal heat Water-Water

For all items from 5.2.11.12 to 5.2.11.14.2, the subcategory Of which from heat pumps with SPF above the threshold should be declared. The SPF (seasonal performance factor) threshold should be in accordance with Directives 2009/28/EC and (EU) 2018/2001 on the promotion of the use of energy from renewable sources.

5.2.12. PRODUCTION OF SOLID BIOFUELS AND BIOGASES

The total production of solid biofuels (excluding charcoal) should be split among the following fuels:

5.2.12.1. Fuelwood, wood residues and by-products

5.2.12.1.1. Wood pellets as part of Fuelwood, wood residues and by-products

5.2.12.2. Black liquor

5.2.12.3. Bagasse

5.2.12.4. Animal waste

5.2.12.5. Other vegetal materials and residues

5.2.12.6. Renewable fraction of industrial waste

The total production of biogas should be split among the following production methods:

5.2.12.7. Biogases from anaerobic fermentation: landfill gas

5.2.12.8. Biogases from anaerobic fermentation: sewage sludge gas

5.2.12.9. Biogases from anaerobic fermentation: other biogases from anaerobic fermentation

5.2.12.10. Biogases from thermal processes

5.2.13. IMPORTS BY COUNTRY OF ORIGIN AND EXPORTS BY COUNTRY OF DESTINATION

Imports should be reported by country of origin and exports by country of destination. Applicable to biogasolines, bioethanol, bio jet kerosene, biodiesels, other liquid biofuels, wood pellets.

5.3. Units of measurement

Electricity must be declared in GWh (giga-watt hours), heat in TJ (tera-joules) and electrical capacity in MW (megawatts).

Reported quantities must be declared in TJ NCV (tera-joules based on net calorific value), except for charcoal, biogasoline, bioethanol, bio jet kerosenese, biodiesels, and other liquid biofuels which must be declared in kt (kilo-tonnes).

Calorific values must be declared in MJ/t (mega-joules per tonne).

Solar collector surface must be declared in 1 000 m^2.

Production capacity must be declared in kt (kilo-tonnes) per year.

6. ANNUAL NUCLEAR STATISTICS

The following data concerning the civil use of nuclear energy must be declared:

6.1. List of aggregates

6.1.1. ENRICHMENT CAPACITY

The annual separative work capacity of operational enrichment plants (isotopic separation of uranium).

6.1.2. PRODUCTION CAPACITY OF FRESH FUEL ELEMENTS

The annual production capacity of fuel fabrication plants. MOX fuel fabrication plants are excluded.

6.1.3. PRODUCTION CAPACITY OF MOX FUEL FABRICATION PLANTS

The annual production capacity of MOX fuel fabrication plants.

MOX is a fuel that contains a mixture of plutonium and uranium (mixed oxide).

6.1.4. PRODUCTION OF FRESH FUEL ELEMENTS

Production of finished fresh fuel elements in nuclear fuel fabrication plants. Rods or other partial products are not included. Fabrication plants producing MOX fuel are also excluded.

6.1.5. PRODUCTION OF MOX FUEL ELEMENTS

Production of finished fresh fuel elements in MOX fuel fabrication plants. Rods or other partial products are not included.

6.1.6. PRODUCTION OF NUCLEAR HEAT

The total amount of heat generated by nuclear reactors for the production of electricity or for other useful applications of heat.

6.1.7. ANNUAL AVERAGE BURNUP OF DEFINITIVELY DISCHARGED IRRADIATED FUEL ELEMENTS

Calculated average of the burnup of the fuel elements which have been definitively discharged from nuclear reactors during the reference year concerned. Excludes fuel elements which are temporarily discharged and are likely to be reloaded again later.

6.1.8. PRODUCTION OF URANIUM AND PLUTONIUM IN REPROCESSING PLANTS Uranium and plutonium produced in reprocessing plants during the reference year.

6.1.9. CAPACITY (URANIUM AND PLUTONIUM) OF REPROCESSING PLANTS

Annual reprocessing capacity of uranium and plutonium.

6.2. Units of measurement

tSWU (tonnes of separative work units) for 6.1.1.

tHM (tonnes of heavy metal) for 6.1.4, 6.1.5., 6.1.8.

tHM (tonnes of heavy metal) per year for 6.1.2., 6.1.3, 6.1.9

TJ (tera-joules) for 6.1.6.

GWd/tHM (gigawatt-day per tonne of heavy metal) for 6.1.7.

7. HYDROGEN

The following data concerning hydrogen must be declared for the first time for reference year 2024:

7.1. List of aggregates

7.1.1. SUPPLY

7.1.1.1. Indigenous production

7.1.1.1.1. From natural gas

7.1.1.1.2. From oil and petroleum products

7.1.1.1.3. From solid fuels

7.1.1.1.4. From renewables (including renewable waste)

7.1.1.1.5. From non-renewable waste

7.1.1.1.6. From electrolysis

7.1.1.1.6.1. Of which: electricity from renewables – direct transmission line

7.1.1.1.6.2. Of which: electricity from nuclear – direct transmission line

7.1.1.1.6.3. Of which: electricity from fossil fuels – direct transmission line

7.1.1.1.7. From electricity – Others

7.1.1.1.8. From other sources (Others)

7.1.1.2. Imports

7.1.1.3. Exports

7.1.1.4. Stock changes

7.1.1.5. International marine bunkers

7.1.1.6. International aviation

7.1.2. TRANSFORMATION SECTOR

7.1.2.1. Main activity producer electricity

7.1.2.2. Autoproducer electricity

7.1.2.3. Main activity producer CHP

7.1.2.4. Autoproducer CHP

7.1.2.5. Main activity producer heat

7.1.2.6. Autoproducer heat

7.1.2.7. Gas works (and other conversion to gases)

7.1.2.8. Petroleum refineries

7.1.2.9. Natural gas blending plans

7.1.2.10. For blending with motor gasoline/diesel/kerosene

7.1.2.11. For blending with renewables

7.1.2.12. Hydrogen blended with renewable fuels

7.1.2.13. Not elsewhere specified (Transformation)

7.1.3. ENERGY SECTOR

7.1.3.1. Coal mines

7.1.3.2. Oil and gas extraction

7.1.3.3. Petroleum refineries

7.1.3.4. Coke ovens (Energy)

7.1.3.5. Blast furnaces (Energy)

7.1.3.6. Gas works (Energy)

7.1.3.7. Electricity, CHP and heat

7.1.3.8. Hydrogen production, liquefaction and gasification

7.1.3.10. Not elsewhere specified (Energy)

7.1.4. TRANSMISSION AND DISTRIBUTION LOSSES

7.1.5. FINAL NON-ENERGY CONSUMPTION – INDUSTRY SECTOR

7.1.5.1. Iron and steel

7.1.5.2. Chemical and petrochemical

7.1.5.3. Non-ferrous metals

7.1.5.4. Non-metallic minerals

7.1.5.5. Transport equipment

7.1.5.6. Machinery

7.1.5.7. Mining and quarrying

7.1.5.8. Food, beverages and tobacco

7.1.5.9. Paper, pulp and printing

7.1.5.10. Wood and wood products

7.1.5.11. Construction

7.1.5.12. Textiles and leather

7.1.5.13. Not elsewhere specified (Industry)

7.1.5.14. Other sectors

7.1.6. FINAL ENERGY CONSUMPTION – INDUSTRY SECTOR

7.1.6.1. Iron and steel

7.1.6.2. Chemical and petrochemical

7.1.6.3. Non-ferrous metals

7.1.6.4. Non-metallic minerals

7.1.6.5. Transport equipment

7.1.6.6. Machinery

7.1.6.7. Mining and quarrying

7.1.6.8. Food, beverages and tobacco

7.1.6.9. Paper, pulp and printing

7.1.6.10. Wood and wood products

7.1.6.11. Construction

7.1.6.12. Textiles and leather

7.1.6.13. Not elsewhere specified (Industry)

7.1.7. FINAL ENERGY CONSUMPTION – TRANSPORT SECTOR

7.1.7.1. Domestic aviation

7.1.7.2. Road

7.1.7.3. Rail

7.1.7.4. Domestic navigation

7.1.7.5. Pipeline transport

7.1.7.6. Not elsewhere specified (Transport)

7.1.8. FINAL ENERGY CONSUMPTION – OTHER SECTOR

7.1.8.1. Commercial and public services

7.1.8.2. Households

7.1.8.3. Agriculture

7.1.8.4. Forestry

7.1.8.5. Fishing

7.1.8.6. Not elsewhere specified (Other)

7.2. Production capacity

Hydrogen production capacity on 31 December of the reference year must be declared with the same level of details as for production (items 7.1.1.1 to 7.1.1.1.8).

7.3. Units of measurement

Quantities must be declared in TJ (NCV) and production capacity in TJ (NCV) per year.

8. DETAILED STATISTICS ON FINAL ENERGY CONSUMPTION

The following disaggregated data concerning final energy consumption must be declared.

8.1. List of aggregates

8.1.1. INDUSTRY SECTOR

To be reported as per the definitions provided in Section 2.6.1 of Annex A.

8.1.1.1. Mining and quarrying

8.1.1.1.1. Mining of metal ores

8.1.1.1.2. Other mining and quarrying

8.1.1.1.3. Mining support service activities

8.1.1.2. Food, beverages and tobacco

8.1.1.2.1. Manufacture of food products

8.1.1.2.2. Manufacture of beverages

8.1.1.2.3. Manufacture of tobacco products

8.1.1.3. Textile and leather

8.1.1.4. Wood and wood products

8.1.1.5. Pulp, paper and printing

8.1.1.5.1. Manufacture of paper and paper products

8.1.1.5.1.1. Manufacture of pulp

8.1.1.5.1.2. Other paper and paper products

8.1.1.5.2. Printing and reproduction of recorded media

8.1.1.6. Chemical and petrochemical

8.1.1.6.1. Manufacture of chemicals and chemical products

8.1.1.6.2. Manufacture of basic pharmaceutical products and pharmaceutical preparations

8.1.1.7. Non-metallic minerals

8.1.1.7.1. Manufacture of glass and glass products

8.1.1.7.2. Manufacture of cement, lime and plaster (incl. Clinker)

8.1.1.7.3. Other non-metallic mineral products

8.1.1.8. Iron and steel [Manufacture of basic metals A]

8.1.1.9. Non-ferrous metals industries [Manufacture of basic metals B]

8.1.1.9.1. Aluminium production

8.1.1.9.2. Other non-ferrous metals industries

8.1.1.10. Machinery

8.1.1.10.1. Manufacture of fabricated metal products, except machinery and equipment

8.1.1.10.2. Manufacture of computer, electronic and optical products

8.1.1.10.3. Manufacture of electrical equipment

8.1.1.10.4. Manufacture of machinery and equipment n.e.c.

8.1.1.11. Transport equipment

8.1.1.12. Not elsewhere specified – Industry

8.1.1.12.1. Manufacture of rubber and plastic products

8.1.1.12.2. Manufacture of furniture

8.1.1.12.3. Other manufacturing

8.1.2. TRANSPORT SECTOR

To be reported as per the definitions provided in Section 2.6.2 of Annex A.

8.1.2.1. Rail

8.1.2.1.1. High-speed rail

8.1.2.1.2. Conventional rail

8.1.2.1.2.1. Passenger transport by conventional rail

8.1.2.1.2.2. Freight transport by conventional rail

8.1.2.1.3. Metro and tram

8.1.2.2. Road

8.1.2.2.1. Heavy-duty vehicles carrying freight

8.1.2.2.2. Collective transport

8.1.2.2.3. Cars and vans

8.1.2.2.4. Other road transport

8.1.3. COMMERCIAL AND PUBLIC SERVICES SECTOR

To be reported as per the definitions provided in Section 2.6.3.1 of Annex A.

8.1.3.1. Repair and installation of machinery and equipment

8.1.3.2. Water supply; sewerage, waste management and remediation activities

8.1.3.3. Wholesale and retail trade; repair of motor vehicles and motorcycles

8.1.3.3.1. Wholesale trade

8.1.3.3.2. Retail trade

8.1.3.4. Warehousing and support activities for transportation

8.1.3.5. Postal and courier activities

8.1.3.6. Accommodation and food service activities

8.1.3.6.1. Accommodation

8.1.3.6.2. Food service activities

8.1.3.7. Information and communication

8.1.3.8. Financial and insurance activities and real estate activities

8.1.3.9. Administrative and support service activities

8.1.3.10. Public administration and defence; compulsory social security

8.1.3.11. Education

8.1.3.12. Human health and social work activities

8.1.3.12.1. Hospital activities

8.1.3.13. Arts, entertainment and recreation

8.1.3.13.1. Sports activities

8.1.3.14. Activities of extra-territorial organisations and bodies

8.1.3.15. Professional, scientific and technical activities and other services

8.1.3.16. Data centres.

Only data centres hosted by reporting units (regardless of their NACE code) with a total power capacity of 1 MW or more need to be declared. The first mandatory reporting for this item is reference year 2024.

8.1.4. HOUSEHOLDS SECTOR

To be reported as per the definitions provided in Section 2.6.3.2 of Annex A.

8.1.4.1. Households: Space heating

8.1.4.2. Households: Space cooling

8.1.4.3. Households: Water heating

8.1.4.4. Households: Cooking

8.1.4.5. Households: Lighting and appliances

Only concerns electricity

8.1.4.6. Households: Other end uses

8.2. Applicable energy products

Unless otherwise specified, this data collection applies to all energy products listed in Annex A.

Eurostat will specify the actual list of energy products for which data covered by point 7 of Annex B should be reported in the reporting template, as a subset of those listed in point 3 of Annex A.

8.3. Units of measurement

Quantities of solid fossil fuels must be declared in kt (kilo-tonnes).

Quantities of crude oil and petroleum products must be declared in kt (kilo-tonnes).

Quantities of natural gas and manufactured gases (gas works gas, coke oven gas, blast furnace gas, other recovered gases) must be declared by energy content, in TJ GCV (tera-joules based on gross calorific values).

Electricity must be declared in GWh (giga-watt hours).

Quantities of heat must be declared in TJ (tera-joules based on net calorific values).

Quantities of renewables and waste must be declared in TJ NCV (tera-joules based on net calorific value), except for charcoal, biogasoline, bioethanol, bio jet kerosenese, biodiesels, and other liquid biofuels, which must be declared in kt (kilo-tonnes).

Calorific values for solid fossil fuels, crude oil and petroleum products and renewables and waste must be declared in MJ/t (mega-joules per tonne).

Calorific values for natural gas and manufactured gases must be declared in kJ/m^3, assuming reference gas conditions (15 °C, 101 325 Pa).

For other energy products for which reporting is required, the applicable units are defined in the relevant chapters of this annex.

8.4. Deadline for transmission of data:

Data should be submitted by 31 March of the second year following the reported year.

8.5. Exemptions

Cyprus is exempted from reporting the disaggregated final energy consumption of crude oil and petroleum products (as defined in Section 3.4 of Annex A) for all aggregates covered by Section 8.1.4 of this annex (Households).

9. PRELIMINARY ANNUAL DATA

9.1. Applicable energy products

This data collection applies to all products described in sections 1.1., 2.1., 3.1., 4.1. and 5.1. of this Annex.

9.2. List of aggregates

The following list of aggregates must be declared:

9.2.1. For solid fossil fuels and manufactured gases: 1.2.1.1., 1.2.1.2., 1.2.1.6., 1.2.1.7., 1.2.1.8., 1.2.1.9. as defined in Chapter 1 of this annex.

9.2.2. For natural gas: 2.2.1.1., 2.2.1.2., 2.2.1.3., 2.2.1.4., 2.2.1.5., 2.2.1.6., 2.2.9. as defined in Chapter 2 of this annex.

9.2.3. For electricity and heat: gross production by product for all individual products, own use, total of transmission and distribution losses (3.2.3. and 3.2.4.) and 3.2.2.3., 3.2.2.4, 3.2.2.5, 3.2.2.6., 3.2.2.7., 3.2.2.8., 3.2.2.9. as defined in Chapter 3 of this annex.

9.2.4. For oil and petroleum products: 4.2.1.1., 4.2.1.2., 4.2.1.3., 4.2.1.4., 4.2.1.5., 4.2.1.6., 4.2.1.7., 4.2.1.8., 4.2.1.9., 4.2.1.10., 4.2.2.1., 4.2.2.2., 4.2.2.3., 4.2.2.4., 4.2.2.5., 4.2.2.6., 4.2.2.7., 4.2.2.8., 4.2.2.9., 4.2.2.10. as defined in Chapter 4 of this annex.

9.2.5. For renewable energy and energy from waste: 5.2.2.1., 5.2.2.2., 5.2.2.3., 5.2.2.4., 5.2.10.1., 5.2.10.2., 5.2.10.3., 5.2.10.8., 5.2.10.9. as defined in Chapter 5 of this annex.

9.3. Units of measurement

Quantities must be declared in units defined in Sections 1.3., 2.3., 3.3., 4.3. and 5.3. of this annex.

9.4. Deadline for transmission of data

Data should be submitted by 31 May of the year following the reported year.

ANNEX C

MONTHLY ENERGY STATISTICS

This annex describes the scope, units, reported period, frequency, deadline and transmission arrangements for the monthly collection of energy statistics.

Annex A provides explanations of terms not explained in this annex.

The following provisions apply to all data collections specified in this Annex:

(a) Reported period: The reported period of declared data will be one calendar month.

(b) Frequency: Data should be declared on a monthly basis.

(c) Transmission format: The transmission format should conform to the relevant interchange standard specified by Eurostat.

(d) Transmission method: Data should be submitted or uploaded by electronic means to the Eurostat's

single entry point for data.

1. SOLID FUELS

1.1. Applicable energy products

This chapter covers the reporting of:

1.1.1. Hard coal

1.1.2. Brown coal

1.1.3. Peat

1.1.4. Oil shale and oil sands

1.1.5. Coke oven coke

1.2. List of aggregates

1.2.1. The following aggregates must be declared for hard coal:

1.2.1.1. Production

1.2.1.2. Recovered products

1.2.1.3. Imports

1.2.1.4. Imports from outside EU

1.2.1.5. Exports

1.2.1.6. Opening total stocks on national territory

These are the quantities held by mines, importers and consumers who import directly.

1.2.1.7. Closing total stocks on national territory

These are the quantities held by mines, importers and consumers who import directly.

1.2.1.8. Deliveries to main activity producers

1.2.1.9. Deliveries to coke ovens

Excludes hard coal consumed as energy for support operations to coke ovens, to be reported in 'Deliveries to total industry'.

1.2.1.10. Deliveries to total industry

Includes hard coal delivered to the transformation sector (except hard coal reported in 'Deliveries to main activity producers' and 'Deliveries to coke ovens'), the energy sector, and final energy consumption of hard coal in the industry sector.

1.2.1.10.1. Deliveries to iron and steel industry

Includes hard coal entering blast furnaces as defined in Annex A, Article 2.2.11, and the final energy consumption of hard coal in the Iron and steel sector as defined in Annex A, Article 2.6.1.8.

Excludes hard coal consumed as energy for support operations at blast furnaces, to be reported in 'Deliveries to total industry'.

1.2.1.11. Other deliveries (services, households, etc.).

The amount of hard coal delivered to sectors not specifically mentioned.

1.2.2. The following aggregates must be declared for brown coal, peat and oil shale and oil sands:

1.2.2.1. Production

1.2.2.2. Imports

1.2.2.3. Exports

1.2.2.4. Opening total stocks on national territory

These are the quantities held by mines, importers and consumers who import directly.

1.2.2.5. Closing total stocks on national territory

These are the quantities held by mines, importers and consumers who import directly.

1.2.2.6. For peat, stock changes can be declared instead of opening and closing total stocks.

1.2.2.7. Deliveries to main activity producers

1.2.3. The following aggregates must be declared for coke oven coke:

1.2.3.1. Production

1.2.3.2. Imports

1.2.3.3. Imports from outside the EU

1.2.3.4. Exports

1.2.3.5. Opening total stocks on national territory

These are the quantities held by producers, importers and consumers who import directly.

1.2.3.6. Closing total stocks on national territory

These are the quantities held by producers, importers and consumers who import directly.

1.2.3.7. Deliveries to iron and steel industry

Includes coke oven coke entering blast furnaces as defined in Annex A, Article 2.2.11, and the final energy consumption of coke oven coke in the Iron and steel sector as defined in Annex A, Article 2.6.1.8.

Excludes coke oven coke consumed as energy for support operations at blast furnaces.

1.3. Units of measurement

Reported quantities must be declared in kt (kilo-tonnes).

1.4. Deadline for transmission of data

Within two calendar months following the reported month.

2. ELECTRICITY

2.1. Applicable energy products

This chapter covers the reporting of electricity.

2.2. List of aggregates

The following aggregates must be declared for electricity:

2.2.1. Net electricity production from nuclear plants

2.2.2. Net electricity production from conventional thermal power generation using coal

2.2.3. Net electricity production from conventional thermal power generation using oil

2.2.4. Net electricity production from conventional thermal power generation using gas

2.2.5. Net electricity production from conventional thermal power generation using combustible renewables (such as solid biofuels, biogases, liquid biofuels, renewable municipal waste)

2.2.6. Net electricity production from conventional thermal power generation using other non-renewable combustible fuels (such as non-renewable industrial and non-renewable municipal waste)

2.2.7. Net electricity production from pure hydro plants

2.2.8. Net electricity production from mixed hydro plants

2.2.9. Net electricity production from pure pumped storage hydro plants

2.2.10. Net electricity production from wind installations on shore

2.2.11. Net electricity production from wind installations off shore

2.2.12. Net electricity production from solar PV installations

2.2.13. Net electricity production from solar thermal installations

2.2.14. Net electricity production from geothermal power generation

2.2.15. Net electricity production from other renewable sources (such as tide, wave, ocean and other non-combustible renewable sources)

2.2.16. Net electricity production from non-specified origin

2.2.17. Imports

2.2.17.1. Of which from the EU

2.2.18. Exports

2.2.18.1. Of which to the EU

2.2.19. Electricity used for pumped storage

2.3. Units of measurement

Reported quantities must be declared in GWh (giga-watt hours).

2.4. Deadline for transmission of data

Within two calendar months following the reported month.

3. OIL AND PETROLEUM PRODUCTS

3.1. Applicable energy products

Unless otherwise specified, this data collection applies to all energy products listed in Annex A, Chapter 3.4. OIL (crude oil and petroleum products).

The 'Other products' category includes both the quantities that correspond to the definition in Annex A Chapter 3.4 and the quantities of white spirit and SBP, lubricants, bitumen and paraffin waxes; these products should not be declared separately.

3.2. List of aggregates

The following aggregates must be declared for all energy products listed in the previous paragraph unless otherwise specified.

3.2.1. SUPPLY OF CRUDE OIL, NGL, REFINERY FEEDSTOCKS, ADDITIVES AND OTHER HYDROCARBONS

Note for additives and biofuels: include here not only already blended volumes, but also all quantities destined for blending.

The following aggregates must be declared for crude oil, NGL, refinery feedstocks, additives/oxygenates, biofuels and other hydrocarbons:

3.2.1.1. Indigenous Production (not applicable for refinery feedstocks and biofuels).

3.2.1.2. Receipts from other sources (not applicable for crude oil, NGL, refinery feedstocks)

3.2.1.3. Backflows

Finished or semi-finished products final consumers return to refineries for processing, blending or sale. They are usually by-products of petrochemical manufacturing. Only applicable for refinery feedstocks.

3.2.1.4. Products transferred

Imported petroleum products that are reclassified as feedstocks for further processing in the refinery, without delivery to final consumers. Only applicable for refinery feedstocks.

3.2.1.5. Imports

3.2.1.6. Exports

Note for import and exports: Includes quantities of crude oil and products imported or exported under processing agreements (i.e. refining on account). Crude oil and NGLs should be reported as coming from the country of ultimate origin; refinery feedstocks and finished products should be reported as coming from the country of last consignment. Includes any gas liquids (e.g. LPG) extracted during the regasification of imported liquefied natural gas and petroleum products imported or exported directly by the petrochemical industry.

3.2.1.7. Direct use

3.2.1.8. Stock changes

A stock build is shown as a positive number and a stock draw is shown as a negative number.

3.2.1.9. Observed refinery intake

This is defined as the total amount of oil (including Other hydrocarbons and Additives) observed to have entered the refinery process (input to refineries).

3.2.1.10. Refinery losses

The difference between observed refinery intake and gross refinery output. Losses may occur during distillation processes due to evaporation. Reported losses are positive. There may be volumetric gains but no gains in mass.

3.2.2. SUPPLY OF FINISHED PRODUCTS

The following aggregates must be declared for Crude oil, NGL, Refinery gas, Ethane, LPG, Naphtha, Biogasoline, Non-biogasoline, Aviation gasoline, Gasoline type jet fuel, Bio jet kerosene, Non-bio jet Kerosene, Other kerosene, Biodiesels, Non-bio gas/diesel oil, LSFO, HSFO, Petroleum coke, and Other products:

3.2.2.1. Primary product receipts

3.2.2.2. Gross refinery output (not applicable for crude oil and NGL)

3.2.2.3. Recycled products (not applicable for crude oil and NGL)

3.2.2.4. Refinery Fuel (not applicable for crude oil and NGL)

Annex A Chapter 2.3. Energy sector – Petroleum refineries; Includes fuels used at the refineries for the production of electricity and heat sold.

3.2.2.5. Imports (not applicable for crude oil, NGL and refinery gas)

3.2.2.6. Exports (not applicable for crude oil, NGL and refinery gas)

The note made for imports and exports in Section 3.2.1. also applies here.

3.2.2.7. International marine bunkers (not applicable for crude oil and NGL)

3.2.2.8. Interproduct transfers

3.2.2.9. Products transferred (not applicable for crude oil and NGL)

3.2.2.10. Stock changes (not applicable for crude oil, NGL and refinery gas)

A stock build is shown as a positive number and a stock draw is shown as a negative number.

3.2.2.11. Observed gross inland deliveries

The observed delivery of finished petroleum products from primary sources (e.g. refineries, blending plants, etc.) to the inland market.

3.2.2.11.1. International aviation (applicable only for Aviation gasoline, Gasoline type jet fuel, Bio jet kerosene, Non-bio jet kerosene)

3.2.2.11.2. Main activity producer power plants

3.2.2.11.3. Road (applicable only for LPG)

3.2.2.11.4. Domestic navigation and Rail (applicable only for Biodiesels, Non-bio gas/diesel oil)

3.2.2.12. Petrochemical

3.2.2.13. Backflow to refineries (not applicable for crude oil and NGL)

3.2.3. IMPORTS BY ORIGIN – EXPORTS BY DESTINATION

Imports should be reported by country of origin and exports by country of destination. The note made for imports and exports in Section 3.2.1. also applies here.

3.2.4. STOCK LEVELS

The following opening and closing stocks must be declared for all energy products, including for additives/oxygenates but except for refinery gas:

3.2.4.1. Stocks on national territory

Stocks in the following locations: refinery tanks, bulk terminals, pipeline tankage, barges and coastal tankers (when port of departure and destination are in the same country), tankers in a port of a **Contracting Party** (if their cargo is to be discharged at the port), inland ship bunkers. Excludes stocks of oil held in pipelines, in rail tanks cars, in truck tanks cars, in sea-going ships' bunkers, in service stations, in retail stores and in bunkers at sea.

3.2.4.2. Stocks held for other countries under bilateral government agreements

Stocks on national territory which belong to another country and to which access is guaranteed by an agreement between the respective governments.

3.2.4.3. Stocks with known foreign destination

Stocks not included in point 3.2.4.2 on national territory which belong to and are destined for another country. These stocks may be located inside or outside bonded areas.

3.2.4.4. Other stocks held in bonded areas

Includes stocks not included in point 3.2.4.2 nor 3.2.4.3 irrespective of whether they have received customs clearance or not.

3.2.4.5. Stocks held by major consumers

Include stocks which are subject to government control. This definition does not include other consumer stocks.

3.2.4.6. Stocks held on board incoming ocean vessels in port or at mooring

Stocks irrespective of whether they have been cleared by customs or not. This category excludes stocks on board vessels at high seas.

Includes oil in coastal tankers if both their port of departure and destination are in the same country. In the case of incoming vessels with more than one port of unloading, only report the amount to be unloaded in the reporting country.

3.2.4.7. Stocks held by government on national territory

Includes non-military stocks that are held by the government within the national territory, and are government-owned or controlled and held exclusively for emergency purposes.

Excludes stocks held by state oil companies or electric utilities or stocks held directly by oil companies on behalf of governments.

3.2.4.8. Stocks held by stockholding organisation on national territory

Stocks held by both public and private corporations established to maintain stocks exclusively for emergency purposes.

Excludes mandatory stocks held by private companies.

3.2.4.9. All other stocks held on national territory

All other stocks satisfying the conditions described in point 3.2.4.1 above.

3.2.4.10. Stocks held abroad under bilateral government agreements

Stocks belonging to the reporting country but held in another country, to which access is guaranteed by an agreement between the respective governments.

3.2.4.10.1. Of which: Government stocks

3.2.4.10.2. Of which: Holding organisation's stocks

3.2.4.10.3. Of which: Other stocks

3.2.4.11. Stocks held abroad designated definitely for import stocks

Stocks that are not included in category 10 and that belong to the reporting state but are held in another state and are awaiting import there.

3.2.4.12. Other stocks in bonded areas

Other stocks in the national territory not included in the above categories.

3.2.4.13. Pipeline fill

Oil (crude oil and petroleum products) contained in pipelines, necessary to maintain flow in the pipelines.

In addition, a breakdown of quantities per corresponding country must be declared for:

3.2.4.13.1. closing stocks held for other countries under official agreement, by beneficiary,

3.2.4.13.2. closing stocks held for other countries under official agreement, of which held as stock tickets, by beneficiary,

3.2.4.13.3. closing stocks with known foreign destination, by beneficiary,

3.2.4.13.4. closing stocks held abroad under official agreement, by location,

3.2.4.13.5. closing stocks held abroad under official agreement, of which held as stock tickets, by location,

3.2.4.13.6. closing stocks held abroad designated definitely for import into the declarer's country, by location.

'Opening stocks' means the stocks on the last day of the month preceding the reported one. 'Closing stocks' means the stocks on the last day of the reported month.

3.3. Units of measurement

Reported quantities must be declared in kt (kilo-tonnes).

3.4. Deadline for transmission of data

Within 55 days following the reported month.

3.5. Geographical notes

For statistical reporting purposes only, the clarifications in Annex A Chapter 1 apply with the following specific exception: Switzerland includes Liechtenstein.

4. NATURAL GAS

4.1. Applicable energy products

This chapter covers the reporting of natural gas.

4.2. List of aggregates

The following aggregates must be declared for natural gas.

4.2.1. INDIGENOUS PRODUCTION

All dry marketable production within national boundaries, including offshore production. Production is measured after purification and extraction of NGLs and sulphur. Excludes extraction losses and quantities reinjected, vented or flared. Includes quantities used within the natural gas industry, in gas extraction, pipeline systems and processing plants.

4.2.2. IMPORTS (ENTRIES)

4.2.3. EXPORTS (EXITS)

Note for imports and exports: Report all natural gas volumes which have physically crossed the national boundaries of the country, whether customs clearance has taken place or not. This includes quantities transiting your country; transit volumes should be included as an import and as an export. Imports of liquefied natural gas should cover only the dry marketable equivalent, including amounts used as own consumption in the regasification process. The amounts used as own consumption during regasification should be reported under Own use and losses of the natural gas industry (see 4.2.11). Any gas liquids (e.g. LPG) extracted during the regasification process of imported LNG should be reported under 'Receipts from other sources' of 'Other hydrocarbons' as defined in Chapter 3 of this annex (OIL AND PETROLEUM PRODUCTS).

4.2.4. STOCK CHANGES

A stock build is shown as a positive number and a stock draw is shown as a negative number.

4.2.5. OBSERVED GROSS INLAND DELIVERIES

This category represents deliveries of marketable gas to the inland market, including gas used by the gas industry for heating and operation of their equipment (i.e. consumption in gas extraction, in the pipeline system and in processing plants); losses in transmission and distribution should also be included.

4.2.6. OPENING LEVELS OF STOCKS HELD ON NATIONAL TERRITORY

4.2.8. CLOSING LEVELS OF STOCKS HELD ON NATIONAL TERRITORY

4.2.9. OPENING LEVELS OF STOCKS HELD ABROAD

4.2.10. CLOSING LEVELS OF STOCKS HELD ABROAD

Note for levels of stocks: includes natural gas stored in gaseous form as well as in liquefied form.

4.2.11. OWN USE AND LOSSES OF THE NATURAL GAS INDUSTRY

Quantities used by the gas industry for heating and operation of its equipment (i.e. consumption in gas extraction, in the pipeline system and in processing plants); includes losses in transmission and distribution.

4.2.12. IMPORTS (ENTRIES) BY ORIGIN AND EXPORTS (EXITS) BY DESTINATION

Imports (entries) should be reported by country of origin and exports (exits) by country of destination. The note made for imports and exports in section 4.2.3 also applies here.

Imports and exports are to be declared only for the neighbouring country or country with a direct pipeline connection or, in the case of LNG, for the country where the gas has been loaded onto the transport ship.

4.2.13. DELIVERIES TO POWER GENERATION

4.3. Units of measurement

Quantities must be declared in two units:

4.3.1. in physical quantity, in million m^3 (million cubic metres) assuming reference gas conditions (15 C, 101 325 Pa),

4.3.2. in energy content, in TJ (tera-joules), based on the gross calorific value.

4.4. Deadline for transmission of data

Within 55 days following the reported month.

ANNEX D

SHORT-TERM MONTHLY STATISTICS

This annex describes the scope, units, reported period, frequency, deadline and transmission arrangements for the short-term monthly collection of statistical data.

Annex A provides explanations of terms not explained in this annex.

The following provisions apply to all data collections specified in this annex:

(a) Reported period: The reported period of declared data will be one calendar month.

(b) Frequency: Data should be declared on a monthly basis.

(c) Transmission format: The transmission format should conform to the relevant interchange standard specified by Eurostat.

(d) Transmission method: Data should be submitted or uploaded by electronic means to Eurostat's single entry point for data.

1. CRUDE OIL IMPORTS AND SUPPLY

1.1. Applicable energy products

This chapter covers the reporting of crude oil.

1.2. Definitions

1.2.1. Imports

Imports cover every quantity of crude oil which either enters the customs territory of the **Contracting Party** or comes from another **Contracting Party** for purposes other than transit. Crude oil used for stock building must be included.

Oil extracted from the seabed over which a **Contracting Party** exercises exclusive rights for the purposes of exploitation and entering the customs territory of the **Contracting Party** should be excluded from imports.

1.2.2. Supply:

Supply covers the crude oil imported and the crude oil produced in the **Contracting Party** during the reference period. The provision of crude oil from previously built stocks is excluded.

1.2.3. CIF price:

The CIF (cost, insurance and freight) price includes the FOB (free on board) price, which is the price actually invoiced at the port/place of loading in addition to the cost of transport, insurance and charges linked to crude oil transfer operations.

The CIF price of the crude oil produced in a **Contracting Party** is to be calculated free at port of discharge or free at frontier, i.e. at the moment when the crude oil falls under the customs jurisdiction of the importing country.

1.2.4. API gravity:

The API gravity is a measure of how heavy/light crude oil is compared to water. The API gravity is to be reported according to the following formula, with respect to the specific gravity (SG): $API = (141{,}5 \div SG) - 131{,}5$

1.3. List of aggregates

1.3.1. The following list of aggregates must be declared for crude oil imports split by type and geographical area of production:

1.3.1.1. the designation of the crude oil

1.3.1.2. the average API gravity

1.3.1.3. the average sulphur content

1.3.1.4. the total volume imported

1.3.1.5. the total CIF price

1.3.1.6. the number of reporting entities.

1.3.2. The following list of aggregates must be declared for crude oil supply:

1.3.2.1. the volume supplied

1.3.2.2. the weighted average CIF price

1.4. Units of measurement

bbl (barrel) for 2.3.1.4. and 2.3.2.1.

kt (thousand tonnes) for 2.3.2.1.

% (percentage) for 2.3.1.3.

° (degrees) for 2.3.1.2.

$ (US Dollar) per barrel for 1.3.1.5. and 1.3.2.2.

$ (US Dollar) per tonne for 1.3.2.2.

1.5. Applicable provisions

1. Reported period:

One calendar month.

2. Frequency:

Monthly.

3. Deadline for transmission of data:

Within one calendar month following the reported month.

4. Transmission format:

The transmission format should conform to the relevant interchange standard specified by Eurostat.

5. Transmission method:

Data should be submitted or uploaded by electronic means to Eurostat's single entry point for data.

IMPLEMENTING REGULATION (EU) 2019/803 of 17 May 2019 concerning the technical requirements regarding the content of quality reports on European statistics on natural gas and electricity prices pursuant to Regulation (EU) 2016/1952

Incorporated and adapted by Decision 2020/03/MC-EnC adapting and implementing the Commission Implementing Regulation (EU) 2019/803 of 17 May 2019 concerning the technical requirements regarding the content of quality reports on European statistics on natural gas and electricity prices pursuant to Regulation (EU) 2016/1952 of the European Parliament and of the Council

The adaptations made by Ministerial Council Decision 2020/03/MC-EnC are highlighted in **bold and blue**.

Having regard to the Treaty on the Functioning of the European Union,

Having regard to 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 in particular Article 7(5) thereof, **as adopted and adapted by Decision 2018/01/MC-EnC of the Ministerial Council of the Energy Community and in particular Article 7(5) thereof.**

Article 1

(1) The technical quality assurance requirements regarding the content of the quality reports on the data on natural gas and electricity prices are set out in the Annex.

(2) **Contracting Parties** shall submit the first quality reports by **15 June 2022**.

(3) Each quality report shall cover the full years elapsed since the date of the previous quality report. However, the first quality reports shall cover reference years **2019 to 2021**.

Article 2

The quality reports shall be provided through the single entry point provided by the Commission (Eurostat) in order to enable the Commission (Eurostat) to receive those quality reports by electronic means.

Article 3

This Decision shall enter into force on the day of its adoption.

It is addressed to the Contracting Parties

ANNEX

TECHNICAL QUALITY ASSURANCE REQUIREMENTS REGARDING THE CONTENT OF THE QUALITY REPORTS OF EUROPEAN STATISTICS ON NATURAL GAS AND ELECTRICITY PRICES

The quality reports shall include information on all the quality criteria laid down in Article 12(1) of Regulation (EC) No 223/2009.

1 RELEVANCE

Contracting Parties shall provide the following information in the quality reports:

(a) a description of users, their respective needs and a justification of these needs;

(b) procedures used to measure user satisfaction and produce the results;

(c) the extent to which the required statistics are available.

2 ACCURACY

The quality reports shall contain:

(a) an accuracy assessment which summarises the various dataset components;

(b) a description of the sampling errors;

(c) a description of any other errors.

3 TIMELINESS AND PUNCTUALITY

Contracting Parties shall report on:

(a) the length of time between the event or phenomenon they describe and the data availability (timeliness);

(b) the length of time between the target date for data delivery and the actual data delivery date (punctuality);

(c) the number of iterations needed in order to have fully validated data (validation iterations).

4 ACCESSIBILITY AND CLARITY

Contracting Parties shall report on the conditions and means by which users can:

(a) obtain and use the data (including, but not limited to news releases, publications, online databases, micro data access);

(b) interpret the data such as providing documentation on methodology and quality management.

5 COMPARABILITY

Contracting Parties shall report on the extent to which statistics are comparable:

(a) between geographical areas;

(b) over time.

6 COHERENCE

Contracting Parties shall report on the extent to which statistics are:

(a) reconcilable with data obtained through other sources (cross domain coherence);

(b) consistent within a given dataset (internal coherence).

Contracting Parties shall also report on the following additional quality aspects:

1 QUALITY MANAGEMENT

Contracting Parties shall report on the systems and frameworks in place to manage the quality of statistical products and processes. They shall also report on their assessment of the quality of the data.

2 DATA REVISION

Contracting Parties shall explain why validated data have been revised. The reasons may include information of new source of data available, new methods or other relevant information. The report shall also include the date, the size and the magnitude of the revisions.

In accordance with Article 7(3) of Regulation (EU) 2016/1952, those reports shall include information on the scope and collection of the data, the calculation criteria, the methodology and data sources used, and any changes made.

1 STATISTICAL PRESENTATION

Contracting Parties shall provide the following description of the disseminated data which can be displayed to users as tables, graphs or maps:

(a) data description;

(b) classification system;

(c) sector coverage;

(d) statistical concepts and definitions;

(e) statistical unit;

(f) statistical population;

(g) reference area (geographical scope);

(h) time coverage (length of time for which data are available);

(i) reference period (period covered by the report);

(j) unit of measure.

2 STATISTICAL PROCESSING

The quality reports shall cover a description of all procedures used to collect, validate and compile the data and to derive new information.

3 RELEASE POLICY

The quality reports shall report on the rules for disseminating the data at national level.

4 FREQUENCY OF DISSEMINATION

The reports shall also indicate the frequency with which the data is disseminated at national level.

In line with the statistical principles laid down in points (e) and (f) of Article 2(1) of Regulation (EC) No 223/2009, Contracting Parties shall report on:

1 CONFIDENTIALITY

The quality reports shall contain information on the legislative measures or other formal procedures, which prevent any unauthorised disclosure of data that could directly or indirectly cause a person or economic entity to be identified. They will also outline the rules applied to ensure statistical confidentiality and prevent unauthorised disclosure.

2 COST AND BURDEN

The quality reports shall contain information on the cost and burden associated with the collection and production of the statistical product.