

DECISION OF THE MINISTERIAL COUNCIL OF THE ENERGY COMMUNITY

D/2016/11/MC-EnC: on the establishment of the list of projects of Energy Community interest ('Energy Community list')

THE MINISTERIAL COUNCIL OF THE ENERGY COMMUNITY,

Having regard to the Treaty establishing the Energy Community ('The Treaty'), and in particular Articles 2, 26, 27, 82 thereof,

Having regard to the Decision of the Ministerial Council of the Energy Community D/2015/09/MC-EnC on the implementation of Regulation (EU) No 347/2013 of the European Parliament and of the Council on guidelines for trans-European energy infrastructure, and in particular Article 3, paragraph 4 of this Regulation, as adopted in the Energy Community.

Having regard to the proposal from the European Union,

Whereas:

- (1) On 16 October 2015 the Ministerial Council of the Energy Community adopted a Decision¹ on the implementation of the Regulation (EU) No 347/2013 of the European Parliament and of the Council on guidelines for trans-European energy infrastructure.
- (2) Under Article 82 of the Treaty measures are to be proposed by a Party or the Secretariat.
- (3) Projects proposed for the inclusion in the list of projects of the Energy Community interest ("PECI") have been assessed by the Groups and meet the criteria laid down in the Regulation.
- (4) The preliminary list of PECIs was agreed by the Groups at technical-level meetings. Following the positive opinion of the Energy Community Regulatory Board ("ECRB") on the consistent application of the assessment criteria and the cost/benefit analysis, proposed list was discussed and agreed upon in the 43rd meeting of the Energy Community Permanent High Level Group ('PHLG') on the 13th October 2016 and this Decision was finalised and endorsed by the PHLG acting for this purpose as a decision-making body.
- (5) Organisations representing relevant stakeholders, including producers, distribution system operators, suppliers, and consumer and environmental protection organisations were consulted on the projects proposed for the inclusion in the Energy Community list.
- (6) The inclusion of PECI list is without prejudice to the outcome of the relevant environmental assessment and permit procedure. Under Article 5(8) of the adopted Regulation, a project that does not comply with Energy Community law may be removed from the Energy Community list. The implementation of PECIs, including their compliance with the Energy

¹ Decision D/2015/09/MC-EnC

Community legislation, should be monitored in accordance with Article 5 of that Regulation.

- (7) Pursuant to the second paragraph of Article 3(4) of the adopted Regulation, the Energy Community list is established every two years by way of a Decision under Title III of the Treaty.

HAS ADOPTED THIS DECISION:

Article 1

The list of PECIs is adopted as set out in the Annex to this Decision.

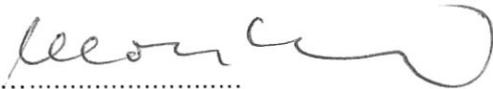
Article 2

This Decision shall enter into force on the day of its adoption.

The Decision is addressed to the Adhering Parties, to the United Nations Interim Administration Mission in Kosovo² and to the Member States referred to in Article 27 of the Energy Community Treaty.

Done in Sarajevo on 14 October 2016

For the Presidency

A handwritten signature in black ink, appearing to be "Leon", written over a dotted line.

² This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo declaration of independence.

ANNEX

List of PECl in Electricity

- Transbalkan corridor consisting of the following five PECl projects:
 - (EI_1) 400 kV OHL Resita (Romania) - Pancevo (Serbia)
 - (EI_1) 400 kV OHL Kragujevac (Serbia) – Kraljevo (Serbia)
 - (EI_1) 400 kV OHL Obrenovac (Serbia) - Bajina Basta (Serbia)
 - (EI_1) 400 kV OHL (Bajina Basta (Serbia) - Visegrad (Bosnia and Hercegovina) - Pljevlja (Montenegro)
 - (EI_3) Grid section in Montenegro
- (EI_13) Interconnection between Albania and former Yugoslav Republic of Macedonia: 400 kV OHL Bitola-Elbasan

List of PECl in Gas

- (Gas_09) Serbia - Bulgaria Interconnector
- (Gas_11) Serbia - former Yugoslav Republic of Macedonia Interconnector
- (Gas_13) Albania - Kosovo¹ Interconnector

List of PECl in Oil

- (Oil_01) Ukraine - Poland oil pipeline (Brody - Adamowo)

¹ This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo declaration of independence.