



*PECI – PMI Seletion – Legal
Background
Regulation 347/2013*

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- 1) *Purpose of the Exercise***
- 2) *PECI and PMI project criteria and definition***
- 3) *The Groups – definition and work***
- 4) *List of Projects***
- 5) *AoB***



In October 2015, the Ministerial Council of the Energy Community adopted the [Decision D/2015/09/MC-EnC](#) on the implementation of Regulation (EU) 347/2013 on the Guidelines for Trans-European Energy Infrastructure, [TEN-E Regulation](#).

“streamlining and simplifying procedures for facilitating the permitting and implementation of energy infrastructure priority projects”

General Criteria – Article 4/1

the project falls in at least one of the energy infrastructure categories and area as described in Annex I;

(b) the potential overall benefits of the project, assessed according to the respective specific criteria in paragraph 2, outweigh its costs, including in the longer term; and

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

(i) involves at least two Contracting Parties or a Contracting Party and a Member State by directly crossing the border of two or more Contracting Parties, or of one Contracting Party and one or more Member States;

(ii) is located on the territory of one Contracting Party and has a significant cross-border impact as set out in Annex III.1;

Specific Criteria – Article 4/2 - contribute significantly to at least one of the following:

Gas projects as defined in Annex I.2

- (i) market integration** <...> and reducing energy infrastructure bottlenecks; interoperability and system flexibility;
- (ii) security of supply**, inter alia through appropriate connections and diversification of supply sources, supplying counterparts and routes;
- (iii) competition**, inter alia through diversification of supply sources, supplying counterparts and 1 routes;
- (iv) sustainability**, inter alia through reducing emissions, supporting intermittent renewable generation and enhancing deployment of renewable gas;

Specific Criteria – Article 4/2 - contribute significantly to at least one of the following:

Oil projects as defined in Annex I.3

- (i) security of supply reducing single supply source or route dependency;*
- (ii) efficient and sustainable use of resources through mitigation of environmental risks;*
- (iii) interoperability;*

Project of Energy Community Interest and Project of Mutual Interest



PECI

*In case an EU Member State is involved, then the project first has to be selected as **Project of Common Interest** within the EU*

PMI

*In case an EU Member State is involved, and the PCI label is not granted, project can be **Project of Mutual Interest***

Ministerial Council recommendation R/2016/01/MC-EnC:

Treat the PMI projects the same way as PECIs within the Contracting Parties.

***For gas projects** falling under the categories set out in Annex I.(2) (a), (b) and (c), the Group includes representatives of the Contracting Parties and Member States concerned, the Commission, national regulatory authorities, TSOs, as well as the Energy Community Secretariat, and upon the invitation the ENTSO for Gas.*

***For oil transport projects** falling under the categories set out in Annex I.(3) (a), (b) and (c), the same Group shall be used as for gas projects, and in addition it will include, project promoters concerned.*

(6)The internal rules, an updated list of member organisations, regularly updated information on the progress of work, meeting agendas, as well as final conclusions and decisions of each Group shall be published by the Energy Community Secretariat on the transparency platform referred to in Article 18.

Art 3/1:

Decision-making powers in the Groups shall be restricted to the Parties to the Treaty

The decision-making body of each group shall adopt a preliminary list of proposed projects of Energy Community interest.

(a) each individual proposal for a project of Energy Community interest shall require the approval of the Contracting Parties or Member States, to whose territory the project relates; if a Contracting Party or a Member State decides not to give its approval, it shall present its substantiated reasons for doing so to the Group concerned;

(b) it shall take into account advice from the Energy Community Secretariat that is aimed at having a manageable total number of projects of Energy Community interest.

Additional Benefits of Regulation 347/2013

BENEFITS



Article 5 – Implementation and Monitoring

PECI/PMI Project Realization and Monitoring Strategy

https://www.energy-community.org/dam/jcr:727a1620-bfd8-417d-87de-1b54f0de39a5/ECS_INF_2017_Project_Monitoring.pdf

Implementation of Competent Authorities !!

https://www.energy-community.org/dam/jcr:5141861f-d45d-4c84-b985-04cd6c7e7db6/ECS_Explanatory_Notes_INF_PartI.pdf

If the Competent Authorities are not implemented, the promoters cannot practice their rights under the Regulation 347/2013 and so the benefits are only virtual!



*Thank you
for your attention!*

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