



European
Commission

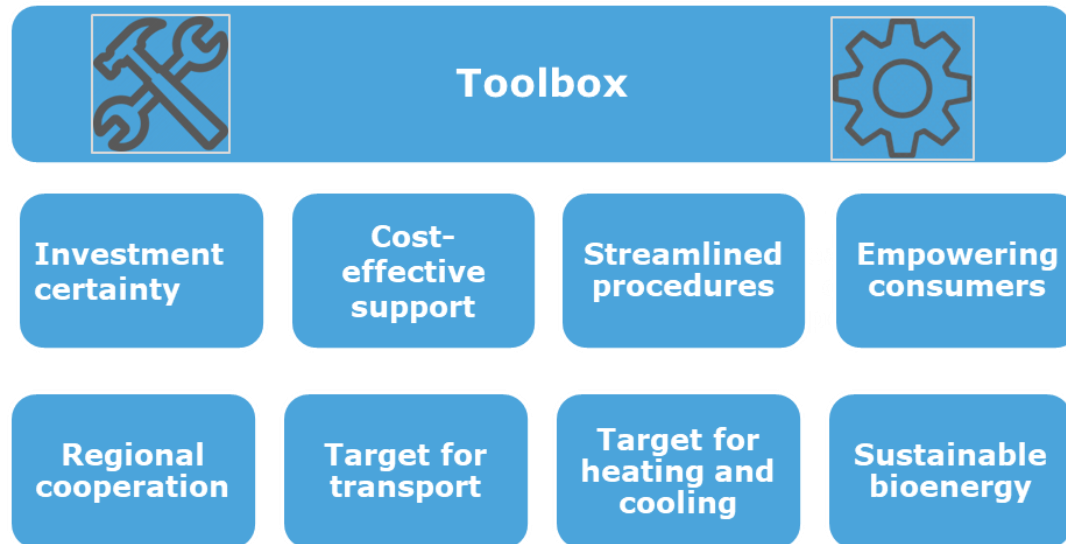


EnC adaptation of the Renewables Directive 2018/2001

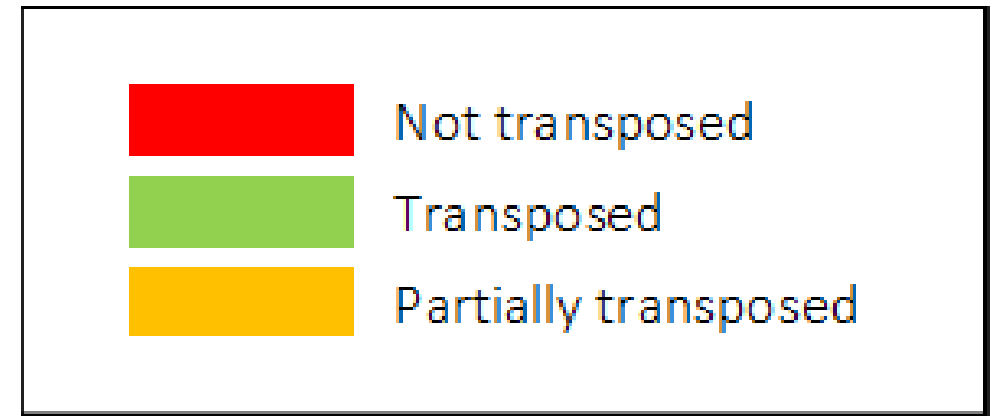
Matthieu Ballu, DG ENER
RECG 9 December 2021

Recast of the Renewables Directive

1. What is in the adapted Directive?

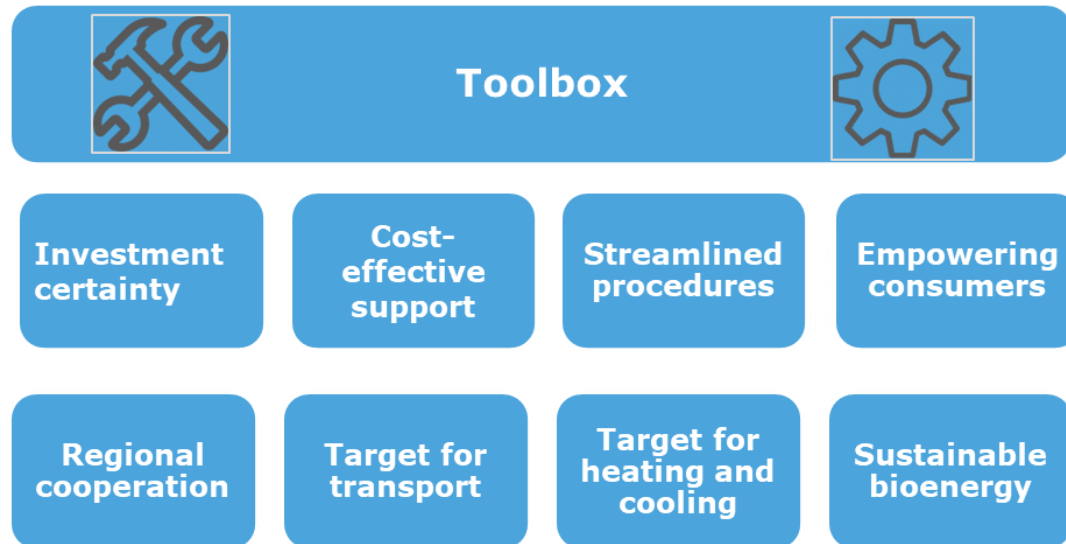


2. Transposition and compliance process

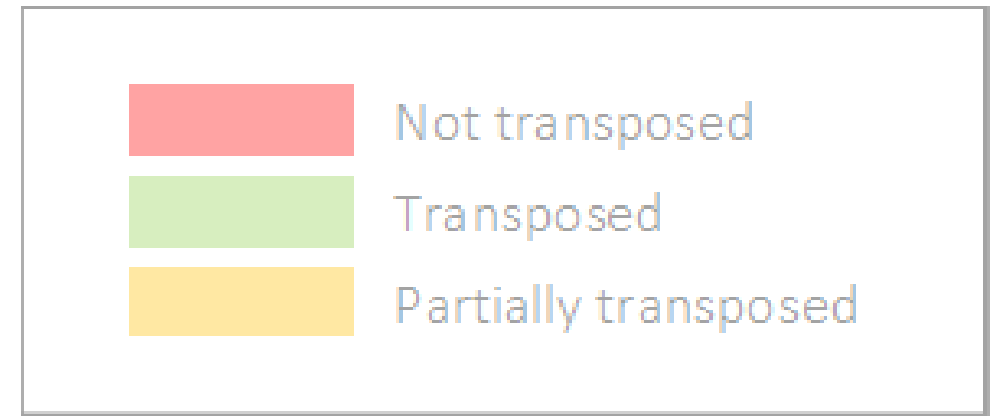


Recast of the Renewables Directive

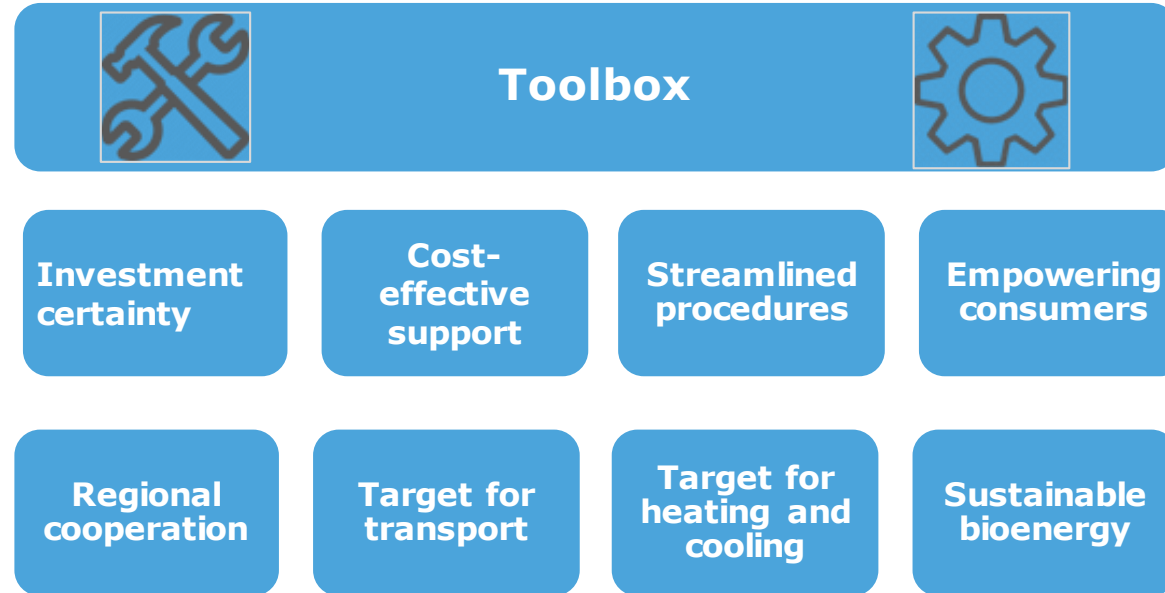
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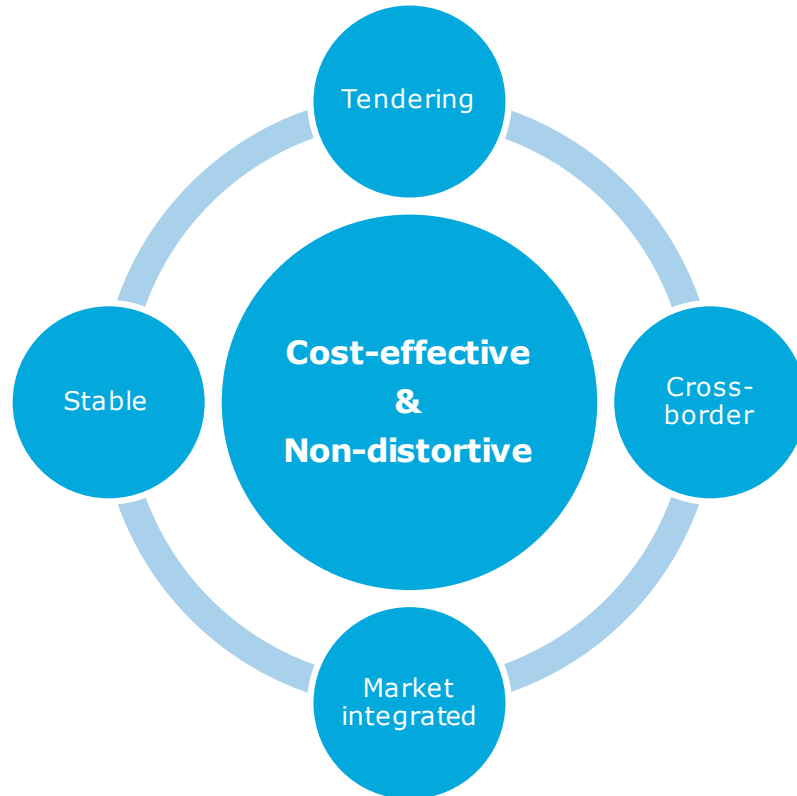
2. Transposition and compliance process



A SET OF WELL-BALANCED MEASURES TO GET TO AT LEAST 32%



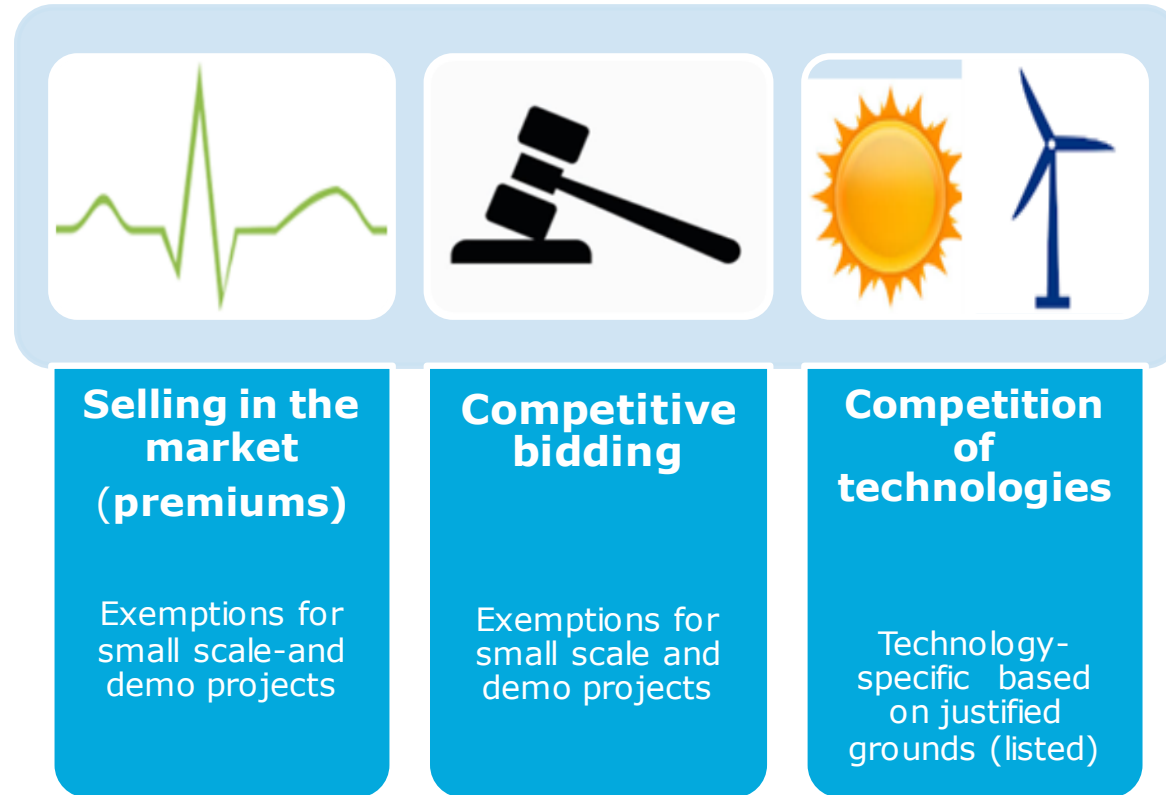
MAKING SUPPORT SCHEMES MORE COST-EFFECTIVE



"Getting best value for money"

- Support needs to be cost-efficient and non-distortive
- New design principles will foster:
 - More competition
 - More market integration
 - More coherence across MS

INCREASING COMPETITION AND MARKET INTEGRATION OF RES-E



Without prejudice to individual state aid procedures (case-by-case assessment)

THE REVISED SUPPORT SCHEME FRAMEWORK PROVIDES INCREASING STABILITY, PREDICTABILITY AND MARKET BASED SUPPORT

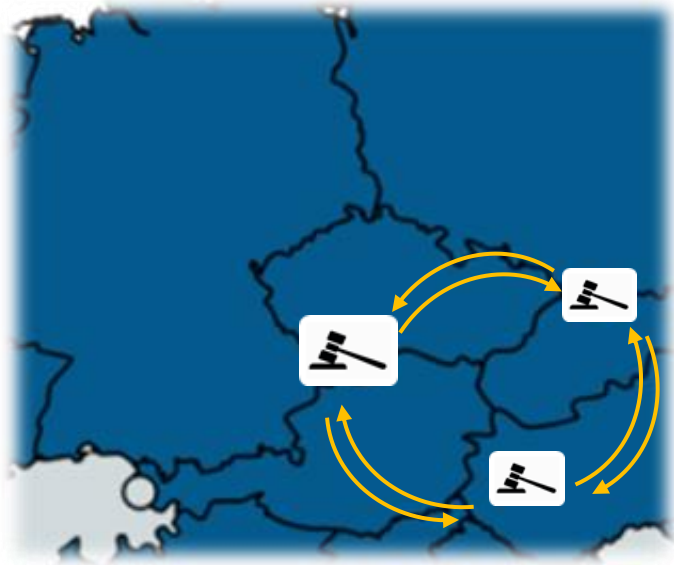
Don't turn back time!



Abrupt and "retroactive" changes are toxic for RES investments and ...make them more expensive

- Specific provision to **avoid "retroactive" changes** to support
- Revisions **may not compromise the economic viability** of supported projects
- Need to **publish long-term schedules** for support schemes
- **Market based premium** and competitive bidding as the main form of support

STRENGTHENING THE TOOLBOX FOR COOPERATION



Cross-border auction - opened to neighbouring countries

Cross-border cooperation to reduce support costs and fosters alignment of support

- **Opening is encouraged**, but remains voluntary (indicative shares: 5% 2023-2026; 10% 2027-2030)
- **Review clause for 2024** to reassess a mandatory opening (of 5% by 2025 and 10% by 2030)
- **Cooperation Mechanisms** are **maintained** and **strengthened** (→ statistical transfers between CP, joint projects and joint support schemes)
- CP to join the **EU Renewable development platform**

ACCELERATING ADMINISTRATIVE PROCEDURES

- ✓ **Single contact point** for permit applicants
- ✓ **Clear time limits** for procedures
- ✓ Swift procedure for **repowering**
- ✓ Remove unjustified barriers to **long term PPA**
- ✓ **Simple notification procedures for small installations** (up to 10.8 kW)

TOWARDS A DECENTRALISED ENERGY SYSTEM

- ✓ REDII will **empower citizens** and local actors to be active in the energy transition
- ✓ Objectives:
 - **mobilise private capital**
 - **increase local acceptance**
- ✓ For the first time, a **definition** and a new **legal regime** for **self-consumption** and for **renewable energy communities**
- ✓ **Facilitate uptake of power purchase agreements (PPAs)**

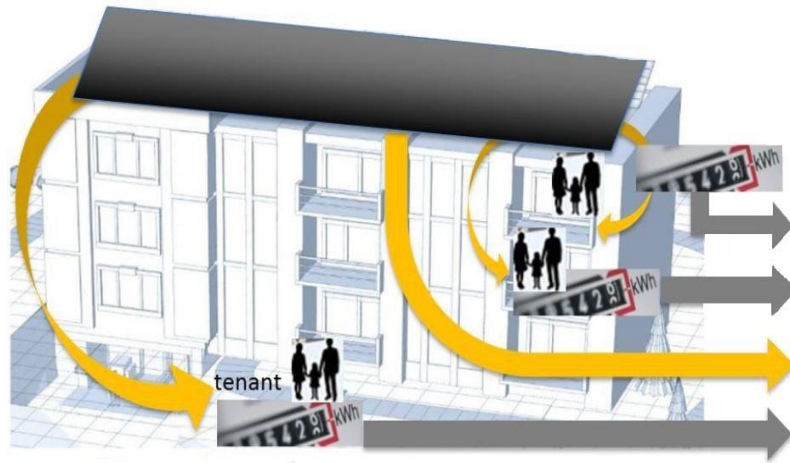
SELF-CONSUMPTION: EMPOWERING ENERGY CONSUMERS



Consumers entitled to become self-consumers

- ✓ **No discrimination or disproportionate charges**
- ✓ **Remuneration** when selling
- ✓ Electricity **behind the meter not be charged**, especially for small installations (additional exemptions listed)
- ✓ **Enabling framework**

ENGAGING IN RENEWABLE ENERGY COMMUNITIES



Entitlement to generate, sell and store renewable energy

- ✓ Increased **participation** of citizens in the energy transition
- ✓ Communities can directly reap the **environmental, economic and social benefits** of renewable energy
- ✓ Any final energy customer can become member (while maintaining all rights and obligations)
- ✓ **Enabling framework**

INFORMING CONSUMERS ABOUT THE ORIGIN OF THEIR ENERGY



- ✓ Guarantees of Origin (GOs) for **all types of RES**
- ✓ GOs shall be used as **proof of renewable electricity** on consumer bills
- ✓ Commission to assess establishment of a **EU-wide labelling system** for the promotion of RES from new installations
- ✓ **Market value of GOs** to be taken into account in RES support schemes

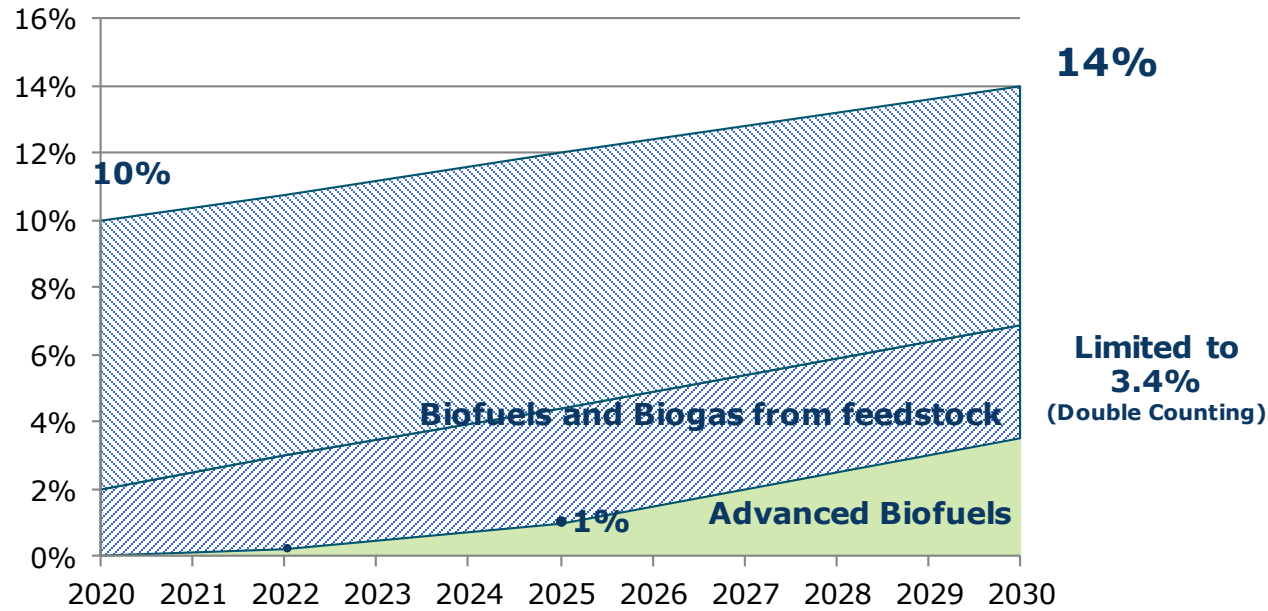
ADDRESSING THE UNTAPPED POTENTIAL OF HEATING & COOLING

- ✓ Target to **increase** renewables in heating and cooling by **1.3 percent point per year** (2020-2030):



- ✓ Regulatory principles on **district heating and cooling** and increased rights for consumers
- ✓ **Illustrative** list of **measures** leaving flexibility for Member States
- ✓ **Accessibility** for all consumers, low-income and vulnerable households
- ✓ **Synergies** with Energy Efficiency and EPBD – inclusion of waste heat up to 40% possible

MAINSTREAMING RENEWABLE ENERGY IN TRANSPORT



Multipliers

- x4
- x1.5
- x1.2
- x1.2
- x2

Limited to 3.4% (Double Counting)

- ✓ Conventional biofuels, bioliquids and biomass from food and feed crops frozen around 2022 levels
- ✓ High ILUC risk biofuels first frozen, and then gradually reduced towards 0% by 2030

A REINFORCED SUSTAINABILITY FRAMEWORK FOR BIOENERGY



✓ Sustainability criteria extended to **all bioenergy uses**:

- New: **biomass for heat and power**: 80% of EU use of bioenergy
- Improved criteria for biofuels

✓ **Waste hierarchy**: No support for energy from incineration of organic waste unless separate collection obligations set out in WDF are complied with. Synergy with **circular economy** agenda

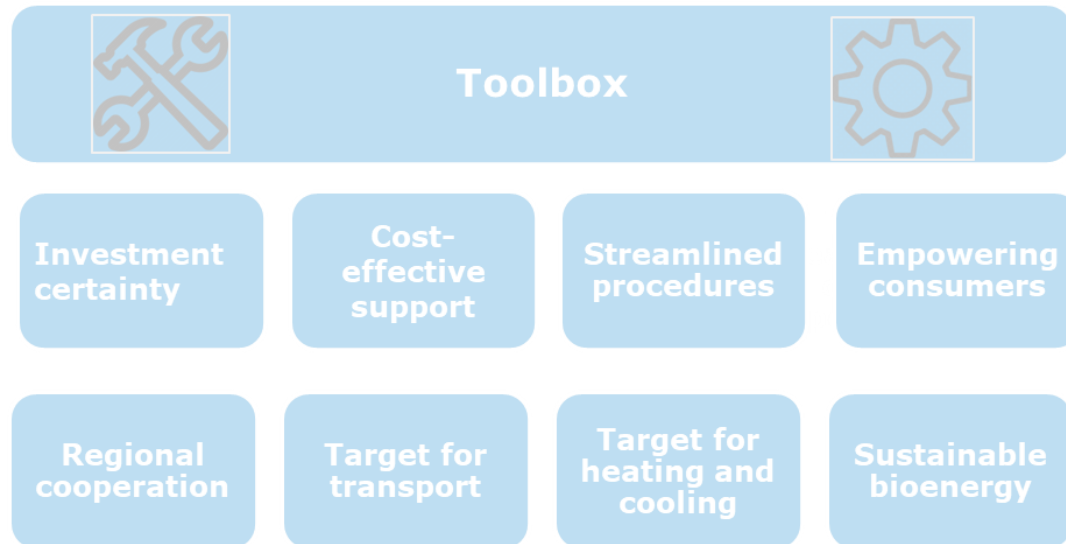
ENVIRONMENTAL RISKS ADDRESSED FOR FARMING AND FOREST BIOMASS



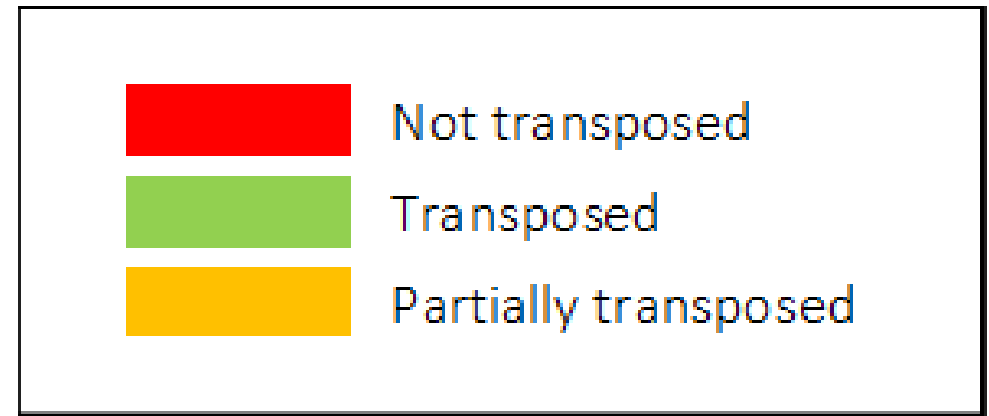
- ✓ For agriculture, improved criteria for sustainable production
- ✓ For forests, risk-based approach
- ✓ Better supervision of certification
- ✓ GHG requirement for new biofuel and biomass CHP plants
- ✓ Energy efficiency requirements for bioelectricity (CHP, BAT, 36% or CCS)
- ✓ EU harmonisation for biofuels but not for biomass fuels

Recast of the Renewables Directive

1. What is in the adapted Directive?



2. Transposition and compliance process



Compliance assessment - EU

*The **compliance assessment** comprises a two-stage process:*

- **transposition checks run (prima facie check) once Member States have communicated to the Commission their national transposition measures transposing directives;**
- **conformity checks run after the transposition checks are finished.**

The distinction between the two types of checks is reflected in two separate infringement procedures:

- **infringements for failure to notify national transposition measures;**
- **infringements for non-conformity of national legislation with EU law.**

Correlation table

Guidance on which provisions of the Directive the Commission considers have to be transposed

Use of the table is **voluntary**. MS may opt for other methods to indicate where they have transposed each provision of REDII.

Member States must indicate in a sufficiently clear and precise manner which **provisions** of national law transpose which **provisions** of the directive.

Things to look out for

Has every part of an obligation been transposed?

“geographical coverage” (i.e. whether the measures adopted cover the entire territory of a Member State – particularly relevant for federal States)

‘practical’ implementation, eg Article 18(1): Member States shall ensure that information on support measures is made available to all relevant actors...

“may” clauses” - has the Member State has adopted any measures?
If so, they must comply with all the relevant requirements

| Art | EU Obligation | National provision | Complete text of national provision (in language of Member State) | Translation into English of national provision | Status (C/P/N) | Comments regarding the transposition |
|---------------------------------|--|--|--|---|---|---|
| Article 1 Subject Matter | | | | | | |
| Article 2 Definitions | | | | | | |
| 2 | For the purposes of this Directive, the relevant definitions in Directive 2009/72/EC of the European Parliament and of the Council apply. The following definitions also apply: | S.I. No. 365 of 2020 European Union (Renewable Energy) Regulations 2020, Regulation 2 COM <input checked="" type="checkbox"/> - MNE NONCOM <input type="checkbox"/> | | Official translation: No <input type="checkbox"/> Yes <input type="checkbox"/> | C <input type="checkbox"/> P <input checked="" type="checkbox"/> N <input type="checkbox"/> | This provision is transposed if all sub-provisions are fully transposed (C); partially transposed if sub-provision(s) is/are partially transposed (P); and not transposed if no sub-provisions are transposed (N). Reasoning regarding transposition: Certain sub-provisions are transposed including 2(1), 2(2), 2(3), 2(5), 2(6), 2(23), 2(24), 2(28), 2(32), 2(33), 2(36) (part transposed), 2(37) (part transposed), 2(39), 2(41), 2(42) (part transposed), 2(43), 2(44), 2(45) (part transposed). Hence the provision can be considered as partially transposed. Geographic coverage <input type="checkbox"/> Delegating measure(s) <input type="checkbox"/> |
| 2(1) | 'energy from renewable sources' or 'renewable energy' means energy from renewable non-fossil sources, namely wind, solar (solar thermal and solar photovoltaic) and geothermal energy, ambient energy, tide, wave and other ocean energy, hydropower, biomass, landfill gas, sewage treatment plant gas, and biogas; | S.I. No. 365 of 2020 European Union (Renewable Energy) Regulations 2020, Regulation 2(1) COM <input checked="" type="checkbox"/> - MNE 2021 004434 NONCOM <input type="checkbox"/> | "energy from renewable sources" means energy from renewable non-fossil sources, namely wind, solar (solar thermal and solar photovoltaic), geothermal energy, ambient energy, tide, wave and other ocean energy, hydropower, biomass, landfill gas, sewage treatment plant gas and biogas; | N/A Official translation: No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> | C <input checked="" type="checkbox"/> P <input type="checkbox"/> N <input type="checkbox"/> | Reasoning regarding transposition: The national provision covers the main content of the definition laid down in the provision of the Directive. Hence, the provision can be considered as transposed. Geographic coverage <input type="checkbox"/> Delegating measure(s) <input type="checkbox"/> |

| |
|---|
| Not transposed |
| Transposed |
| Partially transposed |