

DECISION OF THE PERMANENT HIGH LEVEL GROUP OF THE ENERGY COMMUNITY

No 2021/01/PHLG-EnC: amending Decision No 2013/01/PHLG-EnC of 23 October 2013 on the incorporation of Commission Regulation (EU) No 838/2010 in the Energy Community *acquis communautaire*

THE PERMANENT HIGH LEVEL GROUP OF THE ENERGY COMMUNITY,

Having regard to the Treaty establishing the Energy Community ('the Treaty'), and in particular Articles 24 and 79 thereof,

Having regard to Procedural Act No 1/2012 PHLG-EnC of 21 June 2012 laying down the rules governing the adoption of Guidelines and Network Codes in the Energy Community,

Having analysed the assessment of the Energy Community Regulatory Board on G-charges in the Contracting Parties,

Having regard to the proposal from the European Commission, Whereas:

- (1) Part B of the Annex to Regulation (EU) No 838/2010 limits the maximum value of the annual average transmission charges paid by producers ("G-charges") in the Contracting Parties to 0 to 0,5 EUR/MWh.
- (2) Part B of the Annex to Regulation (EU) No 838/2010 allows higher maximum G-charge values for certain EU Member States,¹ and the same exceptional ranges should be available to Montenegro for reasons of equal treatment in an integrated pan-European electricity market.
- (3) Decision No 2013/01/PHLG-EnC of 23 October 2013 on the incorporation of Commission Regulation (EU) No 838/2010 in the Energy Community *acquis communautaire* should therefore be amended.

HAS ADOPTED THIS DECISION:

Article 1

In Decision No 2013/01/PHLG-EnC, Article 1 is amended and the following paragraph 3 is added:

'3. In Part B of the Annex to Regulation (EU) No 838/2010, paragraph 3 is adapted as follows:

(a) the first paragraph is replaced by the following:

¹ Namely Denmark, Sweden, and Finland: 0 to 1,2 EUR/MWh; Ireland, Great Britain, and Northern Ireland: 0 to 2,5 EUR/MWh; and Romania: 0 to 2 EUR/MWh.

'The value of the annual average transmission charges paid by producers shall be within a range of 0 to 0,5 EUR/MWh, except those applying in Denmark, Sweden, Finland, Romania, Ireland, Montenegro, Great Britain and Northern Ireland.'

(b) the third paragraph is replaced by the following:

'Annual average transmission charges paid by producers in Ireland, Montenegro, Great Britain and Northern Ireland shall be within a range of 0 to 2,5 EUR/MWh, and in Romania within a range of 0 to 2,0 EUR/MWh.'

Article 2

This Decision enters into force upon its adoption and is addressed to the Contracting Parties.

Done in Belgrade on 29 November 2021

For the Permanent High Level Group

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Presidency