

# Electricity market: application of certain provisions to Estonia

2007/0141(COD) - 15/01/2008 - Final act

**PURPOSE:** to grant Estonia a temporary derogation from the application of certain provisions of Directive 2003/54/EC concerning common rules for the internal market in electricity.

**LEGISLATIVE ACT:** Directive 2008/3/EC of the European Parliament and of the Council amending Directive 2003/54/EC as regards the application of certain provisions to Estonia.

**CONTENT:** Directive 2003/54/EC had to be implemented by 1 July 2004 and had the effect of speeding up the opening of the electricity market. This Directive is designed to grant Estonia a temporary derogation from the application of certain provisions of Directive 2003/54/EC until 31 December 2012. This derogation had already been granted in 2004, but the act through which the decision in question was made was annulled by the Court of Justice due to the wrong choice of legal basis. This Directive rectifies the situation by confirming the derogation granted to Estonia, based on the correct legal basis.

Estonia shall take the measures necessary to ensure the opening of its electricity market. This shall be carried out gradually over the reference period with the aim of complete opening of the market by 1 January 2013. On 1 January 2009, the opening of the market shall represent at least 35% of consumption. Estonia shall communicate annually to the Commission the consumption thresholds extending eligibility to final customers.

The granting of a further derogation for the period 2009 to 2012 appeared necessary to guarantee security of investments in generating plants and security of supply in Estonia while allowing the serious environmental problems created by those plants to be resolved.

**ENTRY INTO FORCE:** 23/01/2008.