









# Procedure file

Basic information	
COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	2017/0347(COD) Procedure completed
Regulation on the notification to the Commission of investment projects in energy infrastructure within the EU: repeal	
Repealing Regulation (EU) No 256/2014	<a href="#">2013/0082(COD)</a>
Subject 3.60 Energy policy	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	 Industry, Research and Energy	 <a href="#">KAPPEL Barbara</a>	06/02/2018
		Shadow rapporteur	
		 <a href="#">SPYRAKI Maria</a>	
		 <a href="#">MARTIN Edouard</a>	
		 <a href="#">CZESAK Edward</a>	
		 <a href="#">TELIČKA Pavel</a>	
		 <a href="#">JÁVOR Benedek</a>	
		 <a href="#">PAKSAS Rolandas</a>	
Council of the European Union European Commission	Commission DG <a href="#">Energy</a>	Commissioner ARIAS CAÑETE Miguel	
European Economic and Social Committee European Committee of the Regions			

Key events			
19/12/2017	Legislative proposal published	<a href="#">COM(2017)0769</a>	Summary
15/01/2018	Committee referral announced in Parliament, 1st reading		

19/06/2018	Vote in committee, 1st reading		
21/06/2018	Committee report tabled for plenary, 1st reading	<a href="#">A8-0211/2018</a>	Summary
03/07/2018	Results of vote in Parliament		
03/07/2018	Decision by Parliament, 1st reading	<a href="#">T8-0277/2018</a>	Summary
28/09/2018	Act adopted by Council after Parliament's 1st reading		
02/10/2018	Final act signed		
03/10/2018	End of procedure in Parliament		
15/10/2018	Final act published in Official Journal		

### Technical information

Procedure reference	2017/0347(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
	Repealing Regulation (EU) No 256/2014 <a href="#">2013/0082(COD)</a>
Legal basis	Treaty on the Functioning of the EU TFEU 194-p2
Mandatory consultation of other institutions	<a href="#">European Economic and Social Committee</a> <a href="#">European Committee of the Regions</a>
Stage reached in procedure	Procedure completed
Committee dossier	ITRE/8/11893

### Documentation gateway

Legislative proposal	<a href="#">COM(2017)0769</a>	19/12/2017	EC	Summary
Economic and Social Committee: opinion, report	<a href="#">CES0344/2018</a>	14/02/2018	ESC	
Committee draft report	<a href="#">PE619.286</a>	21/03/2018	EP	
Amendments tabled in committee	<a href="#">PE621.069</a>	26/04/2018	EP	
Committee report tabled for plenary, 1st reading/single reading	<a href="#">A8-0211/2018</a>	21/06/2018	EP	Summary
Text adopted by Parliament, 1st reading/single reading	<a href="#">T8-0277/2018</a>	03/07/2018	EP	Summary
Draft final act	<a href="#">00046/2018/LEX</a>	03/10/2018	CSL	

### Final act

[Regulation 2018/1504](#)  
[OJ L 258 15.10.2018, p. 0001](#) Summary

## within the EU: repeal

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**PURPOSE:** to repeal Regulation (EU) No 256/2014 of the European Parliament and of the Council concerning the notification to the Commission of investment projects in energy infrastructure within the European Union.

**PROPOSED ACT:** Regulation of the European Parliament and of the Council.

**ROLE OF THE EUROPEAN PARLIAMENT:** the European Parliament decides in accordance with the ordinary legislative procedure on an equal footing with the Council.

**BACKGROUND:** this proposal to repeal [Regulation \(EU\) No 256/2014](#) is put forward in the context of the Commissions REFIT programme and commitment on better regulation.

The European Parliament, the Council of the European Union and the European Commission confirmed their joint commitment to updating and simplifying legislation in the [Interinstitutional Agreement on Better Law-Making](#) of 13 April 2016.

Repealing such legislation keeps the legislative framework transparent, clear and easy to use.

Regulation (EU) No 256/2014 was adopted to ensure that the EU's energy policy develops in an effective way and responds to the EU's real needs. This Regulation was supported by Commission implementing Regulation (EU) No 1113/2014. Together, these regulations required the Member States to notify the Commission of investment projects for which construction or decommissioning work has started or for which a final investment decision has been taken.

Member States have gone through three reporting exercises (2011, 2013 and 2015) since the obligations under this Regulation and its predecessor, Council Regulation No 617/2010, have been in place.

In 2016, the Commission carried out the review of Regulation (EU) No 256/2014, including a stakeholder consultation covering all planning and reporting obligations in the energy sector. It concluded that:

- there were significant overlaps between reporting obligations under Regulation (EU) No 256/2014 and the reporting obligations to the Energy Transmission System Operators ENTSO-E and ENTSO-G;
- the quality and appropriateness of the information and data received were often poor, and that this information and data had become available to the Commission via other sources.

Furthermore, it was noted that the Commission had direct access to market data via its Energy Market Observation System (EMOS).

Considering that Regulation (EU) No 256/2014 has therefore not delivered the expected results, the Commission proposes to repeal Regulation (EU) No 256/2014.

**CONTENT:** the proposal seeks to repeal Regulation (EU) No 256/2014 of the European Parliament and of the Council of 26 February 2014 concerning the notification to the Commission of investment projects in energy infrastructure within the European Union, replacing Council Regulation (EU, Euratom) No 617/2010 and repealing Council Regulation (EC) N° 736/96.

## Regulation on the notification to the Commission of investment projects in energy infrastructure within the EU: repeal

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The Committee on Industry, Research and Energy adopted the report by Barbara KAPPEL (ENF, AT) on the proposal for a regulation of the European Parliament and of the Council repealing Regulation (EU) No 256/2014 of the European Parliament and of the Council concerning the notification to the Commission of investment projects in energy infrastructure within the European Union.

The committee recommended that the European Parliament adopt its position at first reading, taking over the Commission proposal.

## Regulation on the notification to the Commission of investment projects in energy infrastructure within the EU: repeal

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The European Parliament adopted by 417 votes to 230, with 33 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council repealing Regulation (EU) No 256/2014 of the European Parliament and of the Council concerning the notification to the Commission of investment projects in energy infrastructure within the European Union.

The European Parliament adopted its position at first reading taking over the Commission proposal.

As a reminder, Regulation (EU) No 256/2014 of the European Parliament and of the Council required Member States to notify the Commission of investment projects on which construction or decommissioning work has started or on which a final investment decision has been taken.

The review of Regulation (EU) No 256/2014 concluded that there were significant overlaps between reporting obligations under Regulation (EU) No 256/2014 and the reporting obligations to the Energy Transmission System Operators ENTSO-E and ENTSO-G. It also appeared that the quality and appropriateness of the information and data received were often poor.

Regulation (EU) No 256/2014 has therefore not delivered the expected results in terms of quantity, quality and appropriateness of data and information received by the Commission and it should therefore be repealed.

## Regulation on the notification to the Commission of investment projects in energy infrastructure within the EU: repeal

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**PURPOSE:** to repeal Regulation (EU) No 256/2014 of the European Parliament and of the Council on the notification to the Commission of investment projects in energy infrastructure within the European Union.

**LEGISLATIVE ACT:** Regulation (EU) 2018/1504 of the European Parliament and of the Council repealing Regulation (EU) No 256/2014 concerning the notification to the Commission of investment projects in energy infrastructure within the European Union.

**CONTENT:** This Regulation repeals Regulation (EU) No 256/2014 of the European Parliament and of the Council on the notification of the Commission of investment projects in energy infrastructure within the European Union, replacing Council Regulation (EU, Euratom) No 617/2010 and repealing Council Regulation (EC) No 736/96.

Regulation (EU) No 256/2014 required Member States to notify the Commission of investment projects for which construction or decommissioning work has started or for which a final investment decision has been taken.

A review of Regulation (EU) No 256/2014 concluded that there were significant overlaps between the Member States' information reporting obligations under that regulation and the reporting obligations to the European Transmission System Operators for electricity (ENTSO-E) and for gas (ENTSO-G). It also appeared that the quality and relevance of the information and data received were often poor.

Regulation (EU) No 256/2014 has therefore not delivered the expected results in terms of quantity, quality and relevance of the data and information received by the Commission.

**ENTRY INTO FORCE:** 4.11.2018.