

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

2017/0347(COD) - 19/12/2017 - Legislative proposal

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) No 736/96.