



European Commission
DG Energy - ENER.B1
'Public consultation on draft PCI list'
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Contribution by Naturschutzbund Deutschland e.V., Germanwatch e.V. and Deutsche Umwelthilfe e.V. to the public consultation on the

List of projects submitted to be considered as potential Projects of Common Interest in energy infrastructure

The European Commission has started a public consultation on a proposal for a list of Projects of Common Interest (PCI) in European energy infrastructures (http://ec.europa.eu/energy/infrastructure/consultations/20120620_infrastructure_plan_en.htm) These projects shall receive the highest priority in national permit granting procedures and might also be eligible for EU funding under certain circumstances. Furthermore, public participation in the permit granting procedures shall be enhanced. The specific selection criteria for PCIs as well as permit granting procedures are laid down in the proposal for a regulation on guidelines for trans-European infrastructures which is currently under negotiation in the European parliament and the Council of the European Union (COM (2011) 658).

The signing NGOs would like to comment on the total list of proposed PCIs and also make some general remarks concerning the procedure to establish this list and for the further work with this list. We would like to bring in some considerations of the current discussion in Germany about the need for new infrastructures and the proposal for a German grid development plan.

The European Commission has asked for comments for single projects that are proposed for the list and also for a prioritization by identifying the five most important projects to contribute to EU energy policy goals at the national and EU level. As we do not have all the necessary information available (such as load flow data for all projects and the underlying grid modeling exercises) or the resources to evaluate this highly technical information in detail, we are not able to give an input to this latter question. Furthermore, it is not possible to comment on single projects on the list at this early stage except for the projects where the permit granting process has already started. This is the reason why we would like to focus on some general remarks.

Current discussions in Germany

Some of the proposed projects have already been approved by law in 2009 (Energieleistungsausbaugesetz – ENLAG), e.g. projects E59, E60, E61.¹ We agree that these projects shall become part of the European PCI list.

¹ For the full list of projects, see <http://www.gesetze-im-internet.de/bundesrecht/enlag/gesamt.pdf> and http://www.netzausbau.de/cln_1932/DE/Netzausbau/EnLAG-Monitoring/enlag-monitoring_node.html;jsessionid=49AA39C1DF927141EAEF54E9FFC6C891

However, many other projects have not been approved yet. We are currently discussing the need for new electricity infrastructures in Germany. Two consultations on the underlying scenarios as well as a draft national grid development plan have already taken place between summer 2011 and August 2012. There is a second on-going consultation of the proposed grid development plan (Netzentwicklungsplan Strom 2012) of the German regulator (Bundesnetzagentur) until 2 November 2012 before the German Bundestag will decide on a final plan and pass a law on the "Bundesbedarfsplan" (Law on establishing the need for certain electricity infrastructures) by the beginning of 2013. The "Bundesbedarfsplan" will decide which projects will receive the highest priority in German grid planning. Looking at the proposed PCI regulation, this would mean that this "Bundesbedarfsplan" should also contain those PCI adopted at EU level where Germany is involved.

The discussion about the need for grids in Germany currently involves a broad range of stakeholders, NGOs and citizens. A high level of transparency and participation is claimed by Transmission System Operators and German authorities. This is why it would be difficult to understand, if some decisions on priority projects were already taken at the EU level without informing a broader public. The signing NGOs would like to stress that current discussions at the EU level should not preempt any decision in Germany. We suggest that the national grid development plans should contain information on which projects have been proposed as PCI and that the EU wide list of PCI should also contain information on whether projects are part of the national grid development plans. A link to ENTSO-E's TYNDP is not sufficient as many stakeholders at the national level focus on national grid development plans and infrastructure projects at the national level.

Additionally (and even if this is not directly part of this consultation), the signing NGOs would like to point out that the proposed maximum duration of planning and permit granting procedures for priority projects laid out in Chapter 3, § 11 of the proposal for a regulation on guidelines for trans-European infrastructures (COM (2011) 658) seems much too short. In its accompanying document to the 2nd consultation of the national grid development plan 2012, even the German regulator Bundesnetzagentur states, that a period of three years for planning and permit granting procedures for electricity grid projects is unrealistic (p. 13 / 14)².

Concerning the planning of the offshore grid, a German Offshore Grid Development Plan shall be established and linked to the national grid development plan in 2013. This is why we furthermore ask the Commission to take the discussions into account before making a decision at the European level on offshore projects.

Prioritization unclear

The criteria on which the TSOs have based their proposal for the list of PCIs are not clear to the signing NGOs. When comparing the proposed PCI with the proposal for the German grid development plan, it is not clear which projects have been chosen why. When projects are proposed for the PCI list, they must clearly show that they fulfill the selection criteria and in how far or in which respect they do so. Furthermore, it should become evident who made the proposals.

More transparency is needed

More transparency is needed in order to compare the EU PCI list with national grid development plans. Therefore both documents should give reference to each other, in order to allow the interested public to compare and understand which infrastructure projects at the national level also have a high importance for the EU level. Both decision making processes at the national and European level must be closely linked to each other.

Furthermore, it is not evident to the signing NGOs, why the projects of the EU PCI list have been given the highest priority compared to other projects named e.g. in the TYNDP 2012. Explanations should be given in detail for every project, why it has been rated with high priority in the PCI list.

More transparency is not only needed at the level of single projects but also at the decision making level. That's why the regional groups should provide public information on their ranking and selection criteria. Furthermore, they should give information on their composition, agenda and upcoming decisions. The infrastructure transparency platform proposed in the draft PCI regulation, Article 17, should become a useful tool in this respect.

² Accompanying document of the German regulator to the 2nd draft of the national grid development plan/ Begleitdokument zur Konsultation des überarbeiteten Netzentwicklungsplans Strom 2012 der Übertragungsnetzbetreiber durch die Bundesnetzagentur mit dem derzeitigen Stand der Prüfung (Stand 03.09.2012), http://nvonb.bundesnetzagentur.de/netzausbau/Begleitdokument_zum_NEP2012.pdf

One example: New HVDC lines in Germany

Four corridors have been proposed by the German transmission system operators in the current proposal for a national grid development plan. It is still under discussion, whether all four corridors – proposed in a new, not yet state-of-the-art-technology - will be included in the “Bundesbedarfsplan” law. The consultation by the German regulator is still ongoing and therefore it appears premature to put the four HVDC corridors in the EU PCI list. Additionally to the mentioned HVDC projects for one project listed as a PCI proposal (project 43.A75/E67) there is no equivalent in the German grid development plan. These discrepancies interfere with the reliability of the planning process.

Continuous involvement of relevant stakeholders at the level of the regional groups

As mentioned above, most national NGOs do not have the resources and information to give detailed feedback for a European consultation. It seems more adequate to approach national NGOs via the work of the regional groups which are closer to the national level. Regional groups should identify and activate the relevant stakeholders, e.g. by organizing hearings/ consultation meetings with regional stakeholders. Setting up stakeholder forums consisting of relevant stakeholders that have regular meetings and follow the work of the regional groups closely seems to be another good option to increase participation and transparency.

We, the signing NGOs, are willing to support the transformation and extension of the European power grid for the integration of renewable energies. In order to be able to support this transformation, the need for each project needs to be proven in a transparent process. That is why we ask the European Commission for

- Higher transparency on procedures, criteria and decisions concerning the proposed PCI list; include project numbers of the National Grid development plans in the TYNDP and the PCI list
- No preemption of national decisions at EU level without thorough discussions at the national level
- Realistic time frames for planning and permit granting procedures for high priority projects
- More information on composition and decisions of the regional groups in the internet, e.g. via a European infrastructure transparency platform
- Actively involve NGOs at regional group level, e.g. create stakeholder forums for each regional group
- Carry out a consultation of relevant stakeholders in each regional group before final decision is taken, identify and approach NGOs and civil society actively

Kind regards



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