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NOTE

From: Permanent Representatives Committee (Part 1)
To: Council

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Subject: ANNEXES to the Proposal Directive of the European Parliament and of the
Council on common rules for the internal market in electricity (recast)
- General approach

Delegations will find in Annex the slightly revised text of the Annexes. This document accompanies doc. 15239/17.

The latest changes are marked in **bold underline** and deletions are marked with **[]**. Changes compared to the Commission proposal are indicated in **bold** and deletions are marked with **[]**.

ANNEX I

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ANNEX II

MINIMUM REQUIREMENTS FOR BILLING AND BILLING INFORMATION

1. Minimum information contained in the bill

The following information shall be prominently displayed to final customers in their bills and **billing information**:

- (a) the price to pay; and, where possible, **a breakdown of the price**;
- (b) electricity consumption for the billing period;
- (c) the name **and the contact details of the supplier including a consumer support hotline**;
- (d)
- (e) the tariff name;

(f) the end date of the contract, if applicable;

(g) the customer's switching code or unique identification code for their supply point;

(h) **the contact details of the entity responsible for dispute settlement pursuant to Article 26.**

Where appropriate, the following information shall be **made available** to final customers in, **with or signposted to within** their bills and periodical settlement bills:

(a)

(b) comparisons of the customers' current electricity consumption with consumption for the same period in the previous year in graphic form;

(c) contact information for consumer organisations, energy agencies or similar bodies, including website addresses, from which information may be obtained on available energy efficiency improvement measures for energy-using equipment;

(ca) comparisons with an average normalised or benchmarked customer in the same user category

(cb) information on their rights as regards the means of dispute settlement available to them in the event of a dispute pursuant to Article 26.

1a. Frequency of billing and the provision of billing information:

- (a) billing shall take place on the basis of actual consumption at least once a year;**
- (b) where final customers do not have meters that allow remote reading by the operator, or where the final customers have actively chosen to disable remote reading in accordance with provisions under national law accurate billing information based on actual consumption shall be made available to final customers at least every six months, or once every three months on request or where the final customer has opted to receive electronic billing;**
- (c) where final customers do not have meters that allow remote reading by the operator, or where the final customers have actively chosen to disable remote reading in accordance with provisions under national law, the obligations in subparagraphs (a) and (b) may be fulfilled by a system of regular self-reading by the final customers, whereby they communicate readings from their meter to the supplier. Only when the final customer has not provided a meter reading for a given billing interval billing or billing information may be based on estimated consumption or a flat rate;**
- (d) where final customers have meters that allow remote reading by the operator, accurate billing information based on actual consumption shall be provided at least every three months, or once every month on request or where the final customer has opted to receive electronic billing.**

2. Breakdown of the customers' price

The customers' price is the sum of the following three main components: the energy and supply component, the network component (transmission and distribution) and the component comprising taxes, levies, fees and charges.

Where a breakdown of the customers' price is presented in bills, the common definitions of the three main components in this breakdown established under Regulation (EU) 2016/1952 shall be used throughout the Union.

3. Access to complementary information on historical consumption

Member States shall require that, to the extent that complementary information on historical consumption is available, it is made available, at the request of the final customer, to a supplier or service provider designated by the consumer.

Where final customers have meters that allow remote reading by the operator installed, final customers shall have the possibility of easy access to complementary information on historical consumption allowing detailed self-checks.

Complementary information on historical consumption shall include:

(a) cumulative data for at least the three previous years or the period since the start of the supply contract if this is shorter. The data shall correspond to the intervals for which frequent billing information has been produced; and

(b) detailed data according to the time of use for any day, week, month and year. These data shall be made available to final customers in near real time via the internet or the meter interface for the period of at least the previous 24 months or the period since the start of the supply contract if this is shorter.

4. Disclosure of energy sources

Suppliers shall specify in bills **the contribution of each energy source to the electricity purchased by the customer in accordance with the supply contract (product level disclosure).**

The following information shall be made available to final customers in, with, or signposted to within their bills and billing information:

- (a) the contribution of each energy source to the overall fuel mix of the supplier (at national level i. e. in the Member State where the supply contract has been concluded, as well as at the level of the supply undertaking if the supplier is active in several Member States) over the preceding year in a comprehensible and clearly comparable manner;
- (b) []
- (c) [] information on the environmental impact, in terms of at least CO₂ emissions and the radioactive waste resulting from the electricity produced by the overall fuel mix of the supplier over the preceding year [];

As regards **the first subparagraph** points (a) [] of the [] **second** subparagraph with respect to electricity obtained via an electricity exchange or imported from an undertaking situated outside the Union, aggregate figures provided by the exchange or the undertaking in question over the preceding year may be used.

For **the disclosure of electricity from renewable energy sources or from high efficiency cogeneration, guarantees of origin issued under Article 15 of Directive 2009/28/EC and Article 14(10) of Directive 2012/27/EC [] may be used.**

The regulatory authority or another competent national authority shall take the necessary steps to ensure that the information provided by suppliers to final customers pursuant to this Article is reliable and is provided, at a national level, in a clearly comparable manner.

ANNEX III

SMART METERS

1. Member States shall ensure the implementation of smart metering systems in their territories that may be subject to an economic assessment of all the long-term costs and benefits to the market and the individual consumer or which form of smart metering is economically reasonable and cost-effective and which timeframe is feasible for their distribution
2. Such assessment shall take into consideration the methodology for a cost-benefit analysis and the minimum functionalities for smart metering defined in the Commission Recommendation 2012/148/EU as well as best available techniques for ensuring the highest level of cybersecurity and data protection.
3. Subject to that assessment, Member States or, where a Member State has so provided, the designed competent authority, shall prepare a timetable with a target of up to 10 years for the deployment of smart metering systems. Where roll-out of smart meters is assessed positively, at least 80 % of final customers shall be equipped with smart metering systems within 8 years from the date of **the adoption of a national legal framework for the roll-out []**.

ANNEX IV

Part A

Repealed Directive

(referred to in Article [...])

Directive 2009/72/EC

(OJ L 211, 14.8.2009, p. 55-93)

Part B

List of time-limits for transposition into national law [and application]

(referred to in Article [...])

Directive	Time-limit for transposition	Date of application
2009/72/ EC	03.03.2011	03.09.2009

ANNEX V

CORRELATION TABLE

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