



Council of the
European Union

Brussels, 7 October 2022
(OR. en)

13027/22
ADD 1
LIMITE
PV CONS 55
TRANS 614
TELECOM 385
ENER 475

DRAFT MINUTES

EXTRAORDINARY MEETING OF THE COUNCIL OF THE EUROPEAN UNION
(Transport, Telecommunications and **Energy**)

30 September 2022

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Non-legislative activities

2. **Council Regulation on an emergency intervention to address high energy prices** ☐(*) 12428/22
Political agreement

The Council held a discussion and reached a political agreement on an emergency intervention to address high energy prices.

3. **Further policy options to mitigate high gas prices** 12427/22
Exchange of views

The Council held an exchange of views on further policy options to mitigate high gas prices.

Any other business

4. **Gas leak from the Nord Stream I and II pipelines** 12426/22
Information from the Danish, German and Swedish delegations

The Council was informed by the Danish, German and Swedish delegations on the gas leak from the Nord Stream I and II pipelines.

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- ☐ Item based on a Commission proposal
(*) Item on which a vote may be requested
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Statements to the non-legislative "B" items set out in doc. 12813/22 + COR 1 (de)**Ad "B" item 2:**

Council Regulation on an emergency intervention to address high energy prices
Political agreement

STATEMENT BY ESTONIA

"Estonia expresses its concern about the ongoing energy crisis and is convinced that Member States should do their utmost to mitigate the impact of high energy prices to consumers and businesses.

Estonia recognises the objectives of the Council Regulation on an emergency intervention to address high energy prices and, in the spirit of unity between Member States, agrees to the text of the political agreement on the Commission's proposal.

In relation to Article 13 on implementing the mandatory temporary solidarity contribution, Estonia interprets Article 13.2 in a way that Estonia's already existing domestic resource tax system for users of energetic mineral resources, which contains a clear link between the global oil commodity prices and the rate that the companies are entitled to pay for the usage rights of the resource, is an equivalent measure to the solidarity contribution and is already fulfilling similar objectives.

In relation to future tax matters, Estonia continues to insist on the proper legal basis (Article 115 of the Treaty on the Functioning of the European Union) and the requirement of unanimity it prescribes."

JOINT STATEMENT BY ESTONIA AND LATVIA

"In relation to the distribution of surplus revenues, Estonia and Latvia interpret Article 9.1 that requires to ensure that surplus revenues are employed in support of final electricity customers in the following way:

Estonia and Latvia will ensure that all surplus revenues resulting from the application of the cap are employed by investing them in accelerating additional renewable energy production. Inframarginal revenues will be accounted for and reported but not collected. In our specific circumstances, the revenues that could be obtained from the implementation of the cap on market revenues would be insignificant. We conclude that the consumers of Estonia and Latvia will benefit from the accounted inframarginal revenues the most if companies commit to directly investing the surplus profits in additional renewable energy production."

JOINT STATEMENT BY CROATIA AND SLOVENIA

"Republic of Croatia and Republic of Slovenia reiterate their positions that the possibility of support should be extended to all market participants. Given that the impact of high prices affects a much larger number of market participants than only small and medium-sized companies, the possibility of regulated prices should be made available for all consumers and companies."

STATEMENT BY HUNGARY

"The Hungarian delegation expresses its reservation on the choice of the legal basis of this Regulation, as article 122 of the TFEU cannot be the sole legal basis for the solidarity contribution, which includes provisions of a fiscal nature, that should be discussed and adopted accordingly with unanimity."
