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To:	Ms Thérèse BLANCHET, Secretary-General of the Council of the European Union
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Subject:	ANNEX to the COMMISSION DELEGATED REGULATION (EU) .../... on revising the primary energy factor for electricity in application of Directive (EU) 2012/27/EU of the European Parliament and of the Council

Delegations will find attached document C(2022) 9267 final - ANNEX.

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ANNEX

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COMMISSION DELEGATED REGULATION (EU) .../...

**on revising the primary energy factor for electricity in application of Directive (EU)
2012/27/EU of the European Parliament and of the Council**

ANNEX

In Annex IV to Directive 2012/27/EU, footnote 3 is replaced by the following:

‘(3) Applicable when energy savings are calculated in primary energy terms using a bottom-up approach based on final energy consumption. For savings in kWh electricity, Member States shall apply a coefficient established through a transparent methodology on the basis of national circumstances affecting primary energy consumption, in order to ensure a precise calculation of real savings. Those circumstances shall be substantiated, verifiable and based on objective and non-discriminatory criteria. For savings in kWh electricity, Member States may apply a default coefficient of 1,9 or use the discretion to define a different coefficient, provided that they can justify it. When doing so, Member States shall take into account the energy mix included in their integrated national energy and climate plans to be notified to the Commission in accordance with Regulation (EU) 2018/1999. By 25 December 2022 and every four years thereafter, the Commission shall revise the default coefficient on the basis of observed data. That revision shall be carried out taking into account its effects on other Union law such as Directive 2009/125/EC and Regulation (EU) 2017/1369 of the European Parliament and of the Council of 4 July 2017 setting a framework for energy labelling and repealing Directive 2010/30/EU (OJ L 198, 28.7.2017, p. 1).’