Council of the European Union

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2025/0400 (COD)
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LIMITE

ENER 197
CLIMA 217
CONSOM 130
TRANS 242
AGRI 300
IND 277
ENV 398
COMPET 471
FORETS 64
RELEX 543
ECOFIN 514
CODEC 739

PUBLIC

NOTE

From:	Presidency
To:	Permanent Representatives Committee
Subject:	European Grids Package - Guidance for further work

I. INTRODUCTION

1. On 10 December 2025, the Commission presented a proposal for the revision of the Regulation on guidelines for trans-European energy infrastructure[1] (TEN-E Regulation) and a proposal for an amending Directive as regards acceleration of permit-granting procedures[2] (Permitting Directive). The two proposals are part of the European Grids Package, accompanied by a Communication from the Commission and two guidance documents.

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1 Proposal for a Regulation of the European Parliament and of the Council on guidelines for trans-European energy infrastructure, amending Regulations (EU) 2019/942, (EU) 2019/943 and (EU) 2024/1789 and repealing Regulation (EU) 2022/869 (16772/25 + ADD1 + ADD2)

2 Proposal for a Directive of the European Parliament and of the Council amending Directives (EU) 2018/2001, (EU) 2019/944, (EU) 2024/1788 as regards acceleration of permit-granting procedures (16772/25 + ADD1 + ADD2)

2. The proposed TEN-E Regulation aims to improve cross-border energy infrastructure planning, speed up permitting, ensure more effective mechanisms to share the costs and benefits of cross-border projects, as well as make cross-border infrastructure more resilient and secure.

3. The proposed Permitting Directive aims to accelerate the permitting of energy infrastructure projects with targeted amendments to three directives: the Renewable Energy Directive, the Electricity Market Directive and the Gas Market Directive.

II. STATE OF PLAY

4. On 11 December 2025, the Commission presented the proposed TEN-E Regulation and the Permitting Directive in the Working Party on Energy.

5. On 15 December 2025, at the TTE (Energy) Council meeting, Ministers held a policy debate on the European Grids Package based on a background document (15896/25).

6. On 13 January 2026, in the Working Party on Energy, the Commission presented the accompanying impact assessment on the European Grids Package, and at the same meeting the Working Party started the Article-by-Article examination of the proposals.

7. On 16 March 2026, at the TTE (Energy) Council meeting, ministers held a second policy debate on the European Grids Package based on a background document (6281/26).

8. The European Council, in its conclusions of 19 March 2026, called "on the co-legislators to agree, in 2026, an ambitious grids package to quickly build the necessary infrastructure, ensure its protection and resilience, and enhance interconnections, at national and trans-European level, including by streamlining and accelerating permitting procedures, thus contributing to an integrated and more robust energy market, while defining a flexible approach to domestic congestion income arising from internal bidding zones that takes into account national circumstances". The European Grids Package is also listed among the priority deliverables in the "One Europe, One Market" Roadmap of the European Parliament, the Council of the European Union and the European Commission.

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9. On the basis of the aforementioned policy debates at the Council, the comments received from the Member States during the examination of both legislative proposals at the Working Party on Energy, and following the guidance of the European Council of 19 March 2026, the Presidency has so far submitted four revisions of both the TEN-E Regulation and the Permitting Directive proposals.

10. The latest Presidency compromise texts for the TEN-E Regulation and the Permitting Directive are set out in documents ST 9062/26 and ST 9021/26 respectively.

III. EXAMINATION BY THE OTHER INSTITUTIONS

11. In the European Parliament, the Committee on Industry, Research and Energy (ITRE) is in the lead for both files. The rapporteur appointed for the TEN-E Regulation is MEP Tsvetelina Penkova (S&D, BG) and for the Permitting Directive – MEP Niels Fuglsang (S&D, DK). The European Parliament is expected to adopt its position on the Permitting Directive in July 2026 and on the TEN-E Regulation by October 2026 at the latest.

12. The Committee of the Regions adopted an opinion on the European Grids Package on 5 March 2026. The European Economic and Social Committee adopted an opinion on the European Grids Package on 18 March 2026.

IV. ISSUES FOR POLITICAL GUIDANCE

13. Following the discussions in the Working Party on Energy and in the TTE (Energy) Council meetings, the subsequent Presidency compromise proposals for both legislative texts have allowed to address a number of questions and issues raised by delegations. On a few topics some concerns and diverging views remain. The aim of the Presidency remains to reach general approaches on both legislative files at the Council meeting on 26 June 2026. In order to address the outstanding issues the Presidency is therefore seeking guidance from Coreper on the basis of the questions outlined below in relation to both the TEN-E Regulation and the Permitting Directive.

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14. *Issue 1 regarding TEN-E Regulation*:

- **Question 1:** In relation to **the central scenario**, in view of Member States' comments a number of adjustments to Article 11 and corresponding recitals have been made in order to ensure an appropriate role for Member States in the process and to foresee the necessary updates. Notably, it has been clarified that the central scenario would reflect national and regional specificities and would take into account the latest National Energy and Climate Plans. In addition, the text now provides that data and assumptions would be verified by Member States, that the central scenario would be adopted by means of an implementing act, and that additional sensitivities or updates to the central scenario would be developed at least every 24 months. ***Does the revised text address the concerns of Member States in relation to network development planning?***

- **Question 2:** The Presidency has amended Article 19 on **setting aside congestion income** according to Member States' input. It was clarified that congestion income arising from internal bidding zone borders within a Member State or congestion income collected prior to the entry into force of this Regulation is not covered by this Article, and that the amount would be calculated on a yearly basis in accordance with the methodology developed pursuant to Article 19(4) of Regulation 2019/943. The Presidency also clarified the role of national regulatory authorities and where the funds could be spent, and replaced the delegated act with an implementing act. ***Are there any additional aspects that should be included in this Article?***

- **Question 3:** Delegations welcomed the proposed changes to the TEN-E Regulation aiming to enhance **security and resilience of cross-border energy infrastructure**. Some delegations have suggested to further expand the provisions on this topic, namely by creating a separate security and resilience category of energy infrastructure in Annex II, covering not just electricity, but also gas transmission systems and storage as well as repairs of critical energy infrastructure. ***Would incorporating these proposed elements be agreeable to the delegations?***

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15. *Issue 2 regarding TEN-E Regulation and Permitting Directive:*

- **Question 4:** Both texts introduce a system of **tacit approval** for intermediary steps of the permit-granting procedures and administrative decisions. Member States have raised concerns about this approach and indicated that more flexibility might be needed. ***How can these provisions be fine-tuned in order to have a clear and stable legal framework on tacit approval?***

16. *Issue 3 regarding Permitting Directive:*

- **Question 5:** The proposal introduces provisions to limit the possibility for the Member States to identify large territories where the installation of renewable energy projects is a priori not possible. However, some Member States consider **land-use planning** a core national competence. ***Could this limitation be accommodated while respecting national competences?***

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