



Council of the
European Union

Brussels, 13 May 2024
(OR. en)

9644/24

**Interinstitutional File:
2023/0077/B(COD)**

**CODEC 1251
ENER 219
ENV 493
CLIMA 194
COMPET 524
CONSOM 184
FISC 103**

'I/A' ITEM NOTE

From: General Secretariat of the Council
To: Permanent Representative Committee/Council

Subject: Draft DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Directives (EU) 2018/2001 and (EU) 2019/944 as regards improving the Union's electricity market design **(first reading)**
- Adoption of the legislative act

1. On 14 March 2023, the Commission submitted its proposal¹, based on Article 194(2) TFEU, to the Council.
2. The European Economic and Social Committee delivered its opinion on 14 June 2023².
3. The Committee of the Regions delivered its opinion on 5 July 2023³.

¹ 7440/23 + ADD 1.

² OJ C 293, 18.8.2023, p. 112.

³ OJ C, C/2023/253, 26.10.2023.

4. On 11 April 2024, the European Parliament adopted its position at first reading on the Commission proposal⁴. The outcome of voting in the European Parliament reflects the compromise agreement reached between the institutions and should, therefore, be acceptable to the Council.
5. The Permanent Representatives Committee is therefore asked to confirm its agreement and to suggest that the Council approve the European Parliament's position, as set out in PE-CONS 2/24, as an "A" item at a forthcoming meeting, with Hungary voting against.
6. The statement for the minutes of the Council meeting is set out in the Addendum to this note.
7. If the Council approves the European Parliament's position, the legislative act will be adopted.

After being signed by the Presidents of the European Parliament and of the Council, the legislative act will be published in the *Official Journal of the European Union*.

⁴ 8756/24.