

Brussels, 2 June 2025  
(OR. en)

9658/25

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Interinstitutional File:  
2025/0051 (COD)

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LIMITE

ENER 173  
ENV 426  
CLIMA 185  
IND 166  
RECH 253  
COMPET 448  
ECOFIN 646  
CODEC 725

**NOTE**

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From:	General Secretariat of the Council
To:	Delegations
Subject:	REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL Amending Regulation (EU)2017/1938 as regards the role of gas storage for securing gas supplies ahead of the winter season

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In view of the Working Party on 5 June, delegations will find in annex a paper from the Presidency on the above-mentioned regulation.

**1. Filling target**

Following its discussions with the European Parliament, the Presidency would like to have the feedback of the Member States on the following possible draft compromise:

	<b>Council mandate</b>	<b>Presidency draft compromise</b>
<b>Level of the target</b>	90%	<b>NO CHANGE</b> – 90%
<b>Architecture</b>		
a. Deviation in case of <b>difficult conditions</b> for filling underground gas storage facilities		<b>NEW</b> - Member States may decide to deviate, <b>by up to seven percentage points</b> , from the filling target in case of <b>difficult conditions</b> for filling underground gas storage facilities.  <b>In practice, the level of the filling target would be 83%.</b> The 35% and 15% target will be modified accordingly.
b. Deviation in case of <b>unfavourable market condition</b>	Member States may decide to deviate up to <b>10pp</b> in case of unfavourable market conditions.	<b>NEW</b> - Member States may decide to deviate up to <b>4pp</b> in case of unfavourable market conditions.  <b>In practice, the level of the filling target would be 79%.</b> The 35% and 15% target will be modified accordingly.
c. Deviation of 5% in certain conditions	5% additional deviation if: (a) its national gas production exceeds its average annual consumption over the preceding two years; or (b) specific technical characteristics of an individual underground storage facility with technical capacity above 40 TWh located on its territory require a slow injection rate causing an exceptionally long injection period of more than 115 days.	<b>NO CHANGE</b> - 5% additional deviation if: (a) its national gas production exceeds its average annual consumption over the preceding two years; or (b) specific technical characteristics of an individual underground storage facility with technical capacity above 40 TWh located on its territory require a slow injection rate causing an exceptionally long injection period of more than 115 days.

<b>Delegated act</b>	Commission is empowered to adopt a delegated act to amend for one season the level of the allowed deviation (of up to 10pp) in case of persistent unfavourable market conditions, without any limitations.	<i><b>NEW</b></i> - Commission is empowered to adopt a delegated act to amend for one season the level of the allowed deviation of up to <b>4pp</b> in case of persistent unfavourable market conditions. <b>The deviation in the delegated act would be then limited to 4pp. In practice, the level of the filling target would be 75%.</b>
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## 2. Filling trajectory

Regarding the filling trajectory, the Presidency would like to inform the delegations it managed to find a deal with the European Parliament that preserves the mandate of the Council. This is the following :

	Commission proposal	EP mandate	Council mandate	Draft agreement
Recital 8	(8) The purpose of intermediary filling targets, agreed upon each year by the Member States, is to ensure that the mandatory 1 November target is met. However, these targets are indicative and should allow for storage filling in such a way that there is sufficient flexibility available for market participants throughout the year in accordance with Recommendation XXX.	(8) <u>To enhance market stability and mitigate the risk of undue price volatility potentially triggered by</u> <del>The purpose of</del> intermediary filling targets, <del>agreed upon each year by the</del> <u>it is appropriate to provide increased flexibility for storage filling.</u> Member States, <del>is to ensure that the mandatory 1 November target is met. However, these targets are</del> <u>should therefore provide indicative filling plans on a yearly basis that could include where appropriate an</u> indicative <u>filling trajectory</u> and should allow for storage filling in such a way that there is sufficient	(8) The purpose of intermediary filling <del>targets</del> <u>trajectories</u> , agreed upon each year by the Member States, is to ensure that the mandatory <del>1 November</del> <u>filling</u> target is met <b>within the timeframe from 1 October to 1 December</b> . However, <del>these targets are</del> <b>the filling trajectory should be</b> indicative and should allow for storage filling in such a way that there is sufficient flexibility available for market participants throughout the year in accordance <del>with</del> <b>taking into account</b> Recommendation <del>XXX</del> <b>C(2025)1481</b> .	(8) The purpose of <del>intermediary</del> filling <del>targets</del> <u>trajectories</u> , agreed upon each year by the Member States, is to ensure that the mandatory <del>1 November</del> <u>filling</u> target is met <u>within the timeframe from 1 October to 1 December</u> . However, <del>these targets are</del> <u>the filling trajectory should be</u> indicative, <u>set by Member States each year representing their annual filling plan</u> , and should allow for storage filling in such a way that there is sufficient flexibility available for market participants throughout the year <del>in accordance with</del> <u>taking into account</u> Recommendation <del>XXX</del> <u>XXX</u> <b>C(2025)1481</b> .

		flexibility available for market participants throughout the year <del>in accordance with</del> , <u>taking into account</u> Recommendation <del>XXX(2025)1481</del> .		
	Article 1 Amendment to Regulation (EU) 2017/1938	Article 1 <del>Amendment to</del> Regulation (EU) 2017/1938 <u>is amended as follows:</u>	Article 1 <del>Amendment to</del> Regulation (EU) 2017/1938 <b>is amended as follows:</b>	Article 1 <del>Amendment to</del> Regulation (EU) 2017/1938 <u>is amended as follows:</u>
Article 2		<u>(1) in Article 2, point 27 is deleted;</u>	(1) in Article 2, the point (27) is replaced by the following:	
Article 2			‘(27) “filling trajectory” means a series of indicative intermediate targets for the underground gas storage facilities of each Member State set in accordance with Article 6a(7).	<u>(1) ‘(27) “filling trajectory” means a series of indicative intermediate targets for the underground gas storage facilities of each Member State, representing their filling plan, set in accordance with Article 6a(7).</u>
Article 6a		<u>(d) paragraph 6 and 7 are replaced by the following:</u> <u>‘6. In order to meet the filling target, Member States shall take all necessary measures and strive to follow the filling plan</u>	(c) paragraph 6 is replaced by the following: 6. In order to achieve the filling target, Member States shall strive to follow the filling trajectory set in accordance with Article 6a(7).	<u>(c) paragraph 6 is replaced by the following:</u> <u>6. In order to achieve the filling target, Member States shall strive to follow the filling trajectory set in accordance with Article 6a(7).</u>

		<u>defined in accordance to paragraph 7.</u>		
Article 6a		<u>7. Member States with underground gas storage facilities shall submit to the Commission in due time an indicative filling plan for the whole calendar year to reach the yearly gas storage filling target set in paragraph 1. The plan shall include technical information for the underground gas storage facilities on its territory and shall be directly interconnected to its market area in an aggregated form.';</u>		<u>(9) In paragraph 7, the following subparagraph 2 is inserted:</u> <u>The Commission shall inform the GCG of the aggregated filling trajectories notified by Member States in a timely manner.</u>
Article 6a		<u>(f) paragraphs 10 and 11 are replaced by the following:</u> <u>'10. The competent authority of each Member State shall continuously monitor</u>	<u>(e) paragraph 10 is replaced by the following:</u>  10.The competent authority of each Member State may take all necessary measures in accordance with Article 6b to meet the filling trajectory, including	<u>(e) paragraph 10 is replaced by the following:</u>  <u>10.The competent authority of each Member State may take all necessary measures in accordance with Article 6b to meet the filling trajectory.</u>

		<u>compliance with the filling target as set in the filling plan and shall report regularly and at least once per month to the Commission and the GCG. If it is foreseen that the target cannot be met, the competent authority shall, without delay, take effective measures to meet the target. Member States shall inform the Commission and the GCG of the measures taken.</u>	the introduction of binding intermediate targets at national level. They shall continuously monitor alignment with the filling trajectory and inform the Gas Coordination Group regularly. The Commission shall regularly inform the Gas Coordination Group on the performance of the indicative trajectory.	<u>including the introduction of binding intermediate targets at national level. They shall continuously monitor alignment with the filling trajectory and inform the Gas Coordination Group regularly. The Commission shall regularly inform the Gas Coordination Group on the performance of the indicative trajectory.</u>
Article 6a		<u>11. In the event of a substantial and sustained deviation by a Member State from the filling plan, which compromises the meeting of the filling target or in the event of a deviation from the filling target, the Commission shall, where appropriate, after consulting the GCG and the Member States concerned, issue a recommendation to that</u>	(f) paragraph 11 is replaced by the following:  11. In the event of a substantial and sustained deviation by a Member State from the filling trajectory, compromising the achievement of the filling target, or in the event of a deviation from the filling target, the Commission shall where appropriate, after consulting the Gas Coordination Group and the Member States	<u>(f) paragraph 11 is replaced by the following:</u>  <u>11. In the event of a substantial and sustained deviation by a Member State from the filling trajectory, compromising the achievement of the filling target, or in the event of a deviation from the filling target, the Commission shall where appropriate, after consulting the Gas Coordination Group and the Member States</u>

		<p><u>Member State or to the other Member States concerned regarding measures to be taken immediately to remedy the deviation or to minimize the impact on the security of supply, considering inter alia possible unfavourable market conditions. and specificities of Member States, such as the technical characteristics and size of the underground gas storage facilities in relation to the domestic gas consumption, the declining importance of the underground low calorific gas storage facilities for the security of gas supply, and existing LNG storage capacity.</u></p>	<p>concerned, issue a recommendation to that Member State or to the other Member States concerned, regarding measures to be taken to remedy the deviation or to minimize the impact on security of supply, considering inter alia possible unfavourable market conditions and specificities of Member States, such as the technical characteristics and size of the underground gas storage facilities in relation to the domestic gas consumption, the declining importance of the underground low calorific gas storage facilities for the security of gas supply, and existing LNG storage capacity.</p>	<p><u>concerned, issue a recommendation to that Member State or to the other Member States concerned, regarding measures to be taken to remedy the deviation or to minimize the impact on security of supply, considering inter alia possible difficult conditions or unfavourable market conditions and specificities of Member States, such as the technical characteristics and size of the underground gas storage facilities in relation to the domestic gas consumption, the declining importance of the underground low calorific gas storage facilities for the security of gas supply, and existing LNG storage capacity.</u></p>
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### 3. Russian gas provisions and Aggregate EU

The European Parliament added a number of amendments regarding Russian gas an REPowerEU. In a spirit of respecting the Council mandate and to avoid to preempt the discussion to come on REPowerEU, the Presidency proposes the following compromise:

	Commission proposal	EP mandate	Council mandate	Draft agreement
Recital 1	<p>(1) Regulation (EU) 2022/1032 of the Parliament and of the Council<sup>1</sup> was adopted in reaction to the gas-supply crisis and unprecedented price increases caused by the escalation of the Russian military aggression against Ukraine since February 2022, impelling the Union to act in a coordinated and comprehensive manner to avoid potential risks resulting from further gas-supply disruptions.</p> <p>_____</p> <p>1. Regulation (EU) 2022/1032 of the European</p>	<p>(1) Regulation (EU) 2022/1032 of the Parliament and of the Council<sup>1</sup> was adopted in reaction to the gas-supply crisis and unprecedented price increases caused by the escalation of the <del>Russian military</del> <u>Russia's ongoing unjustified and unprovoked war</u> of aggression against Ukraine since February 2022, impelling the Union to act in a coordinated and comprehensive manner to avoid potential risks resulting from further gas-supply disruptions.</p> <p>_____</p> <p>1. Regulation (EU) 2022/1032 of the European Parliament and of the Council of 29 June 2022 amending Regulations (EU)</p>	<p>(1) Regulation (EU) 2022/1032 of the Parliament and of the Council<sup>1</sup> was adopted in reaction to the gas-supply crisis and unprecedented price increases caused by <del>the escalation of the Russian military</del> <b>Russia's war of aggression</b> against Ukraine since February 2022, impelling the Union to act in a coordinated and comprehensive manner to avoid potential risks resulting from further gas-supply disruptions.</p> <p>_____</p> <p>1. Regulation (EU) 2022/1032 of the European Parliament and of the Council of 29 June 2022 amending Regulations (EU) 2017/1938 and (EC) No 715/2009 with regard to gas storage (OJ L 173, 30.6.2022, p. 17, ELI: <a href="http://data.europa.eu/eli/reg/2022/1032/oj">http://data.europa.eu/eli/reg/2022/1032/oj</a>) .</p>	Maintaining EUCO language

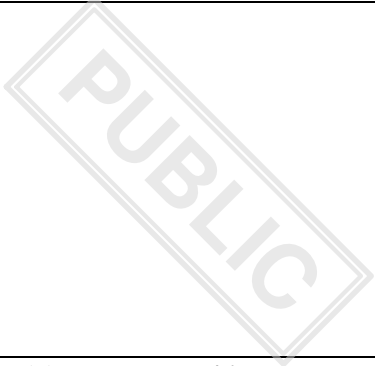
	Parliament and of the Council of 29 June 2022 amending Regulations (EU) 2017/1938 and (EC) No 715/2009 with regard to gas storage (OJ L 173, 30.6.2022, p. 17, ELI: <a href="http://data.europa.eu/eli/reg/2022/1032/oj">http://data.europa.eu/eli/reg/2022/1032/oj</a> ).	2017/1938 and (EC) No 715/2009 with regard to gas storage (OJ L 173, 30.6.2022, p. 17, ELI: <a href="http://data.europa.eu/eli/reg/2022/1032/oj">http://data.europa.eu/eli/reg/2022/1032/oj</a> ).		
<b>NEW</b> Recital 1a		<u><i>(1a) In view of Russia's ongoing war against Ukraine and in line with the Union's strategic commitment to end its dependence on Russian fossil fuels, Member States should refrain from storing gas of Russian origin. In this context, the Union should pursue coordinated and immediate sanctions on the import and purchases of all Russian gas, including liquefied natural gas (LNG). The ENTSO-G Winter Supply Outlook 2024–2025</i></u>		<u><i>(1a) The Commission Communication of 6 May 2025 on the Roadmap towards ending Russian energy imports aims at further advancing the EU's independence from Russian energy, without jeopardising the Union's security of supply while minimising the impact on prices and markets. It highlights the necessity to ensure alternative supplies from international partners via LNG or pipeline gas, without creating new dependencies. In that context, securing alternative supplies from reliable partners will be critical.</i></u>

		<u>confirms that the Union can achieve its storage targets and maintain the security of supply without relying on Russian gas, by implementing a combination of measures, including continued demand reduction. A full embargo on Russian gas is therefore both necessary and feasible, and its swift implementation would contribute to strengthening the Union's energy sovereignty and geopolitical resilience</u>		<u>The measures envisaged in the Communication could complement the provisions on gas storage laid down in Regulation 2022/1032, helping the Union fulfil its commitment to phase out the EU's dependency on Russian gas imports as soon as possible.</u>
Recital 4	(4) The laying down of a mandatory target to ensure that gas-storage facilities are 90% full by 1 November (filling target), with a series of intermediate targets for each Member State in February, May, July and September of the year thereafter (filling	(4) The laying down of a mandatory target to ensure that gas-storage facilities are 90% full by 1 November (filling target), with a series of intermediate targets for each Member State in February, May, July and September of the <u>following</u> year <del>thereafter</del> (filling trajectory), proved to be fundamental	(4) The laying down of a mandatory target to ensure that gas-storage facilities are 90% full by 1 November (filling target), with a series of intermediate targets for each Member State in February, May, July and September of the year thereafter (filling trajectory), proved to be fundamental amidst the energy crisis sparked by the weaponisation of Russian gas supplies and invasion of Russia's war	(4) The laying down of a mandatory target to ensure that gas-storage facilities are 90% full by 1 November (filling target), with a series of intermediate targets for each Member State in February, May, July and September of the <u>following year</u> <del>year thereafter</del> (filling trajectory), proved to be fundamental <del>amidst</del> <u>during</u> the energy crisis sparked by <del>the</del>

	trajectory), proved to be fundamental amidst the energy crisis sparked by the weaponisation of Russian gas supplies and invasion of Ukraine in both: (i) weathering the gas-supply shortages; and (ii) reducing market uncertainties and price volatility.	<del>amidst</del> <u>during</u> the energy crisis sparked by <del>the</del> <u>Russia's war of aggression against Ukraine and Russia's</u> weaponisation of <del>Russian</del> <u>its</u> gas supplies <del>and invasion of Ukraine</del> in both: (i) weathering the gas-supply shortages; and (ii) reducing market uncertainties and price volatility.	<b>of aggression against</b> Ukraine in both: (i) weathering the gas-supply shortages; and (ii) reducing market uncertainties and price volatility.	<del>weaponisation of Russian gas supplies and invasion of</del> <u>Russia's war of aggression against</u> Ukraine in both: (i) weathering the gas-supply shortages; and (ii) reducing market uncertainties and price volatility.
		<u>(6a) Since 2022, the Union has substantially succeeded in making gas supplies more secure by increasing LNG imports from trustworthy global partners and is aiming to fully eliminate the Union's reliance on Russian fossil fuels, building on the progress of REPowerEU. The Union has developed new regasification facilities and port terminals, while also establishing a liquid gas market that ensures strong resilience against</u>		<u>(6a) Since 2022, the Union has substantially succeeded in making gas supplies more secure by increasing LNG imports from trustworthy global partners. The Union has developed new regasification facilities and port terminals, while also establishing a liquid gas market that ensures strong resilience against potential disruptions. In view of the Russian war of aggression against Ukraine, and in order to progress quickly towards ending the Union's dependence on Russian fossil fuels,</u>

		<u>potential disruptions in the remaining Russian pipeline supplies.</u>		<u>the Commission issued a communication on 6 May 2025.</u>
<b>NEW</b> Recital 6a		<u>(6b) The changed global political environment has to be taken into account with regard to the reliability of the gas suppliers and gas supplying countries.</u>		<u>(6b) The changed global political environment has to be taken into account with regard to the reliability of the gas suppliers and gas supplying countries.</u>
<b>NEW</b> Recital 6b		<u>(6b) The changed global political environment has to be taken into account with regard to the reliability of the gas suppliers and gas supplying countries.</u>		<u>(6b) The changed global political environment has to be taken into account with regard to the reliability of the gas suppliers and gas supplying countries.</u>
<b>NEW</b> Recital 9a		<u>(9a) At the same time this Regulation should respond to current and future changes in the natural gas markets and contribute to the strategic objective of bringing down energy prices and facilitate the gradual return towards market-based mechanisms for storage</u>		The Presidency would appreciate the opinions of the Member States on this recital.

		<u>refilling.</u>		
Recital 9a (Council mandate)		<u>(9b) In order to maintain the security of supply and the appropriate level of filling, the Commission should continuously monitor the market and explore ways that could help meet the filling target, for example using demand aggregation and joint purchasing mechanisms.</u>	(9a) In order to maintain the security of supply and the appropriate level of filling, the Commission should continuously monitor the market and explore ways that could help meeting the filling target, for example measures of financial nature, in particular when using demand aggregation and joint purchasing mechanism.	Maintaining Council's position.
NEW  Article 6d		<u>2. The competent authority and, if applicable, the designated entity of each Member State shall monitor the filling levels of the underground gas storage facilities on their territory at the end of each month and report monthly the results to the Commission without any delay. The competent authority shall also include information on the share of gas originating in the Russian federation being stored in that Member State, where</u>	(a) paragraph 2 is deleted	<u>(1) 2. The competent authority and, if applicable, the designated entity of each Member State shall monitor the filling levels of the underground gas storage facilities on their territory at the end of each month and report the results to the Commission without any delay. The competent authority may also include information on the share of gas originating in the Russian federation being stored in that Member State, where such information is available. The Commission may, where</u>

		<u>such information is available.</u> <u>The Commission may, where appropriate, invite the European Union Agency for the Cooperation of Energy Regulators (ACER) to assist with such monitoring.’;</u>		<u>appropriate, invite the European Union Agency for the Cooperation of Energy Regulators (ACER) to assist with such monitoring.’;</u>
Article 6d		<u>(b) paragraphs 4 and 5 are replaced by the following:</u>  <u>‘4. The GCG shall assist the Commission in the monitoring of the filling target, and shall develop guidance for the Commission on adequate measures to ensure better alignment in the event that Member States filling rates compromise the achievement of the filling target, or to ensure compliance with the filling target.</u> <u>4a. Where appropriate, the Commission shall implement</u>	<b>(b) paragraph 4 is replaced by the following:</b>  <b>4. The Gas Coordination Group shall assist the Commission in the monitoring of the filling trajectories and the filling targets, and shall develop guidance for the Commission on adequate measures to ensure better alignment in the event that Member States deviate from the filling trajectories compromising the achievement of the filling target, or to ensure compliance with the filling target.</b>	<u>(2) (b) paragraph 4 is replaced by the following:</u>  <u>4. The Gas Coordination Group shall assist the Commission in the monitoring of the filling trajectories and the filling targets, and shall develop guidance for the Commission on adequate measures to ensure better alignment in the event that Member States deviate from the filling trajectories compromising the achievement of the filling target, or to ensure compliance with the filling target.</u>  <u>Where appropriate, the Commission</u>

		<u>measures helping Member States to meet the filling target, including measures to encourage participation in the demand aggregation and joint purchasing mechanism set up under Regulation (EU) 2022/2576 ('AggregateEU')*.</u>		<u>shall support Member States in meeting the filling trajectories and the filling targets, by facilitating participation in the demand aggregation and joint purchasing mechanism set up under [Regulation (EU) 2022/2576 ('AggregateEU')]*.</u>
<b>NEW</b>  Article 17a		<u>(6) in Article 17a, paragraph 1, the following point is added:</u>  <u>'(da) the information about the share of gas originating in the Russian federation stored in the EU storages, provided by Member States in accordance with Article 6d(2).';</u>		<u>(6) in Article 17a, paragraph 1, the following point is added:</u>  <u>'(da) the information about the share of gas originating in the Russian federation stored in the EU storages, provided by Member States in accordance with Article 6d(2).';</u>