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NOTE

From:	General Secretariat of the Council
То:	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

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:

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



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

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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	(8) <u>To enhance market</u>	(8) The purpose of intermediary	(8) The purpose of <i>intermediary</i>
	intermediary filling targets,	stability and mitigate the risk of	filling targetstrajectories, agreed upon	filling targets trajectories, agreed upon
	agreed upon each year by the	undue price volatility potentially	each year by the Member States, is to	each year by the Member States, is to
	Member States, is to ensure	<u>triggered by</u> The purpose of	ensure that the mandatory 1	ensure that the mandatory $\frac{1}{4}$
	that the mandatory 1	intermediary filling targets,	Novemberfilling target is met within the	November <u>filling</u> target is met within
	November target is met.	agreed upon each year by the<mark>it is</mark>	timeframe from 1 October to 1	the timeframe from 1 October to 1
	However, these targets are	appropriate to provide increased	December. However, these targets arethe	<u>December</u> . However, these targets
	indicative and should allow	flexibility for storage filling.	filling trajectory should be indicative and	arethe filling trajectory should be
	for storage filling in such a	Member States, is to ensure that	should allow for storage filling in such a	indicative, set by Member States each
	way that there is sufficient	the mandatory I November	way that there is sufficient flexibility	year representing their annual filling
	flexibility available for	target is met. However, these	available for market participants	plan, and should allow for storage
	market participants	targets are should therefore	throughout the year in accordance	filling in such a way that there is
	throughout the year in	provide indicative filling plans	withtaking into account	sufficient flexibility available for
	accordance with	on a yearly basis that could	Recommendation XXXC(2025)1481.	market participants throughout the
	Recommendation XXX.	<u>include where appropriate an</u>		year in accordance with taking into
		indicative <i>filling trajectory</i> and		account Recommendation
		should allow for storage filling in		XXX XXXC(2025)1481.
		such a way that there is sufficient		

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

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

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

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

3. <u>Russian gas provisions and Aggregate EU</u>

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

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

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

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

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

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

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



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