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CONTRIBUTION

From:	General Secretariat of the Council
To:	Working Party on Energy
Subject:	LV comments on the non-paper on demand aggregation (Doc. WK 9992/23)

Delegations will find in the annex the LV comments on the non-paper on demand aggregation (Doc. WK 9992/23).

Latvia's comments

to the Commission's non-paper on demand aggregation

On behalf of the Ministry of Climate and Energy of Latvia, we would like to highlight the following Latvia's comments on the Non Paper on Demand Aggregation (hereafter – Non Paper):

1) First of all, Latvia would like to point out that it has supported the demand aggregation instrument in the crisis situation as it is one of the possible tools to ensure security of supply. However, this instrument, if introduced in a general manner should be kept voluntary.

2) Latvia would like to point out that recital 23 of Non Paper should be clarified. Recital 23 of the Non Paper should contain a reference to the relevant provisions of the Regulation (EU) 2022/1032 that clearly reflect the broader scope of the link between two legal acts (for example, Article 6a or Annex Ia of the Regulation (EU) 2022/1032). Not all Member States should fill their gas storage facilities up to 90% by 1 November 2023, for example, Latvia's target is reduced to 35% of the average annual gas consumption over the preceding five years.

3) It should be noted that the Non Paper currently does not provide insight into certain issues that are relevant to the existing AggregateEU platform, including the coordination between buyers, sellers, and infrastructure holders. Given the utmost importance of the topic, Latvia would like the Non Paper to reflect these issues.

4) Latvia strongly supports the idea, that natural gas originating from the Russian Federation or Belarus is not a part of the aggregation system, which fully corresponds to limitations set in Latvia's national laws. However, Latvia believes that the Non Paper lacks legal clarity and its provisions are insufficient.

5) Latvia would like to share some concerns regarding the following requirement for underground gas storage: Member States with underground gas storage facilities shall require natural gas undertakings and undertakings consuming gas established in their territory to participate in the process of demand aggregation organised by the service provider with volumes at least equal to 15 % of the total volume necessary to meet the [filling targets referred to in Articles 6a and 20 of Regulation (EU) 2017/1938. Latvia believes that with the existing operational framework of AggregateEU, such a requirement may currently be difficult to implement in an economically justified way.