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CONTRIBUTION

From:	General Secretariat of the Council
To:	Working Party on Energy
Subject:	SE comments on the Electricity Market Design Regulation

Delegations will find in the annex the SE comments on the the Electricity Market Design Regulation.

SE proposal for EMD on use of congestion revenues in a crisis

Proposal for a regulation

Article 2 – paragraph 1 – point 10

Directive (EU) 2019/944

Article 66a – Paragraph 5 (new)

Text proposed by the Commission

Amendment

5. Where the Commission has adopted a decision pursuant to paragraph 1, Member States may for the duration of the validity of that decision, by way of derogation from Article 19 paragraphs 2 and 3 of Regulation (EU) 2019/943, use congestion revenues to finance the measures referred to in paragraphs 3 and 4 or this Article or equivalent measures

Justification

During normal periods the use of congestion revenues should be prioritised for maintaining or increasing trade capacities between bidding zones. However, during energy price crises, as a time limited exceptional measure, these revenues should be available to use for the crisis interventions outlined in Article 66a of the Electricity Directive