



Council of the European Union
General Secretariat

Brussels, 10 November 2023

WK 14677/2023 INIT

LIMITE

**ENER
ENV
CLIMA
COMPET
CONSOM
FISC
CODEC**

This is a paper intended for a specific community of recipients. Handling and further distribution are under the sole responsibility of community members.

CONTRIBUTION

From:	General Secretariat of the Council
To:	Working Party on Energy
Subject:	FI comments on the EMD (WK 14229/23)

Delegations will find in the annex the FI comments on the EMD (WK 14229/23).



10.11.2023

1/2

FI COMMENTS ON COMPROMISE AMENDMENTS TO SUGGESTIONS FOR COMPROMISE AMENDMENTS TO ARTICLES 19A TO 19AC OF REGULATION 2019/943 (PPAS AND RELATED ASPECTS) AND ART. 50&57 OF REGULATION 2019/943 AND ART. 31 OF DIRECTIVE 2019/944 (PROVISION OF INFORMATION TSO/DSOS), WK 14229/2023 INIT

We appreciate the efforts made by the presidency in finding a working compromise on these articles and can generally support the approach. Below we comment the issues highlighted in yellow in the compromise proposal.

Article 19a – 19ac

- Art 19a new para1a: We are in favour of presidency proposal, where a PPA platform is first analysed thoroughly, and where it is only then decided whether to go forward with the platform. The tool should be a legislative proposal, not an implementing act.
- Art 19a para 2: We should be very careful not to impose new EU level financial instruments on electricity market regulation. If the Union-level facilities are to be mentioned, we propose to add the words *if available*.
- Art 19a para 3: We are flexible on the addition in the end of the para, but do not see the need for that.
- Art 19a para 4: It is very unclear what the addition actually means. We prefer GA.
- Art 19a para 5: We are flexible.
- Art 19a para 8 (line 155a): We are flexible.
- NEW Article 19aa: PPAs are confidential commercial agreements with two or several parties with undefined content. Also, the PPA agreements contain commercially sensitive information. It is very unclear how this database would operate and how confidentiality would be ensured. We suggest to delete the article.
- NEW Article 19ab: We are flexible, if the use of the use of the standardised PPAs remains voluntary.
- NEW Article 19ac: We strongly oppose this proposal by EP and we are happy that the presidency did not take this proposal on board. Electricity market regulation is not the right place to add yet another EU level instrument for RES support.

Article 50 - Regulation

- para 4a: We can agree to the presidency's proposal. However, we should not add any more details regarding the required information and how it should be presented.. It is best to leave the details to the national level as e.g, in Finland, this information is already widely published.

Article 57 - Regulation

- We agree with the presidency's proposal.

Article 31 - Directive

- para 2: We agree with the presidency's proposal.
- para 3: We can agree to the presidency's proposal. However, on line 276, same as in art 50(4a) of the regulation, we should not add any more details on the information to be presented and on how to present this information.