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CONTRIBUTION

From:	General Secretariat of the Council
To:	Delegations
Subject:	EE comments on the TEN-E Regulation

Delegations will find in the annex the EE comments on the TEN-E Regulation.



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PROPOSAL

From:	Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director
date of receipt:	15 December 2020
To:	Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of the European Union
No. Cion doc.:	COM(2020) 824 final
Subject:	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on guidelines for trans-European energy infrastructure and repealing Regulation (EU) No 347/2013

Delegations will find attached document COM(2020) 824 final.

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Brussels, 15.12.2020
COM(2020) 824 final
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Proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL
on guidelines for trans-European energy infrastructure and repealing Regulation (EU)
No 347/2013

{SEC(2020) 431 final} - {SWD(2020) 346 final} - {SWD(2020) 347 final}

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CHAPTER III

PERMIT GRANTING AND PUBLIC PARTICIPATION

Article 7

'Priority status' of projects of common interest

4. All dispute resolution procedures, litigation, appeals and judicial remedies related to projects of common interest in front of any national courts, tribunals, panels, including mediation or arbitration, where they exist in national law, shall be treated as urgent, in accordance with the urgency procedures provided for in national law. if they exist in national law for such purposes.

Commented [REDACTED]: It is important to make the text as clear as possible to make sure that the MS do not have to set up such urgency procedures, if their legislation currently does not provide such procedures for infrastructure projects.

Article 8

Organisation of the permit granting process

6. By [31 July 2022] and for each specific Regional Group per priority offshore grid corridor, as defined in Annex I, national competent authorities in Member States belonging to the respective Group, shall jointly create unique points of contact, 'offshore one-stop shops', for project promoters, which shall be responsible for facilitating and coordinating the permit granting process for offshore grids for renewable energy projects of common interest, taking into account also the need for coordination between the permitting process for the energy infrastructure and the one for the generation assets. The offshore one-stop shops shall act as a repository of existing sea basin studies and plans, aiming at facilitating the permitting process of individual projects of common interest and coordinate the issuance of the comprehensive decisions for such projects by the relevant national competent authorities. Each Regional Group per priority offshore grid corridor, with the assistance of the national competent authorities in the Members States belonging to the Group, shall set-up the offshore one-stop shops depending on regional specificities and geography and if deemed necessary determine their location, resource allocation and specific rules for their functioning.

Commented [REDACTED]: Setting up the one-stop-shops is the responsibility of the regional groups. Therefore, it should be left for the regional group to decide how complex one-stop-shops they wish to set up if any (e.g. there might not be a need for creating a separate body with its own resources for such function). The activities of the one-stop-shop should be based as much as possible to the currently existing structures.