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CONTRIBUTION

From:	General Secretariat of the Council
To:	Working Party on Energy
Subject:	TEN-E Regulation - SE comments (ST 5865/26)

Delegations will find in the annex the SE comments on the TEN-E Regulation (ST 5865/26).

Guidelines to be followed

Please kindly provide your contributions in the table below.

Drafting suggestions: you may use '**track changes**'* or formatting (for example **bold-underline** for additions and ~~strike-through~~ for deletions, **where necessary, in a different colour**). *Track changes can only be connected once the cursor is placed in editable areas (Drafting or Comments columns).

To make it feasible to consolidate all contributions, the structure of the table must not be changed, so **no rows can be added or deleted.**

New provisions may only be added in any of the **'existing cells'.**

Name of document: please add the **two initials** of your delegation's country followed by a space (to the MS Word document name), followed by any optional text, for example, for Austria: **AT comments on … .docx**

Thank you for your cooperation!

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General Comments		
2025/0399 (COD)		
Proposal for a		
REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL		
on guidelines for trans-European energy infrastructure, amending Regulations (EU)		

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2019/942, (EU) 2019/943 and (EU) 2024/1789 and repealing Regulation (EU) 2022/869		
CHAPTER III		
Permit-granting and public participation		
Article 7		
Priority status of projects on the Union list		
1. The Union list shall establish, for the purposes of any decisions issued in the permit-granting process, the necessity of projects on the Union list from an energy policy and climate perspective, without prejudice to the exact location, routing or technology of the project.		
The first subparagraph shall not apply to competing projects or to projects that have not reached a sufficient degree of maturity to provide a		

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project specific cost-benefit analysis as referred to in Section 2, point (1)(d), of Annex III.		
2. For the purpose of ensuring efficient administrative processing of the application files related to projects on the Union list, project promoters and all authorities concerned shall ensure that those files are treated in the most rapid way possible in accordance with Union and national law.		
3. Projects on the Union list shall have the status of the highest national significance possible, where such a status exists in national law and be treated as such in the permit-granting process, including those relating to environmental assessments, in spatial planning, and in obtaining rights of way and expropriation of necessary land.	Projects on the Union list shall have the status of the highest national significance possible, where such a status exists in national law and be treated as such in the permit-granting process, including those relating to environmental assessments, in spatial planning, and in obtaining rights of way and expropriation of necessary land. **This paragraph applies without prejudice to national defence or security considerations.**	Although it is unclear to SE whether or not the paragraph would apply to the Swedish national system or not, we need to safeguard that energy infrastructure doe not take priority above national security. The writing as it stands is too vague and will probably fit into our national legislation (the notion of "national significance").
4. All dispute resolution procedures, litigation, appeals and judicial remedies related to projects on the Union list in front of any national courts, tribunals, panels, including mediation or arbitration, where they exist in national law, shall be treated as urgent, if and to the extent to which national law provides for such urgency procedures.		

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5. With regard to the environmental impacts addressed in Article 6(4) of Directive 92/43/EEC and Article 4(7) of Directive 2000/60/EC, provided that all the conditions set out in those Directives are fulfilled, projects on the Union list falling under the infrastructure categories referred to in points (2), (3), and (4) of Annex II to this Regulation shall be considered as being of public interest from an energy policy perspective, and may be considered as having an overriding public interest.		
Where the opinion of the Commission is required in accordance with Article 6(4) of Directive 92/43/EEC, the Commission and the national competent authority referred to in Article 8 of this Regulation shall ensure that the decision with regard to the overriding public interest of a project is taken within the time limits set in Article 10(1) and (2) of this Regulation.		
The first and second subparagraphs shall not apply to competing projects or to projects that have not reached a sufficient degree of maturity to provide a project specific cost-benefit analysis as referred to in Section 2, point (1)(d), of Annex III.		
6. Until climate neutrality is achieved at Union level, in the permit-granting procedure, the		

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planning, construction and operation of projects falling within the infrastructure category referred to in Annex II point (1) fall under the provision of ~~[~~Article 8(8) of Directive (EU) 2019/944 **[the Electricity Market Directive as proposed by Article 2 of COM /2025/1007 final]** and are presumed as being in the overriding public interest and serving public health and safety when balancing legal interests in individual cases for the purposes of Article 6(4) and Article 16(1), point (c), of Directive 92/43/EEC, Article 4(7) of Directive 2000/60/EC and Article 9(1), point (a), of Directive 2009/147/EC. Member States may, in duly justified and specific circumstances, restrict the application of the presumption to certain parts of their territory, to certain types of technology or to projects with certain technical characteristics.		
Member States shall ensure that, in the planning and permit-granting process, the construction and operation of projects falling under the infrastructure category referred to in point (1) of Annex II are given priority when balancing legal interests in individual cases for other purposes than the ones referred in the first subparagraph with the exception of cultural heritage on the basis of legal criteria to ensure harmonized implementation.	Member States shall ensure that, in the planning and permit-granting process, the construction and operation of projects falling under the infrastructure category referred to in point (1) of Annex II are given priority when balancing legal interests in individual cases for other purposes than the ones referred in the first subparagraph with the exception of cultural heritage, **for national defence reasons, or for other reasons of high national importance** on the basis of legal criteria to ensure harmonized implementation.	Cultural heritage cannot be the only interest to take priority above energy infratructure

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The first subparagraph shall not apply to competing projects or to projects that have not reached a sufficient degree of maturity to provide a project specific cost-benefit analysis as referred to in Section 2, point (1)(d), of Annex III.		
7. Until climate neutrality is achieved at Union level, with regard to projects on the Union list falling under the infrastructure categories referred to in point (1) of Annex II to this Regulation which are expressly included in a National Development Plan that has been subject to a strategic environmental assessment in accordance with Directive 2001/42, and, where it is likely to have a significant impact on Natura 2000 sites, to the appropriate assessment pursuant to Article 6(3) of Directive 92/43/EEC, **and, where relevant, assessments established by Member States as general system of protection for all species of birds in line with Article 5 of Dirctive 2009/147/EC,** Member States may, insofar as the project complies with and does not go beyond the framework of the assessed National Development Plan:		
(a) exempt those projects from the environmental impact assessment under Article 2(1) of Directive 2011/92/EU, and		

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(b) exempt those projects from an assessment of their implications for Natura 2000 sites pursuant to Article 6(3) of Directive 92/43/EEC and from the assessment of their implications on species protection pursuant to Article 12(1) of Directive 92/43/EEC and to Article 5 of Directive 2009/147/EC.		
For projects located in, or crossing, Natura 2000 sites and areas designated under national protection schemes for nature and biodiversity conservation, the exemptions referred to in the first subparagraph shall only be applicable in case there are no proportionate alternatives for their deployment, taking into account the objectives of the site. Projects referred to in Annex II point 1(c) shall exclude Natura 2000 sites and areas designated under national protection schemes.		
8. Where Member States apply the exemptions under paragraph 7, they shall ensure that rules on effective mitigation measures to be adopted for the projects on the Union list falling under the infrastructure categories referred to in Annex II point (1) are identified based on the National Development Plan, in order to avoid the adverse environmental impact that may arise or, where that is not possible, to significantly mitigate it. Member States shall ensure that the appropriate mitigation measures are applied in a timely manner		

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to ensure compliance with the obligations laid down in Article 6(2) of Directive 92/43/EEC and Article 4(1), point (a)(i), of Directive 2000/60/EC of the European Parliament and of the Council and to avoid deterioration and achieve good ecological status or good ecological potential in accordance with Article 4(1), point (a), of Directive 2000/60/EC.		
Compliance with the rules referred to in the first subparagraph of this paragraph and the implementation of the appropriate mitigation measures by the individual projects shall result in the presumption that projects are not in breach of the provisions mentioned in that subparagraph, without prejudice to paragraph 10 of this Article.		
9. Member States shall ensure public participation regarding the National Development Plan in accordance with Articles 6 and 7 of Directive 2001/42/EC, including identifying the public affected or likely to be affected as well as the Member States that may be affected by the implementation of that Plan and the projects on the Union list falling under the infrastructure categories referred to in point (1) of Annex II to this Regulation included in that Plan.		
10. For projects for which Member States decide to apply exemptions under paragraph 7, the		

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competent authorities shall carry out a screening to identify:		
(a) if the project is likely to give rise to significant adverse effects, which were not identified during the environmental assessment of the National Development Plan carried out pursuant to Directive 2001/42/EC and, where relevant, to Directive 92/43/EEC.		
(b) if the project falls within the scope of Article 7 of Directive 2011/92/EU and Article 2 of the Convention on environmental impact assessment in a transboundary context due to its likelihood of significant effects on the environment in another Member State or due to the request of a Member State which is likely to be significantly affected.		
This screening referred to in the first subparagraph shall be finalised within 45 days from the notification of the project promoter referred to in paragraph 5 of Article 10.		
11. Where a project on the territory of a Member State is likely to have significant effects on the environment of other Member States, the Member State where the project is located shall ensure the application of Article 7 of Directive		

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2011/92/EU and Articles 2 to 7 of the Convention on environmental impact assessment in a transboundary context.		
12. Where the screening process identifies a project to be highly likely to give rise to significant unforeseen adverse effects as referred to in paragraph 10 of this Article, the competent authorities shall inform the project promoter that assessments referred to in points (a) and (b) of paragraph 7 of this Article are required and ensure that on the basis of existing data, appropriate and proportionate mitigation measures are applied for these projects to ensure compliance with Articles 12(1) of Directive 92/43/EEC and Article 5 of Directive 2009/147/EC. Where it is not possible to apply such mitigation measures, the competent authorities shall ensure that project promoters adopt appropriate compensatory measures to address those effects, which, if other proportionate compensatory measures are not available, may take the form of a monetary compensation for species protection programmes, in order to secure or improve the conservation status of the species affected.		
13. When assessing whether satisfactory alternative solutions to projects on the Union list falling under the infrastructure categories referred to in points **(1),** (2), (3) and (4) of Annex II to this		

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Regulation, exist for the purposes of Articles 6(4) and Article 16(1) of Directive 92/43/EEC, Article 4(7), point (d), of Directive 2000/60/EC and Article 9(1) of Directive 2009/147/EC, the condition of having no satisfactory alternatives shall be fulfilled if there are no satisfactory alternative solutions capable of achieving the same objective of the project in question, in terms of the development of the same capacity through the same technology within the same or similar timeframe and without resulting in significantly higher costs.		
14. When implementing compensatory measures for projects on the Union list falling under the infrastructure categories referred to in points **(1),** (2), (3) and (4) of Annex II to this Regulation for the purpose of Article 6(4) of Directive 92/43/EEC, Member States may, in justified cases and where it can be reasonably demonstrated that the plan or project would not irreversibly affect the ecological processes essential for maintaining the structure and functions of the site and would compromise the overall coherence of the Natura 2000 network before compensatory measures are put into place, allow for such compensatory measures to be carried out in parallel with the implementation of the project. Member States may allow, in accordance with the precautionary principle, for those compensatory measures to be adapted over		

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time, depending on whether the significant negative effects are expected to arise in the short, medium or long term.		
~~15. Regarding the assessment, satisfactory alternative solutions to projects falling under the infrastructure category referred to in point (1) of Annex II to this Regulation and the implementation of compensatory measures for those projects, Article 8a of Directive (EU) 2019/944 shall apply.~~		
Article 8		
Organisation of the permit-granting process		
1. Each Member State shall ensure that one single national competent authority is responsible for:	1. Each Member State ~~shall ensure that one~~ **may decide to appoint one** single national competent authority is responsible for:	SE does no see the added value in having one single authority in every MS. The project owners responsible for PCI/PMI do not request or benefit from having a non-expert single point of contact instead of being able to have direct dialogue with responsible experts. In addition, the article goes too far in regulating national administrative systems.
(a) acting as the sole point of contact for project promoters in the permit-granting process,		

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replying to their queries, mediating all contacts with the authorities concerned and support them with knowledge and information aiming at the fastest process possible;		
(b) receiving permitting-granting applications from promoters of projects on the Union list and all relevant documents in electronic form and disseminating them across authorities concerned;		
(c) facilitating and coordinating the permit-granting process of projects on the Union list in their territory with other authorities concerned, determining in cooperation with them, what authorisations, permits and assessments are required to complete the permit-granting process and reach a comprehensive decision in accordance with paragraph 3. This includes the scope and level of detail of the studies, assessment and documentation that project promoters are expected to produce;		
(d) cooperating and communicating with national competent authorities of other Member States to facilitate and coordinate the permit-granting process for projects on the Union list in their territory, and permitting authorities in third countries as regards projects of mutual interest, including: aligning public consultations for cross-border projects, in accordance with Article 9(5);		

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sharing information on likely significant transboundary impacts, in accordance with Article 9(6); aligning the timeline and requirements for studies, permits or authorisations to be conducted; and, organising the pre-application procedure in accordance with Article 10(9);		
(e) monitoring the development and delays of projects on the Union list within their territory of responsibility, including by receiving and approving reports submitted by project promoters in accordance with Article 5(4) and reporting to the Agency and relevant Groups on the development and delays of projects on the union list located in their territory in accordance with Article 5(5).		
In case of update to, or changes of, the designated national competent authority, Member States shall notify the Commission as soon as the change is decided and inform when such changes produce effects.		
2. The responsibilities of the national competent authority referred to in paragraph 1 and the tasks related to it may be delegated to another authority, per project on the Union list or per particular category of projects on the Union list, or per geographical area, provided that:	2. ~~The r~~ **Responsibilities** of the national competent authority referred to in paragraph 1 and the tasks related to it may be delegated to another authority, per project on the Union list or per particular category of projects on the Union list, or per geographical area, provided that:	SE wishes to maintain the possibility to delegate not only per category of projects, but per responsibility. It is impractical and inefficient to have one authority responsible for every task. In addition, there may be constitutional issues in SE making it necessary to have the Government as the responsible authority if none of the coordinating

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		tasks or issuing the comprehensive decision may be delegated separately.
(a) the national competent authority notifies the Commission of that delegation and the information therein is made easily available to the public including on the website referred to in Article 9(7);		
(b) only one authority is responsible per project, or category of projects, on the Union list, and it is the sole point of contact for the project promoters, taking upon all responsibilities in the process leading to the comprehensive decision within the legal deadline provided in Article 10(2) and coordinates the submission of all relevant documents and information including to any other authority concerned;		
(c) irrespective of the delegation, the national competent authority remains responsible to aggregate the reports submitted by project promoters in accordance with Article 5(4) and report to the Agency and relevant Groups in accordance with Article 5(5).		

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The national competent authority may also retain the responsibility to establish time limits, without prejudice to the time limits set in Article 10(1) and (2).		
3. The national competent authority shall ensure the issuing of the comprehensive decision within the time limits set out in Article 10(1) and (2).		
Member States shall choose among the following schemes, taking into account which scheme is most effective in light of national law, national planning and permit-granting process specificities, and whether it can be implemented in a manner that contributes to the most efficient and timely issuing of the comprehensive decision:		
(a) integrated scheme:		
(i) the comprehensive decision shall be issued by the national competent authority and shall be the sole legally binding decision arising from the statutory permit-granting process;		
(ii) where other authorities are concerned by the project, they may, in accordance with national		

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law, give their opinion as input to the procedure, which shall be taken into account by the national competent authority;		
(b) coordinated scheme:		
(i) the comprehensive decision comprises multiple individual legally binding decisions issued by the several authorities concerned and is coordinated centrally by the national competent authority;		
(ii) the national competent authority may establish a working group where all authorities concerned are represented in order to draw up the screening or the detailed schedule for the permit-granting process in accordance with Article 10(9), point (b), and to monitor and coordinate its implementation;		
(iii) the national competent authority shall, after consulting the other authorities concerned, establish on a case-by-case basis a reasonable time limit within which the individual decisions shall be issued with the aim to minimise the duration of the process without prejudice to time limits set out in Article 10(1) and (2);		

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(iv) the national competent authority shall be able to take an individual decision on behalf of another authority concerned **in its territory**, where the decision by that authority is not delivered within the set time limit and where the delay cannot be adequately justified. The national competent authority may also disregard an individual decision of another authority concerned **in its territory** if it considers that the decision is not sufficiently substantiated with regard to the underlying evidence presented by that authority concerned;		
(c) collaborative scheme:		
(i) the comprehensive decision shall be comprised of multiple individual legally binding decisions issued by several authorities concerned and coordinated by the national competent authority;		
(ii) the national competent authority may establish a working group where all authorities concerned are represented in order to draw up the screening or the detailed schedule for the permit-granting process in accordance with Article 10(9), and to monitor and coordinate its implementation;		

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(iii) the national competent authority shall, after consulting the other authorities concerned, establish on a case-by-case basis a reasonable time limit, within which the individual decisions shall be issued with the aim to minimise the duration of the process, without prejudice to the time limits set in Article 10(1) and (2);		
(iv) the national competent authority shall monitor compliance with the time limits by the authorities concerned and, in case of delays, shall take measures with the aim to minimise the duration of the process;		
(v) where a Member State chooses the collaborative scheme, it shall inform the Commission of its reasons.		
Authorities concerned shall, in accordance with the permitting scheme chosen by Member States, either delegate the necessary competences to the national competent authority or facilitate cooperation and collaboration with the national competent authority to ensure the issuing of the comprehensive decision within the time limits set in Article 10(1) and (2).		

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Where an authority concerned does not expect to deliver an individual decision within the set time limit, that authority shall immediately inform the national competent authority, providing reasons for the delay. Subsequently, the national competent authority shall set another time limit within which that individual decision shall be issued, in compliance with the overall time limits set in Article 10(1) and (2).		
4. Member States may apply the schemes set out in paragraph 3 to onshore and offshore projects on the Union list.		
In the case of projects on the Union list that are intrinsically linked to generation assets, such as the projects included in the infrastructure categories provided by points (1)(b) or (h) of Annex II, the national competent authority shall be responsible for coordinating the permit-granting process of the respective project on the Union list with the permitting of the generation assets so that the timelines are cohesive and together aim at the most efficient and timely permitting of all assets related to the project.		
5. Where a project on the Union list is located in the territory of two or more Member States, their respective national competent authorities		

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shall jointly appoint one of them to act as a unique point of contact, responsible for facilitating the exchange of information between the national competent authorities and other authorities concerned on the permit-granting process, as well as, issuing the final comprehensive decisions in cooperation with the other national competent authorities concerned**, without prejudice to the competences of each Member State**.		
Member States shall endeavour to provide a joint procedure which facilitates the cooperation between their respective national competent authorities concerned, create procedural synergies and align timelines to facilitate the permit-granting process for projects, particularly with regard to the assessment of environmental impacts, and the public consultations required under Article 9.		
Upon request from Member States, the Commission shall play the role of a facilitator to support cooperation between concerned national competent authorities. The Commission shall facilitate agreement on a unified joint procedure by providing an opinion and making recommendations on procedural aspects.		
Article 9		

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Transparency and public participation		
1. By 24 October 2027, the Member State or national competent authority shall, where necessary, in collaboration with other authorities concerned, publish an updated manual of procedures for the permit-granting process applicable to projects on the Union list to include at least the information specified in point (1) of Annex VI. The manual shall not be legally binding, but it shall refer to or quote relevant legal provisions. The national competent authorities shall, where relevant, cooperate and find synergies with the authorities of neighbouring countries with a view to align timelines and facilitating the permit-granting process for projects, including for the development of the manual of procedures.	~~1. By 24 October 2027, the Member State or national competent authority shall, where necessary, in collaboration with other authorities concerned, publish an updated manual of procedures for the permit-granting process applicable to projects on the Union list to include at least the information specified in point (1) of Annex VI. The manual shall not be legally binding, but it shall refer to or quote relevant legal provisions. The national competent authorities shall, where relevant, cooperate and find synergies with the authorities of neighbouring countries with a view to align timelines and facilitating the permit-granting process for projects, including for the development of the manual of procedures.~~	SE sees no added value in updating the guidance, or in the current guidance. The project owners relevant to the TEN-E Regulation are major corperations with thourough knowledge of the permit-granting process. The resources of the national authourities are better put in assessing permits than to writing a new guidance. MS that sees a need for a guidance are still free to provide one.
2. Without prejudice to public participation requirements under environmental law, the Aarhus Convention, the Espoo Convention and relevant Union law, all parties involved in the permit-granting process shall follow the principles for public participation set out in point (3) of Annex VI.		

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3. The project promoter shall, within an indicative period of three months following the start of the permit-granting process pursuant to Article 10(5), draw up and submit a concept for public participation to the national competent authority, following the process outlined in the manual referred to in paragraph 1 of this Article and in accordance with the guidelines set out in Annex VI.		
4. The national competent authority shall request modifications or approve the concept for public participation within three months of receipt of the concept, taking into consideration, without the need for repetition, of any form of public participation and consultation that took place before the start of the permit-granting process, to the extent that such public participation and consultation has fulfilled the requirements of this Article.		
Where the project promoter intends to make significant changes to an approved concept for public participation, it shall inform the national competent authority thereof. In that case the national competent authority may request additional modifications.		

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5. Where it is not already required under national law, the project promoter shall carry out at least one early-stage public consultation, before the submission of the final and complete permitting application to the national competent authority pursuant to Article 10(10). The public consultation may be carried out in combination with any public consultation after submission of the request for development consent pursuant to Article 6(2) of Directive 2011/92/EU.		
6. The public consultation required in the previous paragraph shall comply with the minimum requirements set out in point (5) of Annex VI and shall inform the stakeholders referred to in point (3)(a) of Annex VI about the project at an early stage and shall help to identify the most suitable location, trajectory or technology, including, where relevant, in view of adequate climate adaptation and security considerations for the project, all impacts relevant under Union and national law, and the relevant issues to be addressed in the application file.		
7. Without prejudice to the procedural and transparency rules in Member States, the project promoters shall publish on the website referred to in paragraph 10 a report summarising the results of activities related to public participation as regards the project including any activities pre-dating the		

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early public consultation, and explaining how the opinions expressed in the public consultations were taken into account, showing the amendments made in the location, trajectory and design of the project, or providing reasons why such opinions have not been taken into account.		
The project promoter shall submit the report together with the application file to the national competent authority. The comprehensive decision shall take due account of the result of this report.		
8. For cross-border projects involving two or more Member States, the public consultations carried out pursuant to paragraph 5 in each of the Member States concerned shall, to the extent possible, take place within a period of no more than two months from each other, and, where possible, be combined.		
9. For projects likely to have a significant transboundary impact in one or more neighbouring Member States, to which Article 7 of Directive 2011/92/EU and the Espoo Convention are applicable, the relevant information shall be made available to the national competent authorities of the neighbouring Member States concerned. The national competent authorities of the neighbouring Member States concerned shall indicate, in the notification process where appropriate, whether		

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they, or any other authority concerned, wishes to participate in the relevant public consultation procedures.		
10. The project promoter shall establish and regularly update a dedicated project website with relevant information about the project of common interest, which shall be linked to the Commission website and the transparency platform referred to in Article 26 and which shall meet the requirements specified in point (6) of Annex VI. National competent authorities shall check the fulfilment of this obligation by the project promoters and take measures ensuring compliance where necessary.		
	<u>11. Member States may decide to apply paragraphs 3–10 only to projects that are assumed to have significant environmental effects in another Member State</u>	SE does not see added value in detailed rules on public participation in PCI/PMI for projects without transboundary environmental effects. Existing obligations in EU law, including the Aarhus convention, is sufficient. Introducing an additional or different obligation in the TEN-E creates fragmented permitting and uncertainty.
Article 10		
Duration and implementation of the permit-granting process		

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1. The permit-granting process shall provide for the following two procedures:		
(a) the optional pre-application procedure, covering the period between the start of the permit-granting process and the acceptance of the submitted complete application file by the national competent authority, which shall take place within a maximum period of 24 months;		
(b) the mandatory statutory permit-granting procedure, covering the period from the date of acceptance of the submitted complete application file until the date of the comprehensive decision, which shall not exceed 18 months.		
With regard to the first subparagraph, point (b), where possible, Member States may provide for a statutory permit-granting procedure that is shorter than 18 months.		
2. The national competent authority shall ensure that the combined duration of the two procedures referred to in paragraph 1 does not exceed a period of 42 months.		

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However, where the national competent authority considers that one or both of the procedures will not be completed within the time limits set out in paragraph 1, it may extend one or both of those time limits before their expiry and on a case-by-case basis. The national competent authority shall not extend the combined duration of the two procedures for more than six months other than in exceptional circumstances.		
Where the national competent authority extends the time limits, it shall inform the Group concerned of the reasons for such extension and present it with the measures taken, or to be taken, for the conclusion of the permit-granting process, with the least possible delay. The Group may request that the national competent authority reports regularly on the progress achieved in that regard and provide reasons for any delays.		
3. Member States shall ensure that the national competent authorities referred to in Article 8(1) have adequate technical, financial and human resources to render a comprehensive decision within the timeframe indicated in Article 10(2).		

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4. Member States shall ensure that, in the permit-granting procedure referred to in paragraph 1,:		
(a) the lack of reply by the national competent authorities within the deadline established in paragraph 2 results in the comprehensive decision to be considered as approved;		
(b) the lack of reply by other authorities concerned within the reasonable time limit established by a national competent authority in accordance with Article 8(3), results in their specific opinion, authorisation or permit to be considered as granted or answered positively.		
This paragraph does not produce effects for environmental decisions, and where the principle of administrative tacit approval does not exist in the legal system of the Member State concerned.		
All decisions shall be made publicly available, including final decisions granted tacitly following the lack of reply by the relevant competent authorities or authorities concerned.		

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5. When requesting the start of the permit-granting process, the project promoters shall notify the project to the national competent authority of each Member State where the project is located, including in Member States where the project crosses their exclusive economic zone, in written or electronic form and include a reasonably detailed outline of the project.		
Within one month of receipt of the notification, the national competent authority shall, in electronic form, either:		
(a) issue an acknowledgement of the receipt; or		
(b) if the project is not considered to be mature enough to enter the permit-granting process, reject the notification, and provide the reasons for its decision including on behalf of other authorities concerned.		
The date of the acknowledgement of receipt shall mark the start of the permit-granting process. Where two or more Member States are concerned, the date of the acceptance of the last notification by the national competent authority concerned shall mark the start of the permit-granting process.		

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Member States shall ensure that ~~dedicated~~ **a** digital ~~platforms~~ **portal** ~~are~~ **is** ~~established~~ **available** to manage permitting applications, permitting processes, ongoing permitting decisions, and decisions issued in an easily accessible format.		
~~Those platforms~~**Such a portal** shall provide access to the relevant environmental and geological data and decisions available in the central online portal referred to in Article 10(3) of Regulation [xxxxx][1] of the European Parliament and of the Council. 1 [reference to the Regulation on speeding-up environmental assessments]		
6. National competent authorities shall ensure that the permit-granting process is accelerated in accordance with this Chapter for each category of projects of common interest and projects of mutual interest. To that end, the national competent authorities shall adapt their requirements for the start of the permit-granting process and for the acceptance of the complete application file, in accordance with the relevant project category, their nature, dimension, lack of requirement for environmental assessment, or any other assessments under national law, or the fact that		

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they may require less authorisations and approvals to reach the ready-to-build phase.		
As such, national competent authorities may decide that the pre-application procedure referred to in paragraphs 1 and 6 of this Article is not necessary in case the project promoter does not require this period to perform studies, assessments and gather data for completing their permitting application file.		
7. The national competent authorities shall take into consideration, in the screening for establishing the requirements for the permit-granting process, any studies conducted and permits or authorisations issued up to five years before the project entered the permit-granting process in accordance with this Article, including assessments conducted for the deployment of other projects that are relevant and can be reused, and shall not require unnecessary or duplicate studies, assessments, permits or authorisations. **The national competent authorities may take data older than five years into consideration insofar as they deem such data to be relevant and necessary for establishing the requirements for the permit-granting procedure.**		
8. In Member States where the determination of a route or location undertaken solely for the		

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specific purpose of a planned project, including the planning of specific corridors for grid infrastructures, cannot be included in the permit-granting process leading to the comprehensive decision, the corresponding decision shall be taken within a separate period of six months, starting on the date of submission of the final and complete application documents by the project promoter.		
9. The pre-application procedure shall include: the screening and scoping of the required studies, reports and documentation expected from the project promoter; the drawing up of the detailed schedule; and, the verification of the draft application file, under the following steps:		
(a) as soon as possible and no later than three months following the notification by the project promoter referred to in paragraph 5, the national competent authority shall determine, and notify the project promoter of the authorisations, permits and assessments required to complete permit-granting process.		
The notification made by the national competent authority shall include the checklist referred to in point (1)(e) of Annex VI, and where relevant, its content shall be established in cooperation with the other authorities concerned and with national competent authorities in the other Member States		

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where the project is located, including if the project crosses their exclusive economic zone.		
Where applicable the notification shall detail the conditions for the project to benefit from the exemption of Article 7(7) and identify:		
(i) whether the project is highly likely to give rise to significant unforeseen adverse effects in view of the environmental sensitivity of the geographical areas where it is planned, which were not identified during the environmental assessment of the National Development Plans carried out pursuant to Directive 2001/42/EC and, where relevant, to Directive 92/43/EEC;		
(ii) the appropriate and proportionate mitigation measures, or monetary compensation for species protection programs applicable to the project in accordance with Article 7(8);		
(iii) whether any part of the project is likely to produce significant effects on the environment in another Member State; in such a case the national competent authority of the Member State in which the project is located shall ensure the application of Article 7 of Directive 2011/92/EU and Articles 2		

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to 7 of the Convention on environmental impact assessment in a transboundary context;		
(b) the notification shall also indicate whether the national competent authority approves, or amends, the concept for public participation submitted by the project promoter in accordance with Article 9(3). During the screening period, the national competent authority shall, in cooperation with other authorities concerned, determine the scope and level of detail of the studies, reports and documentations, including assessments required for the environmental permitting of the project, that the project promoter is expected to produce and submit as part of the complete application file.		
Neither the national competent authority, nor any of the authorities concerned shall subsequently request any additional information, studies, reports or assessments than the ones determined in this initial screening process, except where a material change has occurred to the project or its surrounding environment. Where such a material change occurs, the national competent authority may request additional information from the project promoter based on a reasoned justification;		
(c) the national competent authority shall draw up, in close cooperation with the project promoter and other authorities concerned and the national		

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competent authorities in the other Member States where the project is located, including if the project crosses their exclusive economic zone, and taking into account the results of the activities carried out under point (a) of this paragraph, a detailed schedule for the permit-granting process in accordance with the guidelines set out in point (2) of Annex VI;		
(d) upon receipt of the draft application file, the national competent authority may, on its own behalf or on behalf of other authorities concerned, request the project promoter to submit missing information relating to the requested elements referred to in point (a) within a maximum deadline of one month.		
The pre-application procedure shall include the preparation of any environmental reports by the project promoters, as necessary, including the climate adaptation and cyber and physical security documentation and assessments.		
In cooperation with the project promoter and, as necessary, other authorities concerned or other national competent authorities of other Member States where the project is located, including if the project crosses their exclusive economic zone, the national competent authority may design the requirements for the permit-granting process of a		

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certain project, and the public consultation timeline set out in point (4) of Annex VI, in phases, provided it does not delay the overall development of the project and ensures that the permit-granting process is simplified and accelerated. The maximum deadlines of paragraphs 1 and 2 shall apply for each of the phases.		
Within one month of submission of the missing information referred to in the first subparagraph, point (d), the competent authority shall accept for examination the complete application in written or electronic form or on dedicated digital platforms, starting the statutory permit-granting procedure referred to in paragraph 1, point (b).		
10. The project promoter shall cooperate in good faith with the national competent authorities and with all authorities concerned, in order to provide them with complete and correct information, in particular with regard to the information identified in the screening process.		
The project promoter shall ensure that the application file is complete and adequate, seeking the national competent authority's opinion it as early as possible in the permit-granting process.		

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The project promoter shall cooperate fully with the national competent authority in order to comply with the time limits set in this Regulation. Any delays due to the fault of the project promoter in good faith in this respect, shall not count against the maximum permitting duration.		
11. Member States shall ensure that any amendments to the national law do not lead to prolonging any permit-granting process started before the entry into force of those amendments. With a view of maintaining an accelerated permit-granting process for projects on the Union list, national competent authorities shall adequately adapt the schedule established in accordance with paragraph 6, point (b), of this Article to ensure, to the extent possible, that the time limits for the permit-granting process set in this Article are not exceeded.		
12. The time limits set in this Article shall be without prejudice to obligations arising from Union and international law, and without prejudice to administrative appeal procedures and judicial remedies before a court or tribunal.		
The time limits set in this Article for any of the permit-granting procedures shall be without		

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prejudice to any shorter time limits set by Member States.		
	13. Member States may decide not to apply this Article.	SE does not see any added value in detailed rules on permitting at the EU level. Time limits for the entirity of the project may be useful, but not internally within the process. Such limits risk making the permitting process less efficient, more expenive and lead to more denied applications where a more flexible process would have solved issues and led to a permit. The current permitting provisions in the TEN-E cause unneccessary bueracracy and do not speed up permitting nationally in SE.
CHAPTER IV		
Cross-sectoral infrastructure planning		
Article 11		
Central scenario for the ten-year network development plans	1. By [two years after entry into force] and at least every four years thereafter, the Commission shall ~~develop~~ **adopt** a central scenario for the electricity, hydrogen and gas sectors to be used for the Union-wide ten-year network development plans referred	Sweden could see a value in one or, prefereably, a few, harmonized EU scenarios, but they should not be developed by the Commission. Centralized top-down planning poses major risks to the efficient and cost-efficient expansion of the energy grids,

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	to in: Article 48 of Regulation (EU) 2019/943 and Article 59 of Regulation (EU) 2024/1789, the infrastructure needs identification process referred to in Article 12 of this Regulation, the energy system wide cost-benefit analysis referred to in Article 14 of this Regulation, and the cross-border cost allocation referred to in Article 17 of this Regulation.	as it will commonly be too late, too inaccurate and too aggregated. Additionally, Sweden considers the central scenario, if it is developed and decided by the Commission, to violate the Member States rights under the Treaty to chose their own energy mix and it would risk infringing on Member States right under the Treaty to decide about PCI, as the central scenario would set the frames for which projects that would be needed in some cases.
1. By [two years after entry into force] and at least every four years thereafter, the Commission shall develop a central scenario for the electricity, hydrogen and gas sectors to be used for the Union-wide ten-year network development plans referred to in: Article 48 of Regulation (EU) 2019/943 and Article ~~59~~ **60** of Regulation (EU) 2024/1789, the infrastructure needs identification process referred to in Article 12 of this Regulation, the energy system wide cost-benefit analysis referred to in Article 14 of this Regulation, and the cross-border cost allocation referred to in Article 17 of this Regulation.		
2. The central scenario shall:		
(a) be consistent with the Union's targets for energy and climate and include a **mid-term and**		

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long-term perspective until at least 2050 in accordance with the Union's climate neutrality objective;		
(a) take a cross-sectoral approach ensuring consistency between the electricity, hydrogen and gas sectors, optimizing system efficiency;		
(b) include sensitivity analyses as appropriate.		
3. The European Network of Transmission System Operators for Electricity (ENTSO for Electricity), the European Network of Network Operators for Hydrogen (ENNOH), the European Network of Transmission System Operators for Gas (ENTSO for Gas) and the Member States shall provide, upon request from the Commission, the data and information necessary for the development of the central scenario referred to in paragraph 1. That includes, but is not limited to market and network data, such as demand and supply projections, characteristics of power generation, hydrogen production and networks, flexibility sources, imports assumptions, as well as climatic years data. The Commission shall set a reasonable time limit within which the data and information is to be provided, taking into account the complexity and urgency of the data and information required. Where an addressee does not provide the information requested within the time	~~3. The European Network of Transmission System Operators for Electricity (ENTSO for Electricity), the European Network of Network Operators for Hydrogen (ENNOH), the European Network of Transmission System Operators for Gas (ENTSO for Gas) and the Member States shall provide, upon request from the Commission, the data and information necessary for the development of the central scenario referred to in paragraph 1. That includes, but is not limited to market and network data, such as demand and supply projections, characteristics of power generation, hydrogen production and networks, flexibility sources, imports assumptions, as well as climatic years data. The Commission shall set a reasonable time limit within which the data and information is to be provided, taking into account the complexity and urgency of the data and information required. Where an addressee does not provide the information requested within the time limit set by~~	As the Commission should not be developping the scenario, this paragraph should be deleted or revised to fit a bottom-up approach with TSO/DSO –> ENTSO/ENNOH and MS together with COM through the TEN-E group. Additionally, Sweden sees issues with the prescribed data sharing, as it may infere with matters of national security. And if the provision would be limited to data that may be provided under national law (with regards to national security), the quality of the data would be too low to provide for a well-functioning scenario.

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limit set by the Commission or supplies incomplete information, the Commission may by decision require the information to be provided. The Commission may request the Agency to verify the data submitted **by the network operators** to the Commission, including by verifying national data with the relevant national regulatory authorities.	~~the Commission or supplies incomplete information, the Commission may by decision require the information to be provided.~~ ~~The Commission may request the Agency to verify the data submitted to the Commission, including by verifying national data with the relevant information national regulatory authorities.~~	
4. The Commission shall consult the Agency, national regulatory authorities, the ENTSO for Electricity, the ENNOH, the ENTSO for Gas, the European entity for the cooperation of electricity distribution system operators in the European Union (EU DSO Entity), the Member States as well as other relevant stakeholders on the data collected for the purpose of the central scenario development process, including assumptions and their use in the development of the central scenario.	~~4. The Commission shall consult the Agency, national regulatory authorities, the ENTSO for Electricity, the ENNOH, the ENTSO for Gas, the European entity for the cooperation of electricity distribution system operators in the European Union (EU DSO Entity), the Member States as well as other relevant stakeholders on the data collected for the purpose of the central scenario development process, including assumptions and their use in the development of the central scenario.~~	As the Commission should not be developping the scenario, this paragraph should be deleted or revised to fit a bottom-up approach with TSO/DSO -> ENTSO/ENNOH and MS together with COM through the TEN-E group.
5. The Commission shall submit the draft central scenario to the TEN-E Group, together with information on how the comments received in the consultation referred to in paragraph 4 have been taken into consideration. The TEN-E Group members shall deliver their comments, if any, within ~~one month~~ **two months** of receiving the draft central scenario.	5. The Commission shall submit the draft central scenario to the TEN-E Group, together with information on how the comments received in the consultation referred to in paragraph 4 have been taken into consideration. The TEN-E Group members shall deliver their comments, if any, within ~~two~~ **three** months of receiving the draft central scenario.	Two months is too little time, givet the need to consult internally.

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6. The Commission is empowered to adopt delegated acts in accordance with Article 23 to supplement this Regulation by establishing the central scenarios pursuant to this Article. The Commission shall adopt the central scenario taking into account the comments from the TEN-E Group.	~~6. The Commission is empowered to adopt delegated acts in accordance with Article 23 to supplement this Regulation by establishing the central scenarios pursuant to this Article. The Commission shall adopt the central scenario taking into account the comments from the TEN-E Group.~~	As Sweden does not consider that the scenario should be binding, it does not need to be adopted through legal act.
7. Following the publication of the delegated act on the central scenario the Commission shall publish the underlying input and output data for the central scenario, subject to restrictions under national law and relevant confidentiality agreements.	7. Following the ~~publication of the delegated act on the~~ **adoption of the** central scenario the Commission shall publish the underlying input and output data for the central scenario, subject to restrictions under national law and relevant confidentiality agreements.	
8. The Commission, taking into account the views of the Agency, the Member States, national regulatory authorities, and relevant stakeholders, may develop sensitivity analyses to the central scenario if this is necessary based on market or policy developments. The Commission may amend the delegated act referred to in paragraph 6 of this Article in order to include any such sensitivity analyses.		
Article 12		Sweden is scrutinizing the Article, and it is in any case highly dependent on how the central scenario is developed. It is however clear that the Article favours centralization and as such

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		would contribute to lower quality than a bottom-up approach.
Infrastructure needs identification report		
1. The ENTSO for Electricity and the ENNOH respectively, shall develop an infrastructure needs identification report to identify infrastructure gaps affecting the Union's objectives related to electricity and hydrogen.		
2. The**se** infrastructure needs identification reports shall:		
(a) be based on the central scenario developed by the Commission in accordance with Article 11 and its sensitivity analyses;		
(b) comply with the methodology developed by the Agency pursuant to paragraph 11;		
(c) comply with the principles laid down in Annex VII of this Regulation;		

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(d) ensure a cross-sectoral approach ensuring consistency between the electricity and hydrogen sectors as well as, where applicable, gas, district heating and CO_2 sectors.		
3. The ENTSO for Electricity and the ENNOH, respectively, shall ~~consult~~ **ensure a transparent and structured consultation of** relevant stakeholders on the additional data, assumptions and their use for the development of their infrastructure needs identification report.		
4. Within six months of the publication of a central scenario pursuant to Article 11, except where the publication is limited to adding a sensitivity analysis, the ENTSO for Electricity and the ENNOH shall submit their respective draft infrastructure needs identification report, including the assessment of how projects submitted for inclusion in the Union wide ten-year network development plan match the needs identified, to the TEN-E Group. In case the publication is limited to adding a sensitivity analysis, the Commission may request the ENTSO for Electricity and the ENNOH to develop a new infrastructure needs identification report in accordance with the procedure laid down in this Article.		

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5. Within two months of receipt of the draft infrastructure needs identification reports by the TEN-E Group, the Agency shall assess compliance of the draft infrastructure needs identification reports, including the assessment to what extent projects submitted for inclusion in the Union wide ten-year network development plan match the needs identified, with the methodology referred to in paragraph ~~12~~ **11** and the principles set out in Annex VII and inform the TEN-E Group.		
6. Within one month of being informed by the Agency about the compliance of the draft infrastructure needs identification reports, the TEN-E Group members, taking into account the Agency's input on compliance, may deliver their comments and inform the ENTSO for Electricity and the ENNOH respectively.		
7. Within two months of having received the comments from the TEN-E Group members, the ENTSO for Electricity and the ENNOH shall adapt the draft infrastructure needs identification reports, taking into account the comments of the TEN-E Group and the Agency, to ensure full compliance with the requirements in paragraph 2, and shall submit the final **draft** infrastructure **needs** identification report to the Commission.		

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8. The Commission shall submit the final draft infrastructure needs identification report to the decision-making body of the TEN-E Group for endorsement. Before submitting the final draft infrastructure needs identification reports to the decision-making body of the TEN-E Group, the Commission may request updates and improvements with due justification and within a reasonable timeframe, where it finds that the final draft infrastructure needs identification reports do not appropriately reflect the comments from the members of the TEN-E Group and to ensure full compliance with the principles set out in Annex VII. The ENTSO for Electricity and the ENNOH respectively, shall fully address such requests within one month and re-submit the revised final draft infrastructure needs identification reports to the Commission.		
9. The decision-making body of the TEN-E Group shall endorse the final infrastructure needs identification reports within one month of their receipt.		
10. Within two weeks of the endorsement of the infrastructure needs identification reports pursuant to paragraph **9**~~8~~, the ENTSO for Electricity and the ENNOH shall publish them on their website respectively. Where relevant, the ENTSO for Electricity and the ENNOH shall		

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update the infrastructure needs identification reports in accordance with the sensitivity analyses adopted pursuant to Article 11(8), when requested by the Commission.		
11. By [9 months after entry into force of this Regulation] the Agency, after having conducted an extensive consultation involving the Commission, the Member States the ENTSO for Electricity, the ENTSO for Gas, the ENNOH, the EU DSO Entity and other relevant stakeholders, shall publish a binding methodology for the identification of infrastructure needs.	11. By [9 months after entry into force of this Regulation] ~~the Agency~~, **The ENTSO for Electricity and the ENNOH**, after having conducted an extensive consultation involving the Commission, the Member States ~~the ENTSO for Electricity, the ENTSO for Gas, the ENNOH~~, the EU DSO Entity and other relevant stakeholders, shall publish a ~~binding~~ methodology for the identification of infrastructure needs.	ACER does not have sufficient understanding of regional specificities to publish a *binding* methodology.
12. The methodology shall ensure that the infrastructure needs identification report complies with the principles laid down in Annex VII.		
13. The Agency on its own initiative, or upon request of the Commission, shall update the methodology where necessary.		
14. Until 1 January 2027, this Article applies subject to the transitional provisions set out in Article 61 of Regulation (EU) 2024/1789.		

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Article 13	~~Article 13~~	Sweden wishes to delete the entire Article. Having the Commission organizing a needs matching process risks causing large amounts of administration with little or no added value. Local or national electricity system needs are best catered to at the local or national level, not the EU level.
Needs matching process in the electricity system		
1. When the infrastructure needs identification report for electricity concludes that projects submitted for inclusion in the Union wide ten-year network development plan do not fully meet the infrastructure needs identified pursuant to Article 12, the Commission may launch a process to identify possible solutions to address the unmatched needs.	delete	
2. The Commission, in cooperation with the ENTSO for Electricity, the Member States and the Agency, shall invite system operators in the relevant Groups to propose, within six months of the invitation, projects capable of addressing the unmatched needs. The Commission shall submit the proposed projects to the relevant Groups established in accordance with Article 3 for discussion. The Commission may involve other relevant stakeholders and other regional	delete	

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cooperation fora. Project promoters capable of addressing the unmatched needs shall submit eligible projects as soon as possible for inclusion in the subsequent national development plans, the Union-wide ten-year network development plan and the Union list.		
3. Where the process under paragraph 2 does not identify projects capable of addressing the unmatched needs, the Commission may launch a call for proposals open to any third party capable of becoming a project promoter to propose projects capable of addressing the unmatched needs. Project promoters capable of addressing the unmatched needs shall submit eligible projects as soon as possible for inclusion in the subsequent national development plans, the Union-wide ten-year network development plan and the Union list.	delete	
4. The Commission shall monitor the outcome of the process and progress of the projects referred to in paragraphs 2 and 3 and closely involve the relevant Groups established in accordance with Article 3 and other relevant regional cooperation fora.	delete	
Article 14		

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Energy system wide cost-benefit analysis		
1. For projects falling under the infrastructure categories set out in points (1)(a), (b), (c), (d), (e), (f) and (h) and points (2) and (3) of Annex II , the ENTSO for Electricity and the ENNOH shall **each** use consistent ~~single sector~~ methodologies for a harmonised energy system-wide cost-benefit analysis at Union level when assessing projects for their inclusion in their respective Union-wide ten-year network development plans.		
2. The methodologies shall:		
(a) be drawn up in accordance with the principles laid down in Annex V;		
(b) be based on common assumptions allowing for project comparison;		
(c) be consistent with the Union's targets for energy and climate and its 2050 climate neutrality objective and the central scenario referred to in Article 11, as well as with the rules and indicators set out in Annex IV;		

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(d) allow for the assessment of project bundles pursuant to Article 18 and, in the electricity sector, for the consideration of non-wire solutions;		
(e) shall take a cross-sectoral approach.		
3. The ENTSO for Electricity and the ENNOH shall develop and publish preliminary draft methodologies for the purpose of consulting the EU DSO Entity, and **Member States and** other relevant stakeholders. The consultation process shall be open, timely and transparent. The ENTSO for Electricity and the ENNOH shall prepare and make public a report on the consultation process.		
4. The ENTSO for Electricity and the ENNOH shall publish and submit to Member States, the Commission and the Agency their draft methodologies. The ENTSO for Electricity and the ENNOH shall provide reasons where they have not, or have only partly, taken into account the comments ~~from Member States, national authorities, or other stakeholders~~ **received during the consultation process pursuant to paragraph 3**. The ENTSO for Electricity and the ENNOH shall publish and submit to Member States, the Commission and the Agency their ~~first~~ consistent		

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~~single sector~~ draft methodologies by December 2027.		
5. Within three months of receipt of the draft methodologies, the Agency and Member States may deliver their opinions to the ENTSO for Electricity and the ENNOH and the Commission. The Commission may organise specific meetings of the Groups to discuss the draft methodologies.		
6. Within three months of receipt of the opinions of the Agency and Member States, the ENTSO for Electricity and the ENNOH shall amend their respective methodologies to fully take into account the opinions of the Agency and the Member States and submit them to the Commission for its approval.		
7. Within three months of receipt of the respective methodologies, the Commission shall issue its decision.		
8. If the Commission rejects the draft methodology, it shall provide reasons. The ENTSO for Electricity and the ENNOH respectively shall revise the draft methodology and resubmit it to the Commission for its approval.		

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9. Within two weeks of the approval by the Commission, the ENTSO for Electricity and the ENNOH shall publish their respective methodologies on their websites.		
10. The Commission and the Agency may request the ENTSO for Electricity and the ENNOH, as applicable, to update their methodologies and set a timetable. The Agency may act on its own initiative, or upon a duly reasoned request by national regulatory authorities or stakeholders. The Agency shall publish the requests it receives and all relevant non-commercially sensitive documents on which its request is based.		
11. Where requested by the Agency or by the Commission, the ENTSO for Electricity and the ENNOH shall update the consistent single sector cost-benefit methodologies in accordance with the approval procedure pursuant to paragraphs 3 to 9.		
12. The ENTSO for Electricity and the ENNOH shall publish in the context of each Union-wide ten-year network development plan the updated input data relevant for application of the methodologies, including calculation methods, network models, relevant load flow and market data. These data shall be published in a sufficiently		

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accurate form subject to restrictions under national law and relevant confidentiality agreements. The Commission and the Agency shall ensure the confidential treatment of the data received by them and by any party that carries out analytical work on the basis of those data on their behalf.		
13. The ENTSO for Electricity and the ENNOH shall calculate and publish, as part of the Union-wide ten-year network development plan, the results of cost-benefit analyses for all projects, showing how the benefits are distributed across countries. This shall include benefits for both hosting countries and non-hosting countries that benefit from the respective project.		
14. For projects falling under the energy infrastructure categories set out in point (1)(g) and in point (4) of Annex II, the Commission shall ensure the development of methodologies for a harmonised energy system-wide cost-benefit analysis at Union level. Those methodologies shall be compatible in terms of benefits and costs with the methodologies developed by the ENTSO for Electricity and the ENNOH. The methodologies shall be developed in a transparent manner, including extensive consultation of the Agency, the Member States and all relevant stakeholders.		

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15. Starting from [April 2028] and every two years, the Agency shall establish and publish a set of indicators and corresponding reference values for the comparison of unit investment costs for comparable projects of the energy infrastructure categories included in Annex II. Project promoters shall provide the requested data to the national regulatory authorities and to the Agency. Those reference values may be used by the ENTSO for Electricity and the ENNOH for the cost-benefit analyses carried out for subsequent Union-wide ten-year network development plans.		
ANNEX V		
ENERGY SYSTEM-WIDE COST-BENEFIT ANALYSIS		
The methodologies for cost-benefit analyses developed by the ENTSO for Electricity and the ENNOH shall be consistent with each other, taking into account sectorial specificities. The methodologies for a harmonised and transparent energy system-wide cost-benefit analysis for projects on the Union list shall be uniform for all infrastructure categories, unless specific divergences are justified. They shall address costs in the broader sense, including externalities, in view of the Union's targets for energy and climate		

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and its 2050 climate neutrality objective and shall comply with the following principles:		
(1) the area for the analysis of an individual project shall cover all Member States and third countries, on whose territory the project is located, all directly neighbouring Member States and all other Member States in which the project has a significant impact. For this purpose, ENTSO for Electricity and ENNOH shall cooperate with all the relevant system operators in the relevant third countries. In the case of projects falling under the energy infrastructure category set out at point (3) of Annex II, the ENTSO for Electricity and the ENNOH shall cooperate with the project promoter, including where it is not a system operator;		
(2) each cost-benefit analysis shall include sensitivity analyses concerning the input data set, where relevant, including the cost of generation and greenhouse gases as well as the expected development of demand and supply, including with regard to renewable energy sources, and including the flexibility of both, and the availability of storage, the commissioning date of various projects in the same area		

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of analysis, climate impacts and other relevant parameters;		
(3) they shall establish the analysis to be carried out, based on the relevant multi-sectorial input data set by determining the impact with and without each project and shall include the relevant interdependencies with other projects;		
(4) they shall give guidance for the development and use of energy network and market modelling necessary for the cost-benefit analysis. The modelling shall allow for a full assessment of economic benefits, including market integration, security of supply and competition, as well as lifting energy isolation, social and environmental and climate impacts, including the cross-sectorial impacts. The methodology shall be fully transparent including details on why, what and how each of the benefits and costs are calculated;		
(5) they shall include an explanation on how the energy efficiency first principle is implemented in all the steps of the Union-		

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wide ten-year network development plans;		
(6) they shall explain that the development and deployment of renewable energy will not be hampered by the project;		
(7) they shall ensure that the Member States on which the project has a net positive impact, the beneficiaries, the Member States on which the project has a net negative impact, and the cost bearers, which may be Members States other than those on which territory the infrastructure is constructed, are identified;		
(8) they shall take into account, at least, the capital expenditure, operational and maintenance expenditure costs, as well as the costs induced for the related system over the technical lifecycle of the project as a whole, such as decommissioning and waste management costs, including external costs. The methodologies shall give guidance on discount rates, technical lifetime and residual value to be used for the cost- benefit calculations. They shall furthermore include a mandatory methodology to calculate benefit-to-cost ratio and the net present value, as well as		

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a differentiation of benefits in accordance with the level of reliability of their estimation methods. Methods to calculate the climate and environmental impacts of the projects and the contribution to Union energy targets, such as renewable penetrations, energy efficiency and interconnection targets shall also be taken into account;		
(9) they shall ensure that the climate adaptation measures taken for each project are assessed and reflect the cost of greenhouse gas emissions and that the assessment is robust and consistent with other Union policies in order to enable comparison with other solutions which do not require new infrastructures.		
ANNEX VI		
GUIDELINES FOR TRANSPARENCY AND PUBLIC PARTICIPATION		
(1) The manual of procedures referred to in Article 9(1) shall contain at least:		

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(a) specifications of the relevant pieces of legislation upon which decisions and opinions are based for the various types of relevant projects of common interest, including environmental law;		
(b) the list of relevant decisions and opinions to be obtained;		
(c) the names and contact details of the competent authority, other authorities concerned and major stakeholders concerned;		
(d) the work flow, outlining each stage in the process, including an indicative timeline and a concise overview of the decision-making process for the various types of relevant projects of common interest;		
(e) information about the scope, structure and level of detail of documents to be submitted with the		

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application for decisions, including a checklist;		
(f) the stages and means for the general public to participate in the process;		
(g) the manner in which the competent authority, other authorities concerned and the project promoter shall demonstrate that the opinions expressed in the public consultation were taken into account, for example by showing what amendments were done in the location and design of the project or by providing reasons why such opinions have not been taken into account;		
(h) to the extent possible, translations of its content in English and all languages of the neighbouring Member States to be realised in coordination with the relevant neighbouring Member States.		

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(2) The detailed schedule referred to in Article 10(8), shall at least specify the following:		
(a) the decisions and opinions to be obtained;		
(b) the authorities, stakeholders, and the public likely to be concerned;		
(c) the individual stages of the procedure and their duration;		
(d) major milestones to be accomplished and their deadlines in view of the comprehensive decision to be taken;		
(e) the resources planned by the authorities and possible additional resource needs.		
(3) Without prejudice to the requirements for public consultations under environmental law, to increase public participation in the permit granting process and ensure in		

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advance information and dialogue with the public, the following principles shall be applied:		
(a) the stakeholders affected by a project of common interest, including relevant national, regional and local authorities, landowners and citizens living in the vicinity of the project, the general public and their associations, organisations or groups, shall be extensively informed and consulted at an early stage, in an inclusive manner, when potential concerns by the public can still be taken into account and in an open and transparent manner. Where relevant, the competent authority shall actively support the activities undertaken by the project promoter;		
(b) competent authorities shall ensure that public consultation procedures for projects of common interest are grouped together where possible including public consultations already required under national law. Each public consultation shall cover all subject matters relevant to the		

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particular stage of the procedure, and one subject matter relevant to the particular stage of the procedure shall not be addressed in more than one public consultation; however, one public consultation may take place in more than one geographical location. The subject matters addressed by a public consultation shall be clearly indicated in the notification of the public consultation;		
(c) comments and objections shall be admissible only from the beginning of the public consultation until the expiry of the deadline;		
(d) the project promoters shall ensure that consultations take place during a period that allows for open and inclusive public participation.		
(4) The concept for public participation shall at least include information about:		
(a) the stakeholders concerned and addressed;		

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(b) the measures envisaged, including proposed general locations and dates of dedicated meetings;		
(c) the timeline;		
(d) the human resources allocated to various tasks.		
(5) In the context of the public consultation to be carried out before submission of the application file, the relevant parties shall at least:		
(a) publish in electronic and, where relevant, printed form, an information leaflet of no more than 15 pages, giving, in a clear and concise manner, an overview of the description, purpose and preliminary timetable of the development steps of the project, the national grid development plan, alternative routes considered, types and characteristics of the potential impact, including of cross-border or transboundary nature, and possible		

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mitigation measures, such information leaflet is to be published prior to the start of the consultation and to list the web addresses of the website of the project of common interest referred to in Article 9(7), the transparency platform referred to in Article 23 and the manual of procedures referred to in point (1) of this Annex;		
(b) publish the information on the consultation on the website of the project of common interest referred to in Article 9(7), on the bulletin boards of the offices of local administrations, and, at least, in one or, if applicable, two local media outlets;		
(c) invite, in written or electronic form, the relevant affected stakeholders, associations, organisations and groups to dedicated meetings, during which concerns shall be discussed.		

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(6) The project website referred to in Article 9(7) shall at least publish the following information:		
(a) the date when the project website was last updated;		
(b) translations of its content in English and in all languages of the Member States concerned by the project or on which the project has a significant cross-border impact in accordance with point (1) of Annex IV;		
(c) the information leaflet referred to in point (5) updated with the latest data on the project;		
(d) a non-technical and regularly updated summary reflecting the current status of the project, including geographic information, and clearly indicating, in case of updates, changes to previous versions;		

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(e) the implementation plan as set out in Article 5(1) updated with the latest data on the project;		
(f) the funds allocated and disbursed by the Union for the project;		
(g) the project and public consultation planning, clearly indicating dates and locations for public consultations and hearings and the envisaged subject matters relevant for those hearings;		
(h) contact details in view of obtaining additional information or documents;		
(i) contact details in view of conveying comments and objections during public consultations.		
ANNEX VII		
INFRASTRUCTURE NEEDS IDENTIFICATION REPORTS		

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The framework methodology developed by ACER for identification of infrastructure needs by the ENTSO for Electricity and the ENNOH shall ensure that the identification of infrastructure needs reports referred to in Article 12 comply with the following principles:		
(1) It shall be based on the central scenario pursuant to Article 11 of this Regulation, and complemented by further assessment, when relevant, using the central scenario's sensitivities.		
(2) It shall follow cross-sectoral and integrated approach taking into account interlinkages between electricity, hydrogen and gas sectors, as well as, where applicable, district heating and CO2 sectors.		
(3) It shall ensure that the needs are identified by analysing most efficient joined-up contribution of the electricity and hydrogen network solutions, including non-wire solutions, non-fossil flexibility or other alternatives to system expansion, to achieve the optimal energy network for achieving the energy and climate targets and objectives. The optimal energy		

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network should also ensure security of supply and lead to a higher market integration and competitiveness of the European industry by increasing price convergence between respective market and bidding zones as and higher electricity interconnectivity levels.		
(4) It shall look at medium ~~(10-15 years)~~ and long-term ~~(20-30 years)~~ time horizon **aligned with the scenario timeframe** based on a realistic starting network for each time horizon, identifying needs at Member States borders and at national level if of cross-border relevance, taking also into account infrastructure developments in the third countries in line with the EU policy priorities.		
(5) It shall reflect the European perspective by first identifying cross-border needs leading to the identification of possible infrastructure reinforcement needs at national level.		
(6) It shall provide sufficient level of detail and granularity to properly consider current and future network constraints and enable subsequent identification of infrastructure needs on regional as well as		

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national level. It shall also provide clear information on the necessary investments to address the infrastructure gaps as well as the cumulative benefits of these investments for the energy system..		
(7) In electricity, it shall consider infrastructure and non-wire solutions, with due consideration of non-fossil flexibility potential and use, including storage, which would lead to more optimised energy system. The matchmaking of needs with projects submitted for inclusion in the Union wide ten-year network development shall be accompanied by an explanation how non-wire solutions, non-fossil flexibility or other alternatives to system expansion were taken into account.		
(8) It shall be an outcome of a transparent process, based on robust tools and data, requiring up to date and verified cost assumptions. In this context, it shall use clear and quantifiable criteria for the set-up of the starting network. Key relevant stakeholders shall be involved into provision of inputs as well as validation of the results through the consultation		

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process structured in a way to enable the accommodation of comments.		
(9) It shall deliver specific and quantified results allowing for measuring the magnitude of potential infrastructure gaps in specific locations, referring both non-wire and new infrastructure. To this aim, the identified needs should indicate to market participants the main cross-border transmission infrastructure gaps, including internal infrastructure with significant cross-border impact, that need to be addressed ~~over the next ten to twenty years~~.		