



Regulatory Perspective: the annual regulatory review

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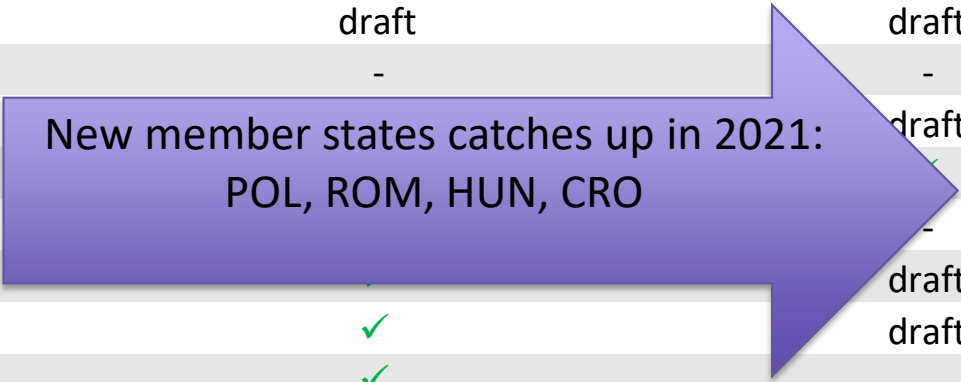
Agenda

- ✓ Status of transposition
- ✓ Some core streams of regulatory developments
- ✓ Issues related to national transposition

Status of transposition: June 2021

Country	Renewable energy communities	Citizen energy communities
Austria	draft	draft
Belgium: Wallonia	✓	draft
Belgium: Flanders	✓	✓
Czech Republic	-	-
Croatia	-	draft
Denmark	draft	✓
Estonia	draft	draft
Finland	-	-
France	-	draft
Greece	-	✓
Hungary	-	-
Ireland	-	draft
Italy	✓	draft
Lithuania	✓	-
Luxemburg	✓	-
Portugal	✓	-
Poland	draft	-
Romania	-	draft
Slovenia	✓	draft
Spain	draft	-
Sweden	draft	draft

New member states catches up in 2021:
POL, ROM, HUN, CRO



Country comparison

Some core streams of regulatory developments

- localisation (geographical – proximity)
- Incentives
- Options for grid management and ownership
- Other governance provisions (membership rights, autonomy)



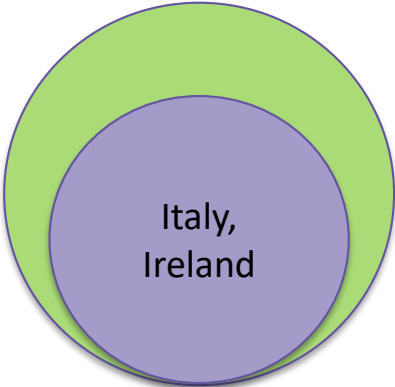
Localisation

Country	Approach
Austria	LV/MV
Belgium/Wallonia	LV/MV and distance
Belgium/Flanders	LV/MV and activities
Hungary	MV/HV
Slovenia	LV
Italy	MV/LV
Ireland	LV, MV
Croatia	Municipality, LV
Lithuania	Municipality
Greece	Regions
France	Distance (up to 20km)
Spain	Distance (500m, however so far only CSC)
Portugal	activities

Easier technical feasibility versus limiting consumers from participating.

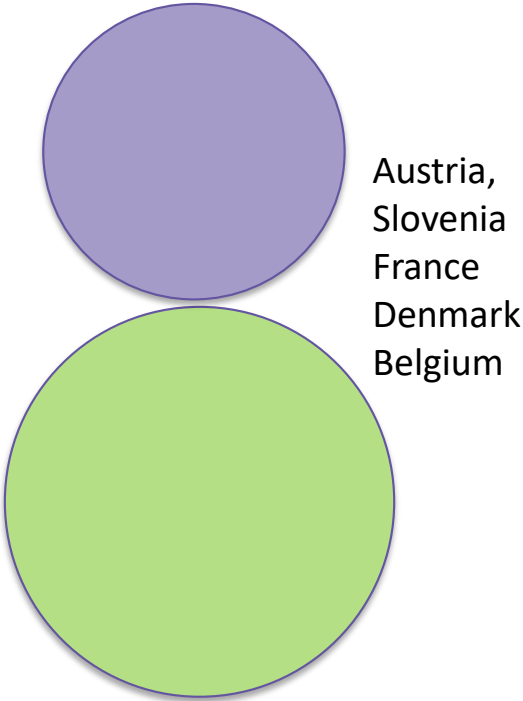
Relation between RECs and CECs

RECs a subset of CECs



Common definition

Separate implementation







Autonomy

The concept of **autonomy** overlaps with membership criteria to the extent that the power of individual members may be limited

- Greece provides for a cap on the participation rate of each member in the cooperative capital of 20%.
- Lithuania: member cannot have shares of another energy producer of more than 20%.
- Croatia: member cannot have shares of another energy producer of more than 40%.



Grid fees and surcharges

MS	Network tariff for EC /CSC	Change of other tariff elements
Austria 	Grid fees above the grid level of REC do not need to be paid	<i>Removal of consumption-based surcharges (electricity tax, RES support)</i>
Italy 	Refund of consumption-based part of network tariff, covering transmission-related costs	
Portugal 	Grid fees above the grid level of CSC scheme do not need to be paid	<i>Reduction of consumption-based surcharges (policy costs (CIEG): 100% for CSC, 50% individual self-consumption)</i>
Poland 		<i>Removal of consumption-based surcharges (RES fee, capacity fee and cogeneration fee)</i>

➤ Risk of mixing regulation and policy

Organisational form

- Several member states list a range of options for the type of legal entity that may be chosen,
 - eg association, cooperative, partnership or corporation, association of housing owners or a similar legal body.
- Trend towards cooperative form of organisation, eg Poland, Greece, or Slovenia
 - Slovenia requires CECs to be defined as cooperatives to guarantee consumer rights



Sharing concepts over the public grid

- In many countries still unclear: **physical versus virtual sharing**
- In **Greece**, virtual net metering is the core of energy sharing implementation.
 - Netting between the generated energy from a RES installation and the consumed energy of one or more consumption points
- Also in **Italy** virtual sharing mechanisms
- In **Denmark** handled through established market processes.
 - based on guarantees of origin



Energy Poverty

- Increasing attention in the context of energy communities
 - So far, only Greece has embedded the reduction of energy poverty as a prime goal of energy communities
 - Energy Poverty important in new Member states
- Portugal plans in the context of Recovery Program and Resilience (PRR) to allocate at least 300 million euros to energy efficiency actions in residential buildings
 - Focus on low-income households in a situation of energy poverty”.
 - 35 million euros will be used to implement collective self-consumption projects and renewable energy communities”.

Current implementation issues (1)

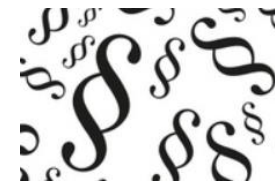
- Ownership of production assets
 - In Austria also third parties may own the assets
 - Portugal option for “external” ownership being discussed enabling contracting models
- Data availability of smart meter
 - in Austria and other countries no real-time data from the DSO, no legislative framework
 - Interfaces (Belgium) to read out data



Current implementation issues (2)

- National legal provisions and regulations as barriers
 - In Estonia for example, cooperatives cannot get commercial loans.
 - In Croatia, cooperatives cannot carry out leasing activities as they are no business actors
 - lack of clear regulation for implementation of specific technologies such as storage technologies

- **legal certainty at the national level will be of high importance for energy communities to be deployed.**



Thank you for your attention!