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HORIZON 2020

RENEWABLES

NETWORKING PLATFORM

Citizen Energy – making it real How to transpose RED II and IEMD

EUFORES Academy: Energy Citizens and Communities - Following the transposition of the RED II and IEMD in the Member States

17 November 2020











Agenda

- Clean Energy Package new rights for citizens
- Targets and monitoring
- **Taskforce on Energy Communities**
- Traps to avoid
- Barriers, potentials and enabling framework
- **Early Adopters & Best Practices**
- Reflections from REScoop.eu











Introduction

Clean Energy Package has to be transposed to national legislation



Risk that member states don't transpose adequately, too late or without proper public consultation



How should member states transpose prosumer-related provisions? How can citizens' input be ensured?









Clean Energy Package: new rights for every citizen

- 1. Recast of the Renewable Energy Directive (RED II)
 - Renewables self-consumer
 - Renewable Energy Communities (RECs)
- 2. Recast of the Internal Electricity Market Directive (IEMD)
 - Active consumer
 - Citizen Energy Communities (CECs)
- 3. Governance Regulation
 - National Energy Action Plans (NECPs)

Citizens have the right to

- generate,
- self-consume
- store and
- sell renewable energy
- participate in energy communities





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- -> Concept for the lawful control over and administration of (local) energy generation, supply & management
- RED II introduces Renewable Energy Communities (RECs) IEMD introduces Citizen Energy Communities (CECs)
- Only RECs benefit from support to ensure "equal footing"
- Both benefit from an "enabling framework" and are authorised for Energy/Electricity Sharing



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Renewable Energy Communities (RECs) vs.Citizen Energy Communities (CECs): Don't get confused on the definitions

Criteria	Renewable Energy Communities (RECs) Arts. 2 (16), 22 RED II	Citizen Energy Communities (CECs) Arts. 2 (11), 16 IEMD		
Energy	• <u>Renewable Energy</u>	• Electricity		
Membership	 Natural persons, SMEs, Local authorities, incl. municipalities; 	Any entity;		
Primary Purpose	"environmental, economic or social community benefits for its shareholders / members or for local are- as where it operates, rather than financial profits";			
Ownership and Control	 Effectively controlled by shareholders or members <u>that are located in the proximity</u> <u>of the RE project</u>; <u>Is autonomous</u> (no individual shareholder may own more than 33% of the stock). 	 Effectively controlled by shareholders or members; limitation for firms included in shareholders controlling entity to those of small/micro size (not medium); Shareholders engaged in large scale commercial activity and for which energy constitutes primary area of activity excluded from control. 		
Advantages to qualify as REC or CEC	 "Enabling framework" to promote <u>and</u> <u>facilitate</u> the development of RECs; Energy sharing within the REC. 	Level playing field;Electricity sharing within the CEC.		









Transposition Guidance for citizen energy policies

EREF

published June 2020 - 7 pages

L SCORE CEF -	PROSEU	Community Power SCORE RNP Coalition
	Note: We use the term limited to individual &	" prosumer " for all forms of citizens active in the (renewable) energy fi shared self-consumption, energy sharing, generation or as members of
for citizen energy policies	Issues	Recommended transposition
Recommendations to strengthen prosumers and energy communities when transposing the Clean Energy Package (RED II, IEMD) Objective: This paper aims to inform and facilitate the transposition and the implementation of the Renew- able Tomory Directive (GED, 2018/2019) and the Internal Electricity Market Directive (GED, 2018/2014) in combination with the Governance Regulation (GE, 2018/1999). It focuses specifically on the provides re- garding the newly established rights of Clinics Rike self-consumption and energy communities. It provides recommendations to be applied when drafting national legislation and regulation; it addresses policy makers on EU and national level as well as civil society advocary groups. The transposition of the RD II and the IEMD into national laws will provide opportunities to define national policies that aim towards a "citien and grosumer-centered" Energy Union and strengthen citizens" rights. Most integration and the PD II and the IEMD into national answer that national diversitions and strengthen citizens' rights. Most intoparts in the ND II and the IEMD into antional strengt that national diversitions and strengthen citizens' rights.	Citizen Energy Communities (CECs) and Second Second (RECs): How should they be defined in national legislation? (REC 01 2.16, ICMD 2.11)	ideally CES and REC are combined in one type of frequy Community and to make its earlier to explain. For intrance, any REC that deals will automatically also be a CEC. In case the two compts are kept, their definitions and relation al Mest important is that control by citizen is accurate. Traggement is a complex that control by citizen is accurate to the control program communities - like environment to the control of the testing percept communities - like environment to the control of the environment to the control of the control of the control of the environment of the COUCCES in order to be considered as such. National legislation should make a case distinction between the act mushly and the activities a community can lead. For instance, callo the terms "provide whole whole the meta-table addise. The terms "provide whole the meta-table adding. The terms "provide whole the meta-table adding.
Most important is, however, that the transposition needs to ensure that automal legislations align with the Park Agreement in its ambition. To that end, lows and regulations need to be rigorously implemented and enforced. For both, implementation and enforcement, citizen engagement will be a crucial over the next years. Transposition Timeline: ideally, civil society representatives are already involved in the drafting process. We recommend a two-stage consultation and there when a more elaborate draft is available (2 rd consultation). It is proposed to have parallel stakeholder consultations in September/ October 2020 for both directives as decisions on the IMM transposition is expected to directly inpact the RDU transposition – especially since provisions sone IEMM transposition is expected in the RDU transposition – especially since provisions sone IEMM transposition is expected in the RDU transposition – especially since provisions sone IEMM transposition is expected in the RDU transposition – especially since provisions sone IEMM transposition is especially involved by the form the transposition is expected in the RDU transposition – especially since provisions sone IEMM transposition is especially into the definition of Renexable Energy Communities (defined in the RDU transposition – especially since provisions sone IEMM transposition is especially involved by the form the transposition is especially in the RDU transposition – especially since provisions sone IEMM transposition is especially transposition – especially integrating the transposition is especially in the RDU transposition – especially integrating the RDU transposition is especially transposition is especially transposition is especially transposition the special transposition is especially transposition to the RDU transposition is especially transposition is especially transposition is especially transposition transposition is especially transposition is especially transposition is especially transposition is especi	Noai Huno, Yoo shoai Huno, Yoo Be defined? (RED In 2.16 Jr. (RMD rectal 46, 2.11)	The terms proximity and toola area should be contextuated, and owned wind park may regrain (financial and an organisational) participal municipality, urban and rural projects involving more than one Rtc storage), may not be built close to each other due to planning law limited availability of uitable sites. Defining proving to narrowly could disputibly projects which spe taness comprising various Rt technologies and demands, and which within one RtCT methods, legislators and define various categori lag into account: diversity and complementarity of Rt sources and do demand (values) and rural, demographics of investment, and which more St0m (including arcss national borders) can be a which frowerSt0m (including arcss national borders) can be a which frowerSt0m (including arcss national borders) can be a which frowerSt0m (including arcss national borders), proving torolised closed of the region of the sources of municipality or province do not gain control within the Rt2(/CLC For cliftex well closed are read and the termine that the Rt2(rule municipality or province do not gain control within the Rt2(rule court, In buildings, are more a variant and those hiering in the built Cooperative energy suppliers, like Som Energia in Spain with thous of the courts, the source of the more participation and court is never energy projects.
Image: Transmission of the second s	Barries and poten- tials for RECs: (You with the as- sessed?) (RED II 22.3)	National governments are required by the RED to assess barries an annuly fareny in their territories. These assessments shadowid take plastle, isolated by by summer 2020. Without having a clear picture of the appopriate measures and to design an adequi work. Ideally this exercise is extended to all forms of proxumerizing of adformation processing of the appopriate measures and to design an adequi work. Ideally this exercise is extended to all forms of proxumerizing of adformations (nature charge mitplations), total excormy, and othe (and also CEG) can provide. The assessment studies should also clearly define through which corregulatory measures the barriers will be addressed and potentials be in the transposition detailies.
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https://proseu.eu/sites/default/files/Resources/PROSEU Transposition%20Guidance%20for%20REDII%20and%20EMD.pdf

RENEWABLES NETWORKING PLATFORM





Suggested timelines for transposition of IEMD and RED II, applying principles of Aarhus convention

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- **Early Adopters & Best Practices**
- Reflection from REScoop.eu











Setting ambitious targets

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- 1. Targets for roof-top PV
- minimum target of 30-50% of the roof-top potential by 2030
- important: maximum use of roof space
- 2. Targets for energy communities
 - 30-50% share of the total _ national RE target (new builds)
- number of communities









EU roof-top PV target of some 340 GW by 2030

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Source: JRC 2019 Rooftop solarphotovoltaic potential in EU







Targets should include small and large RE projects initiated / supported by RECs and CECs

• REC/CEC targets can be

- share of total national RE target, e.g. 30-50%
- Share of households being members of a REC/CEC, e.g. 5% by 2030 (currently: 3400 European ECs with 1,5 million citizens -> 0.3% of EU population or 0.6% of the households; some 10-20% long term target)
- Number of energy communities
- Number of members in energy communities
- Number of jointly acting renewable self-consumption activities
- Consider obligations to involve RECs/CECs in RE projects
 - especially if close to settlements to increase social acceptance.
- Annual monitoring of prosumerism and corrective actions









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Taskforce on Energy Communities



- Crosscutting work in the framework
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- What happens in the different MSs?
 - Good and inspiring examples
 - Analysis on legal existing and upcoming framework
- Recommendations expected
 - Replicability and upscaling needs and potentials
 - Research and demonstration needs

- Working Group "Regional Matters" with Taskforce "Local Energy Communities"
- Knowledge Generation from and for JPP SES projects
- Spotlights and Policy Briefs
 - for academia
 - funding programs
 - legislation (on MS level)
 - practitioners (energy, ICT)







The topics (identified by the core-team of the taskforce)

What are Energy Communities?

- 2. Which potential for renewable energy use can be triggered by a CEC or REC in addition to existing organisations?
- 3. What would be benefits and options for a CEC to operate its own (sub) grid?
- 4. What are benefits of CEC or REC in relation to existing means and measures of citizen involvement?
- 5. Which overall cost savings can be expected from CECs compared to existing schemes?
- 6. What are feasible tariffs to allow for the implementation of a CEC as part of the overall energy system?
- 7. How can candidates be supported to establish a CEC or REC?
- 8. What are requirements to ICT solutions for the implementation of a CEC or REC?
- 9. How can data collection and management be limited and data security be ensured in a CEC or REC?
- 10. What is the national situation of Energy Communities in the context of the CEP?
- 11. Cases and Experiences











Recommendations

- 1. Draw on the experiences of existing energy community initiatives, or create a temporary space for them to emerge in
- 2. Dare to be ambitious to maximize the potential of energy communities, but adequately differentiate between types
- 3. Specify principles of 'autonomy', 'effective control' in order to avoid elite-capture
- 4. Define the concept of 'locality' for collective self-consumption and energy sharing in line with grid topology, but do not equate it with the element of 'proximity' for REC
- 5. Put in place participation mechanisms for energy poor and vulnerable households
- 6. Consider the value that CEC and REC can provide to the public network
- 7. Consider the value of REC and CEC to the community
- 8. Pro-actively support the set-up of REC and CEC
- 9. Consider a separate auction-based support scheme for REC
- 10. Streamline, simplify and make less burdensome licensing and network connection
- 11. Don't reduce concept of CEC & REC to mere collective self-consumption & vice versa











Classes of Energy Communities

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No	Name	LEC Taskforce
class 1	Collective generation and trading of electricity	all types of territorial or commercial groupings of generators – whether active on the market or under feed-in mechanisms (often called Virtual Power Plants)
class 2	Generation-Consumption Communities	certified sourcing of electricity in a closed group of generators and consumers - not necessarily in proximity but including local or regional energy markets
class 3	Collective residential & industrial self-consumption	generation, storage and consumption in residential cases with multiple dwellings; includes Tenant-Power (Mieterstrom) - models
class 4	Energy positive districts	districts with residential and business entities operating their energy supply systems under their own regime
class 5	Energy islands	real islands or parts of the distribution system that can be operated standalone (e.g. cellular system as in SINTEG, holonic model as in PolyEnergyNet)
class 6	Municipal utilities	existing organizations for energy production, supply and grid operation under citizens' control – directly (e.g. cooperative) or indirectly (e.g. controlled by local government)
class 7	Financial aggregation and investment	a "community" of investors joins to scale the amount of or manage the investment in generation systems (without further involvement in organisation etc.)
class 8	Cooperative Financing of Energy Efficiency	citizens jointly investing in efficiency means of SMEs and municipalities, possibly in their own region (e.g. contracting / ESCO, crowd-funding
class 9	Collective service providers	all types of commercial groupings of energy services (e.g. grouping of EV charging stations, aggregation of demand side management services)
Class 10	Digital supply and demand response systems	all types of digitally controlled energy systems (e.g. implemented with blockchain), these days possibly operated as a sandbox-model









Utilities (focus: municipal and small / medium sized) and Energy Communities











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Traps to avoid: Capacity limits & Commissioning

Qualification as & Eligibility for REC should not depend on capacity or date of operation

Expl. Italy: New Art. 42bis "Self-consumption from RES" (Dec. 2019)

- Legal entities established as REC are
 - limited to a total power not exceeding 200 kW of RES,
 - and which entered into operation after March 1, 2020
- Existing energy communities with RE plants already in operation before March 2020 do not qualify as RECs, but merely as CECs
 - disadvantage vis-a-vis to RECs established after March 2020
 - dis-incentivises to include existing RE-projects in new RECs
- In practise a new energy community that includes (also) older installations and therefore does not qualify as REC
 - will loose incentives for its individual members, e.g., PV net metering
 - while not having access to the new collective incentives for RECs.









Traps to avoid: Proximity & Energy Sharing

"proximity" & "local area" should be contextualised (adapting to national/regional situation)

Expl. Italy:

Energy Sharing in RECs via public grid permitted but:

- metering points must be <u>"located on low-voltar e</u> <u>power grids underlying</u> <u>the same MV/LV</u> <u>transformer station</u>"
- same reference used to define <u>"proximity"</u> of members of REC

Expl. Austria:

- medium-voltage grid poses upper limit
- stepwise reduction of per-unit grid charges



Source: Modified after Riepel 2007 (CC license)

- Defining proximity too narrowly may disqualify <u>urban or rural projects</u> <u>spreading over a large</u> <u>territory with various RES</u>
- But also <u>large single-</u> <u>sourced RE projects like a</u> <u>wind park</u> may require participation beyond a single municipality

In both cases:

Members too far away from RE installations are excluded from the circle of controlling shareholders







Best Practice: Inclusion -> Low-Income Households (LIH) / Energy Poor

Legislator expressly postulate inclusion of LIH / energy poor:

- RED II: Recital 67 / Art. 22 para. 4
- IEMD: Recital 60 / Art. 28 29

-> However, without saying how to facilitate inclusion

Example for innovative inclusive approach is the **French law on energy and climate of November 2019** which defines:

- the legal entity implementing a social housing project by law as a potential REC (once it implements an RE-Project);
- the residents of these buildings REC members by default.

-> opt-out model for social housing RECs accelerating adherence of the residents.







Best Practice: Enabling framework -> Preferential tax treatment for RECs

Important to avoid conflict with State aid rules (Art 107(1) TFEU)

Preferential tax treatment for RECs will fall outside scope of State aid rules conditional that regarding their (local) controlling shareholders / members:

- a) the REC acts in their economic interest;
- b) their relations are not purely commercial, but linked to their local individual RE energy supply;
- c) they are actively involved as prosumers in the local RE project;
- d) they are entitled to equitable distribution of the results of economic performance.

See Commission Notice on notion of State aid (Article 107(1) TFEU (2016/C 262/01), section 5.4.1. *Cooperative societies* (nos 157-160).

ECJ Joined Cases C-78/08 to C-80/08 O.J. 2011, C 311/06 (Paint Graphos)









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The strength of Art. 22 on Renewable Energy Communities

Go find the <u>Renewable Energy Directive (2018)</u> and read Article 22 for yourselves

- Member states shall ensure that Renewable Energy Communities are entitled to (a) produce, consumer, store and sell renewable energy. (Art 22)
- Member states shall ensure that Renewable Energy Communities are entitled to (c) access all suitable energy markets in a nondiscriminatory manner. (Art 22)
- Is your Energy Ministry aware that they must implement these strong rights for community energy? By mid 2021?









The enabling framework

Member States shall provide an enabling framework to promote and facilitate the development of RECs.

- That framework shall include
 - unjustified regulatory and administrative barriers are removed,
 - fair, proportionate and transparent procedures, including costreflective network charges,
 - tools to facilitate access to finance and information are available,
 - capacity-building support is provided to public authorities in enabling and setting up renewable energy communities.
- Enabling frameworks will differ in every country depending on the biggest national barriers







How will we know what barriers to overcome in our country?

"Member States shall carry out an assessment of the existing barriers and potential of development of renewable energy communities in their territories" (Article 22 para. 3 RED II).

- This needs to be done BEFORE the enabling framework is created, so that the relevant barriers are overcome.
- Please write to your Dept of Energy and inquire, or ask a parliamentary question.

Example: "I wish to enquire about Article 22 part 3 of the REDII. I draw the minister's attention to the value of having such an accurate assessment before the related enabling framework is created for Renewable Energy Communities. I would like to have an update on the progress of this assessment and the likely publication date...."









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Early adopters: Greece

"An Energy Community (E.C.) is the cooperative solely aiming at

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- promoting social and solidarity-based economy and innovation in the energy sector,
- addressing energy poverty and promoting energy sustainability, generation, storage, self-consumption, distribution and supply of energy as well as
- improving end-use energy efficiency at local and regional level.

It is non-profit, except in the case of paragraph 4 under Article 2."



Sifnos Island Cooperative is developing a hybrid wind and hydro power system to reduce high costs and reliance on diesel.











Early adopters: Ireland

- Ireland created a specia "pot" for community energy projects within their RESS auctions.
- * This allowed seven new projects to establish and start producing community energy.
- * This is the kind of dedicated support that is part of the enabling framework

Ireland created a special THE IRISH TIMES



NEWS	SPORT	BUSINESS	OPINION	LIFE & STYLE	CULTURE
Companies	Energy &	Resources F	inancial Services	Agribusiness &	Food Health & F

Seven community renewable energy projects get go ahead

New Government scheme to support €1.4bn investment and generate 1,000 jobs

O Fri, Sep 11, 2020, 20:21

Kevin O'Sullivan Environment & Science Editor











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Aim of the Commission in Clean Energy for All Europeans (CE4AE)

European Renewable Energies Federation



The Commission published its Communication on Energy Union on February 25, 2015 [COM (2015) 80 final] "This Communication calls for a fundamental transformation of Europe's energy system: to speak globally with one voice; to, inter alia, build a sustainable. low-carbon and climatefriendly economy that is designed to last; where energy flows freely across borders, based on competition and the best possible use of resources; with citizens at its core, where citizens take ownership of the energy transition, benefit from new technologies to reduce their bills, participate actively in the market, and where vulnerable consumers are protected."





Aim of REScoop.eu in CE4AE

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- a definition for more than 3,400 existing citizen energy initiatives
 - some a century old, most very new
 - very diverse activities: production, distribution, supply, efficiency, ecarsharing, …
- every EU citizen has the same opportunity to become active, individually at home or collectively in an energy community and take ownership of the future energy production
- In NW Europe quite a lot was already possible, but in Southern and especially Eastern Europe ...



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Result of CE4AE directives

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How can EU Member states support energy communities?

published June 2020 - 100 pages











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