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| Part III.6Updated\* Supplementary information sheet for State aid granted under the Guidelines on State aid for climate, environmental protection and energy 2022 (CEEAG)[[1]](#footnote-2) Chapter 4.8 – Aid for the security of electricity supply   * not yet formally adopted |

*This notification form must be used for the notification of any aid covered by the Guidelines on State aid for climate, environmental protection and energy 2022 (hereinafter the “CEEAG”).*

*This notification form concerns measures covered in Chapter 4.8 of the CEEAG. If the notification includes measures that are covered by more than one chapter of the CEEAG, please also fill in the respective notification form that concerns the respective chapter of the CEEAG.*

*All documents provided by Member States as annexes to the notification form must be numbered and document numbers must be indicated in the relevant sections of this notification form.*

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| **Section A: Summary of the main characteristics of the notified measure(s)** |

1. **Background and objective(s) of the notified measure(s).**
2. If not already discussed under section 5.2 of the General Information Form (Part. I), please provide the background and the main objective of the measure.

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1. Please indicate any other objectives pursued by the measure. For any objectives which do not concern the security of electricity supply or environmental protection, please explain whether they may result in any distortions to the internal market.

1. **Entry into force and duration**:
2. To the extent not already provided under section 5.5 of the General Information Form (Part I), please indicate the date as of which the measure(s) is planned to enter into force;

1. Please indicate the duration of measure(s).[[2]](#footnote-3)

1. **Beneficiary(ies)**
2. If not already provided under section 3 of the General Information Form (Part I), please describe the (potential) beneficiary(ies) of the measure(s).

1. Please indicate the location of the beneficiary(ies) (i.e. if only economic entities located in the respective Member States or also in other Member States are eligible to participate in the measure).

1. In order to assess the compliance with point 15 of the CEEAG, please specify if aid is granted under the measure in favour of an undertaking (individual or part of a scheme) that is subject to an outstanding recovery order following a previous Commission decision declaring an aid illegal and incompatible with the internal market.

In the affirmative, please provide information on the amount of aid still to be recovered so that the Commission takes account of it in the assessment of the notified measure.

1. Please confirm that the measure(s) does not involve aid to activities falling outside the scope of application of the CEEAG (see point 13 of the CEEAG). Otherwise, please provide details.

1. **Budget**
2. If not already mentioned in the table under section 7.1 of the General Information Form (Part I), please provide the yearly and/or total budget for the whole duration of the measure(s); if the total budget is not known (for instance because it depends on the results of tenders), please indicate an estimated budget, including the assumptions used to calculate the respective estimated budget.[[3]](#footnote-4)

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| **Section B: Compatibility assessment of the aid** |

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| *Positive condition: the aid must facilitate the development of an economic activity* |

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| Contribution to the development of an economic activity |

*To provide the information in this section, please refer to section 3.1.1 (points 23-25) and sections 4.8.1 and 4.8.2 (points 325-328) of the CEEAG.*

1. Article 107(3)(c) Treaty on the Functioning of the European Union (TFEU)provides that the Commission may declare compatible “*aid to facilitate the development of certain economic activities or of certain economic areas, where such aid does not adversely affect trading conditions to an extent contrary to the common interest*”. Therefore, compatible aid under that provision of the TFEU must contribute to the development of a certain economic activity.

In order to assess the compliance with point 23 of the CEEAG, please identify the economic activities that will be facilitated as a result of the aid and how the development of those activities is supported. Point 328 of the CEEAG provides examples of such economic activities concerning measures aimed at increasing the security of electricity supply.

1. In order to assess the compliance with point 25 of the CEEAG, please “*describe if and how the aid will contribute to the achievement of objectives of Union climate policy, environmental policy and energy policy and more specifically, the expected benefits of the aid in terms of its material contribution to environmental protection, including climate change mitigation, or the efficient functioning of the internal energy market*”.

1. Please describe the requirements applicable to the beneficiary(ies) (for instance by including any technical, environmental (i.e. permits), financial (i.e. collaterals) or other requirements that the beneficiary(ies) need to comply with).

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1. Please provide information on the rationale of the measure, as provided in section 4.8.1. (point 325) of the CEEAG.

1. Please provide information on the scope of the measure, as provided in section 4.8.2. (points 326-327) of the CEEAG.

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| Incentive effect |

*To provide the information in this section, please refer to point 329 and section 3.1.2 (points 29, 30, 31 and 32) of the CEEAG.*

1. In order to demonstrate the compliance with points 29 and 31 of the CEEAG:
2. Please confirm that the start of works on the project or activity did not take place prior to a written aid application by the beneficiary to the national authorities;

OR

1. For projects that started before the aid application, please demonstrate that the project falls within one of the exceptional cases provided in point 31 of the CEEAG ((a), (b) or (c)).

1. In order to demonstrate compliance with point 30 of the CEEAG, please confirm that the aid application includes at least the applicant’s name, a description of the project or activity, including its location, and the amount of aid needed to carry it out.

1. In order to demonstrate the compliance with point 32 of the CEEAG, please indicate if there are Union standards[[4]](#footnote-5) applicable to the notified measure, mandatory national standards that are more stringent or ambitious than the corresponding Union standards, or mandatory national standards adopted in the absence of Union standards. In that context, please provide information to demonstrate the incentive effect.

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1. In cases where the relevant Union standard has already been adopted but is not yet in force, please demonstrate that the aid has an incentive effect because it incentivises the investment to be implemented and finalised at least 18 months before the standard enters into force.

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| No breach of any relevant provision of Union law |

*To provide the information in this section, please refer to section 3.1.3 (point 33 of the CEEAG).*

1. Please provide information to confirm the compliance with the relevant provisions of EU law, in line with point 33 of the CEEAG (see e.g. question 49 regarding compliance with Regulation (EU) 2019/943).

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1. If a levy is used to finance the measure(s) (see question 54 below), please clarify if:

* 1. the levy is imposed equally on domestic and imported products;

* 1. the notified measure will benefit equally domestic and imported products.

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| *Negative condition: the aid cannot unduly affect trading conditions to an extent contrary to the common interest* |

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| 2.1. Minimisation of distortions of competition and trade |

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| Necessity of the aid |

*To provide the information in this section, please refer to section 4.8.4.1 (points 331-339 of the CEEAG).*

1. Point 331 of the CEEAG provides that the nature and causes of the security of electricity supply problem, and therefore of the need for State aid to ensure security of electricity supply, must be properly analysed and quantified, including when and where the problem is expected to arise with reference where applicable to the reliability standard as defined in Article 25 of Regulation (EU) 2019/943.

Please provide an analysis identifying and quantifying the security of electricity supply problem. Please provide in the answer details in view of the considerations set out in points 331-333 of the CEEAG.

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1. In line with point 334 of the CEEAG and for measures related to the risk of electricity crises, please provide the national risk-preparedness plan provided for in Article 11 of Regulation (EU) 2019/941 in which the proposed measure should be identified.

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1. In line with point 335 of the CEEAG and in case of a proposal to introduce several measures targeting security of electricity supply, please clearly explain how they interact with one another in ensuring the overall cost effectiveness of the combined measures for ensuring security of supply, for example as regards capacity mechanisms by explaining how they reach (but do not go beyond) the reliability standard referred to in point 331.

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1. In line with point 336 of the CEEAG, please identify the regulatory or market failure(s), along with any other issues preventing a sufficient level of security of electricity supply (and of environmental protection if relevant) being achieved in the absence of intervention.

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1. In line with point 337 of the CEEAG, please identify existing measures that already target the market or regulatory failure(s) or other issues identified in point 336. In as far as appropriate you may refer to the evidence already provided in response to question 16 above.

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1. In line with point 338 of the CEEAG, please demonstrate the reasons why the market cannot be expected to deliver security of electricity supply in the absence of State aid, taking account of market reforms and improvements planned by the Member State and technology developments.

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1. Please provide the following information set out in point 339 of the CEEAG:
   1. Assessment of the impact of variable generation, including that originating from neighbouring systems.

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* 1. Assessment of the impact of demand-side and storage participation, including a description of measures to encourage demand side management.

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* 1. Assessment of the actual or potential existence of interconnectors and major internal transmission grid infrastructure, including a description of projects under construction and planned.

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* 1. Assessment of any other element which might cause or exacerbate the security of electricity supply problem, such as caps on wholesale prices or other regulatory or market failures. Where applicable, please provide and take into account the implementation plan for measures eliminating any identified regulatory distortions or market failures, as well as the opinion of the Commission on such implementation plan under Article 20(3) and (5) of Regulation (EU) 2019/943.

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* 1. Any relevant content in an action plan under Article 15 of the Regulation (EU) 2019/943.

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| Appropriateness |

*To provide the information in this section, please refer to section 4.8.4.2 (points 341-342) of the CEEAG.*

1. In order to assess the compliance with point 341 of the CEEAG:
   1. Please explain which alternative ways of achieving security of electricity supply have been considered, in particular more efficient electricity market design that can alleviate the market failures that undermine security of electricity supply. In this respect, point 341 CEEAG provides examples of improvements to electricity market design (improving the functioning of electricity imbalance settlement, better integrating variable generation, incentivising and integrating demand response and storage, enabling efficient price signals, removing barriers to cross-border trade, and improving infrastructure, including interconnection.).

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* 1. Please demonstrate that despite appropriate and proportionate improvements to market design and investments in network assets, whether already implemented or planned, a security of supply concern remains (point 341 of the CEEAG).

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1. For network congestion measures, in addition please explain how the efficiency of redispatch measures is being improved in line with Article 13 of Regulation (EU) 2019/943 (point 342 of the CEEAG).

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| Eligibility |

*To provide the information in this section, please refer to section 4.8.4.3 (points 343-346) of the CEEAG.*

1. To demonstrate compliance with point 343 of the CEEAG, please confirm that the measure will be open to all beneficiaries or projects technically capable of contributing efficiently to the achievement of the security of supply objective (e.g. generation, storage, demand response, aggregation of small units into larger blocks).

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1. In line with point 344 of the CEEAG, please explain whether there are any limitations on participation in the proposed security of supply measure that aim to ensure that the measure does not undermine environmental protection.

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1. If the notified security of supply measure includes additional criteria or features to promote the participation of greener technologies (or reduce the participation of polluting technologies) necessary to support the delivery of the Union’s environmental protection objectives, please demonstrate that such additional criteria or features are objective, transparent and non-discriminatory in relation to clearly identified environmental protection objectives, and will not result in the overcompensation of beneficiaries (point 345 of the CEEAG).

1. In line with point 346 of the CEEAG:
   1. Please indicate whether the measure for security of electricity supply will be open to direct cross-border participation of capacity providers located in another Member State. If not, please provide a justification.

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* 1. Please demonstrate that foreign capacity capable of providing equivalent technical performance to domestic capacities will have the opportunity to participate in the same competitive process as domestic capacity.

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* 1. If applicable, please demonstrate compliance with the relevant rules set out in Article 26 of Regulation (EU) 2019/943 on cross-border participation in capacity mechanisms.

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| Public consultation |

*To provide the information in this section, please refer to section 4.8.4.4 (points 348-351) of the CEEAG.*

1. Please explain whether or not the measure requires a public consultation under Section 4.8.4.4, and if not, why not.

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1. If the measure requires a public consultation, please:
   1. Specify the duration of the public consultation and provide a summary of the main issues covered.

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* 1. In line with the requirements in point 350 of the CEEAG, please provide the address of the public website where consultation questionnaires and the government’s summary of the responses will be/are published.

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| Proportionality |

*To provide the information in this section, please refer to section 3.2.1.3 (points 49-53 and 55) and section 4.8.4.5. (points 353-357) of the CEEAG. Please note that the following two sections 2.1.5.1. and 2.1.5.2. are alternative. Please provide replies only to the applicable section, depending on the design of the proposed measure*

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| Proportionality of aid granted through a competitive bidding process |

*To provide the information in this section, please refer to section 3.2.1.3 (points 49, 50, 51, 52, 53 and 55) and points* *353, 354 and 356 of the CEEAG.*

*For aid granted without a competitive bidding process, this section is not applicable. For such measures, please go directly to section 2.1.5.2.*

1. In order to assess compliance with point 353 CEEAG, and in case not already provided in response to question 16 above, please provide an analysis used to set the level of demand in the notified security of supply measure based on the reliability standard or cost benefit analysis. Please confirm that the analysis used to set the level of demand is at most 12 months old at the point in time when the demand level is set.

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1. In line with point 354 of the CEEAG, please demonstrate that the lead-time between the granting of the aid and the deadline by when projects must be delivered will allow effective competition between the various eligible projects.

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1. In line with point 356 of the CEEAG, please demonstrate that the beneficiaries of security of supply measures will have efficient incentives to contribute to security of supply during the delivery period. These incentives should in general be related to the value of lost load (VoLL) as determined according to Article 11 of Regulation (EU) 2019/943.

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1. In order to verify the compliance with points 49 and 50 of the CEEAG, please provide the following:
2. Please explain how the authorities ensure that the bidding process is open, clear, transparent and non-discriminatory, based on objective criteria, defined ex ante in accordance with the objective of the measure and minimising the risk of strategic bidding (point 49(a) of the CEEAG).

1. The selection criteria used for ranking the bids, and ultimately identifying the level of aid in the competitive bidding process. More specifically:
   1. Please provide the list of the selection criteria and specify which of them are/are not directly or indirectly related to the main objectives of the measure. Please include their weighting.

* 1. Please explain how the selection criteria put the contribution to the main objectives of the measure(s) in direct or indirect relation with the aid amount requested by the applicant. This may be expressed, for example, in terms of aid per unit of environmental protection or aid per unit of energy (point 50 and footnote 44 of the CEEAG).

* 1. In case there are other selection criteria that are not directly or indirectly related to the main objectives of the measure, please provide reasons for the proposed approach and explain how it is appropriate to the objectives pursued by the measure. Please also confirm that those criteria account for no more than 30 % of the weighting of all the selection criteria (point 50 of the CEEAG).

* 1. Please explain how far in advance of the deadline for submitting applications in each competitive bidding process the selection criteria will be published (point 49(b) and footnote 43 of the CEEAG).

1. Please confirm that the budget or the volume related to the bidding process is a binding constraint in that it can be expected that not all bidders will receive aid (point 49(c) of the CEEAG).

1. Please provide information on the number of bidding rounds envisaged and expected number of bidders in the first round and over time.

1. In case of one or more undersubscribed bidding processes, please explain how the design of bidding processes will be corrected during the implementation of the scheme to restore effective competition and when (point 49(c) of the CEEAG).

1. Please confirm that *ex post* adjustments to the bidding process outcome (such as subsequent negotiations on bid results or rationing) are avoided (point 49(d) of the CEEAG).

1. In case there is a possibility of ‘*zero subsidy bids*’, please explain how proportionality will be ensured.

1. Please clarify if the authorities foresee the use of price floors or caps in the competitive bidding process. In the affirmative, please justify their use and explain how they do not constrain the competitive bidding process[[5]](#footnote-6) (point 49 and footnote 42 of the CEEAG).

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| Proportionality of aid not granted through a competitive bidding process |

*To provide the information in this section, please refer to points 51-55 and 353 to 357 of the CEEAG*.

*This section does not apply to measures in which aid is granted through a competitive bidding process. For such measures, please reply to section 2.5.1.1 above instead.*

1. In order to assess compliance with point 353 of the CEEAG, and in case not already provided in response to question 16 above, please provide an analysis used to set the level of demand in the notified security of supply measure based on the reliability standard or cost benefit analysis. Please confirm that the analysis used to set the level of demand is at most 12 months old at the point in time when the demand level is set.

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1. In line with point 354 of the CEEAG, please demonstrate that the lead-time between the granting of the aid and the deadline by when projects must be delivered will allow effective competition between the various eligible projects.

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1. In line with point 356 of the CEEAG, please demonstrate that the beneficiaries of security of supply measures will have efficient incentives to contribute to security of supply during the delivery period. These incentives should in general be related to the value of lost load (VoLL) as determined according to Article 11 of Regulation (EU) 2019/943.

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1. Please explain why a competitive bidding process is not used (pursuant to point 355 of the CEEAG).

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1. In the case of aid schemes, please provide a list of reference projects and an explanation for why these have been defined (for example, explaining that within each reference project the costs and revenues can be expected to be broadly similar). For the avoidance of doubt, a reference project is an example project that is representative of the average project in a category of eligible beneficiaries for an aid scheme (point 19(63) of the CEEAG).

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1. Pursuant to point 51 of the CEEAG, for each reference project (in the case of aid schemes) or for each beneficiary (in the case of individual aid), please demonstrate that the aid does not exceed the minimum necessary, i.e. the difference between the net present value (NPV) for the factual scenario and the NPV for the counterfactual scenario over the lifetime of the reference project or the project. For this assessment, please submit a quantification, for the factual scenario and for a realistic counterfactual scenario,[[6]](#footnote-7) of all main costs and revenues, the estimated weighted average cost of capital (WACC) of the beneficiaries (or of the reference projects in the case of aid schemes) to discount future cash flows, as well as the NPV for the factual and counterfactual scenarios, over the lifetime of the project/reference project.
2. Please provide this in an Annex to this notification form (using an Excel file where all formulas are visible).

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1. Please include detailed information on the assumptions, methodologies, rationale and underlying sources thereof, used for each aspect of the quantification of costs and revenues in the factual scenario and the likely counterfactual scenario (for instance please include the assumptions used to develop those scenarios and the source/rationale for these assumptions).

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1. You may also attach to this notification form the documents mentioned in footnote 39 of the CEEAG. Board documents may be particularly useful for individual aid measures or schemes benefitting a particularly limited number of beneficiaries. If such documents are attached to the notification form, please provide below a list of those documents, specifying the author, the date when they were drafted and the context when they were used.

1. If point 55 of the CEEAG is applicable, please provide information on the compensation models that the Member State might intend to introduce (a mix of *ex ante* and *ex post* or *ex post* claw-back or cost monitoring mechanisms).

If point 55 of the CEEAG is not applicable for the measure(s), please provide a justification.

1. If the notified measure(s) takes the form of a competitive certificates or supplier obligation scheme (point 357 of the CEEAG), please:
2. confirm that demand in the scheme will be set below potential supply; and

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1. explain how the buyout/penalty price will be established and ensures that there will be no overcompensation.

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| Cumulation |

*To provide the information in this section, please refer to points 56 and 57 of the CEEAG*.

1. In as far as not already provided under Part I of the general notification form and in order to verify compliance with point 56 of the CEEAG, please clarify if the aid under the notified measure may be awarded concurrently under several aid schemes or cumulated with ad hoc or *de minimis* aid in relation to the same eligible costs. If that is the case, please provide details on those aid schemes, ad hoc aid or *de minimis* aid and how the aid will be cumulated. Please note that you may wish to refer to the quantification provided above.

1. If point 56 of the CEEAG is applicable, please justify how the total amount of aid granted under the notified measure(s) for a project or an activity does not lead to overcompensation or exceed the maximum aid amount allowed under the CEEAG. The maximum aid amount allowed under the CEEAG is either the amount of aid factored in the successful bid or, in the absence of a competitive process, the funding gap taking into account all main revenues including other sources of aid (point 51 of the CEEAG). Please specify, where aid granted under the notified aid measure(s) can be cumulated with State aid under another instrument, the method used for ensuring compliance with the conditions set out in point 56 of the CEEAG.

1. In case point 57 of the CEEAG is applicable, i.e. the aid granted under the notified measure(s) is combined with centrally managed Union funding[[7]](#footnote-8) (that does not constitute State aid), please justify how the total amount of public funding granted in relation to the same eligible costs does not lead to overcompensation

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| Transparency |

*To provide the information in this section, please refer to section 3.2.1.4 (points 58-61) of the CEEAG.*

1. Please confirm that the Member State will comply with the requirements on transparency provided in points 58-61 of the CEEAG.

1. Please provide the internet link where the full text of the approved aid scheme or the individual aid granting decision and its implementing provisions, and information on each individual aid award granted ad hoc or under an aid scheme approved on the basis of the CEEAG and exceeding EUR 100 000 will be published.

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| Avoidance of undue negative effects on competition and trade and balancing |

*To provide the information in this section, please refer to section 4.8.5 (points 359-370) and section 3.3 (points 71-76) of the CEEAG.*

1. In order to verify compliance with points 359, 360 and 361 of the CEEAG, please:
2. demonstrate (in case not already provided in response to question 23 above) that the aid is designed to maintain the efficient functioning of markets and preserve efficient operation incentives and price signals.

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1. confirm the absence of incentives for the generation of energy that would displace less polluting forms of energy.

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1. indicate whether the measure pays for capacity (EUR per megawatt (MW)) or for electricity output (EUR/MWh).

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1. Please provide evidence that the measure meets any applicable design conditions in Article 22 of Regulation (EU) 2019/943 (point 362 of the CEEAG).

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1. For strategic reserves and any other measure(s) for resource adequacy, including interruptibility schemes, where capacity is held outside the market, to ensure market price formation is not distorted, please demonstrate, in line with point 363 of the CEEAG, that the following cumulative conditions are met:
   1. The resources of the measure(s) are to be dispatched only if the transmission system operators are likely to exhaust their balancing resources to establish an equilibrium between demand and supply.

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* 1. During imbalance settlement periods where resources in the measure(s) are dispatched, imbalances in the market are to be settled at least at VOLL or at a higher value than the intraday technical price limit, whichever is higher.

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* 1. The output of the measure(s) following dispatch is to be attributed to balance responsible parties through the imbalance settlement mechanism.

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* 1. The resources do not receive remuneration from the wholesale electricity market or balancing markets.

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* 1. The resources in the measure(s) are to be held outside the energy markets for at least the duration of the contractual period.

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1. For network congestion measures, where resources are held outside the market, please confirm that those resources will not receive remuneration from the wholesale electricity market or balancing markets and that they will be held outside the energy markets for at least the duration of the contractual period (point 364 of the CEEAG).

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1. For capacity mechanisms other than strategic reserves, please demonstrate, in line with point 365 of the CEEAG, that the measure:
   1. Is constructed so as to ensure that the price paid for availability automatically tends to zero when the level of capacity supplied is expected to be adequate to meet the level of capacity demanded.

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* 1. Remunerates the participating resources only for their availability and ensure that the remuneration does not affect decisions of the capacity provider on whether or not to generate.

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* 1. Enables capacity obligations to be transferable between eligible capacity providers.

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1. In order to verify compliance with point 366 of the CEEAG, please demonstrate that the measure will not:
2. Create undue market distortions nor limit cross-zonal trade.

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1. Reduce incentives to invest in interconnection capacity – for example by reducing congestion revenue for existing or new interconnectors.

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1. Undermine market coupling, including intra-day and balancing markets.

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1. Undermine investment decisions on capacity which preceded the measure.

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1. In order to verify compliance with point 367 of the CEEAG, please demonstrate that the costs of the notified measure will be borne by the market participants who contribute to the need for the measure(s). If you consider that such a cost allocation is not required, please explain why this is the case and provide evidence, including that gathered in the public consultation. [[8]](#footnote-9)

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1. Pursuant to point 72 of the CEEAG, please justify the compliance of the notified measure with the criteria for environmentally sustainable economic activities provided in Article 3 of the Regulation (EU) 2020/852 of the European Parliament and of the Council[[9]](#footnote-10), including the ‘do no significant harm’[[10]](#footnote-11) principle, or other comparable methodologies.

1. Pursuant to point 75 of the CEEAG, in cases where the Member State chooses to implement a competitive bidding procedure, please clarify if the notified measure includes features to facilitate the participation of SMEs or renewable energy communities. In the affirmative, please provide information on those features and justify how the positive effects of ensuring participation and acceptance of SMEs in the notified measure(s) outweigh the possible distortive effects.

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1. In order to verify compliance with points 368 and 369 of the CEEAG, please:
2. If the notified measure incentivises new investments in the most polluting fossil fuels, explain whether the measure, including network congestion measures and interruptibility schemes, respects the emissions threshold applicable to capacity mechanisms set out in Article 22 of Regulation (EU) 2019/943.

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1. If the notified measure incentivises new investments in energy generation based on natural gas, explain how the measure will ensure that it contributes to achieving the Union’s 2030 climate target and 2050 climate neutrality target. In particular, explain how a lock in of this gas-fired energy generation or gas-fired production equipment will be avoided.

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1. For individual aid measures or schemes benefitting only a particularly limited number of beneficiaries or an incumbent beneficiary, in addition, please demonstrate that the proposed aid measure will not lead to increased market power (point 370 of the CEAAG).

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| **Section C: Evaluation** |

*To provide the information in this section, please refer to point 76(a) and Chapter 5 (points 455-463) of the CEEAG.*

1. If the notified measure(s) exceed the budget/expenditure thresholds in point 456 of the CEEAG, please either explain why in your view the exception in point 457 of the CEEAG should apply, or attach to this notification form an Annex that includes a draft evaluation plan covering the scope mentioned in point 458 of the CEEAG.[[11]](#footnote-12)

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1. If a draft evaluation plan is provided, please:
   * 1. provide below a summary of that draft evaluation plan included in the Annex.

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* + 1. confirm that point 460 of the CEEAG will be respected.

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* + 1. provide the date and internet link where the evaluation plan will be publicly available.

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1. In order to verify the compliance with point 459(b) of the CEEAG, in case the aid scheme is not currently subject to an *ex post* evaluation, and its duration exceeds three years, please confirm that you will notify a draft evaluation plan within 30 working days following a significant modification increasing the budget of the scheme to over EUR 150 million in any given year or EUR 750 million over the total duration of the scheme.

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1. In order to verify the compliance with point 459(c) of the CEEAG, in case the aid scheme is not currently subject to an *ex post* evaluation, please provide below a commitment that the Member State will notify a draft evaluation plan within 30 working days after recording in official accounts expenditures in excess of EUR 150 million in the previous year.

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1. In line with the provisions of point 461 of the CEEAG:
2. Please clarify if the independent expert has already been selected or it will be selected in the future.

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1. Please provide information on the selection procedure of the expert.

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1. Please justify how the expert is independent from the granting authority.

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1. In line with the provisions of point 461 of the CEEAG:
2. Please provide your proposed deadlines for the submission of the interim and final evaluation report. Please note that final evaluation report must be submitted to the Commission in due time to allow for the assessment of the possible prolongation of the aid scheme and at the latest 9 months before its expiry, in line with point 463 of the CEEAG. Please note that that deadline could be reduced for schemes triggering the evaluation requirement in their last 2 years of implementation.

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1. Please confirm that the interim and final evaluation report will be made public. Please provide the date and internet link where those reports will be publicly available.

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| **Section D: Reporting and monitoring** |

*To provide the information in this section, please refer to Section 6 (points 464-465) of the CEEAG.*

1. Please confirm that the Member State will comply with the requirements for reporting and monitoring provided in Section 6, points 464 and 465, of the CEEAG.

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1. OJ C 80, 18.2.2022, p.1. [↑](#footnote-ref-2)
2. Please note that for an aid scheme, the duration is the period during which aid may be applied for and decided upon (including thus the time needed for the national authorities to approve the aid applications). The duration referred to under this question does not relate to the duration of the contracts concluded under the aid scheme, which may continue beyond the duration of the measure. [↑](#footnote-ref-3)
3. Please note that a change to the actual or estimated budget may be an alteration of aid, requiring a new notification. [↑](#footnote-ref-4)
4. According to point 19(89) of the CEEAG, ‘Union standard’ means:

   *a mandatory Union standard setting the levels to be attained in environmental terms by individual undertakings, excluding standards or targets set at Union level which are binding for Member States but not for individual undertakings;*

   *the obligation to use the best available techniques (BAT), as defined in Directive 2010/75/EU, and to ensure that emission levels do not exceed those that would be achieved when applying BAT; where emission levels associated with the BAT have been defined in implementing acts adopted under Directive 2010/75/EU or under other applicable directives, those levels will be applicable for the purpose of these guidelines; where those levels are expressed as a range, the limit for which the BAT is first achieved for the undertaking concerned will be applicable.* [↑](#footnote-ref-5)
5. Please note that footnote 42 of the CEEAG provides that *“Price floors or caps that constrain the competitive process undermining proportionality, even if at zero, should be avoided.”* [↑](#footnote-ref-6)
6. Please refer also to the further information in points 51-53 as well as footnotes 45, 46, and 55 of the CEEAG. [↑](#footnote-ref-7)
7. Centrally managed union funding is Union funding centrally managed by the institutions, agencies, joint undertakings or other bodies of the European Union that is not directly or indirectly under the control of the Member State. [↑](#footnote-ref-8)
8. According to point 367 of the CEEAG, “*such a cost allocation may not be required where the Member State provides analysis based on evidence, including that gathered in the public consultation, that allocating costs in this way would undermine the cost effectiveness of the measure or result in severe competition distortions that would clearly undermine the potential benefits of such a cost allocation*. [↑](#footnote-ref-9)
9. Regulation (EU) 2020/852 of the European Parliament and of the Council of 18 June 2020 on the establishment of a framework to facilitate sustainable investment, and amending Regulation (EU) 2019/2088 (OJ L 198, 22.6.2020, p. 13). [↑](#footnote-ref-10)
10. Please note that according to footnote 50 of the CEEAG, *“For measures which are identical to measures within Recovery and Resilience Plans as approved by the Council, their compliance with the ‘Do no significant harm’ principle is considered fulfilled as this has already been verified.”* [↑](#footnote-ref-11)
11. The template for the supplementary information sheet for the notification of an evaluation plan (Part III.8) is accessible here: <https://competition-policy.ec.europa.eu/state-aid/legislation/forms-notifications-and-reporting_en#evaluation-plan> [↑](#footnote-ref-12)