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| Part III.6   Updated\* 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 4.1 - Aid for the reduction and removal of greenhouse gas emissions including through support for renewable energy and energy efficiency  \* not yet formally adopted |

*This supplementary information sheet 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 supplementary information sheet concerns measures covered in Chapter 4.1 of the CEEAG. If the notification includes measures that are covered by more than one chapter of the CEEAG, please once available also fill in the respective supplementary information sheet that concerns the respective chapter of the CEEAG.*

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

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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 5.1 of the General Information Form (Part. I), please provide the background and the main objective, including any Union targets for reduction and removal of greenhouse gas emissions that the measure is intended to support.

1. Please indicate any other objectives pursued by the measure. For any objectives that are not purely environmental, please explain whether they may result in any distortions to the internal market.

1. **National legal basis, 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 aid scheme is planned to enter into force;

1. Please indicate the duration of the scheme.[[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 (potential) 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(s) 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 aid measure(s).

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 and financing of the measure(s)**.
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)

1. If the measure is financed through a levy, please clarify if:
   1. the levy is set by law or any other legislative act; in the affirmative, please provide the legal act, number and date when adopted and entered into force, the internet link to the legal act;

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

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

* 1. the levy finances fully the measure or only partly. If the levy finances only partly the measure, indicate the other sources of financing of the measure and their respective proportion;

* 1. the levy financing the notified measure also finances other aid measures. If so, indicate the other aid measures financed by the concerned levy.

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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 4.1.1. (point 77) and 4.1.2. (points 78-88) of the CEEAG.*

1. Article 107(3)(c) 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 Treaty 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.

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. In addition, please highlight to what extent the aid relates to the policies described under point 77 of the CEEAG.

1. Please describe the eligibility of 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).

1. Please provide information on the precise scope and precise supported activities of the aid measure(s), as provided in section 4.1.2. (points 78-88) of the CEEAG.
2. For aid for renewable energy, please specify if all types of renewable energy are supported and describe the precise scope for each concerned renewable energy source and provide information showing that the scope corresponds to the types of renewable energy fulfilling the conditions provided in points 79-82 of the CEAAG.

1. For other aid for the reduction and removal of greenhouse gas emissions and energy efficiency, please provide the precise scope as well as the information showing that the scope fulfils the conditions provided in points 83-88 of the CEEAG.

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| Incentive effect |

*To provide the information in this section, please refer to section 3.1.2 (points 26-32) of the CEEAG.*

1. Aid can be considered as facilitating an economic activity only if it has an incentive effect. In order to assess the compliance with point 26 of the CEEAG, please explain how the measure(s) “*induces the beneficiary to change its behaviour, to engage in additional economic activity or in more environmentally-friendly economic activity, which it would not carry out without the aid or would carry out in a restricted or different manner”.*

1. Pursuant to point 28 of the CEEAG, please provide a comprehensive description of the factual scenario expected to result from the aid measure and the likely counterfactual scenario(s) absent the aid measure.[[4]](#footnote-5) Where you expect that different categories of beneficiaries may be supported, please ensure that the counterfactual is credible for each of these categories.

1. Please briefly explain the rationale for the choice of the likely counterfactual scenario(s), in view of the proposed different categories of beneficiaries if applicable.
   1. Where aid is granted without a competitive bidding process, please justify the change of behaviour where relevant for each category of beneficiary, based on the respective reference project, the corresponding counterfactuals and resulting funding gap in line with the quantification to be provided under question 20 below.

*OR*

* 1. Where aid is granted based on a competitive bidding process, please justify the change of behaviour (where relevant for each category of beneficiary/ reference project) using the same evidence as required under (i) above, or alternatively provide relevant evidence based on other quantitative or qualitative evidence, including market studies, investor plans, financial reports, internal business plans, expert opinions, information about comparable projects in other regions, including bids made by similar projects in recent comparable competitive bidding processes.[[5]](#footnote-6)

1. In order to assess the compliance with point 27 of the CEEAG, please provide information to confirm that the aid does not support the costs of an activity that the aid beneficiary would anyhow carry out and does not compensate for the normal business risk of an economic activity*.*

1. In order to demonstrate the compliance with points 29, 30 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. Please demonstrate that the project falls within one of the exceptional cases provided in point 31 of the CEEAG ((a), (b) or (c)) which started before the aid application.

1. In order to demonstrate compliance with point 32 of the CEEAG, please indicate if there are Union standards[[6]](#footnote-7) applicable to the notified measure(s), 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.

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.

1. If a levy is used to finance the measure(s), please clarify if the assessment of compliance with Article 30 and 110 TFEU needs to be carried out. In the affirmative, please demonstrate how the measure complies with the provisions of Article 30 and 110 TFEU.In this context, the information submitted under question 5.ii above, where the notified measure(s) is financed through a levy can be referred to.

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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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| Minimisation of distortions of competition and trade |

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| Quantification requirements depending on the design of the measure |

*Member States are required to submit quantitative evidence that is relevant for several parts of the sections below, in particular on the necessity and proportionality of aid. In order to simplify the provision of information, the relevant data required is grouped under this section of the notification form and should be referred to in the relevant sections below (see notably questions 30, 31, 38, 41, 42, and 55 below). The level of detail required depends on the specific measure proposed. The following sub-sections 2.1.1.1 to 2.1.1.3 are accordingly alternative: please only provide replies to the relevant sub-section, depending on the design of the proposed measure.*

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| Schemes without competitive bidding or ad hoc aid notifications |

*Where aid will be granted without a competitive bidding procedure, quantitative evidence is required, taking into account the counterfactual situation as well as relevant costs and revenues including those linked to the ETS, demonstrating that the reference project, or each beneficiary’s project if the notified measure benefits only one or a particularly limited number of beneficiaries would not be carried out without the aid.* ***In such situations, a full funding gap assessment will be required*** *to quantify the required net extra costs. Therefore, please provide the following for such types of measures:*

1. Pursuant to point 51 of the CEEAG, the typical net extra costs can be estimated as the difference between the NPV for the factual scenario and the counterfactual scenario over the lifetime of the project or per reference project where applicable. For this assessment, please submit a quantification, for the factual scenario and a realistic counterfactual scenario[[7]](#footnote-8) identified in reply to question 12 above, of all main costs and revenues, the estimated weighted average cost of capital (WACC) of the beneficiaries (or reference projects) to discount future cash flows, as well as the net present value (NPV) for the factual and counterfactual scenarios, over the lifetime of the project/reference project.[[8]](#footnote-9)
2. Please provide this in an Annex to this notification form (using an Excel file where all formulas are visible).
3. 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).
4. 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 the notified measure(s) involves an aid scheme with a duration exceeding 3 years, please confirm that you will update, as required by point 92 of the CEEAG, the analysis of relevant costs and revenues of reference projects, to ensure that aid remains necessary for each category of beneficiary.

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| Schemes with competitive bidding open to all eligible beneficiaries |

*While point 49 of the CEEAG clarifies that a detailed assessment of net extra costs will not be required if the aid amounts are determined through a competitive bidding process, it needs to be shown also including quantitative evidence that the bidding process is actually competitive. Pursuant to the first sentence of point 104 of the CEEAG, the bidding process should, in principle, be open to all eligible beneficiaries to enable a cost-effective allocation of aid and reduce competition distortions, where this is the case, please explain the following:*

1. Please explain the elements on which you based the assumption that the bidding process will be open and properly subscribed, i.e. that it can be expected that not all bidders will receive aid and that the number of expected bidders is sufficient to ensure effective competition for the duration of the scheme (point 49(c) of the CEEAG). In your explanation, please take into account the budget or volume of the scheme. Where relevant, please refer to the evidence provided in reply to questions 12 and 13 above.

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1. Please explain whether bid caps will be used. Where the analysis provided in response to questions 12 and 13 above or questions 30 and 42 below shows there may be a significant deviation between the expected bid levels of different categories of beneficiaries, please explain how overcompensation of cheaper technologies will be avoided (see point 106 of the CEEAG). If bid caps are proposed, please provide the relevant quantitative evidence to justify the foreseen levels for example by referring to the evidence already provided in reply to questions 12 and 13 above.

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| Schemes with competitive bidding limited to one or more specific categories of beneficiaries |

*While in principle, pursuant to the first sentence of point 104 of the CEEAG, bidding processes should be open to all eligible beneficiaries. However, pursuant to the second sentence of point 104 of the CEEAG, the bidding process may also be limited to one or more specific categories of beneficiary. Where this is the case, please provide the following:*

1. Please provide in line with point 104(a) of the CEEAG a specific justification why a single bidding process open to all eligible beneficiaries would lead to a suboptimal result or not allow the achievement of the objectives of the measure. In your reply, you may refer to the specific criteria listed in point 96 of the CEEAG.

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1. According to point 104(b) and point 105 of the CEEAG, limitations in the bidding process can be justified, if the expected bids diverge by more than 10% between different categories of beneficiaries. Where this is expected to be the case, please describe for each category of beneficiary the expected bid level, using evidence for example as provided in reply to questions 12 and 13 above, justifying the difference between the categories chosen.

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1. Please explain the elements on which you based the assumption that the bidding process for each category will be open and properly subscribed, i.e. that it can be expected that not all bidders will receive aid and that the number of expected bidders is sufficient to ensure effective competition for the duration of the scheme (point 49(c) of the CEEAG). In your explanation, please take into account the budget or volume of the scheme. Where relevant, please refer to the evidence provided in reply to questions 12 and 13 above.

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1. If the notified measure(s) involves an aid scheme with a duration exceeding 3 years, please confirm that you will update, as required by point 92 of the CEEAG, the analysis of relevant costs and revenues for the different categories, to ensure that aid remains necessary for each category of beneficiary. In addition, please confirm that point 105 of the CEEAG will be respected.

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1. Please explain whether bid caps will be used. Where the analysis provided in response to questions 12 and 13 above or questions 30 and 42 below shows there may be a significant deviation between the expected bid levels of different categories of beneficiaries, please explain how overcompensation of cheaper technologies will be avoided (see point 106 of the CEEAG). If bid caps are proposed, please provide the relevant quantitative evidence to justify the foreseen levels for example by referring to the evidence already provided in reply to questions 12 and 13 above.

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| Necessity of the aid |

*To provide the information in this section, please refer to section 4.1.3.1. (points 89-92) of the CEEAG.*

1. In line with point 89 of the CEEAG, please identify any policy measures already in place to reduce greenhouse gas emissions, in particular those that apply to the sectors concerned by the measure(s).

1. In order to assess compliance with the first sentence of point 90 of the CEEAG, please demonstrate, using where relevant also the evidence provided already in reply to question 12 above, that the aid is needed for the proposed activities taking into account the counterfactual situation as well as relevant costs and revenues including those linked to the ETS and related policies and measures provided under question 29 above.

1. In order to assess compliance with the second sentence of point 90 of the CEEAG, please explain whether there is significant uncertainty concerning future market developments related to a large part of the business case. If so, please a) describe the significant uncertainty concerning future market developments, b) describe the form of the support and in particular whether it takes the form of a certain guaranteed remuneration to limit exposure to negative scenarios is envisaged and c) explain whether limits to profitability and/or a claw-back (i.e. a mechanism for recovering potential excess aid as a result of a possible positive scenario e.g. with high future revenues or low future costs) is proposed as part of the measure(s) to ensure proportionality.

1. If the notified measure(s) involves an aid scheme with a duration exceeding 3 years, please confirm that you will update, as required by point 92 of the CEEAG, the analysis of relevant costs and revenues for the different categories, to ensure that aid remains necessary for each category of beneficiary.

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| Appropriateness |

*To provide the information in this section, please refer to section 4.1.3.2 (points 93-94) of the CEEAG.*

1. If the notified measure(s) involves energy performance contracting, please specify the form of this aspect of the aid (see point 94 of the CEEAG).

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| Eligibility |

*To provide the information in this section, please refer to section 4.1.3.3. (points 95-97) of the CEEAG.*

1. In order to verify the compliance with points 95 and 96 of the CEEAG, for measures which do not include all technologies and projects that are in competition, please give detailed reasons for the limited eligibility.

1. If the notified measure(s) involves a scheme, please confirm that the eligibility rules and any rules related thereto will be kept under review as required by point 97 of the CEEAG.

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| Public consultation |

*To provide the information in this section, please refer to section 4.1.3.4 (points 98-102) of the CEEAG.*

1. Please explain whether or not the measure(s) requires a public consultation under Section 4.1.3.4, and if not, why not.

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:

* 1. In line with the requirements in point 101 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 47-57) and section 4.1.3.5. (points 103-113) of the CEEAG. Please note that the following two sections 2.1.6.1. and 2.1.6.2. 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 points 49, 50, 103-106 and 111-112 of the CEEAG*.

1. In order to verify the compliance with points 49, 50 and 103 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). Where applicable please also refer to your replies provided already in response to questions 22 or 26 above.

1. The selection criteria used for ranking the bids, and ultimately identifying the level of aid in the competitive bidding process. Where relevant, please refer to the evidence provided in reply to questions 12 or 13 above. 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(s). 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(s), please provide reasons for the proposed approach and explain how it is appropriate to the objectives pursued by the measure(s). 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). Where relevant, please refer to your replies to questions 22 or 26 above as applicable.

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 in case 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. 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 (point 49 and footnote 42 of the CEEAG).

1. Please confirm that, when designing the notified measure(s), the information on support already received from the mass balance system documentation under Article 30 of Directive (EU) 2018/2001 was taken into account (point 111 of the CEEAG).

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1. Please explain whether the notified measure(s) involve the transfer of concession rights, grid connection rights or other benefits, and if so how these rights are allocated (point 112 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 107-113 of the CEEAG*.

1. Please explain why a competitive bidding process is not used (pursuant to point 107 of the CEEAG). Please refer to your replies provided in the response to question 20 above as appropriate.

1. Please demonstrate that the aid does not exceed the minimum necessary, i.e. the difference between the NPV for the factual scenario and for the counterfactual scenario over the lifetime of the reference project, by referring to the quantification submitted in the response to question 20 above or in the case of 52 CEEAG that the aid does not exceed the NPV of the factual scenario. Where you expect that different categories of beneficiaries may receive aid under the notified measure, please provide the above-mentioned explanation for each category of beneficiaries.

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 to the measure(s), please provide a justification.

1. Please confirm that, when designing the notified measure(s), the information on support already received from the mass balance system documentation under Article 30 of Directive (EU) 2018/2001 was taken into account (point 111 of the CEEAG).

1. Please explain whether the notified measure(s) involve the transfer of concession rights, grid connection rights or other benefits, and if so how these rights are allocated (point 112 of the CEEAG).

1. If the notified measure(s) takes the form of a competitive certificate or supplier obligation scheme (point 108 of the CEEAG), please:
   1. confirm that demand in the scheme will be set below potential supply;
   2. explain how the buyout or penalty price will be established; and
   3. where the measure involves biomass, explain how information on support already received from the mass balance system will be taken into account.

1. If the notified measure(s) takes the form of a reduction in taxes or parafiscal levies, please:
   1. Provide a detailed description of the taxes and/or parafiscal levies that will be reduced (including their purpose, how they are charged across the base, the methodology to calculate the rate and the entities involved in setting and reviewing the rate as well as in collecting and managing the revenues raised). On this basis, demonstrate that the proposed measure does not involve reductions in taxes or levies reflecting the essential costs of providing energy or related services, such as network charges or charges financing capacity mechanisms.

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* 1. Describe how aid is granted, notably to ensure:
     + 1. In line with point 109 of the CEEAG, that aid will be granted in the same way for all eligible undertakings operating in the same sector of economic activity that are in the same or similar factual situation in respect of the aims or objectives of the aid measure;

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* + - 1. In line with point 110 of the CEEAG, that the aid amount will not exceed the difference between the costs of the environmentally-friendly project or activity and of the less environmentally-friendly counterfactual scenario. Please also detail how potential cost savings and/or additional revenues of the more environmentally friendly project will be taken into account.

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* 1. Describe the annual monitoring that will be undertaken to ensure that aid remains necessary.

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1. Where aid takes the form of a senior loan to the provider of the energy performance improvement measures under an energy performance contract (point 113 of the CEEAG),
   1. Please indicate:
2. the level of the co-investment rate by commercial providers of debt funding;
3. the value of the underlying energy performance contracts’ portfolio of the provider; and
4. whether the repayment by the provider of the energy performance improvement measures must be at least equal to the nominal value of the loan.

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* 1. please confirm that the public loan is limited to maximum 10 years and indicate its exact duration.

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1. Where the aid is granted in form of a guarantee to the provider of the energy performance improvement measures under an energy performance contract (point 113 of the CEEAG), please:
   1. Indicate the share of the underlying loan’s principal that the public guarantee will cover;

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* 1. Indicate how the losses would be sustained by comparison to how losses would be sustained by the credit institution (proportion and conditions);

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* 1. Confirm that the guaranteed amount decreases proportionally, in such a way that the guarantee never covers more than 80 % of the outstanding loan; and

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* 1. Confirm that the guarantee is limited to maximum 10 years and indicate its exact duration.

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| Cumulation |

*To provide the information in this section, please refer to points 56-57 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(s) 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 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 point 51 of the CEEAG. Please specify, for each measure that the aid granted under the notified aid measure(s) can be cumulated, 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[[9]](#footnote-10) (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, or information on each individual aid award granted ad hoc or under an aid scheme approved on the basis of these guidelines 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 4.1.4 (points 114-133) of the CEEAG.*

1. In order to verify compliance with point 115 of the CEEAG,
   1. please provide an estimation of the subsidy per tonne of CO2 equivalent emissions avoided for each project or reference project; and
   2. the assumptions and methodology for the calculation provided.

When aid is granted through a competitive bidding process, the estimation above should be based on the evidence provided, in particular in response to questions 12, 13, 24, 25, 30 and 38 above.

Where aid is granted without a competitive bidding process, the calculations should take into account the quantification provided in the response to point 20 above.

1. In order to verify compliance with points 116, 127, 128 and 129 of the CEEAG, please:
2. demonstrate that the aid does not merely displace greenhouse gas emissions from one sector to another (through an increase of indirect emissions), and delivers overall greenhouse gas emissions reductions. This should be demonstrated for each project or reference project. The assumptions and methodology for this should be provided.

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1. explain whether aided investments or activities may displace cleaner alternatives that are already available on the market, or lock in certain technologies (hampering the wider development of a market for and the use of cleaner solutions).

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1. if the notified measure(s) may incentivise new investments in energy or industrial production 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. If the notified measure(s) may support projects involving energy generation, please confirm the absence of incentives for the generation of energy that would displace less polluting forms of energy (see point 126 of the CEEAG).

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1. In order to verify compliance with points 117, 118 and 119 of the CEEAG, please:
2. For aid for the decarbonisation of industrial activities, confirm that the measure reduces the emissions directly resulting from that industrial activity.

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1. For aid for improvements of the energy efficiency of industrial activities, confirm that the measure improves energy efficiency of the beneficiaries’ activities or that support is granted for the facilitation of energy performance contracting.

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1. Where aid for the facilitation of energy performance contracting is not granted as a result of a competitive bidding process, confirm that the aid is granted in the same way for all eligible undertakings operating in the same sector of economic activity that are in the same or similar factual situation in respect of the aims or objectives of the aid measure.

…………………………………………………………………………………..

1. In order to verify compliance with point 120 of the CEEAG, please provide information on:
2. The measures taken to ensure that projects granted aid will actually be developed.

…………………………………………………………………………………...

1. If the aid measure(s) grant more flexibility regarding pre-qualification requirements for projects developed and 100 % owned by SMEs or by renewable energy communities as a means to reduce barriers to their participation, please describe these flexibilities/facilitations in detail.

…………………………………………………………………………………..

1. In the affirmative, please also justify how the positive effects of ensuring participation and acceptance of SMEs or of renewable energy communities in the notified measure(s) outweigh the possible distortive effects.

…………………………………………………………………………………..

1. In order to verify compliance with points 121 and 122 of the CEEAG, please provide information on:
2. The precise form of the aid in the measure.

…………………………………………………………………………………..

1. If the aid measure covers costs mostly linked to operation rather than investment, please demonstrate that this results in more environmentally-friendly operating decisions.

…………………………………………………………………………………...

1. If the aid measure is primarily required to cover short-term costs that may be variable (such as biomass fuel costs or electricity input costs), and paid over periods exceeding one year, please confirm that the production costs on which the aid amount is based will be monitored and the aid amount updated at least once per year.

…………………………………………………………………………………..

1. In order to verify compliance with point 123 of the CEEAG, please:
2. Indicate which market(s) could potentially be affected by the aid measure directly (e.g. electricity market, gas market or other fuel markets, product markets).

…………………………………………………………………………………..

1. Please explain in detail how the measure preserves efficient operating incentives and price signals (exposure to price variation and market risk, absence of incentive to offer output below marginal costs, absence of aid for production in any periods in which the market value of that production is negative).

…………………………………………………………………………………

1. If the notified measure(s) may support projects involving dedicated infrastructure, in order to verify compliance with points 124 and 125 of the CEEAG, please:
2. Describe the size and scope of the dedicated infrastructure in relation to the affected market(s), and the impact on the likelihood of additional market-based investments.

…………………………………………………………………………………..

1. Explain how many users or groups of users will initially benefit from the dedicated infrastructure and whether a credible plan or firm commitment for connecting to a wider network exists.

…………………………………………………………………………………..

1. If applicable, provide the duration of any derogations or exemptions from internal market legislation, the structure of the market and the position of the beneficiaries in that market.

…………………………………………………………………………………..

1. If the notified measure(s) may support projects involving production of biofuels from food and feed crops, in order to verify compliance with points 130 of the CEEAG:
2. Confirm that State aid for biofuels, bioliquids, biogas and biomass fuels will not exceed the caps determining their eligibility for the calculation of the gross final consumption of energy from renewable sources in the Member State concerned in accordance with Article 26 of Directive (EU) 2018/2001.

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1. If the caps are or may be exceeded, explain in detail the positive effects of the measure which could outweigh the negative effects.

…………………………………………………………………………………..

1. If the notified measure(s) will only benefit one or a particularly limited number of beneficiaries, in order to verify compliance with points 131 and 132 of the CEEAG, please provide in particular:
2. the list of the five largest market players in the sectors concerned and their turnover (in volume or value) compared to the total turnover of the sectors.[[10]](#footnote-11)

…………………………………………………………………………………..

1. the reasons why the Member States considers that the notified measure(s) would not strengthen or maintain the market power of the beneficiary(ies) or discourage the expansion of existing competitors or inducing their exit or discouraging the entry of new competitors.

Explain in this regard also whether the aid measure will lead to an increase in the production capacity of the beneficiary(ies).

………………………………………………………………………………….

1. the measures put in place to limit the potential distortion of competition caused by granting the aid to the beneficiary(ies).

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| **Section C: Evaluation** |

*To provide the information in this section, please refer to point 76(a), 131 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)

……………………………………………………………………………………………

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

………………………………………………………………………………….

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

………………………………………………………………………………….

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

………………………………………………………………………………….

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.

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.

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

…………………………………………………………………………………..

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

………………………………………………………………………………….

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

…………………………………………………………………………………..

1. In order to verify the compliance with 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.

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.

\* \* \*

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 that a change to the actual or estimated budget may be an alteration of aid, requiring a new notification. [↑](#footnote-ref-4)
4. Please note that points 38, 52 and 90 as well as footnotes 39, 45 and 55 of the CEEAG provide further guidance on how the likely counterfactual scenario should be developed. [↑](#footnote-ref-5)
5. If relying on a recent competitive process, please explain how that bidding process can be considered competitive, including how windfall profits were avoided for different technologies included in the competitive bidding process where applicable, and how it is comparable, for example:

   Were the conditions (e.g. contract terms and duration, investment deadlines, whether support payments were indexed to inflation or not) similar to those proposed in the notified measure?

   Was the competitive process conducted under similar macroeconomic conditions?

   Were the technologies / project types similar? For weather-dependent renewable energy generation this would also require considering whether the climatic conditions were similar. [↑](#footnote-ref-6)
6. 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 (37) 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-7)
7. Please refer also to the further information in points 51-53 as well as footnotes 45, 46, and 55 of the CEEAG. [↑](#footnote-ref-8)
8. Please see Annex 1 for guidance on the quantification of funding gaps. For reference projects, this can be based on estimates and could for example take into account the bids made by similar projects in recent comparable competitive bidding processes. For individual aid measures and schemes open only to a particularly limited number of beneficiaries, calculations and projections must be presented at the level of the detailed project business plan. [↑](#footnote-ref-9)
9. 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-10)
10. If the notified measure concerns the production of renewable energy, then at least the turnover of the domestic generation of electricity should be provided. [↑](#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)