**Consultation on the Review of Directive 2012/27/EU on Energy Efficiency**

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**Introduction**

This consultation is launched to collect views and suggestions from different stakeholders and citizens in view of the review of Directive 2012/27/EU on energy efficiency (Energy Efficiency Directive or EED), foreseen for the second half of 2016.

This review plays a prominent role as the Commission called on Member States to treat energy efficiency as an energy source in its own right in its Energy Union Strategy of 25 February 2015.[[1]](#footnote-2)

The European Council of October 2014 agreed on an EU objective of saving at least 27% of energy by 2030 compared to projections and requested the Commission to review the target by 2020 *“having in mind an EU level of 30%”*. The existing policy framework should therefore be updated to reflect the new EU energy efficiency target for 2030 and to align it with the overall 2030 Framework for Climate and Energy.

Energy efficiency policies have been put in place by the EU for some time now and they have delivered tangible results. The Energy Efficiency Directive, Energy Performance of Buildings Directive[[2]](#footnote-3), Energy Labelling Directive[[3]](#footnote-4) and EcoDesign Directive[[4]](#footnote-5) are the key building blocks of the current energy efficiency framework. Many climate policies, such as the CO2 performance standards for passenger cars and light commercial vehicles, also make a major contribution to improving energy efficiency. Thanks to these instruments, significant progress has been achieved by Member States in terms of energy savings over the past (five) years, contributing to the overall 2020 energy and climate policy objectives.

Public funding has played an important role by supporting the implementation of energy efficiency policies at national and regional level. There has been an increase in financing over the last years due to greater importance of these polices in the context of the overall EU decarbonisation agenda. The European Structural and Investments Funds (ESIF) and the European Fund for Strategic Investments (EFSI) are key to unlocking the needed private investments for energy efficiency. On the other hand, the effectiveness and impact of energy efficiency investment funding strongly depends (*inter alia*) on the implementation of the energy efficiency legislation, including the Energy Efficiency Directive.

Many measures taken by Member States today will, in fact, continue contributing to the energy efficiency targets and to the broader energy and climate policy framework beyond 2020. Since the Energy Efficiency Action Plan[[5]](#footnote-6) was adopted in 2011, the situation has greatly improved: primary energy consumption has continued to fall across the Union, with steady economic growth, and many Member States have successfully strengthened their national energy efficiency programmes.[[6]](#footnote-7)

In line with the requirement of the EED (Article 3(2)), an assessment was carried out by the Commission in 2014 to review progress towards the EU 20% energy efficiency target for 2020, the findings of which were presented in the Energy Efficiency Communication, adopted on 23 July 2014.[[7]](#footnote-8) An updated analysis of how Member States are achieving the 20% 2020 target on energy efficiency will be published as part of the State of the Energy Union package in November 2015.

Given the recent implementation date of the EED, this consultation focuses on examining the following elements of Directive:

* **Article 1 (subject matter and scope) and Article 3 (energy efficiency target):** As required by the European Council of October 2014, which agreed the EU objective of saving at least 27% of energy by 2030 compared to projections and requested the Commission to review the target by 2020 *“having in mind [a level of savings of] 30%”*.
* **Article 6 (purchasing by public bodies of energy efficient buildings, goods and services):** As required by the reporting obligation under Article 24(8) to review the effectiveness of implementation of Article 6.
* **Article 7 (energy efficiency obligation schemes):** As required by the reporting obligation under Article 24(9) on the implementation of Article 7 and the need to address the obligation period that will expire after 2020.
* **Articles 9 – 11 (metering, billing information and cost of access to metering and billing information):** Consumer related aspects touched upon in these Articles are also addressed in the Internal Market Design/Delivering a New Deal for Energy Consumers initiative launched in parallel.
* **Article 20 (energy efficiency national fund, financing and technical support):** The European Fund for Strategic Investments (Junker Plan) raises the importance to address the market gaps for energy efficiency investments.
* **Article 24 (reporting and monitoring and review of implementation):** Given the new governance system to be introduced under the Energy Union in view of 2030 framework, currently being prepared in parallel to this exercise.

The questions of this consultation on the above articles are formulated so as to respect the requirements of the recently adopted Better Regulation Package[[8]](#footnote-9) and to ensure that the results of this consultation are fed into two parallel processes: first, to assess whether relevant measures are efficient, effective, and coherent with the broader EU legislative framework, and second, to identify the most appropriate policy options to be considered for reviewing specific aspects of the EED as part of the impact assessment.

**Against this background, questions of a general nature for the general public are included in Part I. A set of questions of a technical nature for a more expert public is included in Part II. Respondents are invited to reply within the two parts to all the questions they consider relevant.**

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**Information about the respondent**

**\*Are you answering on behalf of an organisation or institution?**

Yes, I am answering on behalf of an organisation or institution

No, I am answering as an individual

**\*If you are answering as an individual, please enter your full name.**

*[Free choice: max. 100 characters]*

**\*If you are answering on behalf of an organisation or institution, please enter the full name of your organisation or institution:**

Lithuanian District Heating Association, Vito Gerulaičio st. 1, LT-08200 Vilnius, Lithuania

**\*If you are answering on behalf of an organisation or institution, please enter your full name and position title:**

Dr. Romanas Savickas, Energy Expert

**\*Please enter your email address:**

[romanas.savickas@vilniausenergija.lt](mailto:romanas.savickas@vilniausenergija.lt)

**\*If you are answering on behalf of an organisation or institution, please specify which category best describes your organisation or institution from the list below.**

Central public authority

Local public authority

Private company

Utility

International organisation

Workers organisation/association/trade union

Non-governmental organisation (NGO)

Industry/business association

Other interest group organisation/association

Consultancy

University

Think Tank/research institute

Political party/organization

Other (please specify)

**\*Does your organisation or institution primarily deal with energy issues?**

Yes

No

**\*Please indicate your principal country or countries of residence or activity:**

|  |  |  |
| --- | --- | --- |
| Austria | Belgium | Bulgaria |
| Croatia | Cyprus | Czech Republic |
| Denmark | Estonia | Finland |
| France | Germany | Greece |
| Hungary | Ireland | Italy |
| Latvia | Lithuania | Luxembourg |
| Malta | Netherlands | Poland |
| Portugal | Romania | Slovakia |
| Slovenia | Spain | Sweden |
| United Kingdom | Other (please specify) |  |

**\*How would you prefer your contribution to be published on the Commission website, if at all?**

|  |
| --- |
| Under the name indicated (I consent to publication of all information in my contribution and I declare that none of it is under copyright restrictions that prevent publication) |
| Anonymously (I consent to publication of all information in my contribution and I declare that none of it is under copyright restrictions that prevent publication) |
| Not at all – keep it confidential (my contribution will not be published, but it will be used internally within the Commission) |

**Part I – General questions**

1. **Article 1: Subject matter and scope and Article 3: Energy efficiency target**

**Article 1** provides the general framework for the promotion of energy efficiency within the Union in order to ensure the achievement of the EU 20% energy efficiency headline target by 2020. In addition and more specifically, **Article 3** requires that each Member State sets an indicative national energy efficiency target based on either primary or final energy consumption, primary or final energy savings or energy intensity. In setting the targets, Member States should take into account a number of provisions set out in Article 3(1).

As regards the EU energy efficiency target for 2030, the European Council agreed in October 2014 on an indicative target at the EU level of at least 27% (compared to projections) to be reviewed by 2020 having in mind an EU level of 30%. Therefore, the existing policy framework should be updated to reflect the new EU energy efficiency target for 2030 and to align it with the overall 2030 Climate and Energy framework.

1. **What is the key contribution of the EED to the achievement of the 2020 energy efficiency target?**

The main contribution of EED is that it is not a verbal but written statement, defining the bottom limits of savings, the measures that must be implemented, the sectors under implementation and the time “Zeitnote” for all these measures. To reach defined goals we must to have an obligation in written form: what to do and when to do.

1. **How has the EED worked together with the Effort Sharing Decision, other energy efficiency legislation (on buildings, products and transport) and ETS? Could you describe positive synergies or overlaps?**

No obtained synergies between buildings, products and transport.

1. **How has the EED worked together with existing national legislation? Could you describe any positive synergies or overlaps?**

No positive synergies have between identified.

The obligations from EED must be transferred into a national legislation level. Usually process starts form the translation of EED into Lithuanian language. The translation must be performed not in so formal way but in more precise level, collaborating and coordinating with various national energy experts of different sectors and organisations.

In some cases national local authorities understands EED as “the recommendation to perform” but not “an obligation to perform”, do not taking an active role for the implementation of EED and more concentrating in a “process” but not “result”.

1. **What are the main lessons learned from the implementation of the EED?**

The main lessons learned are that if the national local government do not prioritize the EED targets or its implementation in a certain fields, it just imitates the process of implementation knowing that no real penalty would be applied.

Example1: Article 9 “Metering” states that “…individual consumption meters shall also be installed by 31 December 2016…”. Despite the LDHA has gave all required information about that - how it can be implemented, possible savings, the economic background, there is no actions taken in this field.

Example 2: Article 10 “Billing information” states that “…obligation may be fulfilled by a system of regular self- reading by the final customers whereby they communicate readings from their meter to the energy supplier…” Despite the smart wireless metering system in Lithuania was developed more than 10 years ago and it can be successfully used for Billing information, various political actions and legal acts are produced to stop operation of this system instead of support that.

1. **Which factors should the Commission have in mind in reviewing the EU energy efficiency target for 2030?**

The EED provisions must be more obligatory and with real penalties.

1. **What should the role of the EU be in view of achieving the new EU energy efficiency target for 2030?**

Additionally to all EU functions must be foreseen more strict and constant control of intermediate and final results

1. **What is the best way of expressing the new EU energy efficiency target for 2030:**

Expressed as energy intensity

Expressed in an absolute amount of final energy savings

Expressed in both primary and final energy consumption in 2030

Expressed only in primary energy consumption in 2030

Expressed only in final energy consumption in 2030

Other (please specify)

1. **For the purposes of the target, should energy consumption be:**

Expressed as energy, regardless of its source (as now)

Expressed as avoided non-renewable energy

Expressed as avoided fuel-use (but including biomass)

Other (please specify)

1. **Article 6: Purchasing by public bodies of energy efficient buildings, goods and services**

One of the objectives of the EED is to improve and strengthen energy efficiency through public procurement. **Article 6** of the Directive states that Member States shall ensure that central governments purchase only products, services and buildings with a high energy-efficiency performance. The central governments of the Member States should “lead by example” so that local and regional procurement bodies also strengthen energy efficiency in their public procurement procedures.

The Commission is carrying out an assessment of Article 6 of the EED and the preliminary findings show a rather limited experience in the Member States so far in implementing the requirements of Article 6. One of the main barriers to implementing the requirements is the lack of clarity and guidance across the existing EU rules on public procurement. On the other hand, experiences in some Member States indeed demonstrate that the measures required by the EED on public procurement have helped to educate and involve procurement bodies in the use of energy efficiency criteria, spreading the exemplary role of central governments also at regional and local levels.

1. **In your view, are the existing EU energy efficiency requirements for public procurement sufficient to achieve the needed impact of energy savings?**

Existing EU energy efficiency requirements encourages a new public procurements. That’s better than nothing but the main shortages are:

The understanding of energy efficiency in buildings must be widened, as must be calculated total energy consumption as it is performed in life cycle analysis. So in this case taking into account energy efficient buildings must be kept in mind energy consumption for building+energy consumption for the transportation. We have cases then energy efficient building is located far away so usually people take a car to reach it. Taking into consideration this factor the primary energy consumption for such buildings can be greater that in an old building.

These procurements are quite rear so this process to “clean” public sector from inefficient buildings would take a long time. But of course it must be done.

The majority of public buildings are located in the centre or old town of city so these buildings usually are built long time ago, usually facades are decorated, these buildings bring architectural legacy, so they are not energy efficient from the nature. That’s leads that they have a low potential for partitions reconstruction. From the other side various ministries and other public sectors do not have intentions to relocate at all so the future potential to decrease energy consumption is very low.

1. **How could public procurement procedures be improved in the future with regard to high energy efficiency performance?**

The understanding of energy efficiency in buildings must be widened, as must be calculated total energy consumption as it is performed in life cycle analysis. So in this case taking into account energy efficient buildings must be kept in mind energy consumption for building+energy consumption for the transportation. We have cases then energy efficient building is located far away so usually people take a car to reach it. Taking into consideration this factor the primary energy consumption for such buildings can be greater that in an old building.

So must be defined an additional “transportation factor” to evaluate amount of visitors and primary energy for transportation. In a simple manner it can be derived depending from the distance difference from existing and a new building.

1. **Do you think that there is sufficient guidance in your country to characterise "energy efficient products, services and buildings"?**

There is only a theoretical evaluation of buildings energy performance but the actual consumption (according to Dr. Romanas Savickas study) may differ even 30-50 %. Also the practice shows that in very efficient way designed or in very very efficient way designed buildings after they were built consume approximately the same amount of energy as a typical efficient building, so the Actual Energy Consumption Class labelling would be very useful.

1. **Have you seen information campaigns or other public initiatives in your or in another EU country that explain public procurement of energy efficient products, services and buildings?**

NO

**If yes, how useful have they been to increase awareness? Please describe.**

*[Free choice: max. 1000 characters]*

1. **Article 7: Energy efficiency obligation schemes**

**Article 7** together with Annex V requires that Member States set up an energy efficiency obligation scheme to ensure that obligated parties (energy distributors and/or retail energy sales companies that are designated by each Member State) achieve a given amount of energy savings (1.5% annually) from annual energy sales to final customers over the period 2014 to 2020. As an alternative to setting up an energy efficiency obligation scheme, Member States may opt to take other policy measures to achieve energy savings among final customers to reach the same amount of savings.

The Commission is required to assess the implementation of this Article and submit a report by 30 June 2016 to the European Parliament and the Council, and, if appropriate, to supplement the report with a legislative proposal for amendments.

In line with the EED, Member States had to notify the measures and methodologies on implementation of Article 7 by 5 December 2013. Further information from Member States was received in the notified National Energy Efficiency Action Plans (due by April 2014).

According to the latest available information from the notifications received from Member States[[9]](#footnote-10), 16 Member States notified an energy efficiency obligation scheme by putting an obligation on utilities to reach the required cumulative energy savings by 2020 under Article 7. Four Member States out of these (Bulgaria, Denmark, Luxembourg and Poland) will use it as the only instrument to achieve the required energy savings. 12 Member States (Austria, Croatia, Estonia, France, Ireland, Italy, Latvia, Lithuania, Malta, Slovenia, Spain and United Kingdom) will use the obligation scheme in combination with alternative measures. On the other hand,12 Member States (Belgium, Cyprus, Czech Republic, Germany, Greece, Finland, Hungary, Netherlands, Portugal, Romania, Slovakia and Sweden) have opted to only use the alternative measures to reach the required savings instead of putting obligations on utilities.

1. **Are you aware of any energy efficiency measures that have been carried out or are planned in your country, by the utilities or third parties in response to an energy efficiency obligation scheme?**

We aware that at present moment no real energy efficiency measures have been carried out.

1. **In your view, is Article 7 (energy efficiency obligation scheme or alternative measures) an effective instrument to achieve final energy savings?**

YES.

The study of Dr. Romanas Savickas shows that by the help of installed individual heat metering devices for every flat (cost effective is an installation of heat cost allocators) in an old type multiflat Soviet period buildings can be achieved about 25% energy consumption decrement. That’s enough to reach 2020 goals in all Lithuanian sectors – gas/electricity/heat.

**If yes, please explain your answer:]**

1. **What are, in your view, the main challenges or barriers to implementing Article 7 effectively and efficiently in your country? Please select up to 5 options from the list.**

To select or introduce the right set of measures for achieving 1.5% energy savings (annually)

Too great flexibility to use wide range of measures: energy efficiency obligation scheme and alternative measures

Strong opposition from energy suppliers and distributors to set up an energy efficiency obligation scheme

Lack of effective enforcement

Lack of sufficient knowledge and skills of involved parties

Lack of awareness (by the end-users) of the energy efficiency obligation schemes or alternative measures

Developing the calculation methodology in line with the requirements of Annex V

Ensuring sound and independent monitoring and verification of energy savings

Avoiding double counting

High administrative burden

Ensuring consistent application of the requirements with other energy efficiency legislation (e.g. building codes)

Limited timeframe (2014-2020) that makes it hard to attract investment for long term measures

Other (please specify)

The main obstacles: these EED targets are not priority targets in a country, so at present moment EED provisions even are not transferred into Lithuanian national legislation.

1. **Do you believe that the current 1.5% level of energy savings per year from final energy sales is adequate?**

Strongly agree

Agree

Disagree

Strongly disagree

No opinion

The study of Dr. Romanas Savickas due to individual metering shows that the potential savings can be even greater.

1. **Should energy efficiency obligation schemes have specific rules about energy savings amongst vulnerable consumers?**

Yes, the encouragement to implement energy efficiency measures for vulnerable consumers must be stronger. As the most vulnerable consumers in Lithuania are understood the multiflat building customers. Special attention must be taken on these customers as for public governmental institutions strategically can be interesting just to get the savings and they do not have any motivation to perform that for most vulnerable customers.

1. **Articles 9-11: Metering, billing information and cost of access to metering and billing information**

**Articles 9-11** deal with consumer empowerment, by asking Member States to put in place requirements about metering, access to billing information and cost of access to metering and billing information, allowing consumers to make decisions about their energy consumption. These issues are also currently being looked at within the Electricity Market Design/Delivering a New Deal for Energy Consumers initiative. It may be relevant to consider certain aspects of these Articles in the EED review. The same is true for the subject of "demand response" (as set out in paragraph 8 of Article 15, but on this topic explicit questions were already included in the Market Design consultative communication published in July 2015).

1. **Overall adequacy: Do you think the EED provisions on metering and billing (Articles 9-11) are sufficient to guarantee all consumers easily accessible, sufficiently frequent, detailed and understandable information on their own consumption of energy (electricity, gas, heating, cooling, hot water)?**

Yes, but some definitions must be updated or clarified. The sentence of Article 10 below must encourage wireless smart metering usage without any obstacles. If the wireless smart metering system has online data and consumption display In Situ (mirror data), no special data communication security requirements must be required for such system. The form “may be” must be changed into “must be”.

“This obligation ~~may~~ **must** be fulfilled by a system of regular self- reading by the final customers whereby they communicate readings from their meter to the energy supplier”

1. **Do you think it appropriate that the requirement to provide individual metering and frequent billing (Articles 9(1), 9(3) and 10(1)) is subject to it being technically feasible and/or cost effective?**

YES

The installation of individual heat metering by heat meters for every flat is possible only for a new construction multiflat buildings having collector type heating systems and is not technically possible for Soviet period multiflat buildings, which mainly have heating system with risers. But as the Dr. Romnas Savickas study shows that for these Soviet period multiflat buildings technically and financially is possible to install individual heat metering for every flat by heat cost allocators, so these technical solutions must be encouraged and obligatory for member countries.

1. **Should such conditions of being technically feasible and/or cost effective be harmonised across the EU?**

The EED must to show strong requirement for individual heat/hot water metering by heat meters or heat cost allocators.

1. **How would these conditions of being technically feasible and/or cost effective affect the potential for energy savings and consumer empowerment?**

As the technical solutions and cost effectiveness are clear, the consumers do not tend to install these measures by own expenses. The majority of final customers do not have an engineering education or any education at all, the lack of information that reach directly final customer at his place leads to the situation that people do not like to invest they do not understand. The solution would be to realise these technical solutions including the installation costs in utilities cost tariff (for example to include individual heat metering costs into heat energy price). The following advantages would be that the purchase of technical equipment by one operator may be 30-50% less than for individual building.

1. **Smart meters: Do you think that A) the EED requirements regarding smart metering systems for** **electricity and natural gas and consumption feedback and B) the common minimum functionalities, for example to provide readings directly to the customer or to update readings frequently, recommended by the Commission[[10]](#footnote-11) together provide a sufficient level of harmonisation at EU level?**

No opinion

**If no, do you think the common minimum functionalities should be the basis for further harmonisation?**

*[Yes/No/No opinion; please explain your answer:]*

1. **What obstacles have national authorities/actors faced in introducing on a large scale individual meters that accurately reflect the final customer’s actual energy consumption? Do you have any good experiences to share on how to overcome these obstacles?**

Usually the customers that do not like to install individual metering are dishonest customers. They simply do not let to install hot water meters or individual heat meters/heat cost allocators interpretating that the flat is his own property and no one can put a foot inside. The possible solution is special legal acts that would foresee administrative penalty in a simple way. To avoid various political interpretations the penalties must be paid for a state budged but not for District Heating company.

1. **Article 20: Energy efficiency national fund, financing and technical support**

The analysis of the July 2014 Energy Efficiency Communication and the recent EEFIG Report[[11]](#footnote-12) showed that the energy efficiency investment market is still relatively small scale compared to its potential or the volumes needed to meet the EU's 2030 objectives. The European Structural and Investments Funds address the market gaps related to investment projects including those in energy efficiency, and the European Fund for Strategic Investments provides EU guarantee for investment projects – including those for energy efficiency**.** The European Energy Efficiency Fund carries relevant lessons.

Moreover, significant funding for energy efficiency comes from national public sources and the private sector. The effectiveness and impact of energy efficiency investments funding strongly depends (*inter alia*) on the implementation of the energy efficiency legislation, including the EED.

1. **What should be the most appropriate financing mechanisms to significantly increase energy efficiency investments in view of the 2030 target?**

As the technical solutions and cost effectiveness are clear, the consumers do not tend to install these measures by own expenses. The majority of final customers do not have an engineering education or any education at all, the lack of information that reach directly final customer at his place leads to the situation that people do not like to invest they do not understand. The solution would be to realise these technical solutions including the installation costs in utilities cost tariff (for example to include individual heat metering costs into heat energy price). The following advantages would be that the purchase of technical equipment by one operator may be 30-50% less than for individual building.

1. **Should there be specific provisions aimed at facilitating investment in specific areas of energy efficiency?**

NO OPINION

**If yes, specify your answer from the below list:**

Building renovation

Efficient appliances and equipment in households

District heating and cooling network development

Energy use by industries

SMEs

 Companies

City and community infrastructures in relation to transport, waste heat recovery, waste-to-energy

Other (please specify)

1. **Do you agree that one way to increase the impact of energy efficiency investments could be through making the energy performance/savings monitoring mandatory under Article 20 whenever public funds/subsidies are used for EE investments? Such monitoring could be done, for example, via on-line platforms, by users in the regular intervals.**

Strongly agree

Agree

Disagree

Strongly disagree

No opinion

1. **Article 24: Reporting and monitoring and review of implementation**

The Energy Union Strategy foresees an integrated governance framework for EU energy and climate policies to ensure that agreed climate and energy targets are reached and to enable Member States to better coordinate their policies at a regional level.

1. **Do you think that the existing reporting and monitoring system under the EED is a useful tool to track developments with regard to energy efficiency in Member States?**

YES

**If no, how do you think it could be improved in the future?**

*[Free choice: max. 1000 characters]*

1. **Do you think that the reporting of national indicators (for example, value added/ energy consumption, disposable income, GDP etc. for year (n-2)[[12]](#footnote-13) under Annex XIV (1)(a)) of the EED should be simplified?**

NO. The reporting must ensure more strict control of EED implementation.

1. **Do you think additional indicators (in addition to those referred to in Annex XIV (1)(a) – (e)) are needed to improve monitoring to assess Member States' progress towards their energy efficiency targets?**

MAY BE, PERHAPS.

**Part II – Technical questions (on Articles 6 and 7)**

1. **Article 6: Purchasing by public bodies of energy efficient buildings, goods and services**
2. **Do you believe that measures on public procurement of energy efficient products, services and buildings should become mandatory also for public bodies at regional and local levels?**

YES

1. **In your view, what are the main barriers that preventing the use of energy efficiency requirements in the existing public procurement procedures (please select from the list and explain your reply:**

There is a lack of awareness about the use of energy efficiency requirements in public procurement

There is insufficient expertise and/or knowledge on the use of energy efficiency requirements in public procurement

Thresholds are too high which is why energy efficiency requirements do not apply to many contracts

Incompatibility of energy efficiency requirements with other procurement criteria (sustainable requirements, low price, safety requirements, technical requirements)

Higher energy efficiency criteria in public procurements may imply higher prices

Lack of clarity of the energy efficiency requirements for public procurement

Energy efficiency requirements for public procurement are not very clear and difficult to check

*[Free choice: max. 1000 characters]*

1. **In your view, should all EU public procurement rules relating to sustainability (including in particular energy efficiency in buildings, the use of renewable energy sources, etc.) be gathered into a single EU guidance framework?**

YES

1. **Do you think that there is sufficient guidance/framework to know what is meant by "energy efficient products, services and buildings"?**

NO, the only Energy Efficiency understanding is from Energy Performance classes, the other views are not known. Example - actual consumption – usually nobody can compare actual energy consumption between different buildings between different heating seasons).

1. **While energy efficient products will be cheaper to operate, their initial cost might be higher and a longer period of time will be needed to "pay back" this higher cost. Is this a problem and if so, how can public authorities overcome it?**

This can be overcomed by mandatory requirements.

1. **Article 7: Energy efficiency obligation schemes**
2. **Emerging evidence suggests that most of the measures introduced under Article 7 have long lifetimes (20-30 years) and will continue have an impact beyond 2020. Do you share this view?**

YES.

1. **What is your view on the potential benefits (listed) of energy efficiency obligation schemes?**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  | Strongly agree | Agree | Disagree | Strongly disagree | No opinion |
| Lower energy bills for consumers |  | + |  |  |  |
| Better awareness of energy efficiency potential by consumers |  | + |  |  |  |
| Better relationship between energy suppliers, distributors and customers |  | + |  |  |  |
| Lower energy generation (and transmission) costs for the utilities |  | + |  |  |  |
| Improved business and administrative environment for up-coming innovative energy services |  | + |  |  |  |
| Aggregation of small-scale investments (pooling/bundling) |  |  |  |  | + |
| Development of new financing models – e.g. energy performance contracting |  |  |  |  | + |
| Stimulation of energy efficient renovation of buildings |  | + |  |  |  |
| Increased competitiveness in the energy markets |  | + |  |  |  |
| Other |  |  |  |  |  |

1. **Are you aware of any developments in the energy services markets that have benefited particular actors (e.g. service providers, suppliers, distributors, etc.) in Member States having an obligation to define the obligated parties under the energy efficiency obligation scheme?**

No opinion.

1. **If you think that some requirements of Annex V need more precise guidance please list those requirements and specify briefly what further information you think would be useful.**

No opinion.

1. **As you might know, the current framework of Article 7 is set until 2020, linked to the energy efficiency target for 2020, which will expire at the end of 2020. In your view, should the Article 7 obligations continue beyond 2020 in view of the new energy efficiency target for 2030?**

YES

**If yes, what factors should be considered for the future Article 7 (please select up to 5 options from the list, and explain your reply if possible):**

The amount of savings to be achieved should be set at a more ambitious level for post 2020 (exceeding the existing 1.5%)

The energy efficiency obligations scheme should be kept as the only possible instrument to achieve the required savings

The possibility to choose between the energy efficiency obligations scheme and/or alternative measures should be retained

The possibility to exclude sales in transport from the baseline should be removed

The possibility to exclude sales in transport from the baseline should be kept but restricted to the fixed amount to ensure the level playing field

The exemptions under paragraph 2 – applying a lower calculation rate (for the first years), and excluding sales in ETS industries, as well as allowing savings from measures targeting energy generation and supply – should be removed altogether

The exemptions under paragraph 2 should be retained but the level and number of exemptions should be reviewed

The possibility for 'banking and borrowing' energy savings from different years should be removed (paragraph 7(c))

The possibility for 'banking and borrowing' energy savings should be kept with a possibility to count savings towards the next obligation period (paragraph 7(c))

Other (please specify)

1. **Do you think that the scope of eligible measures allowed under Article 7 should be clarified?**

YES

**If yes, please explain your answer further:**

The scope of eligible measures should only be end-use energy savings (as it is at the moment)

The scope of eligible measures should be expanded

Other (Please specify)

*[Free choice: max. 1000 characters]*

**If the scope should be expanded, please specify which of the following possibilities would be appropriate:**

Measures to switch fossil fuel heating and cooling fully or partially to renewable energy (e.g. through individual appliances, district heating and cooling, centralised distributed units supplying larger building complexes or groups of buildings)

Measures to increase efficiency of district network infrastructure and generation, including through thermal storage facilities

Measures to make energy generation from small scale generation more efficient, below the ETS threshold

Switch to self-consumption, auto-generation and energy positive buildings

Participation in demand response, including from providing storage capacities

Primary energy savings from the utilisation and recovery of waste heat (e.g. in district networks)

Savings from energy management systems

Energy savings from better organisation of activities

Other (please specify)

1. **Would there be benefits in greater harmonisation of some of the requirements of Article 7 to allow more consistent implementation across Member States?**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Provision of Article 7/Annex V | Strongly agree | Agree | Disagree | Strongly disagree | No opinion |
| Calculation methods |  | + |  |  |  |
| Materiality |  |  |  |  | + |
| Additionality |  |  |  |  | + |
| Lifetimes |  |  |  |  | + |
| Price demand elasticities[[13]](#footnote-14) for taxation measures in real terms |  | + |  |  |  |
| Indicative list of eligible energy saving measures |  | + |  |  |  |
| Monitoring and verification procedures |  | + |  |  |  |
| Reporting |  | + |  |  |  |
| Other |  |  |  |  |  |

*[Please explain your answer: max. 1000 characters]*

1. **What role should the EU play in assisting the Member States in the implementation of Article 7?**

The main role is determination of policy and mechanisms for implementation.

1. **Please state which best practice examples could be promoted across the EU and how?**

-

1. **Would it be appropriate and useful to design a system where some types of energy savings achieved in one Member State would count towards obligations carried out either by governments or by economic operators in another country, just as the option to cooperate on greenhouse gas emissions reductions already exists?**

NO.

1. **Would it be appropriate and useful to design a system where energy efficiency obligations would also include elements aiming at gradually increasing the minimum share of renewable energy applicable to energy suppliers and distributors?**

No opinion.

1. **Could the option of establishing an EU wide 'white certificate' trading scheme be considered for post 2020?**

Strongly agree

Agree

Disagree

Strongly disagree

No opinion

1. COM(2015) 80 final [↑](#footnote-ref-2)
2. Directive(2010) 31 [↑](#footnote-ref-3)
3. Directive(2010) 30 [↑](#footnote-ref-4)
4. Directive(2009) 125 [↑](#footnote-ref-5)
5. COM(2011) 109 final [↑](#footnote-ref-6)
6. SWD(2014) 0255 final [↑](#footnote-ref-7)
7. COM(2014) 520 final [↑](#footnote-ref-8)
8. Better Regulation Package (2015) [↑](#footnote-ref-9)
9. <http://ec.europa.eu/energy/en/topics/energy-efficiency-directive/obligation-schemes-and-alternative-measures> [↑](#footnote-ref-10)
10. C(2012)1342 [↑](#footnote-ref-11)
11. EEFIG - Energy Efficiency Financial Institutions Group Report: Energy Efficiency – First fuel for the EU economy, 2015, [www.eefig.eu](http://www.eefig.eu) [↑](#footnote-ref-12)
12. In the year before last [year X(1) – 2], where ”X” is the current year. [↑](#footnote-ref-13)
13. Price demand elasticity is a measure used in economics to show the responsiveness, or elasticity, of the quantity demanded of a good or service.  [↑](#footnote-ref-14)