

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

Fields marked with \* are mandatory.

## 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.

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, Energy Labelling Directive and EcoDesign Directive are the key building blocks of the current energy efficiency framework. Many climate policies, such as the CO<sub>2</sub> 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 policies 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 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.

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. 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 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.

## 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

**\* Please enter the full name of your organisation or institution:**

*100 character(s) maximum*

Cercle de l'Industrie

**\* Please enter your full name and position title:**

*100 character(s) maximum*

Aurélie PORTALIER, Cercle de l'Industrie Representative in Brussels

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

aurelie.portalier@cercleindustrie.eu

**\* 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

**\* 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

**\* 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.

#### 1.1. What is the key contribution of the EED to the achievement of the 2020 energy efficiency target?

*1000 character(s) maximum*

It is too early to have a precise view of the EED's contribution to the achievement of the 2020 EE target (e.g: energy audits were due to be completed last December). Member states have set EE targets that should enable them to reach, collectively, 17,6% by 2020. If all Member states implement the agreed legislation in a timely manner, the 2020 target could be achieved without additional measures.

The EED has already a positive impact: It sets clear targets expressed in absolute values (except for ETS-covered sectors) and a solid EU framework. It stimulates the dissemination of best practices for cost-efficient energy savings in buildings, cogeneration, and heating networks. It has led Member states to introduce either energy audits or certification, which are key to enhance improvements. It has spread awareness that energy savings need structural measures taking into account energy costs. It fosters the efforts of the Member States less advanced and sets a long term trend at EU level

#### 1.2. 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?

*1000 character(s) maximum*

There have been clear interactions between the EED, the ETS, and the RES Directive. In particular, the EDD has contributed in undermining the ability of the ETS to deliver cost-efficient emission reduction, as it has contributed to cutting the demand for allowances to an extent that had not been anticipated and factored in the emissions cap for 2020.

As a result, those emission reductions are directly contributing to the

accumulation of the allowances surplus, which could reach approximately, according to experts, 500 MtCO<sub>2</sub> between 2014 and 2020.

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

*1000 character(s) maximum*

The way the EED has worked with existing national legislation varies from one provision to another, and among Member States.

As an example, there was no obligation on energy efficiency audits in France before the EED.

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

*1000 character(s) maximum*

The EED's key contributions must be kept in mind. Besides, negative interactions must be avoided between EE, renewables, and the ETS as the accumulation of instruments makes it difficult to quantify with certainty the impact of each instrument, and to understand the reactions of market actors to it. The potential emission abatement that should result from EE targets and instruments must be factored ex ante. There is also a need for a more harmonised approach of certain practical modalities of implementation of the EED. Indeed, in certain cases, differences between Member states generate costs especially for businesses established in more than one (e.g.: the precise definition of SMEs). There are practical obstacles, for an auditor from a member State, to conduct energy audits in another, each one having its specific requirements. Any harmonization of such requirements should be based on a high level of technical skills.

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

*1000 character(s) maximum*

The Commission must adopt a bottom-up approach based on studies that document EE potential of buildings, transport, and industry, and explore its multiple benefits (environment or public health). The next EED must exploit this potential (improvements and negative impacts resulting from the application of other legislation such as IED which leads to more energy consumption due to VOC monitoring), especially for buildings. Articles 4 and 5 must be further implemented, to reach synergies with long term targets for buildings. EE should be considered from energy production up to final consumption. As regards industry: constraints imposed to reach targets must be balanced with solutions to encourage R&D&I investments and processes adaptation; the EED should take into account differences between industrial sectors which do not face the same economic/tech challenges. Even though public and private financial instrument exist, the demand so far is limited. It needs improvement.

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

1000 character(s) maximum

The EU must come up with a lever effect to mobilise private investors towards energy efficiency projects. Businesses expect from public financing institutions such as the EIB to take a larger part of the risk induced by R&D&I projects, technological breakthroughs or the deployment of industrial solutions in the area of energy efficiency. In this view, the EU should identify how to better implement the Juncker Plan on energy efficiency.

As mentioned in question 1.4, the EU should enhance more harmonisation in view of the new EU EE target, especially regarding: the definition of SMEs among Member States and the practical obstacles, for an auditor from a member State, to conduct energy audits in another, each country having its specific requirements. The EU should also avoid negative interactions between EU regulations (EE, renewables, ETS), which can undermine industries efforts to reduce their energy consumption (see answer 1.5) but promote complementarities between those policies.

## 1.7. 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

## 1.8. 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

## 2. 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.

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

- Yes
- No
- No opinion

Please explain your answer:

*1000 character(s) maximum*

Article 9 provides important information about the positive role of Energy Performance Contracting (EPC) for local authorities in improving their energy efficiency. However, it lacks sufficient guidance in order to be able to implement it throughout EU. One important issue is the difficulty for the effective deployment and use of those EPC for conducting thermal renovation and the upgrade of energy systems in the public buildings that belong to public administration. When selecting an EE project, the main barrier for making a selection is linked to the fact that the project is assessed on the basis of the investment needed and the associated debt and not on the operating costs and the corresponding energy savings. This difficulty stems especially from current rules established by EUROSTAT, and which consider that under certain conditions, the EPC contracts should be accounted as public debt. It effectively discourages public authorities to resort to such type of contractual arrangement

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

*1000 character(s) maximum*

The current scope of the EED for public procurement should be enlarged to local authorities instead of only central public administration, and should be extended to rentals instead of only purchase.

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

- Yes
- No

No opinion

Please explain your answer:

*1000 character(s) maximum*

There is a need for more convergence and clarity as regards, for instance, the definition of "building". Furthermore, States do not introduce in their public procurement a clear reference to energy efficiency standards.

**2.4. 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?**

Yes

No

### **3. 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, 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.

**3.1. 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?**

Yes

- No
- No opinion

Please explain your answer:

*1000 character(s) maximum*

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

- Yes
- No

Please explain your answer:

*1000 character(s) maximum*

The Commission should implement a system to collect information on Member states individual EE performances in the scope of their EE obligation schemes, and analyse their individual potential for improvement. As a second step, a thorough comparative analysis with the 1,5%/year unilateral ratio should be established, in order to adapt targets for each Member State on the basis of its untapped potential for improvement.

The role of alternative measures should be reassessed in the light of the previous analysis and the measures really used by Member States. An evolution could foresee that alternative measures should always prove cumulative environmental benefits on: climate change, energy, environmental health...with possible bonus if multiple goals are reached. A possible link could be made with the Energy Efficiency in Buildings Directive and with long-term renovation strategies referred to in article 4 EED. On the contrary, the exclusion of transport measures should be maintained.

**3.3. 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.**

*at most 5 choice(s)*

- 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 'Other':

*100 character(s) maximum*

Need to develop calculation methods to better assess the impact of national measures

**3.4. 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

Please explain your answer:

*1000 character(s) maximum*

The main issue is that the same 1.5%/year objective is applied to any Member State whatever its specific investment and energy history. Therefore, it does not appear realistic and it leads Member States to use alternative measures which are not submitted to reliable monitoring.

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

- Yes
- No
- No opinion

Please explain your answer:

*1000 character(s) maximum*

This question should be let to Member States.

## 4. 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).

**4.1. 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
- No
- No opinion

Please explain your answer:

*1000 character(s) maximum*

Information is key for the consumer. In this respect, current EED provisions are adequate as they provide consumers with large information on their energy consumption and costs. There is no need for the EED to include additional prescriptions on metering and billing.

Focus should be put on implementing current legislation on energy and consumer protection and empowerment. A more user-friendly approach must be used, as it is not always easy for final users to access and to understand their consumption (day/day or hour/hour). They should be able, if desired, to fully control their homes' energy consumption in order to optimize consumption while ensuring comfort.

The EEC should clarify the distinction between customers (e.g. building owner, cooperative, social housing, etc.) and final-users with a view to establishing clear roles and responsibilities.

**4.2. 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
- No
- No opinion

Please explain your answer:

*1000 character(s) maximum*

Any new requirements should be conditional on technical feasibility and cost-effectiveness. This is necessary to ensure that only new measures leading to real energy savings will be deployed.

At the present time, technical solutions exist at a reasonable price. If a prospective regulation could set a roadmap for continuous improvement on billing and metering (possibly through French Thermic Regulations), it would help moderate the price even better.

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

- Yes
- No
- No opinion

Please explain your answer:

*1000 character(s) maximum*

The requirements related to frequent billing and individual metering supply being subject to what is technically feasible and cost effective for each Member State, those conditions should not be harmonized at European level. The principle of subsidiarity should thus prevail.

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

- Yes
- No
- No opinion

Please explain your answer:

*1000 character(s) maximum*

These conditions may be relevant regarding energy savings but the risk is that they might not be cost effective for the consumer.

In France, these conditions would exempt around one third of the buildings (around 1.7 million of flats): either it is technically impossible and there is no subject, or it is not cost effective because energy consumption is very low, and therefore, the potential for energy savings also is! Too low energy

savings also mean that the final consumer would have no incentive to improve its consumption.

The Energy Transition Law published in August 2015 removed the cost-effective criterion from the national regulation, leading thousands of households to pay for mandatory heat meters that will not lead to enough energy savings to have at least an equivalent reduction of their bills.

**4.5. 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 (C(2012)1342) together provide a sufficient level of harmonisation at EU level?**

- Yes
- No
- No opinion

Please explain your answer:

*1000 character(s) maximum*

The EED requirements on the common functionalities already establish a high level of harmonization at EU level. They should not be further harmonized unless an ex ante impact assessment study provides convincing arguments to do so..

**4.6. 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?**

*1000 character(s) maximum*

The main obstacle in EED to large scale smart meters roll-out is the absence of real added value for consumers. Combining smart metering and EE opportunities implies that the consumer has effective access to information and reliable advice and is offered services tailored to his consumption. Social acceptance is key. Co-construction with stakeholders and consumer organizations is a key success factor to design a solution fitting their needs and will not lead to rejection.

Ensuring data privacy and security is necessary to build consumer trust. In this regard, consumers' data should not be used without their permission. Customer meter data must be primarily protected by laws, regulations and any decision of relevant authorities (data protection authorities). Regulators and public authorities must define precisely the legal framework of data management, allocate clear roles and responsibilities, and set robust rules on data access and data transmission.

## 5. Article 20: Energy efficiency national fund, financing and technical support

The analysis of the July 2014 Energy Efficiency Communication and the recent EEFIG Report 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.

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

*1000 character(s) maximum*

As said in 1.5 and 1.6, the EU must come up with a lever effect to mobilise private investors towards energy efficiency projects in order to shorten their return on investment. Businesses expect from public financing institutions such as the EIB to take a larger part of the risk induced by R&D&I projects, technological breakthroughs or the deployment of industrial solutions in the area of energy efficiency. In this view, the EU should identify how to better implement the Juncker Plan on energy efficiency.

Besides, the Commission should improve existing financing tools because so far, the demand is limited. Overall, the public financing framework must be made more flexible, with shorter delays, and less administrative burdens for companies.

EE projects must get dedicated funding from European Structural and Investment Funds, and from ETS auctions revenues (provided that the projects promote energy with low CO2 content).

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

- Yes
- No
- No opinion

### 5.3. 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

## 6. 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.

**6.1. 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
- No
- No opinion

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

- Yes
- No
- No opinion

Please explain your answer:

*1000 character(s) maximum*

**6.3. 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?**

- Yes
- No
- No opinion

Please explain your answer:

*1000 character(s) maximum*

The "Submit" button is located at the end of Part II. If you wish to only respond to questions in Part I, skip the questions in Part II and click "Submit" at the bottom of the next page.

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

---

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

7.1. 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
- No
- No opinion

Please explain your answer:

*1000 character(s) maximum*

As this would promote best practices in terms of certification, and it would allow for taking into account the global cost of a building.

7.2. 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
- Other

Please explain your answer:

1000 character(s) maximum

**7.3. 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
- No
- No opinion

Please explain your answer:

1000 character(s) maximum

In order to provide overall consistency among various dimensions

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

- Yes
- No
- No opinion

Please explain your answer:

1000 character(s) maximum

**7.5. 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?**

1000 character(s) maximum

The whole life cycle of products must be considered.  
Public authorities should use energy performance contracts.

## 8. Article 7: Energy efficiency obligation schemes

8.1. 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
- No
- No opinion

Please explain your answer:

*1000 character(s) maximum*

The impact exceeds a priori 2020.

8.2. 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	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Better awareness of energy efficiency potential by consumers	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Better relationship between energy suppliers, distributors and customers	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Lower energy generation (and transmission) costs for the utilities	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Improved business and administrative environment for up-coming innovative energy services	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

Aggregation of small-scale investments (pooling/bundling)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Development of new financing models – e.g. energy performance contracting	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Stimulation of energy efficient renovation of buildings	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Increased competitiveness in the energy markets	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Other	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Please explain your answer:

*1000 character(s) maximum*

**8.3. 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?**

- Yes
- No
- No opinion

Please explain your answer:

*1000 character(s) maximum*

Obligations do not target public buildings enough

**8.4. 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.**

*1000 character(s) maximum*

Annex V should continue to be implemented after 2020.

**8.5. 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
- No
- No opinion

Please explain your answer:

*1000 character(s) maximum*

The perimeter of the Article 7 must be modified (transport should be deleted).  
The ETS sectors should be clearly separated.

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

- Yes
- No
- No opinion

**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

**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 explain your answer:

*1000 character(s) maximum*

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

	Strongly agree	Agree	Disagree	Strongly disagree	No opinion
Calculation methods	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Materiality	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Additionality	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Lifetimes	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Price demand elasticities for taxation measures in real terms	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Indicative list of eligible energy saving measures	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Monitoring and verification procedures	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Reporting	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Other	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Please explain your answer:

*1000 character(s) maximum*

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

*1000 character(s) maximum*

The EU should promote the sharing of good practices among Member States and monitor the implementation of the EED Directive. It should avoid negative interactions between EED and other CO2 or energy Directives.

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

*1000 character(s) maximum*

**8.10. 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?**

*1000 character(s) maximum*

This proposal appears to be too complicated to implement.

**8.11. 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?**

*1000 character(s) maximum*

No, it is up to the renewables Directive to design such a system.

**8.12. 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

Please explain your answer:

*1000 character(s) maximum*

We agree under the necessity to assess whether such a system is feasible. This assessment should be made after 2020, based on the current EED experience.

## Contact

✉ ENER-CONSULTATION-EED@ec.europa.eu

---