

COUNCIL OF THE EUROPEAN COMMUNITIES
GENERAL SECRETARIAT

PRESS RELEASE

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ien/CH/ic

1404th meeting of the Council

- ENERGY -

Brussels, 21 May 1990

President: Mr Robert MOLLOY,
Minister for Energy
of Ireland

The Governments of the Member States and the Commission of the European Communities were represented as follows:

Belgium:

Mr W. CLAES Deputy Prime Minister, Minister for
Economic Affairs and Planning

Mr Elie DEWORME State Secretary for Energy

Denmark

Mr Jakob RYTTER Ambassador,
Permanent Representative

Germany

Mr Dieter von WÜRZEN State Secretary, Federal Ministry of
Economic Affairs

Greece

Mr Stavros DIMAS Minister for Industry, Energy and
Technology

Spain

Mr Claudio ARANZADI Minister for Industry and Energy

France

Mr Roger FAUROUX Minister for Industry and Town and Country
Planning

Ireland

Mr Robert MOLLOY Minister for Energy

Italy

Mr Adolfo BATTAGLIA Minister for Industry, Trade and Craft
Trades

Luxembourg

Mr Alex BODRY Minister for Energy

Netherlands

Mr Koos ANDRIESSEN

Minister for Economic Affairs

Portugal

Mr Luis Fernando de MIRA AMARAL

Minister for Industry and Energy

United Kingdom

Mr John WAKEHAM

Minister for Energy

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Commission

Mr Antonio CARDOSO E CUNHA

Member

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PROMOTION OF ENERGY TECHNOLOGY IN EUROPE - THERMIE PROGRAMME

The Council approved the substance of the Regulation concerning the promotion of energy technology in Europe (THERMIE programme 1990-1994).

This programme is in line with the Resolution of 16 September 1986 concerning new Community energy policy objectives for 1995 and convergence of the policies of the Member States, in particular the passages relating to the promotion of technological innovations. It aims to ensure the continuity of the projects previously undertaken in the framework of demonstration projects and industrial pilot projects in the field of energy and the programme to support technological development in the hydrocarbons sector, which expired at the end of 1989. The enacting terms are aimed at creating conditions to give Community financial assistance to projects promoting energy technology in the areas of

- the rational use of energy
- renewable energy sources
- solid fuels
- hydrocarbons.

Community support could be given to projects aimed at the development, application and/or promotion of advanced innovative energy technologies, the implementation of which represents a considerable technical and economic risk, such that they would very probably not be achieved without Community financial assistance.

In order to promote the application and market penetration of energy technologies, the Regulation also provides for the implementation of associated measures.

The programme covers a five-year period - 1990-1994. For the first three years (1990-1992) the amount deemed necessary to implement the programme has been fixed, in the Regulation, at ECU 350 million. As regards finance for the last two years, the Council stated that it was aware of the need to keep the programme operating at the same level of activity as that established in the period 1990-1992 and noted that in the Commission view the overall financial envelope required for the five-year programme was ECU 700 million and that ECU 350 million would be earmarked for 1993-1994, an amount which would be confirmed if covered in due course by the financial perspective to be defined at the appropriate time for those years.

TRANSIT OF ELECTRICITY THROUGH TRANSMISSION GRIDS

The Council reached a common position on the proposal for a Directive on the transit of electricity through transmission grids. This common position will, after finalization of the text and formal adoption, be forwarded to the European Parliament under the co-operation procedure.

The Directive aims at making a contribution to the greater integration of the European electric energy market by abolishing obstacles to increased electricity exchanges between transmission grids.

The enacting terms provide that the Member States should take the measures necessary to facilitate transit of electricity through high-voltage grids through their territory.

"Transit" has been defined as every transaction for the transport of electricity under the following conditions:

- transmission is carried through a high-voltage electricity grid, with the exception of distribution grids, in a Member State's territory which contributes to the efficient operation of European high-voltage interconnections;

- the grid of origin or of final destination is situated in the Community;
- the transport involves the crossing of one intra-Community frontier at least.

The Directive lists the transmission grids in question and the entities responsible for them in each Member State; this list will be updated, whenever necessary, by the Commission after consultation with the Member State in question.

Contracts involving transit of electricity between transmission grids will be negotiated between the bodies responsible for the grids concerned and for the quality of the service provided and, where appropriate, with the entities responsible in the Member States for importing and exporting electricity.

The conditions of transit must, pursuant to the rules of the Treaty, be non-discriminatory and equitable for all the parties concerned, must not include unfair clauses or unjustified restrictions and must not endanger security of supply and quality of service, in particular taking full account of the utilization of reserve production capacity and the most efficient operation of the existing systems.

At the operational level, Member States must without delay take the measures necessary to ensure that the entities mentioned above:

- notify the Commission and the national authorities concerned of any request for transit in connection with minimum one year contracts for the sale of electricity;
- open negotiations on the conditions of the electricity transit requested;
- inform the Commission and the national authorities concerned of the conclusion of a transit contract;

- inform the Commission and the national authorities concerned of the reasons for the failure of the negotiations to result in contracts within twelve months following communication of the request.

Each of the entities concerned may request that the conditions of transit be subject to conciliation by a body set up and chaired by the Commission and on which the entities responsible for transmission grids in the Community are represented.

If the reasons for the absence of agreement appear unjustified or insufficient, the Commission, acting on a complaint from the requesting body or on its own initiative, shall put in hand the procedures provided for by Community law.

The Member States must comply with this Directive not later than 1 July 1991.

TRANSIT OF NATURAL GAS THROUGH THE MAJOR SYSTEMS

Pending the Opinion of the European Parliament, the Council held a policy debate on the proposal for a Directive on the transit of natural gas through the major systems.

It emerged from the debate that the proposal raised a number of problems as regards general approach, taking into account in particular the specific nature of this energy carrier.

At the close of its discussions, the Council, having stressed the importance of the matter, agreed to resume its proceedings in this connection at a forthcoming meeting.

TRANSPARENCY OF GAS AND ELECTRICITY PRICES CHARGED TO INDUSTRIAL END-USERS

The Council agreed to the Directive concerning a Community procedure to improve the transparency of gas and electricity prices charged to industrial end users.

The aim of the enacting terms is to ensure that Member States take the steps necessary to ensure that undertakings which supply gas or electricity to industrial end users communicate to the Statistical Office of the European Communities (SOEC):

- the prices and terms of sale of gas and electricity to industrial end users;
- the price systems in use;
- the breakdown of consumers and the corresponding volumes by category of consumption to ensure the representativeness of these categories at national level.

On the basis of the data thus assembled, the SOEC will publish twice-yearly, in an appropriate form, the prices of gas and electricity for industrial uses in the Member States and the pricing systems used to that end.

INVESTMENT PROJECTS OF INTEREST TO THE COMMUNITY IN THE PETROLEUM, NATURAL GAS AND ELECTRICITY SECTORS

The Council held an exchange of views on the Commission proposal aimed at amending the instrument of 18 May 1972 concerning the notification of the Commission of investment projects of interest to the Community in the petroleum, natural gas and electricity sectors.

Following the discussions it was agreed at this stage to endeavour to improve, as a matter of priority, the application of all the provisions of the 1972 Regulation and to return, in due course, to the Commission proposal in the light of the experience gained and trends in proceedings regarding the internal energy market.

COUNCIL CONCLUSIONS ON ENERGY AND THE ENVIRONMENT

Having had a policy debate on the communication from the Commission concerning energy and the environment, the Council:

1. underlined the importance of this communication as a contribution to determining future policies for the supply and use of energy in an environmentally acceptable manner, and agreed with the factual analysis contained therein;
2. underlined also the importance of involvement by the Community in the global discussion and measures on climate change and the need for an international legal framework within the context of present IPCC work;
3. noted that progress towards the Internal Energy Market should also produce benefits for the environment and welcomed the Commission's intention of reviewing Directive 75/404/EEC of 13 February 1975;
4. noted progress made and anticipated in reducing SO₂ and NO_x emissions in the Community as a result of Community and national environmental legislation, energy efficiency improvements and the use of cleaner fuels; recognized that whilst there are still uncertainties on some scientific aspects of the greenhouse issue, CO₂ emissions will continue to grow in the absence of alternative policy decisions, especially in the energy sector but also in other areas, and that the greenhouse effect may in the long term become the main constraint on fossil fuel energy use;
5. welcomed the Commission's work programme on the evaluation of the options to reduce CO₂ emissions and indicated its willingness to collaborate closely with the Commission in the subsequent development and implementation of the part of the programme relating to energy policy;
6. recalled its invitation to the Commission and the Member States to take urgent action to increase energy savings, to improve energy efficiency, to promote the development and use of energy sources, such as non-fossil fuels, which will not contribute to the greenhouse effect; the Council also invited them to give high priority to the development and introduction of commercially viable

new technologies in these fields. In this context due account must be taken of security of energy supply, safety aspects, environmental impact, public health and economic considerations;

7. welcomed the fresh energy policy measures outlined by the Commission with a view to reducing environmental damage caused by the supply and consumption of energy and in particular the THERMIE programme for the promotion and dissemination of new energy technologies in a market-oriented manner;

noted the Commission's intention to

- bring forward the SAVE Special Action Programme for Vigorous Energy Efficiency,
 - propose the drawing up of voluntary codes of conduct with the energy industries in the Community in both the private and public sectors founded on principles favourable to health and the environment and the prudent use of finite natural resources,
 - continue the analysis of economic and fiscal instruments which satisfy at the same time energy, environmental and fiscal requirements;
8. agreed with the Commission that in making its proposals for environment-friendly energy measures it should be guided by the following considerations:
- use of the best available technologies not entailing excessive costs,
 - environmental impact and risk assessments in the context of existing Community legislation,
 - ensuring that energy costs reflect, as far as possible, the full environmental costs,
 - respect for a high level of environmental protection, through economic, standardization and fiscal measures, taking account of the specific ecological, economic and energy conditions of the Member States and peripheral regions of the Community, and the results already obtained in the area of the environment,
 - establishing a legislative framework offering flexible yet stable conditions,
 - improving institutional links and co-operation between administrations responsible for energy and the environment,

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- continued scientific research,
- collection and development of related statistical information,
- ensuring consistency between the measures to be applied in the energy sector and those adopted in other areas;

9. recognized that nuclear energy contributes to the limiting of polluting emissions arising from the use of fossil fuels;

welcomed the Commission's view that the discussion on nuclear energy and environmental issues, covering safety, transport and waste (including waste from the decommissioning process), should be pursued.

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The Council will resume the examination of these questions at its next meeting on energy matters and will pay particular attention to the measures for making the Commission's communication operational.

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ENERGY FOR A NEW CENTURY: THE EUROPEAN PERSPECTIVE

The Council noted an oral statement by Mr CARDOSO E. CUNHA, Commissioner, on the results of the Conference held on 3 and 4 May 1990 in Brussels on "Energy for a New Century: the European Perspective".

REGISTRATION OF CRUDE OIL IMPORTS IN THE COMMUNITY

The Council adopted the Regulation amending Regulation No 2592/79 laying down rules for carrying out the registration of crude oil imports in the Community provided for in Regulation No 1893/79.

The aim of this amendment is to adapt the reporting requirements provided for under Regulation No 2592/79 to accord with the trading conditions prevailing in international oil markets, to relieve operators of the obligation to report certain data no longer indispensable to analysing the supply costs of the Community and, as far as possible, to bring reporting requirements into line with those of national administrations and international organizations.

MISCELLANEOUS DECISIONS

Revision of the financial perspective

The Council adopted its Decision concerning the revision of the financial perspective annexed to the Interinstitutional Agreement of 29 June 1988 on budgetary discipline and improvement of the budgetary procedure.

The Council also adopted a Decision adjusting the financial perspective linked to the implementing conditions.

The Council will forward the texts of both Decisions to the European Parliament in order to reach the common agreement provided for in the Interinstitutional Agreement on budgetary discipline and improvement of the budgetary procedure.

The revision Decision provides first of all, as regards heading 2 (Structural operations) of the financial perspective, for the inclusion of an additional amount of ECU 250 million in 1991.

Furthermore the ceilings for heading 4 (Other policies) have been increased by ECU 200 million, ECU 1 175 million and ECU 1 628 million in 1990, 1991 and 1992 respectively. The appropriations granted to co-operation with the countries of Central and Eastern Europe amount to ECU 500 million in 1990 (taking account of the revision already carried out on 13 December 1989), ECU 850 million in 1991 and ECU 1 000 million in 1992. The remainder of the appropriations is intended for other areas of priority action relating to the stepping up of co-operation with the countries of the Mediterranean region, Latin America and Asia and the enhancement of certain policies linked to the implementation of the Single Act.

Finally, the ceilings for heading 5 (Repayments and administration) have been lowered by ECU 40 million in 1991 and ECU 150 million in 1992. The amount proposed for stock disposal under this heading has been reduced by ECU 450 million for 1992.

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Relations with Austria

The Council authorized the Commission to open negotiations with a view to the conclusion of an agreement between the European Economic Community and Austria on the marketing in Austria of Community bottled table wine.

Trade policy

The Council adopted

- the decision authorizing extension or tacit renewal of certain trade agreements between Member States and third countries

- the Regulation extending the provisional anti-dumping duty on imports of certain types of electronic micro-circuits known as DRAMs (dynamic random access memories) originating in Japan for a period not exceeding two months from 27 May 1990.



Bruxelles, le 18 mai 1990.

NOTE BIO(90) 144 AUX BUREAUX NATIONAUX
CC. AUX MEMBRES DU SERVICE DU PORTE-PAROLE

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RENDEZ-VOUS DE MIDI (H. Lohan)

Préparation du Conseil Energie (21 mai 1990)

Le Conseil débutera à 10 H 00. Au centre de l'agenda, il y aura quatre éléments importants pour la création du marché intérieur de l'énergie :

- La transparence des prix

La proposition de directive prévoit que les entreprises de distribution de gaz et d'électricité communiquent deux fois par an à la Commission les prix chargés aux consommateurs industriels finals. L'Office statistique publiera, en mai et en novembre chaque année, les informations sous une forme garantissant la confidentialité. La directive pourrait être adoptée par le Conseil.

- Transit d'électricité et de gaz

Selon les deux propositions de directives, les Etats membres devraient organiser et faire respecter sur leur territoire le droit au transit d'électricité et de gaz à travers un ou plusieurs réseaux à haute tension, voire haute pression. Les opérateurs informeront la Commission et les autorités nationales des demandes de transit, ouvrent des négociations et informent de nouveau des conclusions de contrat ou des raisons pour lesquelles les négociations n'ont pas abouti après un délai de 12 mois. En cas de problème, un organisme de conciliation créé et présidé par la Commission réunira les entités responsables des grands réseaux.

Le Conseil pourra arrêter une position commune pour ce qui est du transit d'électricité ; en ce qui concerne le transit de gaz, le Parlement européen n'ayant pas encore rendu son avis, une orientation politique pourrait se dégager des discussions.

- Les investissements d'intérêt communautaire dans les secteurs du pétrole, du gaz naturel et de l'électricité

La modification prévue d'un projet de règlement existant vise une plus grande cohérence des investissements énergétiques communautaires, sur la base d'informations et de concertations préalables entre les Etats membres. La proposition rencontre une opposition assez large entre les Etats membres.

D'autres points à l'agenda concernent le programme "THERMIE" pour la promotion de l'innovation et de la dissémination des technologies énergétiques. L'enveloppe financière de THERMIE serait de 700 Mécus pour la période 1990/1994. Le programme pourrait être adopté par le Conseil, à condition que des formulations acceptables soient trouvées en ce qui concerne le respect des perspectives financières 1990/1992 et la continuité de THERMIE au-delà de la fin 1992.

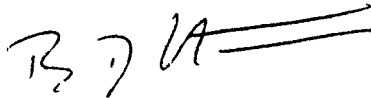
Le Conseil pourrait également adopter une résolution basée sur la communication de la Commission concernant l'énergie et l'environnement. Dans ce contexte, des orientations pourraient être données pour que les mesures énergétiques satisfassent aux exigences environnementales.

Le Commissaire Cardoso e Cunha Informera le Conseil des résultats de la conférence "Energie pour le prochain siècle : perspectives européennes" organisée par la Commission à Bruxelles le 3 et 4 mai.

Lors du déjeuner du Conseil seront abordés : la situation du marché du pétrole brut et la coopération dans le domaine de l'énergie avec les pays de l'Europe de l'Est.

Amitiés,

Bruno DETHOMAS



Matériel distribué :

- IP 395 - F. Andriessen : professeur pour l'intégration européenne de l'université d'Utrecht
- IP 396 - Politique régionale : prêt global pour le développement local au Portugal
- IP 397 - Produits cosmétiques et défense des animaux
- IP 398 - Esprit : nouveaux projets pour un total de 690 Mecus
- IP 399 - Visite de Mme Scrivener à Munich
- IP 400 - Rapport de la Cour des Comptes : gestion des ressources humaines

Bruxelles, le 22 mai 1990

NOTE BIO (90) 144 suite 1 et fin AUX BUREAUX NATIONAUX
cc aux Membres du Service du Porte Parole
(M. H. Lohan)

Les résultats du Conseil Energie "représentent déjà les premiers progrès visibles sur la voie vers le marché intérieur de l'énergie, empruntée il y a 10 mois seulement", a dit M. CARDOSO E CUNHA, Commissaire chargé de l'énergie, à l'issue de la réunion. "En fait, c'est l'intégration des marchés qui servira mieux que d'autres mesures l'objectif de la sécurité d'approvisionnement, qui joue un rôle fondamental dans la politique énergétique des Etats membres", a-t-il rajouté.

Le Conseil s'est mis d'accord sur deux conditions nécessaires pour qu'un marché de l'énergie sans cloisonnement puisse être créé: la transparence des prix au consommateur final industriel de gaz et d'électricité, et le transit d'électricité sur les grands réseaux.

Transparence des prix.

La directive sera formellement adoptée sous point A lors d'un prochain Conseil. Elle prévoit que les entreprises de distributions de gaz et d'électricité communiquent deux fois par an à la Commission les prix payés par les consommateurs industriels finals. Ces informations se référeront à la situation au 1er janvier et au 1 juillet de chaque année. Elles seront publiées par l'Office statistique en mai et en novembre sous une forme garantissant la confidentialité, pour la première fois en novembre 1991.

Transit d'électricité.

Le Conseil a adopté une position commune sur cette directive, qui prévoit que les Etats membres doivent organiser et faire respecter sur leur territoire le droit au transit d'électricité à travers les réseaux à haute tension. En termes opérationnels, les opérateurs informeront la Commission et les autorités nationales de demandes de transit, ouvrent des négociations et informent de nouveau sur les conclusions de contrats ou sur les raisons pour lesquelles les négociations n'ont pas abouti après un délai de 12 mois.

En absence d'un accord, les parties intéressées auront le droit de s'adresser à un organisme de conciliations créé et présidé par la Commission, qui réunira les entités responsables des grands réseaux. Toutefois, les conclusions de cet organisme ne seront pas obligatoires. Si les raisons de l'absence d'accord apparaissent injustifiées ou insuffisantes, la Commission met en oeuvre les procédures prévues par le droit communautaire.

Transit de gaz.

Le Parlement européen n'ayant pas encore rendu son avis, le Conseil a eu un débat large sur cette proposition de directive. La distance entre les positions des pays producteurs d'un côté et des pays consommateurs de l'autre reste encore assez large. La discussion sera poursuivie sous présidence italienne. L'accord intervenu sur le transit d'électricité sera sans doute pris en compte et plusieurs délégations ont exprimé leur espoir que la directive pourrait être adoptée encore cette année.

Les investissements d'intérêts communautaire dans les secteurs du pétrole, du gaz naturel et de l'électricité.

Sur l'initiative de M. CARDOSO E CUNHA, le Conseil n'a pas procédé à un vote sur le projet de modification de règlement. La Commission a accepté d'utiliser un certain délai, pendant la proposition ne sera pas discutée au Conseil, pour appliquer avec le maximum de rigueur le règlement existant. Elle exploitera toutes les possibilités qu'il offre, notamment en faisant des rapports réguliers au Conseil. Dans la lumière de futurs progrès vers l'ouverture du marché de l'énergie, la proposition actuelle pourrait perdre de sa pertinence et la Commission pourrait envisager d'autres solutions.

Le Conseil a approuvé le programme THERMIE pour la promotion de l'innovation et de la dissémination des technologies énergétiques. THERMIE vise à combler le "fossé d'inertie" qui sépare la démonstration prometteuse de nouvelles technologies énergétiques et leur utilisation commerciales dans l'utilisation rationnelle énergétique, dans les énergies renouvelables, dans l'utilisation propre du charbon et dans l'exploration et développement des hydrocarbures.

THERMIE se déroulera sur la période 1990-1994. L'enveloppe financière globale estimée nécessaire est de 700 Mecu, dont 350 Mecu pour les premières trois années. Le financement de THERMIE au-delà de 1990 sera à confirmer en vue de la modification des perspectives financières pour 1991-1992 actuellement en cours et de la programmation budgétaire à arrêter pour les années suivantes.

Après un débat d'orientation sur la communication de la Commission concernant l'énergie et l'environnement, le Conseil a adopté des conclusions comportant entre autres un ensemble d'orientations en vue de rendre les mesures énergétiques favorables à l'environnement. En ce qui concerne l'utilisation de l'énergie nucléaire, la discussion du Conseil sur l'équilibre entre la contribution positive qui en résulte pour limiter l'effet de serre et la problématique de la sécurité, du transport et des déchets est également reflétée dans les conclusions.

Finalement, M. CARDOSO E CUNHA a informé le Conseil des résultats de la conférence organisée par la Commission sur l'"Energie pour le prochain siècle : perspectives européennes", qui a eu lieu à Bruxelles les 3 et 4 mai.

Amitiés
C. STATHOPOULOS

