

Transposition RED II & EMD in Germany

Virtual Policy Dialogue

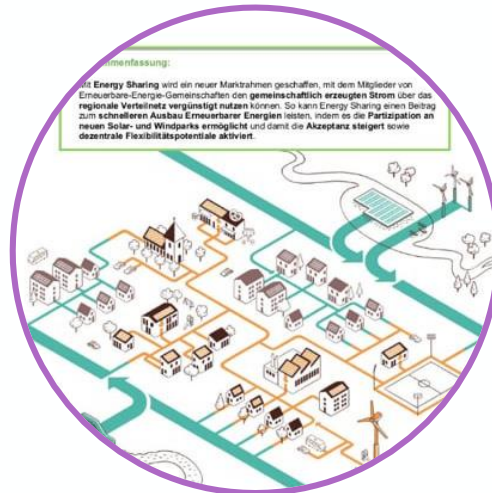
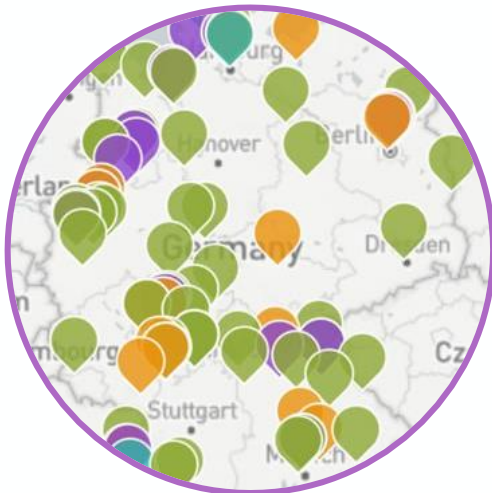
Valérie Lange | 26.06.2024 | online



The German Citizen Energy Alliance

Energy Supply powered by citizens with 100% renewables

1. **Platform** for engaged citizens
2. **Trailblazer** for a participatory and decentralized energy transition
3. Political **voice** for citizen energy



200+ Member Organisations

500.000+ Energy Citizens



Today's Topics

1. Status quo: RED II

- Definition RECs
- Definition CECs
- Jointly acting renewables self consumers at building level
- Enabling Framework to promote and facilitate the development of RECs
- Energy Sharing

2. Status quo: Electricity Market Directive (EMD)

- Energy Sharing

3. Outlook: Energy sharing in Germany

Status quo RECs & CECs

	Renewable Energy Community (Renewable Directive)	Citizen Energy Community (Electricity Directive)
Members	Natural persons, local authorities, small/microenterprises; under condition that the main professional or commercial activity of the members are <u>not defined by their membership to the RECs</u>	Natural persons, local authorities, small/microenterprises
Location	Members/shareholders need to be in a specific location , close to the associated project of the REC	No limitations on location, even cross-border Citizen Energy Communities can be established
Activities	All areas of energy market involving renewable energy	Activities in the energy sector targeted exclusively for members; and activities exclusively in the electricity sector for the whole market
Technologies	Only renewable energy technologies	No limitations on technologies

RECs (§ 3 Nr. 15 EEG): Bürgerenergiegesellschaft



Any cooperative or other company that:

Consists of at **least 50 natural persons** as members/shareholders with voting rights + municipalities + SME

At least **75 % of the voting rights** are held by natural persons who are registered with a residence in a zip code area that is fully or partially **within a radius of 50 kilometers** of the planned installation

no member/shareholder holds > 10 percent of the voting

→ Citizens cooperate to jointly develop and operate renewable energy projects

→ Focus on decentralized energy generation and citizen participation

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X Definition CECs

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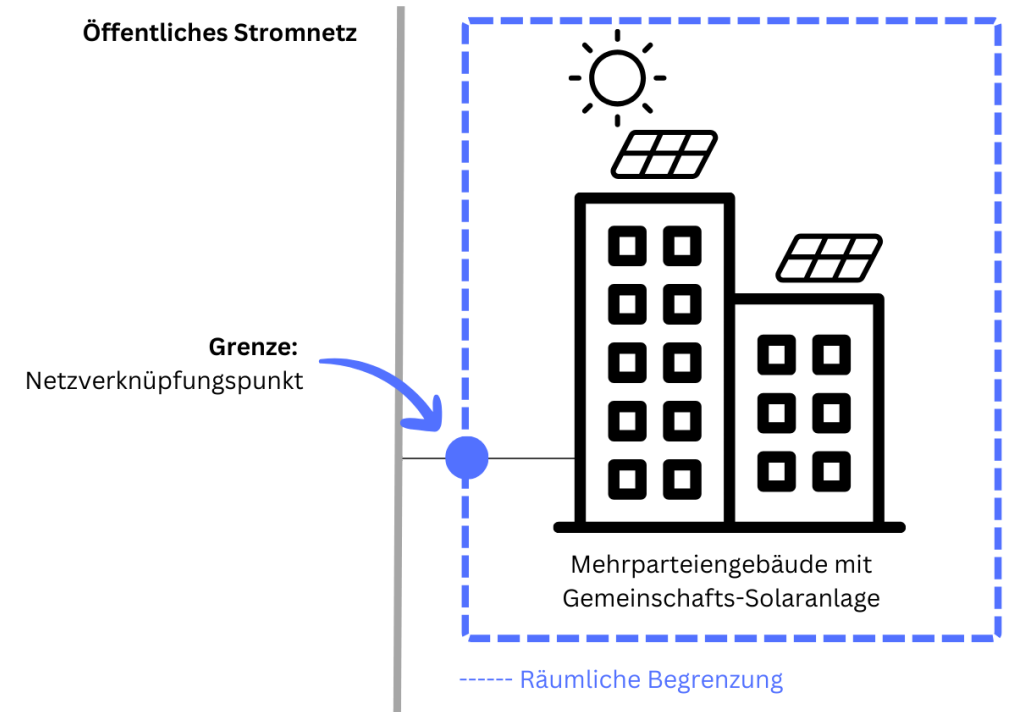
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Jointly acting renewables self consumers at building level

- Law passed in April 2024
- Numerous **challenges** concerning market communication and roles and responsibilities in the energy market
- distribution system operator lack the capacity to establish processes



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Enabling Framework

Member States shall provide an enabling framework to promote and facilitate the development of RECs, which ensures that:

- **unjustified regulatory and administrative barriers** to RECs are **removed**;
- DSOs cooperates with RECs to facilitate energy transfers within RECs;
- RECs are subject to fair, proportionate and transparent procedures,
- RECs are **not** subject to **discriminatory treatment** with regard to their activities, rights and obligations
- RECs are **accessible to all consumers**, incl. low-income or vulnerable households;
- tools to **facilitate access to finance and information** are available;
- regulatory and capacity-building **support** is provided **to public authorities** in enabling and setting up RECs, and in helping authorities to participate directly;
- rules to secure the **equal and non-discriminatory treatment of consumers** that participate in the RECs are in place

→ No transposition in Germany.

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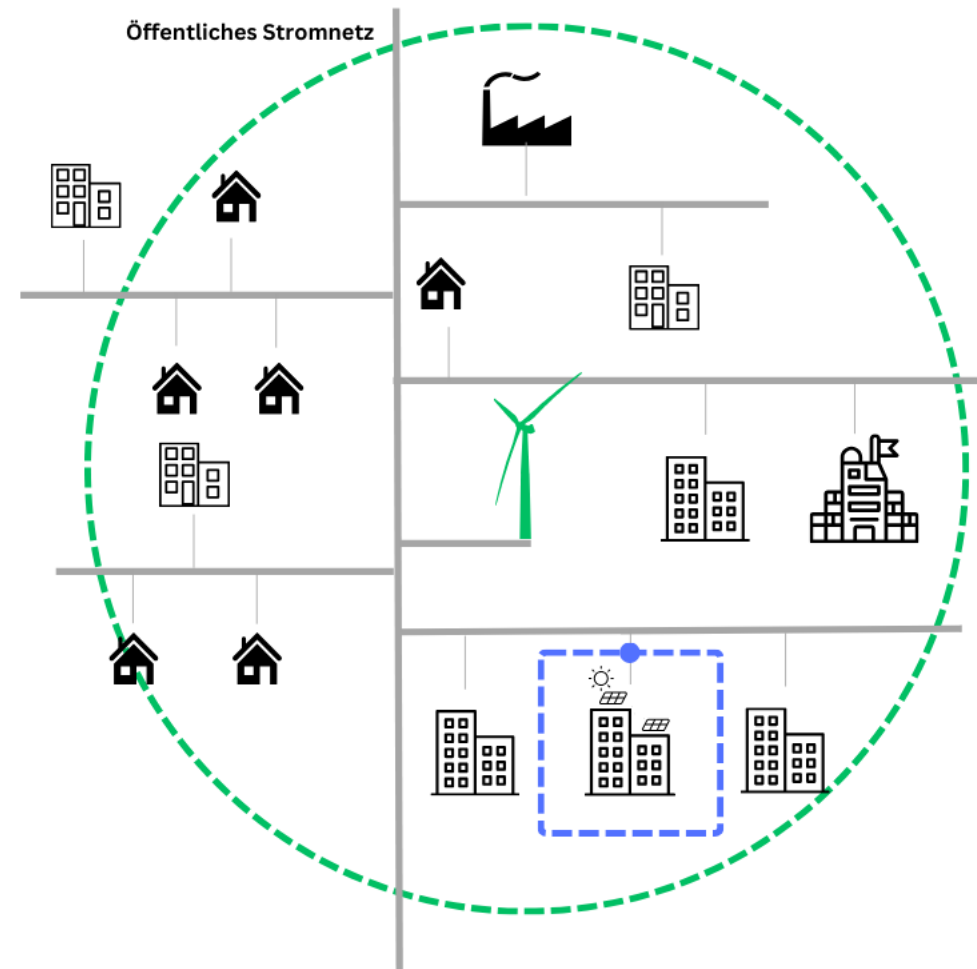
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Energy Sharing



----- Räumliche Begrenzung Energy Sharing: 50-Kilometer-Radius um Anlage

----- Räumliche Begrenzung Gemeinschaftliche Gebäudeversorgung: Grenze am Netzverknüpfungspunkt

Energy Sharing in RED II

All MS shall ensure that final customers (...) are entitled to participate in a renewable energy community (...)

- (...)RECs are entitled to
 - ~~(a) produce, consume, store and sell renewable energy (...);~~
 - (b) **share, within the renewable energy community, renewable energy that is produced by the production units owned (...);**
 - ~~(c) access all suitable energy markets both directly or through aggregation in a non-discriminatory manner.~~

→ No Transposition

Insufficient Transposition

- Citizens' Energy Alliance filed a complaint with the European Commission about a violation of EU law (RED II) by the German government in August 2021
- Infringement proceedings against Germany ongoing



WIR NEHMEN DIE UNTÄTIGKEIT DER BUNDES-REGIERUNG nicht länger hin

BBEn reicht Beschwerde bei der EU ein

genug ist genug

ENERGIE IN BÜRGER-HAND

bben-ev.de  **BBEn**
Bündnis Bürgerenergie e.V.



Today's Topics

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Essential new aspects for Energy Sharing



Art. 15 a EMD

- Possibility of more than one electricity supply contract
- *active customers*: households, SMEs, municipalities and others (if MS define this)
 - not only RECs
- Geographical radius: bidding zone or smaller
- Role of the Energy Sharing Organizer to be defined.
- Exemption from supplier obligations if installed capacity up to 30 kW (individual households); up to 100 kW (multi-family houses)
- **Level playing field for RECs and CECs**

→ What does this imply for Energy Sharing in Germany?

Energy Sharing in Germany in 2024?

Political context:

- Implementation deadline for REC II by mid-2021
- Coalition agreement
- PV strategy 2023
- Ongoing stakeholder dialog

“We will strengthen citizen energy as an important element for greater acceptance. Within the scope of what is possible under European law, we will improve the framework conditions for citizen energy (energy sharing).”



→ Our latest [recommendations for transposition into German law](#)

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- ? Energy Sharing

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Thank you!



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