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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 23/01/2007
C (2006) 107

COMMISSION DECISION

of 23/01/2007

concerning the unilateral inclusion of additional activities by Sweden in the Community emissions allowance trading scheme pursuant to Article 24 of Directive 2003/87/EC of the European Parliament and of the Council

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(Only the Swedish text is authentic)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Directive 2003/87/EC of the European Parliament and of the Council of 13 October 2003 establishing a scheme for greenhouse gas emission allowance trading within the Community and amending Council Directive 96/61/EC¹, and in particular Article 24(1) thereof,

Whereas:

- (1) The national allocation plan of Sweden for the period 2005-2007, developed under Article 9(1) of Directive 2003/87/EC, was notified to the Commission on 27 April 2004 and registered on 29 April 2004. Sweden submitted additional information by a letter received on 30 June 2004 completing the notified plan to which no objections were raised by Commission Decision C(2004) 2515/7 final of 7 July 2004.
- (2) The Commission approved Sweden's first application for the unilateral inclusion of 66 installations having a rated thermal input below 20 MW but being connected to a district heating network with a total rated thermal input above 20 MW in the Community emission allowance trading scheme by Commission Decision C(2004) 4240/1 of 29 October 2004.
- (3) Sweden's second application for the unilateral inclusion of an additional 195 such installations was approved by Commission Decision C(2005) 4498 of 24 November 2005.
- (4) By letter dated 11 July 2006, registered on 13 July 2006, supplemented by letter dated 15 August 2006, registered on 29 August 2006, Sweden submitted a further application for the unilateral inclusion of 13 existing installations having a rated thermal input 20 MW or less but being connected to a district heating network with a total rated thermal input above 20 MW. In addition, Sweden applied for the unilateral inclusion of all future installations fulfilling the same criteria as these 13 installations in the Community scheme pursuant to Article 24 of Directive 2003/87/EC. The Swedish authorities confirm that the allocation of allowances to all unilaterally included installations will not increase the total quantity of allowances approved by

¹ OJ L 275, 25.10.2003, p. 32, as amended by Directive 2004/101/EC, OJ L 338, 13.11.2004, p. 18.

the Commission by Decision C(2004)2515/7 final of 7 July 2004, as the allowances will be taken from the new entrants' reserve.

- (5) The 13 existing installations covered by its application and any existing installations fulfilling the same criteria that will be discovered later will be allocated allowances in accordance with the general principles and methodologies for existing installations stated in its national allocation plan and in Swedish legislation. Allocations to these installations will be taken from the new entrant's reserve.
- (6) Newly established installations fulfilling the same criteria will be allocated in accordance with the principles and methodologies applicable to new entrant combustion installations as stated in Sweden's national allocation plan and in Swedish legislation. The total quantity of allowances allocated to installations in Sweden for the period 2005-2007 determined by the Commission in its Decision C(2004)2515/7 will not be exceeded by the allocation of allowances to these installations.
- (7) In deciding to approve this application, the Commission takes into account the criteria referred to in Article 24, and considers that the inclusion of these installations will not result in distortions of competition or of the internal market, that emissions will be monitored and reported in accordance with Commission Decision 2004/156/EC² and that the inclusion of these installations will not undermine the environmental integrity of the scheme.
- (8) The measures provided for in this Decision are in accordance with the opinion of the Climate Change Committee established by Article 9 of Decision No 280/2004/EC of the European Parliament and of the Council of 11 February 2004 concerning a mechanism for monitoring Community greenhouse gas emissions and for implementing the Kyoto Protocol³,

HAS ADOPTED THIS DECISION:

Article 1

The inclusion of the 13 installations listed in Sweden's application for the unilateral inclusion of installations in the Community scheme, and all further discovered and newly established installations fulfilling the same criteria, i.e. installations having a rated thermal input of 20 MW or less that operate in a district heating network where one or more installations already fall under the Community emissions allowance trading scheme is approved, provided that the emissions of those new installations are monitored and reported in accordance with Commission Decision 2004/156/EC.

Article 2

This Decision is addressed to the Kingdom of Sweden.

² OJ L 59 26.02.2004, pg.1.

³ OJ L 49 19.02.2004, pg.1.

Done at Brussels, 23.01.2007.

For the Commission
Stavros DIMAS