



Brussels, **XXX**
C(2013) 557 of 29/01/2013
[...] (2012) **XXX**

COMMISSION DECISION

of **XXX**

Instructing the Central Administrator of the European Union Transaction Log to enter corrections to the National Allocation Plan Table of Estonia into the European Union Transaction Log

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THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Commission Regulation No 920/2010 of 7 October 2010 establishing a Union Registry for the periods ending 31 December 2012 of the Union emissions trading scheme pursuant to Directive 2003/87/EC of the European Parliament and of the Council and Decision No 280/2004/EC of the European Parliament and of the Council¹, and in particular Article 37(2) thereof,

Whereas:

- (1) The national allocation plan of Estonia for the period 2008-2012, developed under Article 9(1) of Directive 2003/87/EC² (hereinafter "the Directive"), was notified to the Commission by letter dated 7 July 2006 and registered by the Commission on 12 July 2006. Estonia submitted additional information in order to complete the notified plan by letter dated 7 November 2006, registered on 9 November 2006, in reply to questions from the Commission, and by letter of 6 February 2007, registered on 15 February 2007.
- (2) On 4 May 2007, the Commission adopted the Decision C(2007)1978 final rejecting the national allocation plan.
- (3) Estonia brought an action for annulment against Decision C(2007)1978 (Case T-263/07). On 23 September 2009, the Court of First Instance (First Chamber) rendered a judgment annulling that decision. As a result of the annulment of the Decision C(2007)1978 final and in line with the Court of First Instance's judgement, the Commission reassessed the national allocation plan and rejected it on 11 December 2009.
- (4) By letter dated 8 February 2011, registered on 10 February 2011, Estonia notified to the Commission a revised national allocation plan for the period 2008-2012. On 29 April 2011, the Commission took the Decision C(2011)2999 final also rejecting this revised national allocation plan.

¹ OJ L 270, 14.10.2010, p. 1;

² OJ L 275, 25.10.2003, p. 1;

- (5) Thereafter, Estonia notified to the Commission a new national allocation plan on 5 September 2011. By Commission Decision C(2011) 8921 of 5 December 2011, the Commission raised no objection with regard to this national allocation plan.
- (6) By letter dated 17 January 2012, Estonia notified to the Commission the national allocation plan table in conformity with the national allocation plan notified to the Commission on 5 September 2011.
- (7) On 24 September 2012, the Commission adopted the Decision C(2012) 6836 instructing the Central Administrator of the European Union Transaction Log to enter the national allocation plan table of Estonia into the European Union Transaction Log.
- (8) By letter dated 11 December 2012, Estonia notified to the Commission corrections to its national allocation plan table including its Joint Implementation set a side reserve, which was not made part of the Commission Decision C(2012) 6836 of 24 September 2012.

HAS DECIDED AS FOLLOWS:

Article 1

The Commission instructs the Central Administrator of the European Union Transaction Log to enter the corrections to the National Allocation Plan table of Estonia into the European Union Transaction Log in accordance with Art. 37(2) of Commission Regulation No 920/2010.

Article 2

The corrections to the National Allocation Plan table of Estonia are represented in Annex I.

Done at Brussels,

For the Commission
Jos Delbeke
Director General with responsibility for
Climate Action

ANNEX I

Correction to Estonia's National Allocation Plan Table 2008-2012

Allocation					
2008	2009	2010	2011	2012	Total 2008-2012

Impact on the total quantity of allowances:

The total quantity of allowances in the lines bellow is changed by the following [the change is indicated with '-' or '+']:

A. Total incumbents per year							
Totals for the 2008-2012 period:							
B. Reserve (B1+B2)							
		B1 of that: New entrants					
		B2 of that: amount to be auctioned					
C. Total for initial issuance (A+B)							
D. JI Reserve			+991 172				
E. Total allowances created (C+D)			+991 172				