



Brussels, 2.4.2020
C(2020) 2176 final

COMMISSION IMPLEMENTING DECISION

of 2.4.2020

amending Implementing Decision C(2014) 4493 as regards certain projects

only the Spanish, Danish, Estonian, Greek, English, French, Croatian, Italian, Portuguese and
Swedish versions are authentic

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THE EUROPEAN COMMISSION,

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

Having regard to Directive 2003/87/EC of the European Parliament and of the Council of 13 October 2003 establishing a system for greenhouse gas emission allowance trading within the Union and amending Council Directive 96/61/EC¹, and in particular Article 10a(8) thereof, in conjunction with Article 131 of the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community,

Having regard to Commission Decision 2010/670/EU of 3 November 2010 laying down criteria and measures for the financing of commercial demonstration projects that aim at the environmentally safe capture and geological storage of CO₂ as well as demonstration projects of innovative renewable energy technologies under the scheme for greenhouse gas emission allowance trading within the Community established by Directive 2003/87/EC of the European Parliament and of the Council², and in particular Article 5(5) thereof,

After consulting the Climate Change Committee,

Whereas:

- (1) Pursuant to Articles 5 to 9 of Decision 2010/670/EU, the Commission published a second call for proposals under the NER 300 funding programme covering the proceeds of 100 million allowances in April 2013, followed by a selection procedure and the adoption on 8 July 2014 of Commission Implementing Decision C(2014) 4493³ awarding funding for 19 projects ('the Award Decision').
- (2) In April, June and September 2019, six Member States notified the Commission about seven project failures in accordance with the procedure provided for in point 3 of Annex 2 to the Award Decision.
- (3) In addition, Croatia requested, on 20 December 2019, a second upfront funding payment for one Croatian project to enable the project to proceed with the construction works without delay and ensure the timely entry into operation of the project. The requested change is in line with Article 11(5) of Decision 2010/670/EU, which allows the full or partial funding to be disbursed prior to the entry into operation of the project

¹ OJ L 275, 25.10.2003, p. 32.

² OJ L 290, 6.11.2010, p. 39.

³ Commission Implementing Decision C(2014) 4493 of 8.7.2014 Award Decision under the second call for proposals of the NER 300 funding programme.

provided that the Member State concerned guarantees that any excess funding will be returned to the European Investment Bank.

- (4) The technical and financial implications of the requested change to the Croatian project have been assessed in accordance with the procedure set out in point 5 of Annex 2 to the Award Decision. Croatia has provided the guarantee referred to in Article 11(5) of Decision 2010/670/EU. The requested amendment is justified. Therefore, the Award Decision should reflect that change.
- (5) It follows from point 3 of Annex 2 to the Award Decision that it ceases to have legal effects retroactively with regard to the project failures. For reasons of legal certainty, the failed projects should however be deleted from the list of projects in Annex 1b to that Decision.
- (6) The Award Decision should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Annex 1b to Implementing Decision C(2014) 4493 is replaced by the text set out in the Annex to this Decision.

Article 2

This Decision is addressed to the Kingdom of Denmark, the Republic of Estonia, the Kingdom of Spain, the French Republic, the Republic of Croatia, the Italian Republic, the Republic of Cyprus, the Portuguese Republic, the Kingdom of Sweden and the United Kingdom of Great Britain and Northern Ireland.

Done at Brussels, 2.4.2020

For the Commission
Mauro PETRICCIONE
Director-General for Climate Action



