

# Annual activity data – practical aspects

## Spanish experience with annual activity data reported in Baseline Data Reports

25 November 2020

# Annual Activity Data

- No obligation for installation to present verified annual activity data in phase 3
- Based on the Annual Activity Data submitted in 2019 by installations during the application to receive free allocation in the Baseline Data Report (BDR)
- Data for each sub-installation and each year crosschecked with the historical activity levels (HAL) for phase 3, and allocation adjustments applied, if any, in free allocation
- It was found 53 cases in which based on the data contained in the BDR, the free allocation should have been adjusted and it was not adjusted correctly (no adjustment or wrong adjustment factor)

This situation led to:

An administrative procedure to claim back free allowances transferred in excess in previous years

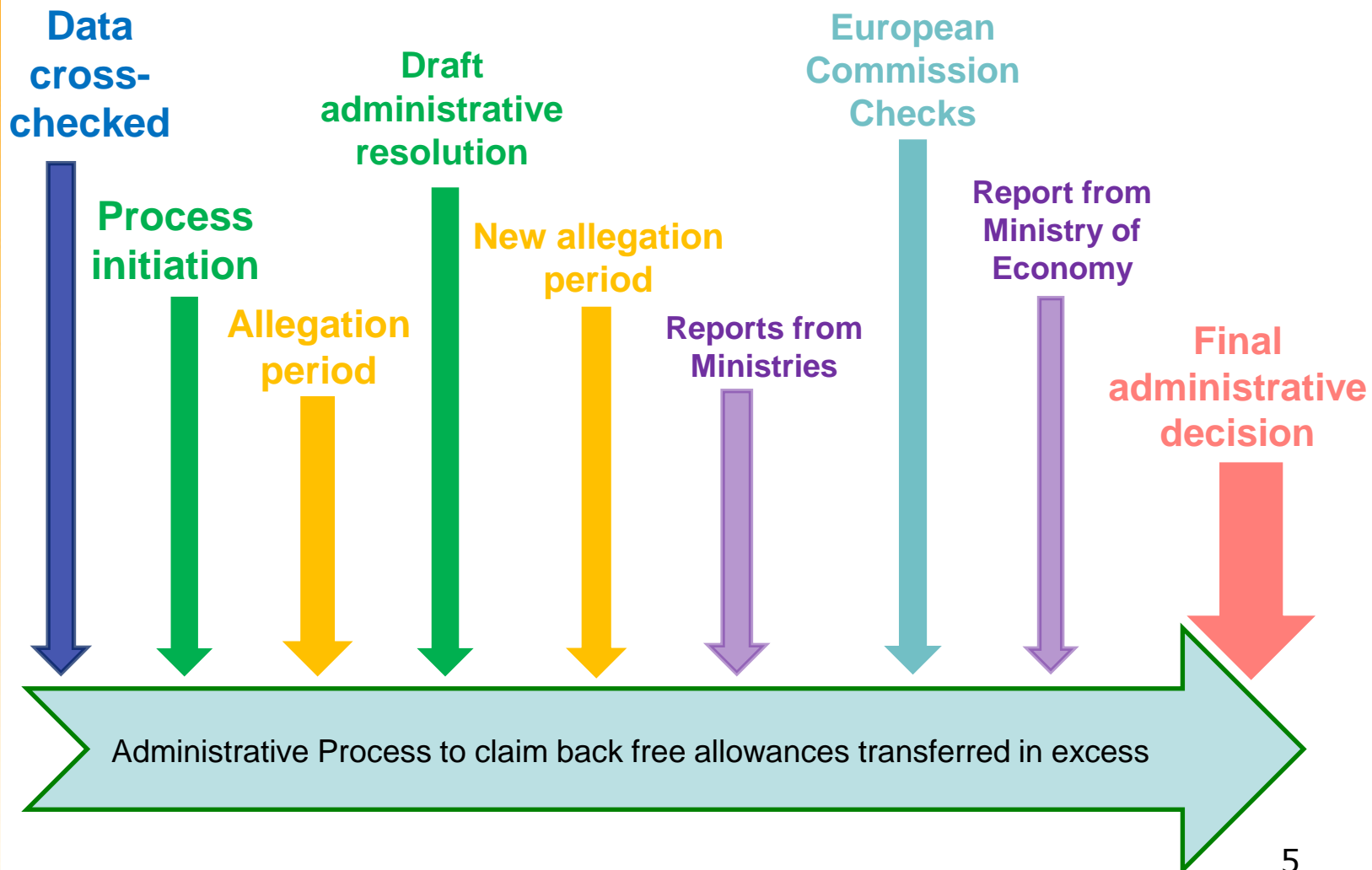
# Claim back free allowances transferred in excess

- 53 administrative procedures opened and notified to the installations
- Several installations recognised their mistake at the beginning of the process and declare they are willing to return the excess of allowances
- There were 2 possible moments for installations to provide their allegations to the administrative procedures
- Received allegations from installations in order to justify that they did not experienced a partial cessation.
- All allegations were analysed and some were accepted, not leading to an allocation adjustment and return of allowances

# Claim back free allowances transferred in excess

- After analysing all the allegations from installations, relevant Ministry departments (with competence in industry and energy) made their assessment of the documentation of each installation, and provided reports, in all cases reaching the same conclusions as the Competent Authority.
- The adjustments to free allocation were submitted to the European Commission through DECLARE:
  - A form was built for each installation and each year to be adjusted
- After the confirmation from the COM of the correctness of the adjustments, the Ministry of Economy provides its report, in this case, with no objection to these adjustments
- On 16 October 2020 they were notified the Resolutions that state that the administrative procedure is ended and the total amount of allowances that the installation has to return
- Finally, 33 installations were requested to return allowances transferred in excess.

# Claim back free allowances transferred in excess



# Conclusions

- Based on more than 700 Baseline Data Reports received for the application of free allocation in 2019, there were assessed 53 installations that could have had received free allowances in excess.
- 53 administrative procedures to claim back the excess of allowances were initiated
- 33 administrative procedures were ended with installations that experienced a partial cessation that led to a free allocation adjustment that was not applied in due time.

Annual activity data reported during Phase 4 will allow decision on allocation adjustments based on real and verified data

# THANK YOU