

Acceleration of Permits Directive – Grids Package

Trilogue Negotiations

Eurelectric recommendations

Eurelectric represents the interests of the electricity industry in Europe. Our work covers all major issues affecting our sector. Our members represent the electricity industry in over 30 European countries.

We cover the entire industry from electricity generation and markets to distribution networks and customer issues. We also have affiliates active on several other continents and business associates from a wide variety of sectors with a direct interest in the electricity industry.

We stand for:

The vision of the European power sector is to enable and sustain:

A vibrant competitive European economy, reliably powered by clean, carbon-neutral energy

A smart, energy efficient and truly sustainable society for all citizens of Europe

We are committed to lead a cost-effective energy transition by:

investing in clean power generation and transition-enabling solutions, to reduce emissions and actively pursue efforts to become carbon-neutral well before mid-century, taking into account different starting points and commercial availability of key transition technologies;

- **transforming** the energy system to make it more responsive, resilient and efficient. This includes increased use of renewable energy, digitalisation, demand side response and reinforcement of grids so they can function as platforms and enablers for customers, cities and communities;
- **accelerating** the energy transition in other economic sectors by offering competitive electricity as a transformation tool for transport, heating and industry;
- **embedding** sustainability in all parts of our value chain and take measures to support the transformation of existing assets towards a zero carbon society;
- **innovating** to discover the cutting-edge business models and develop the breakthrough technologies that are indispensable to allow our industry to lead this transition.

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Permitting Trilogue Negotiations

KEY MESSAGES

Trilogue negotiations on the Permitting Directive between the European Commission (EC), Council of the EU and European Parliament (EP) started in July. Eurelectric is committed to ensure that the Directive, as part of the Grids Package, delivers faster and more predictable permitting procedures, enabling the timely deployment of grids, RES, storage and charging infrastructure.

Our [Grids for Speed study](#) demonstrates that annual investment in distribution grids alone must double to as much as €67 billion to keep pace with electrification and renewable deployment.

This paper sets out our targeted recommendations based on the proposed texts from either one of the three institutions, ahead of the inter-institutional negotiations to strike a good balance between accelerated grid build-out and implementable legislation that will make real-life changes.

Our 5 key messages to make this happen are:

1. Grid Connection procedure

A strong framework starts with clear definitions anchored in real-world procedures. Representing both DSOs and project developers of RES, storage and charging stations, Eurelectric's members support a uniform 3-month deadline for grid connection applications, providing project developers with certainty while allowing DSOs sufficient time for robust technical assessments. The framework should recognise relevant TSO inputs whenever necessary and ensure alternative solutions are offered only where technically feasible. Lastly, tacit approval should be removed as grid connections require explicit technical verification to safeguard system security and reliability.

2. Definition of anticipatory Investments

As demonstrated in Eurelectric's Grids for Speed study, anticipatory investments are the most cost-effective way to expand distribution grids. Establishing a clear EU definition of anticipatory investments is a key link in creating an enabling regulatory framework. Allowing DSOs to invest ahead of demand, accelerating the integration of RES, storage and electrification, and lowering system costs.

3. Overriding Public Interest

Recognising the refurbishment, modernisation, repowering and expansion of renewable energy assets and grid infrastructure as being of overriding public interest is a key enabler for accelerating the energy transition. It ensures consistent implementation across Member States, removes regulatory barriers and enable timely delivery of projects.

4. Benefit-sharing & Independent Facilitator

A flexible and proportionate approach to benefit-sharing and stakeholder engagement is essential to accelerate renewable energy deployment. Allowing Member States to tailor mechanisms to local circumstances, while preserving existing frameworks and keeping independent facilitators voluntary, will ensure broad societal support without creating unnecessary barriers, costs or delays.

5. Simplify repowering

Applying streamlined repowering provisions across all renewable energy and storage is essential to ensure regulatory predictability and unlock the full potential of existing assets. A uniform approach will remove regulatory barriers, support efficient use of existing sites, and accelerate capacity increases while maintaining appropriate environmental safeguards.

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1. Definition of Grid Connections

Item	Commission	Parliament	Council	Eurelectric preferred option
Definition of Grid Connection (Art 2(10f)) RED	'procedure for a grid connection permit' means the procedure from the project developer's complete request for a connection to the grid up to the system operator's decision on whether the project can be connected to the grid;	'procedure for a grid connection permit' or agreement means the result of the procedure from the project developer's complete request for a connection to the grid up to the system operator's decision on whether the project can be connected to the grid;	procedure for a grid connection permit' means the result of the procedure from the project developer's complete request for a connection to the grid up to the system operator's decision on whether the project can be connected to the grid.	Neither Eurelectric considers that the current drafting does not fully reflect how grid connection processes operate in practice. To better align the text with existing regulatory and operational arrangements, Eurelectric proposes the following amendments. In practice, grid connections are initiated through a connection application submitted by the project developer. Once the system operator has verified that the application is complete, it assesses the request and prepares a technical and financial connection proposal. The applicant may then decide whether to accept or reject this proposal. If accepted, the process proceeds to the conclusion of a connection contract. Connection contracts are bilateral agreements between the network system operator and the network user. The concept of a "grid connection permit" does not accurately reflect this process, as the outcome of the procedure is not a unilateral permit but a connection proposal that may subsequently lead to a contractual agreement. For this reason, Eurelectric recommends replacing references to "grid connection permit application" with "grid connection application" throughout the operative provisions and recitals. Eurelectric proposal: 'procedure for a grid connection permit application' means the procedure from the project developer's complete request request application for a connection to the grid up to the system operator's decision proposal on whether how and when the project can be connected to the grid. All documents required for the connection application must be submitted to start the procedure for a grid connection application.

2. Grid Connection Procedure

Item	Commission	Parliament	Council	Eurelectric preferred option
Grid Connection Procedure (Art. 17) RED	Procedures for grid connection permits 1. Member States shall ensure that the procedures for the grid connection permit do not exceed: (a) one month for the solar energy equipment and co-located energy storage referred to in Articles 16d(2), the stand-alone energy storage referred to in Article 16h(2), and the recharging stations referred to in Article 16i(2); (b) three months for the installation of the solar energy equipment and co-located energy storage referred to in Article 16d(1), and the repowering or hybridisation of existing renewable energy plants referred to in Articles 16c and 16j, unless there are justified safety concerns or there is technical incompatibility of the system components or, if due to the size of the capacity increase, more time is required to carry out the assessment. 2. Within the deadlines set out in Article 16a(1), Article 16b(1), and paragraph 1 of this Article, the system operator shall choose one of the following actions:	Procedures for grid connection permits or agreements 1. Member States shall ensure that the procedures for the grid connection permit or agreement do not exceed: (a) three months for the solar energy equipment and co-located energy storage referred to in Articles 16d(2), the stand-alone energy storage referred to in Article 16h(2), and the recharging stations or recharging pools referred to in Article 16i(2); (aa) three months for the recharging stations or recharging pools referred to in Article 16i(2a); (b) three months for the installation of the solar energy equipment and co-located energy storage referred to in Article 16d(1), and the repowering or hybridisation of existing renewable energy plants referred to in Articles 16c and 16j, unless there are justified safety concerns or there is technical incompatibility of the system components or, if due to the size of the capacity increase, more time is required to carry out the assessment; (ba) six months for installations referred to in Article 16a(1) and nine months for offshore renewable energy projects in renewable acceleration areas; nine months for installations referred to in Article 16b(1) and one year for offshore wind energy projects outside renewable acceleration areas; 2. Within the deadlines set out in Articles 16h(3), 16i(3) and paragraph 1 of this Article, the system operator shall offer the following options provided that it has received sufficient information from relevant transmission system operators on available capacity at connection points regardless of whether such information is used for supply or feed-in: (a) where there is sufficient grid capacity and the requested connection does not endanger grid stability, reliability and safety, the system operator shall accept the requested grid connection and shall grant the connection, or	Procedures for grid connections permits 1. Member States shall ensure that the procedures for the grid connection permit do not exceed: (a) one month six months for the solar energy equipment and co-located energy storage referred to in Articles 16d (1) and (2) , the stand-alone energy storage referred to in Article 16h(2), and the recharging stations referred to in Article 16i(2); and the repowering or hybridisation of existing renewable energy plants referred to in Articles 16c and 16j, unless there are justified safety concerns or there is technical incompatibility of the system components or, if due to the size of the capacity increase, more time is required to carry out the assessment. (b) three months for the installation of the solar energy equipment and co-located energy storage referred to in Article 16d(1), and the repowering or hybridisation of existing renewable energy plants referred to in Articles 16c and 16j, unless there are justified safety concerns or there is technical incompatibility of the system components or, if due to	Council & Parliament Eurelectric supports a combination of the Parliament and Council proposals. For Par. 1, A uniform maximum 3-month deadline for processing grid connection applications provides legal certainty , equal treatment, and a consistent framework across technologies and project sizes. This strikes the right balance between accelerating connections and allowing sufficient time for the technical assessments needed to ensure system security, network reliability, and efficient capacity allocation. For Par. 2 and 3 of this article, we suggest a combination of the Parliament and Council's proposal. In Par. 2 we support the consideration of the '...System Operator having received sufficient information from relevant transmission system operators...', because some assessments involve TSO's approval and can add complexity and is

	(a) where there is sufficient capacity and the requested connection does not affect grid stability, reliability and safety, accept the requested grid connection and grant the connection, (b) where there is insufficient grid capacity, propose, where technically possible, a flexible connection agreement in accordance with Article 6a of Directive (EU) 2019/944. 3. Where a proposal for an agreement referred to in paragraph 2, point (b), is rejected by the project developer, the system operator shall, on justified grounds of safety concerns or technical incompatibility of the system components, propose an alternative grid connection point, an alternative provisional date for the grid connection, or, if not possible, reject the connection request. 4. The lack of reply by the distribution system operator within the deadline established in paragraph 1, point (a), shall result in the connection permit being considered as granted, provided that the capacity of the solar energy equipment, the energy storage or the recharging stations does not exceed the available existing capacity of the connection to	(b) where there is insufficient grid capacity, or with the consent of the applicant, the system operator shall, where technically possible and on justified grounds of safety concerns, offer simultaneously a flexible connection agreement in accordance with Article 6a of Directive (EU) 2019/944, an alternative grid connection point and an alternative provisional date for the grid connection. 2a. System operators shall ensure that the data underpinning their decisions is transparent and comprehensible, in accordance with Articles 31(3) and 40(1)(g) of Directive (EU) 2019/944. 3. Only where a proposal for an agreement referred to in paragraph 2, point (b), is rejected by the project developer, and where requested connection would endanger the security of grid operations in a manner that cannot be mitigated through non-market-based redispatch, or where there is technical incompatibility among system components, the system operator may reject the connection request. 4. The lack of decision by the distribution system operator within the deadline established in paragraph 1, point (a), shall result in the connection permit being considered as granted for installations that already have an existing connection to the distribution grid, provided there are no technical incompatibilities of the system components and that the requested capacity of the new solar energy equipment, the energy storage or the recharging stations does not exceed the available existing capacity of the connection to the distribution grid. Where duly justified on the grounds of extraordinary circumstances proven to be beyond the control of the distribution system operator, they may extend the period by up to one month. 4a. Where a full grid connection capacity pursuant to paragraph 2 cannot be provided by the system operator, the system operator shall take all reasonable solutions to improve flexibilisation, optimisation and digitalisation of the grid or reinforce the grid without undue delay, in line with current and anticipated overall demand.	the size of the capacity increase, more time is required to carry out the assessment. 2. Within the deadlines set out in Article 16a(1), Article 16b(1), and paragraph 1 of this Article, the system operator shall choose one of the following actions: (a) where there is sufficient capacity and the requested connection does not affect grid stability, reliability and safety, accept the requested grid connection and grant the connection, (b) where there is insufficient grid capacity, propose, where technically possible, a flexible connection agreement in accordance with Article 6a of Directive (EU) 2019/944. 3. If applicable, Where a proposal for an agreement referred to in paragraph 2, point (b), is rejected by the project developer, the system operator shall, on justified grounds of safety concerns or technical incompatibility of the system components, propose an alternative grid connection point, an alternative provisional date for the grid connection, or, if not possible, reject the connection request. 4. The lack of reply by the distribution system operator within the deadline established in paragraph 1, point (a), shall result in the connection permit being considered as granted, provided that the capacity of the	beyond the control of DSOs. Regarding the Council's proposal we support the inclusion of the safeguard "if applicable" in par. 3, providing the necessary flexibility to ensure that alternative solutions are offered only when they are technically feasible and consistent with an efficient network design. Eurelectric also opposes the proposal to use non-market-based redispatch and it should not be relied upon to accommodate additional connection capacity. Using it for this purpose would lead to significantly higher system costs and could negatively affect the business case of existing connected users while reducing investment certainty for future projects. For par. 4, Eurelectric strongly supports the deletion of tacit approval for grid connections. Unlike administrative permits, grid connection applications require explicit technical verification and cannot be deemed approved by default without risking system safety and operational reliability. Maintaining an explicit approval process prevents speculative applications,
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	the distribution grid.’.		solar energy equipment, the energy storage or the recharging stations does not exceed the available existing capacity of the connection to the distribution grid.’	supports effective queue management, and ensures that available network capacity is allocated efficiently to viable projects, ultimately facilitating faster and more predictable connections.
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3. Anticipatory Investment Definition

Item	Commission	Parliament	Council	Eurelectric preferred option
Anticipatory Investment definition (Art. 60a) ED	-	<i>‘(60a) ‘anticipatory investment’ means investment that proactively addresses expected developments, looking beyond immediate needs of generation or demand, assuming with sufficient level of certainty that new generation and demand will materialise, notwithstanding potential low utilisation in the short term;’</i>	-	<u>Parliament</u> Eurelectric strongly supports the Parliament’s proposal to introduce a definition of anticipatory investments, as it provides the legal clarity needed for a consistent implementation across Member States. Without a common definition, national regulatory frameworks may continue to apply divergent interpretations, creating uncertainty for DSOs and discouraging investments undertaken ahead of confirmed connection requests. A clear definition would establish a common understanding of the scope of anticipatory investments, support consistent regulatory treatment and cost recovery, and enable national regulatory authorities to assess such investments on a harmonised basis. This would provide DSOs with the regulatory certainty needed to invest proactively in network capacity, facilitating the timely integration of renewable energy, storage, and electrification while reducing future grid bottlenecks.

4. Overriding Public Interest for grid projects

Item	Commission	Parliament	Council	Eurelectric preferred option
Overriding Public Interest Grids (Art. 8(8) ED)	8. Until climate neutrality is achieved at Union level, Member States shall ensure that, in the necessary case-by-case assessments in the context of authorisation procedures, the planning, the construction and operation of transmission or	8. Until climate neutrality is achieved at Union level, Member States shall ensure that, in the necessary case-by-case assessments in the context of authorisation procedures, the planning, the construction and operation of transmission or distribution system infrastructure including the refurbishment, modernisation and	Until climate neutrality is achieved at Union level , Member States shall ensure that, in the necessary case-by-case assessments in the context of authorisation procedures within the meaning of paragraph 1 , the planning, the construction and operation of transmission or distribution system	<u>Parliament</u> Eurelectric supports the Parliament’s proposal, because it explicitly includes refurbishment, modernization and repowering in the scope of projects presumed to be in the

	distribution system infrastructure are presumed as being in the overriding public interest and serving public health and safety when balancing legal interests in individual cases for the purposes of Article 6(4) and Article 16(1), point (c), of Directive 92/43/EEC, Article 4(7) of Directive 2000/60/EC and Article 9(1), point (a), of Directive 2009/147/EC. Member States may, in duly justified and specific circumstances, restrict the application to certain parts of their territory, to certain types of technology or to projects with certain technical characteristics. Member States shall ensure that those projects are also given priority when balancing legal interests other than those referred to in this paragraph with the exception of cultural heritage on the basis of legal criteria to ensure harmonized implementation.	repowering of existing grid infrastructure are presumed as being in the overriding public interest and serving public health and safety when balancing legal interests in individual cases for the purposes of Article 6(4) and Article 16(1), point (c), of Directive 92/43/EEC, Article 4(7) of Directive 2000/60/EC and Article 9(1), point (a), of Directive 2009/147/EC, Directive 2008/56/EC, in particular Article 14(1) point (d), thereof and Regulation (EU) 2024/1991, in particular Articles 4(14), 4(15), 5(11), 5(12) and Article 6(1) thereof. Member States shall ensure that those projects are also given priority when balancing legal interests other than those referred to in this paragraph. Member States may exclude the application of this presumption only in duly justified cases where this is strictly necessary and proportionate for the purpose of protecting formally designated cultural heritage. Any such exclusion shall be based on clear, objective and proportionate legal criteria and shall not go beyond what is necessary to protect the cultural heritage.	infrastructure are presumed as being in the overriding public interest and serving public health and safety when balancing legal interests in individual cases for the purposes of Article 6(4) and Article 16(1), point (c), of Directive 92/43/EEC, Article 4(7) of Directive 2000/60/EC and Article 9(1), point (a), of Directive 2009/147/EC. Member States may, in duly justified and specific circumstances, restrict the application to certain parts of their territory, to certain types of technology or to projects with certain technical characteristics. Until climate neutrality is achieved, Member States shall ensure that those projects are also in the authorisation procedures, the planning, the construction and operation of transmission or distribution system infrastructure are presumed as being in the overriding public interest and, in such case, are given priority when balancing legal interests other than those referred to in this paragraph. Member States may exclude the application of this presumption for the purpose of protecting with the exception of cultural heritage on the basis of legal criteria to ensure harmonized implementation.	overriding public interest ensures that projects receive the same procedural priority and legal certainty as new installations. This prevents regulatory gaps or inconsistencies and supports the EU's climate neutrality objectives while maintaining harmonised implementation across Member States. By recognising these activities within the overriding public interest, the proposal ensures that essential upgrades to grid infrastructure can proceed efficiently, contributing directly to the EU's renewable energy and electrification targets.
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5. Overriding Public Interest of RES

Item	Commission	Parliament	Council	Eurelectric preferred option
Overriding Public	'Until climate neutrality is achieved, Member States shall ensure that, in the permit-granting	By 21 February 2024, until climate neutrality is achieved, Member States shall ensure that, in the permit-granting procedure, the planning, construction and operation of renewable energy plants, the connection of such plants to	'Until climate neutrality is achieved, Member States shall ensure that, in the permit-granting	Parliament Eurelectric supports the Parliament's proposal, because it explicitly includes refurbishment,

Interest (Art. 16f) RED	procedure, the planning, construction and operation of plants and installations for the production of energy from renewable sources, and their connection to the grid, the related grid itself, storage assets and recharging stations are presumed as being in the overriding public interest and, in such case, are given priority when balancing legal interests other than those referred to in the first paragraph. Member States may exclude the application of this presumption for the purpose of protecting culture heritage on the basis of legal criteria to ensure harmonized implementation.’;	the grid, the related grid itself, and storage assets are presumed as being in the overriding public interest and serving public health and safety when balancing legal interests in individual cases for the purposes of Article 6(4) and Article 16(1), point (c), of Directive 92/43/EEC, Article 4(7) of Directive 2000/60/EC and Article 9(1), point (a), of Directive 2009/147/EC, Directive 2008/56/EC, in particular Article 14(1) point (d), thereof and Regulation (EU) 2024/1991, in particular Articles 4(14), 4(15), 5(11), 5(12) and Article 6(1) thereof. Until climate neutrality is achieved, Member States shall ensure that, in the permit-granting procedure, the planning, construction and operation, refurbishment, modernisation, hybridisation and repowering of plants and installations for the production of energy from renewable sources, and their connection to the grid, including the injection of biomethane into the closest existing grid connection point, the related grid itself, storage assets, recharging stations and recharging pools are presumed as being in the overriding public interest and serving public health and safety and, in such cases, those projects shall be given priority when balancing legal interests other than those referred to in the first paragraph. Member States may exclude the application of this presumption only in duly justified cases where this is strictly necessary and proportionate for the purpose of protecting formally designated cultural heritage. Any such exclusion shall be based on clear, objective and proportionate legal criteria and shall not go beyond what is necessary to protect the cultural heritage.’;	procedure, the planning, construction and operation of plants and installations for the production of energy from renewable sources, and their connection to the grid, the related grid itself, storage assets and recharging stations are presumed as being in the overriding public interest and, in such case, are given priority when balancing legal interests other than those referred to in the first paragraph. Member States may exclude the application of this presumption for the purpose of protecting culturereal heritage on the basis of legal criteria to ensure harmonized implementation and for national defence and security interests; Member States may apply the presumptions established in the first and second paragraphs in spatial planning procedures.	modernisation, repowering and expansion in the scope of projects presumed to be in the overriding public interest ensures that projects receive the same procedural priority and legal certainty as new installations. This prevents regulatory gaps or inconsistencies and supports the EU’s climate neutrality objectives while maintaining harmonised implementation across Member States. By recognising these activities within the overriding public interest, the proposal ensures that essential upgrades to renewable energy assets and their associated grid, storage, and recharging infrastructure can proceed efficiently, contributing directly to the EU’s renewable energy and electrification targets. However, the first part of the provision, setting the deadline of 21 February 2024, seems out of place, and wrongly copied. It was added in the compromise amendments in the process of the EP when discussing the amendments, so they could easily read the full provision. Thus, the part before “<i>Until climate neutrality is achieved, Member States shall</i>” should be deleted.
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6. Benefit-Sharing & Independent Facilitator

Item	Commission	Parliament	Council	Eurelectric preferred option
Benefit-Sharing Mechanism (Art. 15d (3) RED).	3. Member States shall adopt measures to ensure that a share of the benefits of renewable energy projects with an installed capacity above 10 MW is passed on, directly or indirectly, to local citizens and communities in proximity to those projects.	3. Member States shall adopt measures to ensure that a <i>proportionate</i> share of the benefits of renewable energy projects with an installed capacity above 10 MW is passed on, directly or indirectly, to local citizens and communities in proximity to <i>or otherwise affected by</i> those projects. <i>Renewable energy projects directly developed by citizens and renewable energy communities shall be exempted from the obligation of this paragraph.</i> <i>3a. Member States shall identify the public likely to be affected by the renewable energy project and shall establish minimum standards for benefit sharing and appropriate criteria to assess the effectiveness of the measures referred to in paragraph 3.</i> <i>3b. The Commission shall, within six months from ... [the date of entry into force of this amending Directive], develop and issue guidelines on benefit sharing to support Member States or relevant regional authorities establishing standards and criteria taking into account existing best practices.</i> <i>3c. Where it can be demonstrated that equally effective direct and indirect measures ensuring the sharing of the benefits are in place, the obligation referred to in paragraph 3 shall be considered fulfilled and no new measures need to be introduced.</i>	3. Member States shall adopt measures to ensure that a share of the benefits of renewable energy projects with an installed capacity above 10 MW is passed on, directly or indirectly, to local citizens and communities in proximity to those projects. <i>Member States may apply different benefit sharing measures depending on the specific technology, location and size of the project and on whether the project is a renewables self-consumption project.</i> <i>Member States may exclude specific technologies from the obligation to adopt benefit sharing measures in cases where the technology is not mature enough to bear further financial burdens or specific technologies which are not main contributors to the national contributions to the Union's 2030 renewable energy target under their integrated national energy and climate plans submitted pursuant to Articles 3 and 14 of Regulation (EU) 2018/1999.</i>	<u>Council & Parliament</u> Eurelectric broadly supports the Council proposal, as it provides the necessary flexibility for Member States to apply different benefit-sharing mechanisms to different renewable energy projects, taking into account their specific characteristics and local circumstances. It also allows Member States to exempt technologies that cannot reasonably bear the additional cost burden, thereby safeguarding the economic viability of projects and avoiding unintended barriers to investment. To further strengthen the proposal while respecting the principle of subsidiarity, we support the inclusion of paragraphs 3b and 3c from the Parliament's proposal. Paragraph 3b, which calls for Commission guidance, would help clarify the range of benefit-sharing mechanisms available by drawing on established best practices across Member States, promoting consistency while preserving flexibility. Paragraph 3c is equally important, as many Member States already have national benefit-sharing frameworks in place. Recognising this existing legislation ensures that the EU framework complements rather than overrides national legislation, thereby respecting subsidiarity, preserving legal certainty, and avoiding unnecessary complexity for project developers. Regarding the EP text it should be clarified whether the threshold is 7 MW or 10 MW.

Item	Commission	Parliament	Council	Eurelectric preferred option
Independent Facilitator (Art. 15d (4) RED).	4. Member States shall designate and finance an independent facilitator to promote dialogue between the project developer and the general public for renewable energy projects with an installed capacity above 10MW. The facilitator shall only intervene upon request by any of the relevant parties and shall: (a) facilitate public consultations, as necessary, including early consultations during the phase prior to the permit application; (b) engage to find solutions to address potential concerns raised by local communities. (c) ensure support and transparency in the choice of the type of benefit sharing measure, where relevant. Member States may set up a fee, paid by project developers, to finance the services of the facilitator.’;	4. <i>Member States shall ensure that local communities have access to clear, accessible and reliable information on the permitting process, their rights and benefit sharing measures. Project developers and local communities shall engage with a view to reaching an agreement on benefit sharing measures related to the project. If such an agreement cannot be found,</i> Member States designate and finance an independent facilitator to promote dialogue between the project developer and the general public for renewable energy projects with an installed capacity above 7 MW. The facilitator shall only intervene upon request by <i>municipality, energy community or the project developer</i> and shall: (a) facilitate public consultations, as necessary, including early consultations during the phase prior to the permit application; (b) engage to find solutions to address potential concerns raised by local communities <i>and municipalities</i>; (c) ensure support and transparency in the choice of the type of benefit sharing measure, where relevant. Member States may set up a <i>proportionate</i> fee, paid by project developers, to finance the services of the facilitator. <i>Member States may rely on alternative procedures in place of the facilitator where they can demonstrate that such procedures are fulfilling a similar function such as national, regional or local authorities with the necessary knowledge and skills serving as facilitators.</i>’;	4. Member States shall <i>may</i> designate and finance an independent facilitator to promote dialogue between the project developer and the general public for renewable energy projects with an installed capacity above 10MW. <i>The facilitator shall be an independent third party, which can be a public authority, and shall not have any financial stake connected to the developer.</i> The facilitator shall only intervene upon request by any of the relevant parties and shall: (a) facilitate public consultations, as necessary, including early consultations during the phase prior to the permit application; (b) engage to find solutions to address potential concerns raised by local communities. (c) ensure support and transparency in the choice of the type of benefit sharing measure, where relevant. Member States may set up a fee, paid by project developers, to finance the services of the facilitator.’;	<u>Council & Parliament</u> Eurelectric strongly supports the Council proposal because <i>we believe the role of independent facilitators should remain voluntary</i>, carefully integrated into existing governance structures, and proportionate to avoid adding unnecessary complexity or enabling strategic delays. <i>Binding obligations in this area could introduce procedural risks rather than support constructive dialogue.</i> In light of this, <i>we support the inclusion of the last sentence consideration of the Parliament</i>, stating that Member States may rely on alternative procedures. Safeguarding that existing procedures can be sustained and not have to be changed unnecessarily leading to additional costs and delays.

7. EIA exemption for grid projects

Item	Commission	Parliament	Council	Eurelectric preferred option
EIA Exemption (Art. 8(9) ED)	9. Until climate neutrality is achieved at Union level, by way of derogation from Article 2(1) and Article 4(1) and 4(2) of Directive 2011/92/EU and Annex I, point 20, and Annex II, point (3)(b), of that Directive, and by way of derogation from Article 6(3) of Directive 92/43/EEC, Member States shall ensure that the competent authority may, under justified circumstances, including the need to accelerate the deployment of the electricity system infrastructure to achieve climate neutrality and renewable energy targets, exempt the refurbishment, modernization, or repowering of existing transmission and distribution system infrastructure, provided it does not entail the use of additional space and complies with the applicable environmental mitigation measures established for the original installation, from: (a) the environmental impact assessment pursuant to Article 2(1) of Directive 2011/92/EU; (b) an assessment of their implications for Natura 2000 sites pursuant to Article 6(3) of Directive 92/43/EEC;	Until climate neutrality is achieved at Union level, by way of derogation from Article 2(1) and Article 4(1) and 4(2) of Directive 2011/92/EU and Annex I, point 20, and Annex II, point (3)(b), of that Directive, and by way of derogation from Article 6(3) of Directive 92/43/EEC, Member States shall ensure that the competent authority may, under justified circumstances, including the need to accelerate the deployment of the electricity system infrastructure to achieve climate neutrality and renewable energy targets, exempt the refurbishment, modernisation, or repowering of existing electricity transmission and electricity distribution system infrastructure, provided that such refurbishment, modernisation or repowering does not entail the use of significant additional land surface, except for the temporary additional use of space needed during the works, and the height of the electricity transmission and distribution system infrastructure is not significantly increased, and provided that the refurbishment, modernisation or repowering complies with the applicable environmental mitigation measures established for the original installation, from: (a) the environmental impact assessment pursuant to Article 2(1) of Directive 2011/92/EU; (b) an assessment of their implications for Natura 2000 sites pursuant to Article 6(3)	Until climate neutrality is achieved at Union level, by way of derogation from Article 2(1) and Article 4(1) and 4(2) of Directive 2011/92/EU and Annex I, point 20, and Annex II, point (3)(b), of that Directive, and by way of derogation from Article 6(3) of Directive 92/43/EEC, Member States shall ensure that the competent authority may, under justified circumstances, including the need to accelerate the deployment of the electricity system infrastructure to achieve climate neutrality and renewable energy targets, exempt the refurbishment, modernisation, or repowering of existing transmission and distribution system infrastructure, provided it does not entail the use of require a significant amount of additional space and complies with the applicable environmental mitigation measures established for the original installation, from: (a) the environmental impact assessment pursuant to Article 2(1) and Article 4(2) of Directive 2011/92/EU; (b) an assessment of their implications for Natura 2000 sites pursuant to Article 6(3) of Directive 92/43/EEC; (c) the assessment of their implications on species protection pursuant to Article 12(1) of Directive 92/43/EEC and to Article 5 of Directive 2009/147/EC;	<u>Council</u> Eurelectric supports the Council's proposal, as it preserves the simplicity and clarity of the Commission's approach while providing practical clarification that a limited amount of additional land, where it's not significant, may be required to carry out the activities covered by the Article. This clarification better reflects the practical realities of infrastructure development. In some cases, limited additional space is necessary for technical, operational or construction-related reasons, and recognising this in the legislation provides greater legal certainty without undermining the overall objective of minimising land use. By contrast, the Parliament's proposal introduces additional conditions and limitations that could unnecessarily complicate implementation and create uncertainty regarding when such additional land use is permissible. The Council's wording strikes a more proportionate balance by acknowledging practical implementation needs while maintaining a clear and straightforward framework that supports the timely deployment of energy infrastructure.

	(c) the assessment of their implications on species protection pursuant to Article 12(1) of Directive 92/43/EEC and to Article 5 of Directive 2009/147/EC; (d) the screening pursuant to Article 5 of Regulation [xxxxx] of the European Parliament and of the Council, Those exemptions shall not apply to the refurbishment, modernization or repowering of existing transmission and distribution system infrastructure, and the construction of new distribution system infrastructure, or associated equipment, which are likely to have significant effects on the environment in another Member State, in accordance with Article 7 of Directive 2011/92/EU. Member States shall restrict the application of this paragraph in Natura 2000 areas and other areas under national protection schemes and cultural or historical heritage protected areas.	of Directive 92/43/EEC; (c) the assessment of their implications on species protection pursuant to Article 12(1) of Directive 92/43/EEC and to Article 5 of Directive 2009/147/EC; (d) the screening pursuant to Article 5 of Regulation [xxxxx] of the European Parliament and of the Council. Any additional land use, including temporary land use, shall be limited to what is strictly necessary for the technical and functional requirements of the refurbishment, modernisation, or repowering of existing electricity transmission and distribution system infrastructure. Where a screening process, determination or an environmental impact assessment is required for such refurbishment, modernisation or repowering, such screening, determination or impact assessment shall be limited to the potential impact arising from a change or extension compared to the original project. Those exemptions shall not apply to the refurbishment, modernisation or repowering of existing transmission and distribution system infrastructure, and the construction of new distribution system infrastructure, or associated equipment, which are likely to have significant effects on the environment in another Member State, in accordance with Article 7 of Directive 2011/92/EU. Member States shall restrict the application of this paragraph in Natura 2000 areas and other areas under national protection schemes and cultural or historical heritage protected areas.	(d) the screening pursuant to Article 5 of Regulation [xxxxx] of the European Parliament and of the Council, Those exemptions shall not apply to the refurbishment, modernisation or repowering of existing transmission and distribution system infrastructure, and the construction of new distribution system infrastructure, or associated equipment, which are likely to have significant effects on the environment in another Member State, in accordance with Article 7 of Directive 2011/92/EU. Member States shall restrict the application of this paragraph in Natura 2000 areas sites and other areas under national protection schemes and cultural or historical heritage protected areas.	
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8. Change of land status

Item	Commission	Parliament	Council	Eurelectric preferred option
Change of land status (Art. 16c (2b) RED)	2b. Member States shall ensure that a change in the status of the land where a renewable energy installation is placed does not prevent that installation from being repowered.';	2b. Member States shall ensure that a change in the status of the land where a renewable energy installation or electricity transmission or distribution system infrastructure is placed does not prevent that installation or infrastructure from being repowered, refurbished or modernised .';	2b. Member States shall ensure that a change in the status of the land where a renewable energy installation is placed does not prevent that installation from being repowered.' Within the limits allowed by the national constitutional order and without prejudice to exclusive competences of autonomous regional and local authorities in land use and spatial planning, where Member States change the status of a land where a renewable energy installation is placed, they shall ensure that this installation may be still repowered.' ;	<u>Parliament</u> Eurelectric strongly supports the Parliament's proposal, as it ensures consistent application of this provision across both renewable energy projects and the grid infrastructure needed to enable their deployment. Grid assets have particularly long lifetimes, typically around 40 years and in many cases exceeding 50 years. Over such extended periods, changes in land-use designation are likely to occur, creating unnecessary barriers for repowering, refurbishment or modernisation of existing infrastructure. Including grid infrastructure within the scope of the provision is therefore essential to provide long-term legal certainty and ensure that changes in land status cannot prevent critical energy infrastructure from being maintained or adapted to evolving system needs. Eurelectric also strongly supports the explicit inclusion of refurbishment and modernisation activities, as these are key to optimising existing assets. This clarification ensures that all relevant projects, regardless of whether they involve new development, refurbishment, or modernisation can proceed without being hindered by subsequent changes in land-use status.

9. Repowering of wind and solar

Item	Commission	Parliament	Council	Eurelectric preferred option
Repowering of solar (Art. 16c (3) RED)	n/a	'Where the refurbishment, modernisation or repowering of solar installations does not entail the use of significant additional space except for the temporary additional use of space needed during the works and complies with the applicable environmental mitigation measures established for the original solar installation, the project shall be exempt from any applicable requirements to carry out a screening process as provided for in Article 16a(4), to determine whether the project requires an environmental impact assessment, or to carry out an environmental impact assessment pursuant to Article 2(1) and Article 4 of Directive 2011/92/EU. Member States may, under justified circumstances, including the need to achieve climate neutrality and renewable energy targets, exempt the	n/a	<u>Parliament</u> Eurelectric supports the Parliament's proposal. While we would have like to see a uniform application of repowering provisions across all renewable energy and storage installations as it's essential to ensure equal treatment, regulatory predictability, and legal certainty, including solar is a step in the right direction.

		refurbishment, modernisation and repowering of solar installations from: (a) an assessment of their implications for Natura 2000 sites pursuant to Article 6(3) of Directive 92/43/EEC; (b) the assessment of their implications on species protection pursuant to Article 12(1) of Directive 92/43/EEC and to Article 5 of Directive 2009/147/EC; (c) the screening pursuant to Article 5 of [Regulation xxxxx of the European Parliament and of the Council on speeding up environmental assessments]. Any additional land use, including temporary land use, shall be limited to what is strictly necessary for the technical and functional requirements of the refurbishment, modernisation or repowering. Where a screening process or an environmental impact assessment is required for the repowering of the solar installations, such a process or impact assessment shall be limited to the potential impact arising from a change or extension compared to the original project. Member States shall restrict the application of this paragraph in Natura 2000 areas and other areas under national protection schemes and cultural or historical heritage protected areas.'		Where repowering does not increase land use and remains within the environmental safeguards established for the original project, the resulting environmental impact is broadly comparable across technologies. There is therefore no legal or environmental justification for differentiated treatment, and all renewable installations should benefit from the same streamlined procedures.
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Item	Commission	Parliament	Council	Eurelectric preferred option
Repowering of wind (Art. 16c(4)) RED	4. Where the repowering of wind energy installations increases the total capacity of the installation without using additional land surface and complies with the applicable environmental mitigation measures established for the original wind energy installation, the project shall be exempt from any applicable requirements to carry out a screening process pursuant to Article 16a(4), to	4. Where the refurbishment, modernisation or repowering of wind energy installations increases the total capacity of the installation without the use of significant additional land surface except for the temporary additional use of space needed during the works while complying with the applicable environmental mitigation measures established for the original wind energy installation, the project shall be exempt from any applicable requirements to carry out a screening process pursuant to Article 16a(4), to determine whether the project requires an environmental impact assessment pursuant to Article 4(2) of Directive 2011/92/EU or Article 5 of Regulation [xxxxx] of the European Parliament and of the Council, or to carry out an environmental impact assessment pursuant to Article 2(1) and Article 4(1) of Directive 2011/92/EU. Member States may, under justified	4. Where the repowering of wind energy installations increases the total capacity of the installation without using additional land surface, reduces the total number of turbines installed , and complies with the applicable environmental mitigation measures established for the original wind energy installation, the project shall be exempt from any applicable requirements to carry out a screening process pursuant to Article 16a(4), to determine whether the	<u>Parliament</u> Eurelectric strongly supports the Parliament proposal, as it provides important clarity and removes unnecessary administrative barriers for the refurbishment, modernisation, and repowering of existing renewable installations. These activities are essential to increase capacity while making efficient use of existing sites and minimising additional land use. The proposal recognises that projects should not be subject to disproportionate requirements where capacity is increased without significant additional land use and where existing environmental mitigation measures remain

	determine whether the project requires an environmental impact assessment pursuant to Article 4(2) of Directive 2011/92/EU or Article 5 of Regulation [xxxxx] of the European Parliament and of the Council, or to carry out an environmental impact assessment pursuant to Article 4(1) of Directive 2011/92/EU.’;	circumstances, including the need to achieve climate neutrality and renewable energy targets, exempt the refurbishment, modernisation and repowering of wind energy installations from: (a) an assessment of their implications for Natura 2000 sites pursuant to Article 6(3) of Directive 92/43/EEC; (b) the assessment of their implications on species protection pursuant to Article 12(1) of Directive 92/43/EEC and to Article 5 of Directive 2009/147/EC; Any additional land use, including temporary land use, shall be limited to what is strictly necessary for the technical and functional requirements of the refurbishment, modernisation or repowering. Where a screening process or an environmental impact assessment is required for the refurbishment, modernisation or repowering of the wind energy installation, such a process or impact assessment shall be limited to the potential impact arising from a change or extension compared to the original project. Member States shall restrict the application of this paragraph in Natura 2000 areas and other areas under national protection schemes, and cultural or historical heritage protected areas.’;	project requires an environmental impact assessment pursuant to Article 4(2) of Directive 2011/92/EU or Article 5 of Regulation [xxxxx] of the European Parliament and of the Council, or to carry out an environmental impact assessment pursuant to Article 4(42) of Directive 2011/92/EU.’; The exemption applies without prejudice to national security considerations and changes in spatial planning. Where the repowering of wind energy installations does not fulfil the requirements in the first subparagraph, paragraph 2 of this Article shall apply.	applicable. This provides the necessary flexibility for technical upgrades, such as reinforcement works requiring limited additional space, while maintaining environmental safeguards. Eurelectric also welcomes the clarification that any required assessments should focus only on the impacts arising from the changes or extensions, rather than reassessing the entire project. However, we would have preferred this provision to apply to all renewable energy technologies and storage, rather than only wind installations. Similar benefits can be achieved across technologies, and a technology-neutral approach would ensure a consistent framework, reduce unnecessary barriers, and better support the acceleration of the energy transition.
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10. Financial incentives for DSOs

Item	Commission	Parliament	Council	Eurelectric preferred option
‘Financial incentives for obligations (Art.59(1)) ED	-	‘(bba) ensuring that system operators are provided with efficient financial incentives to meet the obligations and objectives set out by this Directive, in particular with respect to the interests of parties seeking network connections, including, but	-	<u>Parliament partially</u> Eurelectric supports the Parliament's proposal to ensure that DSOs are provided with effective financial incentives to deliver the obligations and objectives set out in the Electricity Directive. As DSOs play a central role in enabling electrification, renewable integration and new network connections, the regulatory framework should encourage efficient performance and timely investment. Financial incentives should therefore be explicitly positive (benefit-based), rewarding DSOs for delivering policy objectives rather than primarily penalising underperformance. A predominantly

		not limited to, the facilitation and maximisation of connections for generators and consumers.'		penalty-based approach risks discouraging proactive investment and innovation, particularly where outcomes are influenced by factors beyond DSO's control, including permitting and supply chains. Proposed wording: "ensuring that system operators are provided with efficient positive financial incentives to meet the obligations and objectives..."
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11. No-go zones for RES

Item	Commission	Parliament	Council	Eurelectric preferred option
'no-go' zones (Art. 15c(6)) RED	6. Member States shall endeavour not to designate large areas where the installation of renewable energy plants and their related infrastructure is legally or de facto restricted due to environmental reasons, including protection of landscape, unless they can demonstrate that those types of plants and their related infrastructure would result in irreversible damage in the area which cannot be mitigated or compensated for during the environmental assessment pursuant to Directive 2011/92/EU and, where relevant, the appropriate	6. A Member State may designate areas restricting the installation of renewable energy plants and infrastructure, provided that this Member State has fulfilled the mapping obligation referred to in Article 15b and has designated sufficient land surface for renewables acceleration pursuant to paragraph 3 of this Article. Member States shall not designate large areas where the installation of renewable energy plants and their related infrastructure such as grid or storage facilities is legally or de facto restricted due to environmental reasons, including protection of landscape, unless they can demonstrate that those types of plants and their related infrastructure would result in irreversible damage in the area which cannot be mitigated or compensated for during the environmental assessment pursuant to Directive 2011/92/EU and, where relevant, the appropriate assessment pursuant to Article 6(3) of Directive 92/43/EEC. The existing restricted areas already designated before ... [the date of entry into force of this amending Directive] shall be reviewed by Member States when carrying out the next periodically review pursuant to Article 15b(4) and, where the conditions set out in this paragraph are not met, shall be repealed or amended accordingly.	6. Member States shall endeavour not to exclude the development of renewable energy and its related infrastructure in designate large areas where the installation of renewable energy plants and their related infrastructure is legally or de facto restricted due to environmental reasons, including protection of landscape, unless they can demonstrate that those types of plants and their related infrastructure would result in irreversible damage in the area which cannot be mitigated or compensated for during the environmental assessment pursuant to Directive 2011/92/EU and, where relevant, the appropriate assessment pursuant to Article 6(3) of Directive 92/43/EEC; This paragraph applies without prejudice to national defence considerations. 7. Member States may extend the application of paragraph 4 until 31 December 2027, in justified cases or if necessary due to administrative or	Commission & Parliament While we understand the Parliament's intention to require Member States to first fulfil their mapping obligation, we do not believe that the designation of Renewable Acceleration Areas (RAAs) should enable or incentivise Member States to designate additional restrictive areas. The current Parliament proposal does not define what constitutes a sufficient allocation of RAAs before restrictive areas may be designated. Nor does it provide clear criteria regarding the size, location, or justification of such restrictive areas. This creates significant legal uncertainty and risks undermining the objective of accelerating renewable energy deployment through overly broad or unjustified restrictions. We therefore support the Commission's original proposal, while incorporating the Parliament's addition requiring an assessment of existing restricted areas where the relevant conditions are not met. We also support the inclusion of paragraph 7, which ensures an accelerated permit-granting procedure for the infrastructure necessary to connect renewable energy projects to the grid. This approach provides greater legal certainty, prevents unnecessary restrictions on renewable deployment, and strengthens the

	assessment pursuant to Article 6(3) of Directive 92/43/EEC’;	7. In defined renewables acceleration areas, related electricity transmission or distribution infrastructure shall benefit from the same permit granting procedures as renewable energy sources.’;	technical constraints for specific areas designated to be areas suitable for an accelerated deployment of one or more types of renewable energy technology;	framework for achieving the EU's renewable energy objectives.
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12. Digital Portal for permitting procedures

Item	Commission	Parliament	Council	Eurelectric preferred option	
Digital Portal (Art. 16(3a)) RED	‘3a. Member States shall set up a single digital portal at national level for all the steps of the permit-granting procedures for renewable energy, storage and grid projects. Applicants shall submit permit applications and all relevant documents required for the permit-granting procedure only through the single digital portal. The single digital portal shall automatize the attribution of permit applications to the competent authorities, which shall process the relevant applications and documents in electronic form and interact with the applicants directly in the single digital portal. The single digital portal shall include features allowing the applicant to be informed about all steps of the permit-granting	3a. Member States shall set up a single digital portal at national level for all the steps of the permit-granting procedures for renewable energy, storage, grid projects, and recharging stations and recharging pools, serving as a single-entry point for applicants and ensuring the coordinated handling of applications across all competent authorities. Member States shall ensure that the single digital portal is interoperable with relevant administrative systems, including existing portals of system operators. Member States shall ensure that permit-granting procedures are fully digital by default, using structured and machine-readable data formats and interoperable systems. Applicants shall submit permit applications and all relevant documents required for the permit-granting procedure only through the single digital portal. Access to the single digital portal shall be granted to competent authorities and relevant project developers. Access to information contained therein shall be governed by applicable Union and national rules on public access to documents, ensuring the protection of commercially sensitive and other confidential information. The single digital portal shall automatize the attribution of permit applications to the competent authorities, which shall process the relevant applications and	3a. Member States shall set up may establish a single digital portal or connected portals at national level for all the steps of the permit-granting procedures for renewable energy, storage and grid projects. Applicants shall submit permit applications and all relevant documents required for the permit-granting procedure only through the single digital portal or connected portals. The single digital portal or connected portals shall automatize the attribution of permit applications to the competent authorities, which shall process the relevant applications and documents in electronic form and interact with the applicants directly in the single digital portal or connected portals. The single digital portal or	Council & Parliament Eurelectric supports a compromise of the Parliament and Council proposal. Firstly, we understand this provision to apply exclusively to the administrative permitting procedure managed by the competent permitting authorities, and not to the grid connection portals operated by system operators. Maintaining this distinction is important to avoid unnecessary overlap and ensure legal clarity. From the Parliament's proposal, we support the inclusion of the recharging stations, the fully digital procedure. Regarding the requirement to ensure interoperability with existing system operator portals building on existing digital infrastructure, we support the objective of efficient administrative processes, yet we believe nuance is needed to ensure that interoperability delivers efficiency benefits and does not result in disproportionate implementation costs. Eurelectric therefore proposes the following	

	procedure, the status of the procedure and of the decisions of the relevant authorities, and to check compliance with the permit-granting deadlines set in this Directive. The single digital portal shall ensure access to the relevant environmental and geological data and decisions available in the single digital geographic information system-based portal referred to in Article 10(3) of Regulation [xxxxx] of the European Parliament and of the Council. The single digital portal shall publish annual statistical data regarding the duration of permit-granting procedures, clearly identifying the different steps of the permit-granting procedure and their duration. This data shall be publicly available. The single contact point or points referred to in paragraph 3 shall have access to all relevant data and information available in the portal, in order to perform its duties.	documents in electronic form and interact with the applicants directly in the single digital portal. The single digital portal shall include features allowing the applicant to be informed about all steps of the permit-granting procedure, including the respective obligations of the competent authorities and system operators involved the status of the procedure and of the decisions of the relevant authorities, and to check compliance with the permit-granting deadlines set in this Directive. The single digital portal shall ensure access to the relevant environmental and geological data and decisions available in the single digital geographic information system-based portal referred to in Article 10(3) of Regulation [xxxxx] of the European Parliament and of the Council. The single digital portal shall publish annual statistical data regarding the duration of permit-granting procedures, including, inter alia, the duration of permit-granting procedures for grid connection for new customers, clearly identifying the different steps of the permit-granting procedure and their duration. This data shall be publicly available, specified for every competent authority and system operator. Member States shall require the competent authorities and system operators to provide applicants in the single digital portal, at an early stage, with a comprehensive and exhaustive set of requirements for the submission of permit applications, including precise guidance on the documentation and information required for permit-granting procedures. To enhance predictability and reduce administrative burden, such guidance shall be presented in standardised formats, including structured requirement frameworks and procedural checklists, differentiated by connection type. The single contact point or points referred to in paragraph 3 shall have access to all relevant data and information available in the portal, in order to perform its duties.	connected portals shall include features allowing the applicant to be informed about all steps of the permit-granting procedure, the status of the procedure and of the decisions of the relevant authorities, and to check compliance with the permit-granting deadlines set in this Directive. The single digital portal or connected portals shall ensure may provide access to the relevant environmental and geological data and decisions available in the single digital geographic information system-based portal referred to in Article 10(3) of Regulation [xxxxx] of the European Parliament and of the Council. The single digital portal or connected portals shall publish annual statistical data regarding the duration of permit-granting procedures, clearly identifying the different steps of the permit-granting procedure and their duration. This data shall be publicly available. The single contact point or points referred to in paragraph 3 shall have access to all relevant data and information available in the portal, in order to perform its duties.	refinement (underlined Eurelectric's proposed nuances): <u>Member States shall ensure that the single digital portal is designed in the most efficient manner and is interoperable where this can avoid disproportionate implementation costs and provide administrative benefits with relevant administrative systems, including existing portals of system operators.</u> This wording preserves the objective of interoperability while ensuring that digitalisation supports the streamlining of permitting procedures in a cost-efficient manner and builds on existing digital infrastructures developed by system operators. From the Council's side, Eurelectric supports the flexibility for Member States to establish a single digital portal or connected portals. Because many DSOs obtain permits from regional or local authorities rather than a single national authority. In such cases, establishing a national digital portal could introduce additional costs and administrative complexity without improving the efficiency of the permitting process. And the proportionate approach that focuses on achieving more efficient permit-granting procedures without imposing unnecessary administrative structures.
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13. Tacit-approval of RES Permits

Item	Commission	Parliament	Council	Eurelectric preferred option
Tacit-Approval RES (Art. 16b (2)) RED	(a) in paragraph 2, the following sentence is deleted: 'Where a renewable energy project has adopted necessary mitigation measures, any killing or disturbance of the species protected under Article 12(1) of Directive 92/43/EEC and Article 5 of Directive 2009/147/EC shall not be considered to be deliberate'	<i>(aa) in paragraph 2, the second subparagraph is replaced by the following:</i> 'The permit-granting procedure for the repowering of renewable energy power plants, for new installations with an electrical capacity of less than 300 kW and for co-located energy storage, as well as for the connection of such plants, installations and storage to the grid, located outside renewables acceleration areas shall not exceed 6 months, including with regard to environmental assessments where required by the relevant law. However, in the case of offshore renewable energy projects, the permit-granting procedure shall not exceed one year. Where duly justified on the ground of extraordinary circumstances, Member States may extend the six-month period by up to three months and the one-year period for offshore renewable energy projects by up to six months. Member States shall inform the project developer clearly of the extraordinary circumstances that justify such an extension.'	(a) in paragraph 2, the following sentence is deleted: 'Where a renewable energy project has adopted necessary mitigation measures, any killing or disturbance of the species protected under Article 12(1) of Directive 92/43/EEC and Article 5 of Directive 2009/147/EC shall not be considered to be deliberate'	<u>Council & Parliament</u> Eurelectric supports the Council's wording of the first subparagraph, as it provides important legal clarity by confirming that where a project has implemented the necessary mitigation measures in accordance with the Environmental Impact Assessment (EIA) legislation, any incidental killing or disturbance of protected species should not be considered deliberate. This reduces legal uncertainty for project developers while maintaining the safeguards required under environmental legislation. For the second subparagraph, Eurelectric supports the Parliament's proposal to increase the threshold for the accelerated permit-granting procedure for renewable energy projects from 150 kW to 300 kW. Expanding the scope of the simplified procedure will enable a larger number of small-scale renewable energy projects to benefit from faster permitting, thereby accelerating renewable deployment without compromising environmental protection.

Item	Commission	Parliament	Council	Eurelectric preferred option
Tacit-Approval RES (Art. 16b (3)) RED	3. In the permit-granting procedure referred to in paragraph 1 and in paragraph 2, second subparagraph, Member States shall ensure that the lack of reply by the relevant competent authorities or entities within the established deadline results in the specific steps to be considered as approved, except for environmental decisions and grid connection permits, or where the principle of administrative tacit approval does not exist in the national legal system of the Member State concerned. All decisions shall be made publicly available, including final decisions granted tacitly.’;	3. In the permit-granting procedure referred to in paragraph 1 and in paragraph 2, second subparagraph, Member States shall ensure that the lack of reply by the relevant competent authorities or entities within the established deadline results in the specific steps to be considered as approved, except for environmental decisions and grid connection permits or agreements , or where the principle of administrative tacit approval does not exist in the national legal system of the Member State concerned. All decisions shall be made publicly available, including final decisions granted tacitly.’;	3. In the permit-granting procedure referred to in paragraph 1 and in paragraph 2, second subparagraph, Member States shall ensure may foresee that the lack of reply by the relevant competent authorities or entities within the established deadline results in the specific intermediary administrative steps to be considered as approved, except for environmental decisions unless such a possibility is provided for in their legal systems , and for grid connection permits, or where the principle of administrative tacit approval does not exist in the national legal system of the Member State concerned . All decisions shall be made publicly available in accordance with the applicable law. , including final decisions granted tacitly.’;	<u>Parliament</u> Eurelectric supports the Parliament's proposal, as it provides a more harmonised approach to the application of tacit approval across Member States, increasing legal certainty and predictability for project developers, particularly those operating in multiple jurisdictions. A common framework reduces the risk of divergent national practices creating unnecessary administrative barriers or delays. Maintaining the principle of tacit approval also reinforces the effectiveness of statutory permitting deadlines. Without a clear consequence for authorities that fail to decide within the prescribed timeframe, permitting deadlines risk becoming indicative rather than binding, undermining the objective of accelerating renewable energy deployment. At the same time, the Parliament proposal appropriately clarifies that grid connection agreements are excluded from the scope of tacit approval. This distinction is essential, as grid connection requires technical assessments to ensure the safety, reliability and secure operation of the electricity system. Exempting grid connection agreements preserves system security while ensuring that administrative permitting procedures remain subject to effective and enforceable timelines.

14. Solar & co-located energy storage permitting

Item	Commission	Parliament	Council	Eurelectric preferred option
Solar & co-located energy storage permitting (Art. 16d(1)).	‘1. Member States shall ensure that the permit-granting procedure referred to in Article 16(1) for the installation of solar energy equipment and co-located energy storage with a total installed capacity above 100 kW in existing or future artificial structures, with the exclusion of artificial water surfaces, shall not exceed three months, provided that the primary aim of such artificial structures is not solar energy production or energy storage. By way of derogation from Article 4(2) of Directive 2011/92/EU and Annex II, points 3(a) and (b), alone or in conjunction with point 13(a), to that Directive, the installation of solar energy equipment and co-located energy storage referred to in paragraphs 1 and 2 of this Article shall be exempt from the requirement, where applicable, to carry out a dedicated environmental impact assessment pursuant to Article 2(1) of Directive 2011/92/EU .’	‘1. Member States shall ensure that the permit-granting procedure referred to in Article 16(1) for the installation of solar energy equipment and co-located energy storage with a total installed capacity above 200 kW in existing or future artificial structures, with the exclusion of artificial water surfaces, shall not exceed three months, provided that the primary aim of such artificial structures is not solar energy production or energy storage. By way of derogation from Article 4(2) of Directive 2011/92/EU and Annex II, points 3(a) and (b), alone or in conjunction with point 13(a), to that Directive, the installation of solar energy equipment and co-located energy storage referred to in paragraphs 1 and 2 of this Article shall be exempt from the requirement, where applicable, to carry out a dedicated environmental impact assessment pursuant to Article 2(1) of Directive 2011/92/EU .’;	‘1. Member States shall ensure that the permit-granting procedure referred to in Article 16(1) for the installation of solar energy equipment and co-located energy storage with a total installed capacity above 100 kW in existing or future artificial structures, with the exclusion of artificial water surfaces, shall not exceed three months, provided that the primary aim of such artificial structures is not solar energy production or energy storage. By way of derogation from Article 4(2) of Directive 2011/92/EU and Annex II, points 3(a) and (b), alone or in conjunction with point 13(a), to that Directive, the installation of solar energy equipment and co-located energy storage referred to in paragraphs 1 and 2 of this Article shall be exempt from the requirement, where applicable, to carry out a dedicated environmental impact assessment pursuant to Article 2(1) of Directive 2011/92/EU .’	<u>Parliament</u> Eurelectric supports the Parliament’s proposal to increase the threshold to 200 kW, as it provides additional flexibility for the development of smaller renewable energy projects while maintaining a proportionate approach to environmental safeguards.
Item	Commission	Parliament	Council	Eurelectric preferred option

Solar & co-located energy storage permitting (Art. 16d(2)).	'Member States shall not require any administrative permits, including on environmental aspects, with the exception of grid connection permits, for the installation of solar energy equipment and co-located energy storage with a total installed capacity of 100 kW or less. Without prejudice to paragraph 1, Member States shall restrict the application of this paragraph in Natura 2000 areas and other areas under national protection schemes and cultural or historical heritage protected areas';	'Member States shall not require any administrative permits, including on environmental aspects, with the exception of grid connection permits or agreements , for the installation of solar energy equipment and co-located energy storage with a total installed capacity of 200 kW or less. Without prejudice to paragraph 1, Member States shall restrict the application of this paragraph in Natura 2000 areas and other areas under national protection schemes and cultural or historical heritage protected areas. Member States shall monitor the application of this paragraph and shall take appropriate measures where there are objective indications that cumulation of installations benefiting from the exemption referred to in this paragraph give rise to likely significant adverse effects on the environment. ';	'Member States shall not require any administrative permits, including on environmental aspects, with the exception of grid connection permits, for the installation of solar energy equipment and co-located energy storage with a total installed capacity of 100 kW or less. Without prejudice to paragraph 1, Member States shall restrict the application of this paragraph in Natura 2000 areas sites and other areas under national protection schemes and cultural or historical heritage protected areas'; Member States may establish an obligation to notify the installation of that equipment and co-located energy storage.	Commission & Parliament Eurelectric supports the Commission & Parliament's proposals, combining the strengths of both approaches. Eurelectric supports the Parliament's proposal to increase the threshold to 200 kW , ensuring consistency with the first paragraph of this Article and providing a coherent framework for smaller projects. Eurelectric also welcomes the clarification that grid connection agreements are excluded , as these agreements do not constitute permits and serve a different purpose related to the technical connection and operation of projects. For the remainder of the provision, Eurelectric supports the Commission's proposal, as the additional reporting obligations introduced by the Parliament and Council would create unnecessary administrative burdens without providing significant added value. Existing monitoring and reporting frameworks already provide sufficient oversight, and further obligations risk diverting resources away from the objective of streamlining and accelerating permitting procedures.
Item	Commission	Parliament	Council	Eurelectric preferred option

Solar & co-located energy storage permitting (Art. 16d(3 & 4).	'3. Member States may exclude certain areas from the application of paragraphs 1 and 2 for the purpose of protecting cultural, historical heritage, national defense interests, or for safety or for grid security reasons. 4. Member States shall remove regulatory and non-regulatory barriers that affect the installation of plug-in mini-solar systems of up to 800 W capacity in and on buildings.';	3. Member States may exclude certain areas from the application of paragraphs 1 and 2 for the purpose of protecting cultural, historical heritage, national defense interests, or for safety or for grid security reasons. 4. Member States shall remove regulatory and non-regulatory barriers that affect the installation of plug-in mini-solar systems of up to 800 W capacity in and on buildings.';	'3. Member States may exclude certain areas from the application of paragraphs 1 and 2 for the purpose of protecting cultural, historical heritage, national defense defence and security interests, or for safety or for grid security reasons. 4. <i>Without prejudice to any necessary measures to ensure security, safety, or grid stability</i> , Member States shall remove regulatory and non-regulatory barriers that affect the installation of plug-in mini-solar systems of up to 800 W capacity in and on buildings.'; <i>Member States may restrict the application of this paragraph where evidence-based risks have been identified corresponding to the market equipment or where the resulting overall electrical installation does not meet relevant technical specifications or standards, including where protection coordination and disconnection performance cannot be guaranteed.</i>	<u>Commission & Council</u> For Paragraph 3, Eurelectric supports the Commission proposal. And for Paragraph 4 the Council proposal. Electricity generation units connected "behind the meter" through standard sockets can create challenges for system operators in maintaining grid stability, ensuring accurate metering, and forecasting demand. They may also conflict with national safety requirements and technical standards that require generation equipment to be connected as fixed installations. Requiring Member States to remove such barriers could therefore undermine existing safety frameworks and create risks for both consumers and electricity networks.

15. Stand-alone Storage permitting

Item	Commission	Parliament	Council	Eurelectric preferred option
Stand-alone storage other than Hydrogen Storage (Art. 16h) RED	1. The permit-granting procedure for stand-alone energy storage, other than hydrogen storage, shall cover all relevant administrative permits to build, repower and operate	The permit-granting procedure for stand-alone energy storage, other than hydrogen storage, shall cover all relevant administrative permits to build, repower and operate stand-alone storage, including grid connection permits or	1. The permit-granting procedure for stand-alone energy storage, other than hydrogen storage, shall cover all relevant administrative permits to build, repower and operate stand-alone storage, including grid connection permits and, where required, environmental assessments and permits. The permit-granting procedure shall	<u>Parliament</u> Eurelectric supports the Parliament's proposal, to increase the threshold to 200 kW, as it provides additional flexibility for the development of smaller renewable energy

stand-alone storage, including grid connection permits and, where required, environmental assessments and permits. The permit-granting procedure shall comprise all administrative stages from the acknowledgment of the completeness of the permit application to the notification of the final decision on the outcome of the permit-granting procedure by the relevant competent authority or authorities. Within 30 days of receipt of an application for a permit, the competent authority shall acknowledge the completeness of the application or, if the applicant has not sent all the information required to process the application, request that the applicant submit a complete application without undue delay. The date of acknowledgement of the completeness of the application by the competent authority shall serve as the start of the permit-granting procedure. 2. Member States shall not require any administrative permit, including environmental ones, with the exception of grid connection permits, for the installation of stand-alone storage, other than	agreements and, where required, environmental assessments and permits. The permit-granting procedure shall comprise all administrative stages from the acknowledgment of the completeness of the permit application to the notification of the final decision on the outcome of the permit-granting procedure by the relevant competent authority or authorities. Within 30 days of receipt of an application for a permit, the competent authority shall acknowledge the completeness of the application or, if the applicant has not sent all the information required to process the application, request that the applicant submit a complete application without undue delay. The date of acknowledgement of the completeness of the application by the competent authority shall serve as the start of the permit-granting procedure. 2. Member States shall not require any administrative permit, including environmental ones, with the exception of grid connection permits or agreements for the installation of stand-alone storage, other than hydrogen storage, with a total installed capacity of 200 kW. By way of derogation from Article 2(1) of Directive 2011/92/EU, the installation of that storage shall be exempt from the requirement applicable pursuant to Article 2(1) of that Directive, to carry out a dedicated environmental impact assessment. Member States shall restrict the application of this subparagraph in Natura 2000 areas and other areas under national protection schemes and cultural or historical heritage protected	comprise all administrative stages from the acknowledgment of the completeness of the permit application to the notification of the final decision on the outcome of the permit-granting procedure by the relevant competent authority or authorities. Within 30 45 days of receipt of an application for a permit, the competent authority shall acknowledge the completeness of the application or, if the applicant has not sent all the information required to process the application, request that the applicant submit a complete application without undue delay. The date of acknowledgement of the completeness of the application by the competent authority shall serve as the start of the permit-granting procedure. 2. Member States shall not require any administrative permit, including environmental ones, with the exception of grid connection permits, for the installation of stand-alone storage, other than hydrogen storage, with a total installed capacity of 100 kW or less. By way of derogation from Article 2(1) of Directive 2011/92/EU, the installation of that storage shall be exempt from the requirement applicable pursuant to Article 2(1) of that Directive, to carry out a dedicated environmental impact assessment. Member States shall restrict the application of this subparagraph in Natura 2000 areas sites and other areas under national protection schemes and cultural or historical heritage protected areas. Member States may establish an obligation to notify the installation of the new storage projects. Member States shall ensure that the permit-granting procedures, including grid connection permits and, where required, environmental assessments, shall not exceed six months for stand-alone energy storage, other than hydrogen storage, with a total installed capacity above 100 kW. Where duly justified on the grounds of extraordinary circumstances, including where they require extended periods needed for	projects while maintaining a proportionate approach to environmental safeguards and it harmonizes the application of the article with the Article 16d on stand-alone and co-located storage.
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	hydrogen storage, with a total installed capacity of 100 kW or less. By way of derogation from Article 2(1) of Directive 2011/92/EU, the installation of that storage shall be exempt from the requirement applicable pursuant to Article 2(1) of that Directive, to carry out a dedicated environmental impact assessment. Member States shall restrict the application of this subparagraph in Natura 2000 areas and other areas under national protection schemes and cultural or historical heritage protected areas. 3. Member States shall ensure that the permit-granting procedures, including grid connection permits and, where required, environmental assessments, shall not exceed six months for stand-alone energy storage, other than hydrogen storage, with a total installed capacity above 100 kW. However, in the case of pumped hydropower storage, the permit-granting procedure shall not exceed two years.	areas. Member States shall monitor the application of this paragraph and shall take appropriate measures where there are objective indications that cumulation of installations benefiting from the exemption referred to in this paragraph give rise to likely significant adverse effects on the environment. 3. Member States shall ensure that the permit-granting procedures, including grid connection permits or agreements and, where required, environmental assessments, shall not exceed six months for stand-alone energy storage, other than hydrogen storage, with a total installed capacity above 200 kW. However, in the case of pumped hydropower storage, the permit-granting procedure shall not exceed two years. 3a. The planning, construction and operation of stand-alone energy storage other than hydrogen storage, necessary to integrate renewable energy into the electricity system, shall be presumed to contribute to a long-term reduction of nitrogen emissions and shall not require an assessment of nitrogen emissions in an assessment that may be carried out to comply with Article 6 of Council Directive 92/43/EEC.	assessments under applicable Union environmental law, Member States may extend this deadline by up to 6 months. Member States shall inform the project developer clearly of the extraordinary circumstances that justify such an extension However, in In the case of pumped hydropower storage, the permit-granting procedure shall not exceed three two years. Where duly justified on the grounds of extraordinary circumstances, including where they require extended periods needed for assessments under applicable Union environmental law, Member States may extend this deadline. Member States shall inform the project developer clearly of the extraordinary circumstances that justify such an extension. 4. Except when it coincides with other administrative stages of the permit-granting procedure, the duration of the permit-granting procedure regulated in this Article shall not include: a) the time during which the stand-alone energy storage projects are being built or repowered; b) the time for the administrative stages necessary for significant upgrades of the grid required to ensuring grid stability, grid reliability and grid safety; c) the time for any judicial appeals and remedies, other proceedings before a court or tribunal, and alternative dispute resolution mechanisms, including complaint procedures and non-judicial appeals and remedies.	
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16. Hybridisation of Renewable Energy Plants permitting

Item	Commission	Parliament	Council	Eurelectric preferred option
Hybridisation of renewable energy plants (Art. 16j) RED	1. Where the hybridisation of a renewable energy power plant is subject to a screening process pursuant to Article 16a(4), to a determination whether the project requires an environmental impact assessment or to an environmental impact assessment pursuant to Article 4 of Directive 2011/92/EU, such a screening process, determination or environmental impact assessment shall be limited to the potential impact arising from the addition compared to the original project. 2. In cases of change of the use status of land on which renewable energy projects are installed, Member States shall ensure that the operation and hybridisation of those renewable energy projects can still occur.’;	Where the hybridisation of a renewable energy power plant, including biogas and biomethane plants, or a recharging station or a recharging pool is subject to a screening process pursuant to Article 16a(4), to a determination whether the project requires an environmental impact assessment or to an environmental impact assessment pursuant to Article 4 of Directive 2011/92/EU, such a screening process, determination or environmental impact assessment shall be limited to the potential impact arising from the addition compared to the original project. 2. In cases of change of the use status of land on which renewable energy projects or recharging stations or recharging pools are installed, Member States shall ensure that the operation and hybridisation of those renewable energy projects, including the biogas and biomethane plants, can still occur.’;	Where the hybridisation of renewable energy power plant is subject to a screening process pursuant to Article 16a(4), to a determination whether the project requires an environmental impact assessment or to an environmental impact assessment pursuant to Article 4 of Directive 2011/92/EU, such a screening process, determination or environmental impact assessment shall be limited to the potential impact arising from the addition compared to the original project. 2. In cases of change of the use status of land on which renewable energy projects are installed, Member States shall ensure that the operation and hybridisation of those renewable energy projects can still occur.’; 2. Within the limits allowed by the national constitutional order and without prejudice to the exclusive competence of autonomous regional and local authorities in land use and spatial planning, where Member States change the status of a land where a renewable energy power plant is placed, they shall ensure that hybridisation of this power plant is possible.	<u>Parliament</u> Eurelectric supports the Parliament’s proposal on including recharging stations, to ensure the article applies to all technologies important to support electrification. It also includes the. To ensure a coherent and harmonised framework across renewable energy, storage, and hybridisation, the changes in land-use status on hybridisation projects should apply consistently as well. Given the lifetime of energy infrastructure, changes in land designation over time should not create unnecessary barriers to the modernisation, extension, or optimisation of existing assets. Including this consideration provides greater legal certainty, supports efficient use of existing sites, and avoids regulatory inconsistencies between different types of energy projects.

17. Grid Connection prioritisation

Item	Commission	Parliament	Council	Eurelectric preferred option
Article 6 (3a) (ED)	-	‘3a. By ... [6 months from the date of entry into force of this amending Directive] Member States shall establish clear, transparent, and predictable	-	<u>Parliament</u> The current ‘first come, first served’ approach is not always best suited for the current connection queue backlogs. Rapid electrification and the

		<i>criteria for prioritising connection requests from projects seeking access to the electricity grid, covering both transmission and distribution networks across all voltage levels, to be adopted and applied by the relevant system operators. When establishing those criteria, Member States shall take into account the recommendation by the Commission laid down in its Guidance on efficient and timely grid connections (C/2025/6703).’;</i>	accelerated deployment of renewable energy have significantly increased demand for grid connections, making more efficient queue management essential to avoid unnecessary delays and optimise the use of available network capacity. Requiring Member States to establish clear, transparent, and predictable prioritisation criteria provides the necessary legal framework for system operators to move beyond <i>first come, first served</i> where this approach has proven inefficient. At the same time, the proposal appropriately preserves flexibility by allowing Member States and national regulatory authorities to develop criteria that reflect national circumstances, while taking into account the Commission's guidance. This will improve the allocation of scarce grid capacity, reduce connection backlogs, and accelerate the integration of renewable energy, storage, and electrification projects. Yet, this process requires extensive stakeholder consultation, which is unlikely to be finalized within 6 months.
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18. Authorisation procedure for grid projects - general

Item	Commission	Parliament	Council	Eurelectric preferred option
Art. 8 (1) ED	1. In circumstances where an authorisation, such as a licence, permission, concession, consent or approval, is required for the construction or operation of transmission or distribution system infrastructure for electricity, or associated equipment, or for the construction of new generating capacity, Member State, or any competent authority they designate, shall grant such authorisation in accordance with paragraphs 2 to 14. Member States or any competent authority they designate may also grant authorisations on the same basis for the supply of electricity and for wholesale customers.	1. In circumstances where an authorisation, such as a licence, permission, concession, consent or approval, is required for the construction or operation, <i>refurbishment, modernisation or repowering</i> of transmission or distribution system infrastructure for electricity, or associated equipment, or for the construction of new generating capacity, Member States, or any competent authority they designate, <i>or, where applicable, regional governments</i> shall grant such authorisation in accordance with paragraphs 2 to 14. Member States or any competent authority they designate may also grant authorisations on the same basis for the supply of electricity and for wholesale customers.	1. In circumstances where an authorisation, such as a licence, permission, concession, consent or approval, is required for the construction or operation of transmission or distribution system infrastructure for electricity, or associated equipment, or for the construction of new generating capacity, Member State, or any competent authority they designate, shall grant such authorisation in accordance with paragraphs 2 to 14. Member States or any competent authority they designate may also grant authorisations on the same basis for the supply of electricity and for wholesale customers.	<u>Parliament</u> Eurelectric supports the Parliament's proposal, as it rightfully includes refurbishment, modernisation or repowering in the scope of the article, ensuring accelerated permit-granting for all types of projects.

19. Authorisation procedure for grid projects - principles

Item	Commission	Parliament	Council	Eurelectric preferred option
Art. 8 (2) ED	2. Member States that implement a system of authorisation shall: (a) establish objective and non-discriminatory criteria, along with transparent procedures, which must be satisfied by any undertaking seeking authorisation to construct and/or operate new generating capacity, as well as transmission or distribution system infrastructure. (b) make public the criteria and procedures for granting authorisations; (c) ensure that authorisation procedures for such generation capacity, and infrastructure, or associated equipment, take into account the importance of the project for the internal markets for electricity and renewable energy sources, where appropriate; (d) ensure that authorisation procedures take into account the necessity, or lack thereof, for conducting assessments in accordance with	2. Member States that implement a system of authorisation shall: (a) establish objective transparent and non-discriminatory criteria, along with transparent procedures, which must be satisfied by any undertaking seeking authorisation to construct and/or operate new generating capacity, as well as transmission or distribution system infrastructure. (b) make public the criteria and procedures for granting authorisations and any amendments thereto; (c) ensure that authorisation procedures for such generation capacity, and infrastructure, or associated equipment, take into account the importance of the project for the internal markets for electricity and renewable energy sources, where appropriate; (d) ensure that authorisation procedures take into account the necessity, or lack thereof, for conducting assessments in accordance with Council Directive 92/43/EEC^[25] and Directives 2000/60/EC^[26], 2001/42/EC^[27], 2009/147/EC^[28], Directive 2011/92/EU^[29]; (e) ensure the existence of specific, simplified and streamlined authorisation procedures for small decentralised and/or distributed generation including renewable energy communities and citizens energy communities and distribution system	2. Member States that implement a system of authorisation shall: (a) establish objective and non-discriminatory criteria, along with transparent procedures, which must be satisfied by any undertaking seeking authorisation to construct and/or operate new generating capacity, as well as transmission or distribution system infrastructure. (b) make public the criteria and procedures for granting authorisations; (c) ensure that authorisation procedures for such generation capacity, and infrastructure, or associated equipment, take into account the importance of the project for the internal markets for electricity and renewable energy sources, where appropriate; (d) ensure that authorisation procedures take into account the necessity, or lack thereof, for conducting assessments in accordance with Council Directive 92/43/EEC¹ and Directives 2000/60/EC², 2001/42/EC³, 2009/147/EC⁴, Directive	<u>Parliament</u> Eurelectric supports the Parliament's proposal, as insufficient staffing and administrative capacity at permitting authorities are increasingly becoming key bottlenecks to timely permitting. Accelerating permit-granting procedures requires not only streamlined rules, but also adequate staffing, digitalisation, and sufficient resources at the competent authorities. National governments therefore have a central role in ensuring that permitting authorities are equipped to deliver on the objectives of the Directive. However, the costs of strengthening administrative capacity should not fall solely on system operators or project developers, as these costs would ultimately be passed on to electricity consumers. Public investment in permitting capacity is therefore essential to achieve faster permitting while

	Council Directive 92/43/EEC¹⁹ and Directives 2000/60/EC²⁰, 2001/42/EC²¹, 2009/147/EC²², Directive 2011/92/EU²³; (e) ensure the existence of specific, simplified and streamlined authorisation procedures for small decentralised and/or distributed generation and distribution system infrastructure, taking into account their limited size and potential impact; (f) ensure that guidelines for those specific authorisation procedures are established and revised by regulatory authorities or other competent national authorities, including planning authorities, which may recommend amendments; (g) ensure that all decisions are made publicly available; (h) ensure applicants are informed of the reasons for any refusal to grant an authorisation. That these reasons are objective, non-discriminatory, well- founded and duly substantiated, and that appeal procedures are made available to applicants; (i) ensure that competent national authorities have adequate technical, financial and human resources to render a decision, on the authorisation within the applicable timeframes;	infrastructure, taking into account their limited size and potential impact; (f) ensure that guidelines for those specific authorisation procedures are established and revised by regulatory authorities or other competent national authorities, including planning authorities, which may recommend amendments; (g) ensure that all decisions are made publicly available; (h) ensure applicants are informed of the reasons for any refusal to grant an authorisation. That these reasons are objective, non-discriminatory, well-founded and duly substantiated, and that appeal procedures are made available to applicants; (i) ensure that competent national authorities have adequate technical, financial and human resources to render a decision, on the authorisation within the applicable timeframes; To that end, Member States shall identify capacity and staffing needs in authorities responsible for electricity grid planning and permitting, including relevant national, regional and local authorities, and shall take appropriate measures to address any gaps identified, including through targeted recruitment and the upskilling and reskilling of staff. The Commission shall evaluate the progress made by Member States and publish its evaluation. In the absence of progress, the Commission may propose measures to support Member States in their implementation by assisting them in reforming and streamlining their permitting procedures.	2011/92/EU⁵; (e) ensure the existence of specific, simplified and streamlined authorisation procedures for small decentralised and/or distributed generation and distribution system infrastructure, taking into account their limited size and potential impact; (f) ensure that guidelines for those specific authorisation procedures are established and revised by regulatory authorities or other competent national authorities, including planning authorities, which may recommend amendments; (g) ensure that all decisions are made publicly available; (h) ensure applicants are informed of the reasons for any refusal to grant an authorisation. That these reasons are objective, non-discriminatory, well-founded and duly substantiated, and that appeal procedures are made available to applicants; (i) ensure that competent national authorities have adequate technical, financial and human resources to render a decision, on the authorisation within the applicable timeframes;	maintaining affordability.
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20. Authorisation procedure for grid projects - timeline

Item	Commission	Parliament	Council	Eurelectric preferred option
Authorisation procedure timeline Art. 8(3) ED	3. Where Member States implement a system of authorisation for transmission or distribution system infrastructure for electricity, Member States shall also: (a) ensure consistency of the system of authorisation for transmission and distribution system infrastructure with the distribution network development plan and the transmission ten-year network development plan adopted pursuant to Articles 32 and 51; (b) ensure that authorisation procedures, including all relevant procedures of the competent authorities, do not exceed two years except when duly justified on the grounds of extraordinary circumstances, where they may be extended by up to one year; (c) ensure that the lack of reply by the competent national authorities or entities within the deadline established in point b results in the specific steps to be considered as approved, except for the environmental decisions and where the principle of administrative tacit approval does not exist in the national legal system of the Member State concerned; (d) ensure that the publication of final decisions	3. Where Member States implement a system of authorisation for transmission or distribution system infrastructure for electricity, Member States shall also: (a) ensure consistency of the system of authorisation for transmission and distribution system infrastructure with the distribution network development plan and the transmission ten-year network development plan adopted pursuant to Articles 32 and 40a; (b) ensure that authorisation procedures, including all relevant procedures of the competent authorities, do not exceed one year for distribution system infrastructure, and two years for transmission system infrastructure, except when duly justified on the grounds of extraordinary circumstances, where they may be extended by up to six months for distribution system infrastructure and by up to one year for transmission system infrastructure; (c) ensure that the lack of reply by the competent national authorities or entities within the deadline established in point b results in the specific steps to be considered as approved, except for the environmental decisions and where the principle of administrative tacit approval does not exist in the national legal system of the Member State concerned; (d) ensure that the publication of final decisions includes decision granted tacitly following the lack of reply by the relevant competent authorities or entities;	3. Where Member States implement a system of authorisation for transmission or distribution system infrastructure for electricity, Member States shall also: (a) ensure consistency of the system of authorisation for transmission and distribution system infrastructure with the distribution network development plan and the transmission ten-year network development plan adopted pursuant to Articles 32 and 51; (b) ensure that authorisation procedures, including all relevant procedures of the competent authorities, do not exceed two years except when duly justified on the grounds of extraordinary circumstances, where in which case they may be extended by up to 30 months one year; (c) ensure that the authorisation of transmission or distribution system infrastructure is regarded as essential for the integration of renewable energy resources, as well as for achieving climate and energy targets and the objective of climate neutrality. (e) — Member States may foresee ensure that the lack of reply by the competent national authorities or entities within the deadline established in point b results in the specific intermediary administrative steps to be considered as approved, except for the environmental decisions unless	<u>Parliament</u> Eurelectric strongly supports the Parliament's proposal, as accelerating permitting procedures must go hand in hand with faster approval of distribution network development plans. The timely expansion and reinforcement of distribution networks is essential to enable electrification, connect renewable energy projects, and ensure that the energy system can meet rapidly growing demand. A differentiated approach to timelines for DSO and TSO development plans is justified, given the different scope, scale, and administrative processes involved. Shortening authorisation timelines for project plans that are consistent with the Distribution Network Development Plans (DNDPs) will allow DSOs to anticipate system needs, accelerate investments, and deliver the infrastructure required for the energy transition. The urgency of grid build-out requires regulatory processes that are fit for purpose and aligned with the speed of change in the energy system

	includes decision granted tacitly following the lack of reply by the relevant competent authorities or entities; (e) ensure that the authorisation of transmission or distribution system infrastructure is regarded as essential for the integration of renewable energy resources, as well as for achieving climate and energy targets and the objective of climate neutrality.	(e) ensure that the authorisation of transmission or distribution system infrastructure is regarded as essential for the integration of renewable energy resources, as well as for achieving climate and energy targets and the objective of climate neutrality. 3a. National regulatory authorities (NRAs) shall ensure that the duration of their authorisation procedures and remuneration methodology calculation procedures for proposed new distribution and transmission grid projects does not extend beyond the deadline set out in paragraph 3, point (b), applicable to authorisation procedures carried out by competent authorities.	<i>such a possibility is provided for in their legal system, which shall be explicit.</i> and where the principle of administrative tacit approval does not exist in the national legal system of the Member State concerned; <i>All decisions shall be made publicly available in accordance with the applicable law.</i> (d) ensure that the publication of final decisions includes decision-granted tacitly following the lack of reply by the relevant competent authorities or entities; (e) ensure that the authorisation of transmission or distribution system infrastructure is regarded as essential for the integration of renewable energy resources, as well as for achieving climate and energy targets and the objective of climate neutrality.	
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21. Authorisation procedure for grid projects - one point of contact

Item	Commission	Parliament	Council	Eurelectric preferred option
One point of contact Art. 8(4) ED	4. Member States shall establish or designate one or more contact points for transmission or distribution system operators. Those contact points shall, upon the applicant's request and free of charge, provide guidance to the applicant and facilitate the entire authorisation procedure for the activities referred to in paragraph 1, up to the final decision by the responsible authorities. The applicant shall not be required to contact more than one contact	Member States shall establish or designate one or more contact points for transmission or distribution system operators. Those contact points shall, upon the applicant's request and free of charge, provide guidance to the applicant and facilitate the entire authorisation procedure for the activities referred to in paragraph 1, up to the final decision by the responsible authorities. The applicant shall not be required to contact	4. Member States shall establish set up or designate one or more contact points for transmission or distribution system operators. Those contact points shall, upon the applicant's request by the applicant and free of charge, provide guidance to guide the applicant through and facilitate the entire authorisation procedure for the activities referred to in paragraph 1, up to the final decision delivery of the authorisation by the responsible authorities at the end of the procedure . The applicant shall not be required to contact more than one	<u>Council</u> Eurelectric supports the council proposal, as it clarifies the procedure in more detail. A more detailed and clearly defined process will support consistent implementation across Member States, reduce administrative uncertainty, and enable more efficient and predictable decision-making.

	point for the entire process. The contact points may be the same as the national competent authorities referred to in Article 8 of Regulation (EU) 2022/869 or the contact points referred to in Article 16 of Directive (EU) 2018/2001.	more than one contact point for the entire process. The contact points may be the same as the national competent authorities referred to in Article 8 of Regulation (EU) 2022/869 or the contact points referred to in Article 16 of Directive (EU) 2018/2001.	contact point for the entire process. The contact points may be the same as the national competent authorities referred to in Article 8 of Regulation (EU) 2022/869 or the contact points referred to in Article 16 of Directive (EU) 2018/2001.	
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22. Authorisation procedure for grid projects – response timelines

Item	Commission	Parliament	Council	Eurelectric preferred option
Response timelines Art. 8(5) ED	5. Where Member States implement a system of authorisation for transmission or distribution system infrastructure for electricity, Member States shall ensure that, where any studies, reports and documentation required for the procedure are missing from the applications, the competent national authorities, in cooperation with other relevant authorities, request the necessary materials from the developer, specifying their scope and level of detail, within three months from the application. Within the same three-month period, the national competent authority shall inform the developer whether the presumptions under paragraph 10 do not apply to the project. After that period, neither the competent authority nor any other relevant authority shall request additional information, studies, reports or	5. Where Member States implement a system of authorisation for transmission or distribution system infrastructure for electricity, Member States shall ensure that, where any studies, reports and documentation required for the procedure are missing from the applications, the competent national authorities, in cooperation with other relevant authorities, request the necessary materials from the developer, specifying their scope and level of detail, within three months from the application. Within the same three-month period, the national competent authority shall inform the developer whether the presumptions under paragraph 10 do not apply to the project. After that period, neither the competent authority nor any other relevant authority shall	5. Where Member States implement a system of authorisation for transmission or distribution system infrastructure for electricity, Member States shall ensure that, where any studies, reports and documentation required for the procedure are missing from the applications, the competent national authorities, in cooperation with other relevant authorities, request the necessary materials from the developer, specifying their scope and level of detail afterwards , within three months from the application. When informing the developer Within the same three-month period, the national competent authority shall inform the developer confirm whether the presumptions under paragraph 10 do not apply applies to the project. After that period requesting the necessary materials , neither the competent authority nor any other relevant authority shall request additional information, studies, reports or assessments, except in cases where a material change has occurred to the project or its surrounding	<u>Council</u> Eurelectric supports the council proposal, as it clarifies the procedure in more detail. A more detailed and clearly defined process will support consistent implementation across Member States, reduce administrative uncertainty, and enable more efficient and predictable decision-making.

	assessments, except in cases where a material change has occurred to the project or its surrounding environment, rendering the initial criteria upon which determinations were based no longer appropriate. Where such material change has occurred the national competent authority shall provide the project promoter with a well-reasoned justification for the request for additional information.	request additional information, studies, reports or assessments, except in cases where a material change has occurred to the project or its surrounding environment, rendering the initial criteria upon which determinations were based no longer appropriate. Where such material change has occurred the national competent authority shall provide the project promoter with a well-reasoned justification for the request for additional information.	environment, rendering the initial criteria upon which determinations were based no longer appropriate, or when it would otherwise be impossible to issue a positive decision based on the information available. Where such material change has occurred In such cases , the national competent authority shall provide the project promoter with a well-reasoned justification for the request for additional information.	
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23. Waterframework Exemption for grid projects

Item	Commission	Parliament	Council	Eurelectric preferred option
Water framework exemption (Art. 8(11a) ED) / 12		11a. Where competent authorities assess whether the planning, construction and operation of transmission and distribution system infrastructure are expected to cause deterioration of a body of surface or groundwater under Directive 2000/60/EC, they shall take into consideration the fact that those transmission and distribution projects or parts thereof that are not in direct contact with the land or a water body, including overhead transmission and distribution system infrastructure projects are usually unlikely to result in such deterioration and thus impacts can be presumed to be negligible and projects may be exempted from the assessments under Article 4(1) of Directive 2000/60/EC, provided that mitigation measures constitute an inherent component of the project.	12a) Member States may exempt new transmission or distribution system infrastructure for electricity from obligations following from the application of Article 4 (1) of Directive 2000/60/EC, except and to the extent necessary to protect water used for the production of drinking water or mineral water with respect to: a) water bodies in special protection areas according to Article 7 (3) of the Directive 2000/60/EC, b) water bodies in areas determined for water used for human consumption according to Article 8 of the Directive (EU) 2020/2184, c) water bodies for the extraction of natural mineral waters in accordance with Directive 2009/54/EC.	<u>Parliament & Council</u> Eurelectric supports the Parliament proposal, as it ensures a uniform application of the exemption by clearly defining which authorities are responsible for applying it and establishing a clear scope for when the exemption can be used. At the same time, Eurelectric recognises that the Council's proposal provides additional clarity on the specific elements exempted from the Water Framework Directive. Eurelectric therefore proposes combining both approaches: retaining the Parliament's provisions on scope and responsibilities, while incorporating the Council's clarification regarding the application of the Water Framework Directive. This would provide both legal certainty and a consistent framework for implementation.

24. Soil Monitoring & Marine Strategy Exemption for grid projects

Item	Commission	Parliament	Council	Eurelectric preferred option
Soil Monitoring & Marine Strategy (Art. 8(12b & 12c) ED)	-	-	12b) Article 12 of Directive (EU) 2025/2360 may be considered as not imposing any obligations for transmission or distribution system infrastructure. 12c) Articles 1 and 5 of Directive 2008/56/EC shall be considered as not imposing any project specific assessments regarding permitting procedures for transmission or distribution system infrastructure or offshore wind farms; this provision shall be without prejudice to the right of Member States to introduce or maintain more stringent requirements.	<u>Council</u> Eurelectric supports the Council's proposal, as it recognises the specific characteristics and essential role of distribution infrastructure. Electricity grids are critical for electrification, renewable energy integration, and the delivery of a secure and resilient energy system, and therefore require a regulatory framework that allows their timely development. Applying the obligations under Article 12 of Directive (EU) 2025/2360 to grid infrastructure could create additional administrative burdens, delays, and uncertainty for projects that are often driven by system needs and technical requirements rather than discretionary land-use choices.

25. Digital Portals for grid projects

Item	Commission	Parliament	Council	Eurelectric preferred option
Digital Portals (Art. 8(13) ED)	13. To manage authorisations within the meaning of paragraph 1, Member States shall ensure that digital platforms are in place to manage applications, the associated process, and ongoing decisions. Those platforms shall provide access to the relevant environmental and geological data and decisions available in the central online portal referred to in Article 10(3) of Regulation [xxxxx] of the European Parliament and of the Council.;	To manage authorisations within the meaning of paragraph 1, Member States shall ensure that digital platforms are in place to manage applications, the associated process, and ongoing decisions. Those platforms shall provide access to the relevant environmental and geological data and decisions available in the central online portal referred to in Article 10(3) of Regulation [xxxxx] of the European Parliament and of the Council.	To manage authorisations within the meaning of paragraph 1, Member States shall ensure that may establish a single digital portal or connected portals platforms are in place to manage applications within the meaning of paragraph 1, the associated processes, and ongoing decisions and decisions issued, in an easily accessible format. Such a portal or portals These platforms shall may provide access to the relevant environmental and geological data and decisions available in the single digital geographic information system-based central online portal referred to in Article 10(3) of Regulation [xxxxx] of the European Parliament and of the Council.'	<u>Council</u> Eurelectric supports Council's proposal, because Distribution grid projects are frequently authorised by regional or local authorities rather than at national level. Requiring system operators to engage with a single national contact point in all cases could introduce unnecessary administrative layers, slow down procedures, and create disconnects between applicants and the competent permitting authorities. Allowing Member States to designate contact points at the appropriate administrative level ensures that the one-stop-shop principle supports, rather than complicates, permitting procedures. This approach respects the subsidiarity principle, reflects the diversity of national administrative structures, and facilitates more efficient handling of grid projects by ensuring that applicants interact directly with the authority best placed to guide the process. The clarification therefore strengthens the effectiveness of the contact point mechanism while preserving Member State flexibility and accelerating infrastructure deployment.

eurelectric pursues in all its activities the application of the following sustainable development values:

Economic Development

- Growth, added-value, efficiency

Environmental Leadership

- Commitment, innovation, pro-activeness

Social Responsibility

- Transparency, ethics, accountability



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