

RECITALS

Whereas:

- (1) Slow and complicated permit-granting procedures, including *grid connection procedures* ~~for grid connections~~ is one of the main factors causing delays in the development of energy projects *and electricity infrastructure*. Electricity transmission grids take around 10 years for completion, of which permitting accounts for more than half of the time needed. Similarly, permitting of renewable energy projects can still take up to nine years depending on the Member State and the technology involved. Storage installations can take from one to seven years depending on the technology. The permit-granting procedures for construction or transformation of recharging stations *and recharging pools* along highways and in depots can take up to two years in some Member States. Slow permitting is due, among other things, to incoherent administrative systems among multiple authorities, inadequate staffing in authorities, the duration of environmental assessments, lack of public acceptance, limited digitalisation and data availability as well as administrative and judicial challenges.
- (2) In recent years, new measures have been introduced at Union level to accelerate the permit-granting procedures for renewable energy projects and, to some extent, infrastructure projects. In 2022, Council Regulation (EU) 2022/2577¹ was adopted to accelerate permit-granting procedures for renewable energy and related infrastructure projects. Its partial application was prolonged by Council Regulation (EU) 2024/223² until 30 June 2025. Furthermore, Directive (EU) 2023/2413 of the European Parliament and of the Council³ amended Directive (EU) 2018/2001 of the European Parliament and the Council⁴ to streamline administrative procedures for authorising renewable energy plants by introducing a comprehensive permitting framework, with shorter deadlines and simpler rules. The amended Directive included mapping obligations, the obligation to designate renewables acceleration areas where the environmental impacts stemming from projects are expected to be low and therefore faster and simpler rules can apply, and optional measures to introduce acceleration areas for infrastructure projects where infrastructure projects are exempted from an environmental impact assessment under certain conditions such as carrying out a strategic environmental assessment of the area.
- (3) A further *improvement*, simplification and shortening of the administrative permit-granting procedures in a coordinated and harmonised manner is necessary in order to ensure that the Union reaches its ambitious climate and energy targets for 2030

¹ Council Regulation (EU) 2022/2577 of 22 December 2022 laying down a framework to accelerate the deployment of renewable energy (OJ L 335 29.12.2022, p. 36, ELI: <http://data.europa.eu/eli/reg/2022/2577/oj>).

² Council Regulation (EU) 2024/223 of 22 December 2023 amending Regulation (EU) 2022/2577 laying down a framework to accelerate the deployment of renewable energy (OJ L, 2024/1343, 21.5.2024, ELI: <http://data.europa.eu/eli/reco/2024/1343/oj>).

³ Directive (EU) 2023/2413 of the European Parliament and of the Council of 18 October 2023 amending Directive (EU) 2018/2001, Regulation (EU) 2018/1999 and Directive 98/70/EC as regards the promotion of energy from renewable sources, and repealing Council Directive (EU) 2015/652 (OJ L, 2023/2413, 31.10.2023, ELI: <http://data.europa.eu/eli/dir/2023/2413/oj>).

⁴ Directive (EU) 2018/2001 of the European Parliament and of the Council of 11 December 2018 on the promotion of the use of energy from renewable sources (OJ L 328, 21.12.2018, p. 82, ELI: <http://data.europa.eu/eli/dir/2018/2001/oj>).

and the objective of climate neutrality by 2050. Directive (EU) 2018/2001 did not address important issues which significantly delay permit-granting procedures and the integration of renewables into the system, such as slow permit-granting procedures for grids, stand-alone energy storage—~~or~~, recharging stations ***or recharging pools***, lack of public acceptance or insufficient digitalisation of procedures. Moreover, that Directive includes only certain of the measures of Regulation (EU) 2022/2577 but lacks several important measures included therein which have ceased to apply, such as expanding the priority of renewable energy projects beyond environmental aspects and streamlining compliance with certain environmental rules. Finally, some targeted amendments to existing measures of Directive (EU) 2018/2001 are necessary to ensure their full effectiveness ***and cost-effective decarbonisation pathways and to avoid fragmentation of national approaches thereby strengthening investment certainty across the Union.***

(3a) Another significant barrier to grid expansion is the lack of sufficient financing. According to the Commission, EUR 1,2 trillion is needed for investments in electricity grids by 2040^{1a} to achieve a decarbonised economy. Therefore, Member States should facilitate access to financing sources, including the Union funding instruments. Furthermore, Member States are encouraged to prioritise and make effective use of innovative financial instruments, such as blended finance, guarantees and project development assistance, by combining Union support with financing from the European Investment Bank Group, national promotional banks and other public and private financial institutions, to support the development, reinforcement and integration of electricity grid infrastructure projects. Such instruments are essential to accelerate investment delivery, improve project bankability and substantially reduce investment risks for complex grid projects, thereby contributing to the large-scale integration of renewable energy, and strengthening the resilience, security and affordability of the Union's energy system.

(4) Article 15c of Directive (EU) 2018/2001 introduces an obligation for Member States to designate renewables acceleration areas for at least one renewable energy technology. For the purposes of such designation, Member States may exclude certain areas from becoming renewables acceleration areas due to their high environmental value and sensitivities. However, assessment of the implementation of Articles 15c and 15b of Directive (EU) 2018/2001 demonstrates that a significant number of Member States have not yet designated renewables acceleration areas nor fulfilled their obligations to map sufficiently large areas for the installation of renewables in their territories required to meet their national contributions towards the Union renewable energy target for 2030. In that regard, available spatial analyses indicate that only approximately 2% of the Union's total land area is required to accommodate the solar and wind installations needed to meet the Union's climate and energy objectives, and that suitable land identified on the basis of strict environmental and agricultural constraints, amounts to more than twice that figure, confirming that adequate areas for renewable energy deployment can be identified before any territorial restrictions are imposed. In order not to undermine the objectives of the designation of renewables acceleration areas, it should be ensured that Member States should do not designate exclusion areas without introducing sufficient land surface for renewable acceleration areas and Member States must not identify large territories where the installation of renewable energy projects is a priori not possible due to

environmental reasons including protection of landscape, since those projects will be subject to the relevant dedicated environmental assessments which will allow to identify potential environmental impacts and to address them. ***In order to ensure effective and uniform implementation, Member States should not designate large areas where the installation of renewable energy projects and their related infrastructure is legally or de facto restricted due to environmental reasons and any existing restricted areas should be reviewed and potentially repealed or amended.***

- (5) Unsound public participation processes leading to opposition in the form of administrative and judicial challenges continue to contribute to lengthy implementation of relevant energy projects. Challenges give rise to additional steps outside of the foreseen administrative permit-granting procedures timelines, leading to unforeseen delays that vary in duration according to the judicial speed of the Member State in question. Lack of public acceptance is one of the primary barriers to renewable energy permit-granting procedures and thus market uptake. Ensuring ***effective*** public participation by local communities in renewable energy projects, ~~in particular the larger ones,~~ can increase public acceptance. Therefore, Member States should adopt measures so that large renewable energy projects ***with an installed capacity above 7 MW*** share their benefits with local citizens and communities by means of direct or indirect participation, without prejudice to the free choice of supplier in accordance with Article 4 of Directive (EU) 2019/944 of the European Parliament and of the Council. ~~Such measures may include direct financial participation measures in various forms such as~~ ***Economic benefits to the communities affected should be prioritised when deciding on measures, and these may include lowering electricity bills for households and businesses, financial compensation to local communities, or enabling shared ownership schemes of the energy generating assets, and the energy produced by those assets, such as through renewable energy communities,*** including via cooperation with energy communities; ***The latter is particularly relevant given the Citizens Energy Package's objective of reaching 90 GW of community energy projects by 2030 and the fact that direct participation in renewable energy projects through co-ownership models has proven to enhance local acceptance and deliver additional social and economic value. Moreover, the logic of benefit sharing that is inherent in non-commercial renewable projects developed directly by citizens and renewable energy communities, which justifies exempting these projects from additional requirements. Particular attention should be paid to ensuring that communities most affected by crowdfunding schemes, or renewable self-consumption or energy projects, including vulnerable households, receive an adequate share of the benefits*** sharing schemes, or indirect financial participation mechanisms. ~~measures, such as the promotion of contracts and job creation for the local communities, including training programmes; community benefit funds; financial compensations to local communities in proximity of the project; construction and maintenance of public infrastructure in proximity of the project; discounts in the price of electricity, or support for vulnerable customers and people affected by energy poverty.~~ ***Member States or the relevant regional authority shall ensure that project developers comply with established measures, including by providing any needed information, however Member States should not be required to implement any new measures if it can be demonstrated that equally***

effective direct or indirect measures are already in place. Indirect benefits that would occur in the ordinary course of the development, construction or operation of a project, should not, in themselves, be deemed to constitute benefit-sharing.

- (6) Local resistance, often rooted in lack of transparency, and insufficient community involvement can result in delays in permit-granting procedures and subsequent litigation. Early-stage, and appropriate involvement of the public is a clear success factor in renewable energy projects, as indicated in Commission Recommendation (EU) 2024/1343. ***To ensure transparency from the initial stages of the process, Member States should ensure that local communities have access to all necessary information on the project, their rights and benefit sharing measures.*** A professional independent facilitator can accelerate the deployment of large renewable energy installations above 7 MW by promoting consultations between the project developers and the local communities, ~~where appropriate~~ ***if requested by the municipality, energy community or the project developer***, prior and during the permit-granting procedures with the aim to promote dialogue and build consensus among the relevant parties, ***including on equitable proportionate benefit-sharing measures***, during the entire process and avoid legal disputes. The facilitator should be a third party, independent from the relevant parties, ***technically competent*** and should not have any financial stake connected to the developer or to the community where the project is located. ***Prioritisation of entities with proven experience in community energy when designating a facilitator would be beneficial in ensuring a brief and meaningful process. If a Member State already has alternative procedures in place that are fulfilling a similar function and is equally effective in ensuring participation and public acceptance of renewable energy projects, it should be able to retain and use those instead of appointing a facilitator.***
- (7) The lack of resources of permitting authorities and the lack of digitalisation of permit-granting procedures and data availability are bottlenecks slowing down permit-granting procedures. Digitalisation and an appropriate use of artificial intelligence features are key tools to speed up procedures and to increase efficiency for all parties involved. It allows a faster handling of applications by the relevant authorities, and it allows project promoters to have quick access to clear information on process steps and requirements from the outset, therefore ensuring transparency and monitoring. However, digitalisation of permit-granting procedures is lagging behind, as it is often scattered among permit-granting procedures and steps across different competent authorities and in most Member States there is no unified digital process. Moreover, often more than one digital portal is used to treat the same project application and interoperability is not always ensured. This leads to a high administrative burden for project promoters, limited internal coordination among authorities dealing with permit-granting procedures at different levels, lack of visibility of the status of the application and unclarity on the bottlenecks slowing down permit-granting procedures. Member States should 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 so that it contributes to more uniform digitalisation, interoperability and transparency across different permitting authorities in Member States and ultimately speed up permit-granting procedures. ***Where several elements of the same project, or of functionally linked projects, including renewable generation, storage and grid connection, are subject to permit-granting procedures, Member States should ensure, that environmental***

*impact assessment data, are stored in systems that allow competent authorities to access and reuse the same dataset.) It should be designed to enable seamless communication between competent authorities through standardised interfaces and ~~It should also~~ simplify the process by allowing applicants to file their application in a single portal that can automatically attribute the applications to the competent authority, which will treat them directly in the portal avoiding intermediate paper-based steps. **The single digital portal should be built, to the greatest extent possible, on existing national platforms and available data infrastructures, to avoid duplication, ensure efficiency and interoperability with relevant administrative systems, including existing portals of System Operators. However, if cost-efficient and preferred by the Member State a new digital platform may be built.** The portal should present features, including by means of artificial intelligence, allowing the single contact point, other authorities and applicants to check the status of the application and where delays are, as well as check compliance with the permitting deadlines. **The portal should provide for means of artificial intelligence to allow for automated processing of mass requests with the potential of delaying the built-out of electricity grids, renewable energy and storage projects** In addition, it should allow for the extraction of statistics to check the overall progress of permit-granting procedures in Member States. The format chosen for storing and communicating the relevant data collected through the portal should be interoperable. The portal should facilitate the duties of the single contact point who should have access to all relevant data and information. **In order to further enhance legal certainty and predictability for applicants, competent authorities and system operators should provide clear and precise guidance at an early stage on the documentation and information requirements applicable to connection procedures. Such guidance should be presented in standardised formats, including structured requirement frameworks and procedural checklists, differentiated by connection type, and should be made available in advance through the single digital portal.***

- (7a) The use of advanced digital tools can significantly support the acceleration of permit-granting procedures while ensuring high environmental protection standards. The possibility to use tools that include dynamic virtual representations of a physical asset or infrastructure that are continuously updated with real-world data throughout their lifecycle should be further explored.*
- (8) Faster and shorter permitting deadlines for permit-granting procedures need to **reflect in their timelines the complexity of the projects concerned** and be accompanied by additional measures which ensure their effectiveness in practice. Administrative tacit approval measures ensure that an application is automatically approved if the public administration fails to act within a legally defined deadline and are therefore a useful tool to address administrative inaction by providing legal effect to the administration's silence. Directive (EU) 2018/2001 introduces tacit approval for certain decisions, namely for intermediate steps of the permit-granting procedure in renewable acceleration areas, and for the final permits for all small-scale solar installations with a capacity below 100 kW. Given the need to accelerate the deployment of renewable energy sources and the fact that the implementation of renewable acceleration areas is a time-consuming process, it is appropriate to also apply this measure in the permit-granting procedures applicable to projects located outside acceleration areas. In these procedures, Member States should ensure that the principle of administrative tacit approval is applied, including for final decisions with the exception of environmental*

decisions. In order to ensure an effective application of this measure and to guarantee the rights of third parties to judicial protection, the relevant authorities should make public that a decision has been tacitly adopted.

- (9) ***Refurbishment, modernisation and repowering*** of existing renewable energy power plants **has** significant potential to contribute to the achievement of renewable energy targets. Since existing renewable energy power plants have, for the most part, been installed in sites with significant renewable energy source potential, ***refurbishment, modernisation and repowering*** can ensure the continued use of those sites, thus ensuring efficient land use and exploitation of the best renewable energy resources. This is particularly the case for the ***refurbishment, modernisation and repowering*** of onshore wind, especially taking into account that in Europe many onshore wind farms are approaching the end of contracts supporting their electricity generation and that 26 GW of existing wind plants have been in operation for more than 20 years¹⁰. ***Refurbishment, modernisation and repowering*** includes further benefits such as an existing grid connection, a likely higher degree of public acceptance and knowledge of the likely environmental impacts. Considering that the repowering of wind plants often leads to a lower number of turbines being installed in the same site, the environmental impact of repowered wind plants is limited. Therefore, requirements on environmental screening or environmental impact assessment should be reduced or even waived where the ***refurbishment, modernisation or repowering*** of an existing wind plant does not entail ***the*** use of ***significant*** additional land surface, increases the total capacity of the installation and complies with the applicable environmental mitigation measures established for the original wind energy installation. ***The same should apply for the repowering of an existing solar installation provided that it does not entail the use of additional space and complies with the applicable environmental mitigation measures established for the original solar installation.*** ***Repowering of existing renewable energy power plants should be done in accordance with the Commission's good practices laid down in Commission Staff Working Document SWD (2024) 124 final (Guidance to Member States on good practices to speed up permit-granting procedures for renewable energy and related infrastructure projects)⁵, including any subsequent amendments or replacements, and taking into account the latest scientific developments.***
- (10) Self-consumption installations, including those for jointly-acting self-consumers and as local energy communities, contribute to reducing overall demand for natural gas, increasing resilience of the system and achieving the Union's renewable energy targets, ***and supporting citizens and SMEs with ways to face recurrent energy crises characterised by volatile prices on fossil fuels and thus financial uncertainty.*** The installation of solar energy equipment and co-located energy storage with a capacity below 200 kW is not likely to have significant adverse effects on the environment or the grid and does not raise safety concerns. In addition, small installations do not generally require capacity expansion at the grid-connection point. In order to further accelerate the deployment of small-scale solar equipment and co-located energy storage, Member States should not require any administrative permits for these installations, with the exception of the grid connection permits ***or agreements***, as is already the case in several Member States. Aligning Union legislation with existing best practices should allow further acceleration of the deployment of these installations in a harmonised manner. The installation of solar energy equipment and co-located energy

⁵<https://circabc.europa.eu/ui/group/8f5f9424-a7ef-4dbf-b914-1af1d12ff5d2/library/67a0c546-46c0-46d1-aa8d-ae25a0065929/details?open=true>

storage above **200** kW in existing or future artificial structures does not typically raise concerns related to competing uses of space or environmental impact. Those installations should therefore benefit from shorter permit-granting procedures and be exempt, with appropriate safeguards, from the obligation to carry out an environmental impact assessment pursuant to Directive 2011/92/EU of the European Parliament and of the Council.⁶

- (11) Renewable energy plays a key role in the decarbonisation of the Union's energy system by offering immediate solutions to replace fossil-fuel based energy and contributes to reduce energy prices and increase energy security. Therefore, the authorisation of renewable energy projects ***and related electricity grid infrastructure*** should not be too easily blocked due to the mere existence of any type of conflicting interests. Member States should promote renewable energy plants, ***contributing to or supporting the transition towards climate neutrality***, and infrastructure assets such as co-located and stand-alone storage assets and the related grid and recharging stations ***or recharging pools*** by expanding the existing presumption applicable for conflicts with environmental interests to any other conflicting interests, except in relation to ***where it is strictly necessary for the protection of*** cultural heritage ~~and where it is evident that those conflicting interests have to take priority despite the important benefits of renewable energy~~. Renewable energy projects, when presumed of being of overriding public interest over non-environmental interests, should be given priority and authorised. In order to ensure a harmonised application of this rebuttable presumption, Member States should not be allowed to introduce exceptions when dealing with all types of conflicts, including environmental ones. ***This approach should apply consistently across renewable energy technologies to ensure a level playing field and to fully exploit the potential of all renewable energy sources available in the Union.***
- (12) In order to speed up the deployment of renewables, their related assets and their connection to the grid, it is appropriate to also specify how the remaining conditions for applying specific derogations as provided for in Union environmental legislation can be met. In particular, for the purposes of relevant Union environmental law, when assessing whether there are satisfactory alternative solutions to the specific renewable energy project, the scope of such assessment should be limited to alternative solutions that ensure the achievement of the same objectives as the project in question within the same or similar timeframe and without resulting in significantly higher costs. When comparing the timeframe and the cost of satisfactory alternative solutions, the relevant authorities should take into account the need to deploy renewable energy in an accelerated and cost-effective manner in accordance with the priorities set out in their integrated national energy and climate plans and updates thereof submitted pursuant to Regulation (EU) 2018/1999 of the European Parliament and the Council⁷ and the expected speed to achieve those priorities. Similarly, when applying the relevant

⁶ Directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on the assessment of the effects of certain public and private projects on the environment (OJ L 26, 28.1.2012, p. 1, ELI: <http://data.europa.eu/eli/dir/2011/92/oj>).

⁷ Regulation (EU) 2018/1999 of the European Parliament and of the Council of 11 December 2018 on the Governance of the Energy Union and Climate Action, amending Regulations (EC) No 663/2009 and (EC) No 715/2009 of the European Parliament and of the Council, Directives 94/22/EC, 98/70/EC, 2009/31/EC, 2009/73/EC, 2010/31/EU, 2012/27/EU and 2013/30/EU of the European Parliament and of the Council, Council Directives 2009/119/EC and (EU) 2015/652 and repealing Regulation (EU) No 525/2013 of the European Parliament and of the Council (OJ L 328, 21.12.2018, p. 1, ELI <http://data.europa.eu/eli/reg/2018/1999/oj>).

derogation provided for in Council Directive 92/43/EEC,⁸ it is appropriate that the relevant authorities may, in some justified cases where it can be reasonably demonstrated that the relevant plan or project would not affect irreversibly the ecological processes essential for maintaining the structure and functions of the site, that the overall coherence of the Natura 2000 network is not compromised, the environmental integrity of the site is preserved and that a high level of protection of the Natura 2000 sites is ensured, allow the compensatory measures to be carried out in parallel with the implementation of such plan or project.

- (13) Accelerating the deployment of stand-alone energy storage is crucial to increase the flexibility of the energy system and to ensure system integration of renewable energy production. Stand-alone storage should therefore benefit from accelerated permit-granting procedures. Small-scale energy storage with a capacity below **200 kW** is not likely to have significant adverse effects on the environment or the grid and is not expected to raise concerns related to competing uses of space. In view of this, it is appropriate to streamline the permit-granting procedures applicable to this type of storage by eliminating all administrative permits, with the exception of the grid connection permit **or agreement**, and exempting, with appropriate safeguards, these installations from the obligation to carry out an environmental impact assessment pursuant to Directive 2011/92/EU. The deployment of energy storage with a capacity above **200 kW** also needs to be accelerated. Therefore, it is appropriate to streamline their permit-granting procedure by establishing a maximum overall deadline of six months, except for pumped hydropower storage, which must comply with stricter environmental requirements and therefore requires a longer maximum overall deadline. To ensure system integration of renewable energy production, it is necessary to increase flexibility sources, notably batteries of electric vehicles, as they can contribute to shifting peak electricity demand and reducing grid congestion. In order to achieve this, a swifter and easier deployment of recharging road infrastructure should be further promoted, notably covering cars, vans, trucks, busses or motorcycles, and plug-in hybrid or pure electric vehicles. Both alternating current and direct current recharging stations **or recharging pools** should benefit from accelerated permit-granting procedures, including for grid connection permits **or agreements**. Small recharging stations **or recharging pools** with a capacity below **200 kW** ~~and, as well as recharging pools below 1MW on artificial structures~~, are not likely to have significant adverse effects on the environment or the grid and are not expected to raise concerns related to competing uses of space. In view of this, it is appropriate to streamline the permit-granting procedures applicable to these recharging stations **or recharging pools** by eliminating all administrative permits, with the exception of the grid connection permit **or agreement**, and exempting, with appropriate safeguards, these installations from the obligation to carry out an environmental impact assessment pursuant to Directive 2011/92/EU. The installation of recharging stations **or recharging pools** with a capacity above **200 kW** also needs to be accelerated. Therefore, it is appropriate to streamline their permit-granting procedure by establishing a maximum overall deadline of six months. *For the purposes of applying those capacity thresholds, where two or more recharging stations within a recharging pool share the same grid connection point, their capacity should be assessed jointly; where such recharging stations have different grid connection points, their capacity should be assessed separately.*

⁸ Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (OJ L 206, 22.7.1992, p. 7, ELI: <http://data.europa.eu/eli/dir/1992/43/oj>).

- (14) Obtaining grid connection permits is a crucial and often time-consuming part of the procedures to build and operate a renewable energy installation. It is therefore appropriate to further streamline the deadlines applicable for the grid connection procedures applicable to certain small-scale renewable energy projects, storage assets and recharging stations *or recharging pools*, and the repowering and hybridisation of renewable energy projects, and to introduce clear rules regarding the obligations of the system operators during the permit procedures while ensuring the technical compatibility and the security, stability and functioning of the electricity system. *Within the applicable deadlines, system operators should grant connection permits or agreements where capacity allows or, where capacity is insufficient, propose alternative solutions such as flexible connections, alternative connection points, or adjusted timelines; refusal should remain a last resort where no viable option exists, including mitigation through non-market-based redispatch. Small-scale solar installations, storage and recharging stations or recharging pools should benefit from streamlined grid connection procedures, under appropriate conditions to ensure grid stability, reliability and safety.*
- (14a) A project developer's request for a project to be connected to the grid is not a unilateral issuance of an administrative permit from the relevant authority to the project developer, but a two-sided agreement made between the project developer and the relevant authority, which encompasses several procedural steps starting from the project developer's request for connection to the grid accompanied by all documents required for the connection application, resulting in an agreement between the two parties on the conditions for a project to be connected to the grid.*
- (14aa) The hybridisation of renewable energy plants has significant potential to contribute to improving energy system integration and to achieving the renewable energy targets by combining multiple renewable energy technologies, for example by adding an electrolyser or wind turbines to an existing solar PV installation or combining renewable production, including the production of biogas and biomethane, with storage or another source of renewable energy production ~~on the same site~~. The hybridisation of plants exploits the synergies and complementarity of different renewable energy sources thereby ensuring a more stable energy supply and allowing to introduce flexibility to the energy system by combining generation and storage. Moreover, the combination of different renewable energy technologies or renewable energy with storage in existing sites allows to benefit from existing grid connections and necessary infrastructure, and reduces the need for new land and overall environmental assessments of projects.*
- (14aaa) Besides renewable energy projects, including energy storage and recharging stations and recharging pools, and related grid infrastructure, heat pumps are of crucial importance to ensure European energy independence, the electrification of European industry and households and reaching the Union's energy and climate targets. Therefore, the permit-granting procedure for heat pumps should also be accelerated while ensuring technical compatibility and safety. To ensure efficiency of the process, Member States should also ensure that, in jurisdictions where the concept of tacit approval exists under national law, it is applied to requests for installations of heat pumps below 50 MW.*

- (15) The Draghi report on EU competitiveness and the Action Plan for Affordable Energy⁹ recognise the positive impact of recent reforms to accelerate permit-granting procedures. However, they also highlight lengthy and uncertain permit-granting procedures for grids as a major obstacle to faster installation of necessary new capacity to accommodate clean energy investments and reduce energy costs in the EU. While there are specific rules on permit-granting procedures under Directive (EU) 2018/2001, Directive (EU) 2024/1788 of the European Parliament and of the Council¹⁰ and Regulation (EU) 2022/869 of the European Parliament and of the Council¹¹ these regimes do not cover general electricity grid infrastructure assets. As such, general requirements on authorisation procedures for electricity transmission and distribution system infrastructure must be provided in Directive (EU) 2019/944, specifically in the form of requirements for Member States to ensure a maximum duration of such procedures and establishing requirements that support in meeting those deadlines. Regulation (EU) 2022/869 and Directive (EU) 2018/2001 contain rules for the authorisation of certain energy projects. In case of contradiction between those rules and the rules established in this Directive for the authorisation of certain electricity projects, the former should take precedence.
- (15a) Grid connection queues have grown significantly in a number of Member States, with speculative and immature applications reserving capacity for projects that do not materialise, blocking viable projects and delaying the deployment of generation, storage and flexible demand needed for the energy transition. The Motion for a European Parliament Resolution on electricity grids: the backbone of the EU energy system (2025/2006(INI)) states that that national regulatory authorities (NRAs) could benefit from clear legislative provisions as to how Member States can prioritise grid connections. The non-discrimination principle in Article 6 of Directive (EU) 2019/944 does not require Member States to apply a first-come-first-served approach to the ordering of grid connection requests, and does not preclude the introduction of transparent and objective ordering frameworks, as clarified by the Commission in its Notice on guidance on efficient and timely grid connections (C/2025/6703). Member States shall establish criteria for prioritizing connection requests having due regard to the recommendations by the Commission in the Commission in its Guidance on efficient and timely grid connections (C/2025/6703)***
- (15aa) The lack of sufficient capacity in the transmission and distribution electricity grids in several Member States constitutes a serious bottleneck to the electrification and decarbonisation of European industry and households, as well as to the Union's efforts to ensure energy independence and affordability. Optimising the use of the Union's electricity grids while ensuring the necessary expansion of the grids and deployment of recharging infrastructure, and energy storage are therefore crucial. Increasing the capacity of the Union's electricity grid should be prioritised, as it***

⁹ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions Action Plan for Affordable Energy Unlocking the true value of our Energy Union to secure affordable, efficient and clean energy for all Europeans (COM/2025/79 final).

¹⁰ Directive (EU) 2024/1788 of the European Parliament and of the Council of 13 June 2024 on common rules for the internal markets for renewable gas, natural gas and hydrogen, amending Directive (EU) 2023/1791 and repealing Directive 2009/73/EC (OJ L, 2024/1788, 15.7.2024, ELI: <http://data.europa.eu/eli/dir/2024/1788/oj>).

¹¹ Regulation (EU) 2022/869 of the European Parliament and of the Council of 30 May 2022 on guidelines for trans-European energy infrastructure, amending Regulations (EC) No 715/2009, (EU) 2019/942 and (EU) 2019/943 and Directives 2009/73/EC and (EU) 2019/944, and repealing Regulation (EU) No 347/2013 (OJ L 152, 3.6.2022, p. 45, ELI: <http://data.europa.eu/eli/reg/2022/869/oj>).

supports electrification without prejudice to the technology mix contributing to the electricity system, thereby reflecting the principle of technological neutrality in the Union and providing benefits from streamlined procedures on an equal basis in all Member States, regardless of their national electricity mix.

- (16) Lack of **financial** resources **and staffing** in national authorities and the reduced digitalisation of permit-granting procedures results in delays in the permitting of electricity system infrastructure and generation assets. Member States should ensure that such authorities have adequate human financial and technical resources, including skills, and digital management tools and systems that enable them to render decisions within the deadlines provided in the Directive. ***To that end, Member States shall make effective use of relevant EU funds.***
- (16a) ***There is an urgent need to address labour shortages in the energy sector The energy workforce must grow significantly by 2030 to support the deployment of renewables and grid expansion. In order to ensure adequate skilled staff, the Member States should rely on the Commission's support in ensuring training, upskilling and reskilling in grid-related skills. National, regional and local authorities responsible for permit-grating procedures of electricity system infrastructure and generation assets are encouraged to map their future need for human financial and technical resources.***
- (17) The authorisation procedures under Directive (EU) 2019/944 should be clear, efficient and transparent and consistent with the fulfilment of existing distribution network development plan and the transmission ten-year network development plan. Thus, Member States are expected to lay down and publish objective and non-discriminatory criteria and procedures for authorisation that take into account amongst other things the safety and security of the electricity system, land use, energy efficiency, characteristics particular to the permit applicant, emission reductions, the importance to accelerate the deployment of energy infrastructure to reach climate neutrality, and alternatives to the project.
- (17a) ***The Commission's Guidance on Anticipatory Investments of June 2025 has identified the absence of distribution and transmission network development plans coordination as a source of inefficiency and increased risk of network bottlenecks and delays, while noting that further action was being considered under the Grids Package. Distribution and transmission network development plans should be developed at the same intervals and in close coordination, each taking into account the scenarios and assumptions of the other, so that anticipatory investments at one level are matched at the other and distribution-level developments are properly reflected in national network planning.***
- (17aa) ***In Member States with fragmented distribution sectors a large number of integrated electricity undertakings operate distribution networks serving fewer than 100 000 connected customers and benefit from derogations under Articles 31, 32 and 35 of Directive (EU) 2019/944 from obligations to carry out network development planning, provide harmonised access to network data and facilitate access to flexibility services. According to ACER, almost two thirds of EU distribution system operators are exempt from preparing distribution network development plans; while this reflects the diversity of distribution sector structures across Member States, it means that in those Member States where small integrated undertakings predominate, a significant share customers is served by networks that are structurally less visible to planning processes and less accessible to flexibility markets, precisely***

where renewable energy sources, storage, electrification and active demand are connecting at the fastest rate. Member States should ensure that appropriate arrangements are in place to enable integrated electricity undertakings, including but not limited to those benefiting from such derogations, to combine their resources and cooperate with one another in carrying out those tasks, jointly to increase synergies and reduce burden while preserving the independence of the entity or arrangement concerned from supply and generation activities. Existing models in Member States, such as the cooperative arrangements established in Belgium between intermunicipal distribution system operators and their shared operating companies, demonstrate that such cooperation is operationally proven, compatible with public and municipal ownership structures, and capable of delivering the planning, data and flexibility functions required for the energy transition at local level.

(17aaa) Transparency regarding the use of distribution network capacity is essential for identifying inefficiencies and unlocking additional connection capacity for generation and demand. Distribution system operators should be required to publish, at least once a year, information on reserved but unconnected injection and withdrawal capacity, on the actual use of connected distributed generation and energy storage facilities relative to their contracted capacity, and on the potential for making additional connection capacity available through more efficient use of the network. Where such information reveals significant potential for efficiency gains, the Member State concerned should adopt concrete measures to address the identified causes of inefficient use, following transparent consultation with all relevant system users.

- (18) Given the urgency of developing electricity infrastructures, Member States are expected to ensure that authorisation procedures consider the characteristics of a project when assessing the need, or lack thereof, to conduct assessments, including environmental assessments, or produce studies, authorisations or reports. The competent national authorities should limit assessments and requests for information from promoters to the strictly necessary and avoid duplication in every instance possible.
- (19) To increase predictability and certainty over the duration and costs of authorisation procedures under Directive (EU) 2019/944, requests for information and documentation from applicants should be concrete, specific and contained in time. As such Member States should ensure that national authorities request the relevant information to issue the permit from applicants within a pre-specified period counted from when the application is received and concretely determine the content and detail of any information or data requested. After such period, requests for information should be limited to missing information that had been previously identified or requested by the authority, or information that could not be requested before due to the fact that it relates to a material change in circumstances taking place after the project applied for an authorisation.
- (20) While respecting the principle of subsidiarity, national competences and procedures, Directive (EU) 2019/944 should set a clear time limit for the decision of the relevant authorities which stimulates an efficient definition and handling of procedures leading to the deployment of electricity grids. Nevertheless, Member States can strive to achieve shorter permit-granting procedures where feasible, specially as regards projects for refurbishment, modernisation or repowering of existing transmission system infrastructure and the construction of new distribution system infrastructure, which may not require as complex a permit-granting procedure as new transmission infrastructure.

- (21) In line with the urgency to ***optimise, upgrade, and*** deploy electricity grids to achieve the Union's energy and climate goals and accompany deadlines for permit-granting procedures with measures that ensure their effectiveness in practice, Member States should ensure that, in jurisdictions where the concept of tacit approval exists under national law, it is applied to administrative decisions concerning electricity grid projects, with the exception of environmental decisions. To guarantee the rights of third parties to judicial protection, the relevant authorities should make public all decisions adopted, including those that were tacitly adopted.
- (22) In order to reduce complexity, increase efficiency and transparency, and help enhance cooperation among Member States, there should be contact points for electricity transmission or distribution system operators promoting grids project or other network assets until a decision is rendered. These contact points will be responsible for facilitating and guiding applicants through the authorisation procedures associated with this type of infrastructure. In the spirit of simplification, if the Member State deems appropriate and more efficient it may concentrate this responsibility in the national competent authorities referred to in Article 8 of Regulation (EU) 2022/869, as these authorities already perform such role in what concerns the permitting of infrastructure projects of common interest and projects of mutual interest. In merging such roles, Member States should pay particular attention to ensure that the contact points are adequately staffed and enjoy the resources and capacity necessary to perform the tasks under their responsibility.
- (23) Due to their role integrating renewable energy assets, flexibility solutions, energy storage and enabling electrification in general, electricity transmission or distribution system infrastructure are essential to reach climate neutrality. Considering the key role of electricity system infrastructure to reach climate neutrality, in the necessary case-by-case assessments, Member States should presume electricity transmission or distribution system infrastructure, including on-shore power supply in ports to be of overriding public interest and serving public health and safety, except for in relation to ***where it is strictly necessary for the protection of*** cultural heritage. ~~and where there is clear evidence that those projects have significant adverse effects on the environment which cannot be mitigated or compensated for.~~ Electricity transmission or distribution system infrastructure presumed to be of overriding public interest over non-environmental interests should be given priority over non-environmental interests and authorised as fast as possible.
- (23aa) In order to reach the Union's energy and decarbonisation targets, including the Unions intermediate climate target for 2040 and the net-zero target by 2050, carbon capture utilisation and storage (CCUS) will play an important role in reducing emissions from hard to-abate sectors, as recognised in the Communication on a 2040 Climate Target by the Commission¹². However, several a number of barriers still exist today to the development of the carbon capture and storage technology remain, including, in particular the cost of CCS, price signals, CO2 storage availability and maturity of the technology¹³. To encourage the development of the carbon industry, the Commission will put forward a legislative initiative on CO2 transportation infrastructure and markets. As part of that initiative the Commission should prepare***

¹²COMMISSION (2025). Communication on a 2040 Climate Target (COM/2024/63)

¹³COMMISSION STAFF WORKING DOCUMENT IMPACT ASSESSMENT REPORT (Part 2): Securing our future Europe's 2040 climate target and path to climate neutrality by 2050 building a sustainable, just and prosperous society, 2.5.1.6 Carbon capture and storage, p. 28

a comprehensive assessment of the role of permit-granting procedures for the necessary deployment of carbon infrastructure and storage, and in accordance with that assessment address any potential bottlenecks in the permit-granting procedures while ensuring safety and environmental integrity.

- (24) In order to speed up the deployment of electricity grids, it is appropriate to specify how the conditions for applying specific derogations as provided for in Union environmental legislation can be met. In particular, when assessing whether there are satisfactory alternative solutions to the electricity grid project, the scope of such assessment should be limited to alternative solutions that ensure the achievement of the same objective within the same or similar timeframe and without resulting in significantly higher costs. When comparing the timeframe and the cost of satisfactory alternative solutions, the relevant authorities should take into account the need to deploy grids in an accelerated and cost-effective manner in accordance with the priorities set out in their integrated national energy and climate plans and updates thereof submitted pursuant to Regulation (EU) 2018/1999. Similarly, when applying the relevant derogation provided for in Directive 92/43/EEC, it is appropriate that the relevant authorities may, in some justified cases where it can be reasonably demonstrated that the relevant plan or project would not affect irreversibly the ecological processes essential for maintaining the structure and functions of the site, that the overall coherence of the Natura 2000 network is not compromised, the environmental integrity of the site is preserved and that a high level of protection of the Natura 2000 sites is ensured, allow the compensatory measures to be carried out in parallel with the implementation of the plan and project.
- (25) Due *to* the urgency in deploying energy infrastructure, the importance of streamlining authorisation procedures and the fact that environmental assessments represent the step with the longest duration in authorisation procedures, it matters to minimise such assessments without jeopardising the protection of the environment. The refurbishment, modernisation or repowering of existing transmission and distribution system infrastructure, and the construction of new distribution system infrastructure, are projects which generally entail minimal environmental impacts. Refurbishment, modernisation or repowering projects are routinely of limited size and affect only part of existing assets for which environmental impacts have been previously assessed. As a result, the impacts of such projects are often limited to those of construction works, with the operation of the asset having the same, or even a lesser, impact than the operation of the project it targeted. Distribution systems on the other hand, due to the smaller size of their projects, lower voltage of their assets and tendency to be developed in built areas closer to consumers tend not to have significant environmental impacts. As such, to accelerate the deployment of the electricity system infrastructure, ***enable the electrification of industry and digitalisation of the economy*** and achieve climate neutrality and renewable energy targets, Member States should be allowed to justifiably exempt, under certain conditions, the projects mentioned in this recital from environmental impact assessments and appropriate assessments and the assessment of their implications on species protection pursuant to Article 12(1) of Directive 92/43/EEC¹⁴ and to Article 5 of Directive 2009/147/EC¹⁵.

¹⁴ Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora ([OJ L 206, 22.7.1992, p. 7](#), ELI: <http://data.europa.eu/eli/dir/1992/43/oj>).

¹⁵ Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds ([OJ L 20, 26.1.2010, p. 7](#), , ELI: <http://data.europa.eu/eli/dir/2009/147/oj>).

- (25a) *One of the environmental assessments contributing to long authorisation procedures when deploying electricity infrastructure is the assessment mandated under Directive 2000/60/EC. In order to significantly speed up the authorisation procedure without jeopardising the protection of the environment, transmission and distribution projects or parts thereof that are not in direct contact with the land or a water body may be exempted from these assessments, provided that mitigation measures constitute an inherent component of the project.*
- (26) The benefits of the deployment of electricity infrastructure, *stand-alone energy storage, recharging station or recharging pools and hydrogen system infrastructure* in terms of nitrogen emission reductions largely exceed the cost of the ~~minimal~~ **small, temporary** emissions that result from their construction. As such, Member States should ensure that the quick deployment of electricity infrastructure is in no way limited by the temporary emissions that result from their construction.
- (27a) *Long-term planning for a decarbonised energy system requires coordination between electricity, gas and hydrogen networks, and carbon dioxide transport and storage infrastructure. As carbon dioxide infrastructure supports hydrogen production and can help industrial decarbonisation, future Union measures should take into consideration the long-term reduction of nitrogen associated with the construction of such infrastructure in a consistent manner with the permit-granting procedures set out in this Directive.*
- (27) National transmission network planning reflecting developments in climate and energy policy and related changes in consumption and generation is critical for success of *a smart and cost-effective* electrification and *for achieving the national and European energy transition targets* as a whole. However, existing requirements under Article 51 of Directive (EU) 2019/944 only applied to certain transmission system operators and did not provide for sufficiently long period of planning to account for anticipatory investment. It is important that transmission system expansion consider at least fifteen years' time horizon, and considers with priority use of non-fossil flexibility, non-wire solutions and other alternatives to system expansion, is based on a joint scenario developed with other system operators across sectors and is aligned with the central scenario under the Union-wide ten-years network development plan. To ensure transparency and incorporate grid users, including generation, industry, data and transport sectors better in the network planning, link to Article 55 of Directive (EU) 2024/1788 also requires their early consultation during the joint scenario development process to allow anticipatory investment.
- (27a) *The legally binding energy efficiency first principle is to be applied consistently to grid infrastructure planning to maximise the use of existing grid infrastructure in the most cost-effective way. Grid-enhancing technologies, hardware and software solutions that increase the capacity and efficiency of transmission infrastructure can deliver 20 to 40% additional capacity gains using existing infrastructure^{1a}.*
- (28) In view of the amendments to Directives (EU) 2018/2001 and (EU) 2019/944, as well as the parallel amendments to Regulation (EU) 2022/869, the Commission should introduce a unified approach to the permit-granting procedures of energy projects. While Directive (EU) 2024/1788 introduces measures to simplify and streamline administrative permit-granting procedures a targeted amendment is required to ensure a harmonised approach and that a consistent framework is deployed at the Union level.

- (29) Lack of resources in national authorities and the limited digitalisation of permitting procedures results in delays in the permitting of natural gas facilities, hydrogen production facilities, and hydrogen system infrastructure. Member States should ensure that such authorities have adequate human, financial and technical resources, including skills and digital management tools and systems that enable them to render decisions within the deadlines provided in the Directive. ***To that end, Member States shall make effective use of relevant EU funds.***
- (30) To increase predictability and certainty over the duration and costs of authorisation procedures under Directive (EU) 2024/1788, requests for information and documentation from applicants should be concrete, specific and contained in time. As such Member States should ensure that national authorities request the relevant information to issue the permit from applicants within a pre-specified period counted from when the application is received and concretely determine the content and detail of any information or data requested. After such period, requests for information should be limited to missing information that had been previously identified or requested by the authority, or information that could not be requested before due to the fact that it relates to a material change in circumstances taking place after the project applied for an authorisation.
- (32) In the spirit of simplification, Member States may deem appropriate and more efficient to centralise the role of a single contact point under the obligation of Directive (EU) 2024/1788 in the national competent authorities referred to in Article 8 of Regulation (EU) 2022/869, as these authorities already perform such role in what concerns the permit-granting procedures of infrastructure projects of common interest and projects of mutual interest. When opting to merge such roles, Member States should pay particular attention to ensure the contact points are adequately staffed and enjoy of the resources and capacity necessary to perform the tasks under their responsibility.
- (31) Regarding approval procedures under Directive (EU) 2024/1788, in line with the importance of ensuring the quick deployment of hydrogen facilities and hydrogen system infrastructure and the fulfilment of the deadlines established in that Directive Member States should ensure that, in jurisdictions where the concept of tacit approval exists under national law, it is applied to administrative decisions concerning such projects, except for environmental decisions. To guarantee the rights of third parties to judicial protection, the relevant authorities should make public all decisions adopted, including those that were tacitly adopted.
- (32) In the spirit of simplification, Member States may deem appropriate and more efficient to centralise the role of a single contact point under the obligation of Directive (EU) 2024/1788 in the national competent authorities referred to in Article 8 of Regulation (EU) 2022/869, as these authorities already perform such role in what concerns the permit-granting procedures of infrastructure projects of common interest and projects of mutual interest. When opting to merge such roles, Member States should pay particular attention to ensure the contact points are adequately staffed and enjoy of the resources and capacity necessary to perform the tasks under their responsibility.
- (33) To improve efficiency, Member States should ensure the availability of digital platforms that facilitate the management of authorisations.
- (33a) ***Where a closed distribution system is used to ensure the optimal efficiency of an integrated supply that requires specific operational standards, or where a closed or geographically confined distribution system is maintained primarily for the use of the***

owner of the system or transmits only a limited amount of energy to a limited number of customers it should be possible to exempt the distribution system operator from obligations which would constitute an unnecessary administrative burden because of the particular nature of the relationship between the distribution system operator and the system users. A complete exemption from network regulation should be possible in case of geographically confined distribution systems, if they have no significance for ensuring effective and undistorted competition in the electricity supply and Article 4 is guaranteed. Industrial sites, residential areas, commercial sites or shared services sites such as train station buildings, airports, hospitals, large camping sites with integrated facilities, and chemical industry sites could include closed or confined distribution systems.

Article 1

Amendments to Directive (EU) 2018/2001

Directive (EU) 2018/2001 is amended as follows:

ARTICLE 2

- (1) in Article 2, second paragraph, the following points (10a) to (10f) are inserted:
- (10b) ‘stand-alone energy storage’ means energy storage that is not combined with an energy-producing facility, ***recharging stations or recharging pools***;
- (10c) ‘recharging station’ means a recharging station as defined in Article 2, point (52), of Regulation (EU) 2023/1804;
- (10c a) ‘recharging pool’ means a recharging pool as defined in Article 2, point (51), of Regulation (EU) 2023/1804.***
- (10d) ‘hybridisation’ means the conversion of a renewable energy plant that is not a hybrid plant into a hybrid plant behind the same connection point ***or a recharging station or recharging pool that is not a hybrid recharging station or hybrid recharging pool into a hybrid recharging station or recharging pool***;
- (10e) ‘hybrid plant’ means a renewable energy plant that combines multiple renewable energy technologies, or that combines one or more renewable energy technologies with energy storage; ***and connect to the same grid connection point.***
- (10f) ‘procedure for a grid connection permit ***or agreement*** means the ***result of the*** procedure from the project developer’s duly completed request for a connection to the grid, up to the system operator’s decision on whether the project can be connected to the grid;
- 10f d) ‘non-wire solutions’ means ‘non wire solutions’ as defined in Article 2, point 19 of TEN-E Regulation XX/XX;***
- (10fa) ‘related grid’ means transmission and/or distribution system infrastructure which is necessary to integrate electricity flows to or from plants, generation facilities or storage installations into the electricity system;***
- (10fa) ‘hybrid recharging station’ means a recharging station that combines a recharging station with energy storage and connect to the same grid connection point;***
- (10fb) ‘share of the benefits of renewable projects’ means the proportionate redistribution of economic benefits generated throughout all stages of the project lifecycle to local communities hosting or affected by renewable energy installations, including financial or ownership-based forms, such as participation in energy communities, as well as in-kind mechanisms, or other form of contributions to the local economy;***

ARTICLE 15c:

- (2) in Article 15c, the following paragraph 6 is added:

6. Only where a Member State has fulfilled the mapping obligation referred to in Article 15b of Directive (EU) 2023/2413 and only where a Member State has designated sufficient land surface for renewables acceleration pursuant to Article 15c of that Directive, that Member State may also designate areas restricting the installation of renewable energy plants and infrastructure. Member States shall endeavour not to 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 [date of entry into force] shall be reviewed by Member States when carrying out the next periodically review pursuant to Article 15b(4) of Directive (EU) 2023/2413 and, where the conditions set out in this paragraph are not met, shall be repealed or amended accordingly.***

- 6 c. In defined renewables acceleration areas, related electricity transmission or distribution infrastructure shall benefit from the same permit granting procedures as renewable energy sources.**

ARTICLE 15d

(3) in Article 15d, the following paragraphs 3 and 4 are added:

‘3. Member States shall adopt measures to ensure that a *proportionate* share of the benefits of renewable energy projects with an installed capacity above 7 MW is passed on, directly or indirectly, to local citizens, and communities in proximity to *or otherwise affected by* those projects. *Projects directly developed by citizen and renewable energy communities shall be exempted from the obligation of this paragraph.*

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 those measures.

3b. The Commission shall within six months of the entry into force of this Directive, develop and issue guidelines on benefit sharing to support Member States or the relevant regional authority establishing standards and criteria taking into account existing best practices.

3c. Where it can be demonstrated that ~~an~~ equally effective direct and indirect measures ensuring the sharing of the benefits is in place this provision shall be considered fulfilled and no new measures need to be introduced.

4. 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 promoters and local communities shall engage with a view to reaching an agreement on benefit sharing measures related to the project. If such agreement cannot be found 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 7 MW.

The facilitator shall only intervene upon request by *municipality, energy community or the project developer* ~~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 *and municipalities*;
- (c) ensure support and transparency in the choice of the type of benefit sharing measure, where relevant.

Member States may set up a *proportionate* fee, paid by project developers, to finance the service of the facilitator.’;

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.

ARTICLE 16

(4) Article 16 is amended as follows:

(a) in paragraph 3, the following sentence is deleted:

‘Applicants shall be allowed to submit relevant documents in digital form.’

(b) the following paragraph 3a is inserted:

‘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 *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.*

Such a system shall ensure interoperability with relevant administrative systems, including existing portals of System Operators.

States shall ensure that permitting 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. 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. *Access to the 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 include features allowing the applicant to be informed about all steps of the permit-granting procedure, *including the respective obligations of the 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 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.

ARTICLE 16b

(5) [Article 16b is amended as follows]:

(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’~~

(b) [in paragraph 2, the following part is amended]:

The permit-granting procedure for the repowering of renewable energy power plants, for new installations with an electrical capacity of less than ~~150~~ 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 ~~12~~ 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 ~~two~~ **one** years. Where duly justified on the ground of extraordinary circumstances, Member States may extend **the period by up to three months and the 12 months period for offshore wind energy projects by up to six months.** ~~either of those periods by up to three months.~~ Member States shall inform the project developer clearly of the extraordinary circumstances that justify such an extension.

(b~~a~~) the following paragraph 3 is added:

‘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.’;

ARTICLE 16c

(6) Article 16c is amended as follows:

(a) paragraph 1 is deleted;

(b) the following paragraph 2b is inserted:

‘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*.

(b a) paragraph 3 is amended as follows

3. 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 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.*

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. In case where a screening process or an environmental impact assessment is required for the repowering of the solar installations, it 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.

(c) the following paragraph 4 is added:

- ‘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 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. In case where a screening process or an environmental impact assessment is required for the refurbishment, modernisation or repowering of the wind energy installation, it 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.

ARTICLE 16d

- (7) Article 16d is amended as follows:

(a) paragraph 1 is replaced by the following:

‘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 **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 .

(b) paragraph 2 is replaced by the following:

‘Member States shall not require any administrative permits, including on environmental aspects, with the exception of grid connection permits or ***agreements***, the installation of solar energy equipment and co-located energy storage with a total installed capacity of ~~100~~ **200 kW**. 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**’;

(c) the following paragraphs 3 and 4 are added:

‘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.

NEW Article 16e (1) is amended as follows:

1. Member States shall ensure that the permit-granting procedure for the installation of heat pumps below 50 MW shall not exceed one month. However, in the case of ground source heat pumps, the permit-granting procedure shall not exceed three months. **In the permit-granting procedure referred to in this paragraph, Member States shall ensure that the lack of reply by the relevant competent authorities or entities within the established deadlines result in the specific steps to be considered as approved.**

ARTICLE 16f

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 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.

(8) Article 16f is amended as follows:

- (aa) the first
- (a) the last two sentences are deleted;
- (b) the following paragraph is added:

Until climate neutrality is achieved, Member States shall ensure that, in the permit-granting procedure, the planning, construction and operation, ***refurbishment, modernisation, hybridisation, 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 to the closest existing grid connection point***, the related grid itself, storage assets and recharging stations ***and recharging pools*** are presumed as being in the overriding public interest ***and serving public health and safety, and in such cases, these 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 to ensure harmonized implementation.***

ARTICLE 16g

- (9) the following Articles 16g to 16k are inserted:

‘Article 16g

Absence of alternative or satisfactory solutions and implementation of compensatory measures for the purpose of Article 6(4) of Directive 92/43/EEC

1. When assessing whether satisfactory alternative solutions to projects of renewable energy plants, the connection of such plants to the grid, the related grid itself and storage assets exist for the purposes of Articles 6(4) and 16(1) of Directive 92/43/EEC, Article 4(7), point (d), of Directive 2000/60/EC and Article 9(1) of Directive 2009/147/EC, the condition of having no satisfactory alternatives shall be fulfilled if there are no satisfactory alternative solutions capable of achieving the same objective of the project in question in terms of the development of the same renewable energy capacity through the same energy technology within the same or similar timeframe and without resulting in significantly higher costs.
2. When implementing compensatory measures for measures for projects of renewable energy plants, the connection of such plants to the grid, the related grid itself and storage assets, for the purpose of Article 6(4) of Directive 92/43/EEC, Member States may where it can be reasonably demonstrated that the plan or project would not irreversibly affect the ecological processes essential for maintaining the structure and functions of the site and compromise the overall coherence of the Natura 2000 network before compensatory measures are put into place, allow for such compensatory measures to be carried out in parallel with the implementation of the project. Member States shall allow for those compensatory measures to be adapted over time in accordance with the precautionary principle, depending on whether the significant negative effects are expected to arise in the short, medium or long term.

ARTICLE 16h

Article 16h

Permit-granting procedure for stand-alone energy storage other than hydrogen storage

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 *or 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 ~~100~~ **200** 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. **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 ~~100~~ **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 the Council Directive 92/43/EEC.***

ARTICLE 16i:

Permit-granting procedure for recharging stations *or recharging pools*

1. The permit-granting procedure for recharging stations *or recharging pools* shall cover all relevant administrative permits to build, repower and operate recharging stations 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 on environmental aspects, with the exception of grid connection permits *or agreements*, for the installation of recharging stations *or recharging pools which share the same grid connection point* with a total installed capacity of **200** kW or less. By way of derogation from Article 2(1) of Directive 2011/92/EU, the installation of those stations shall be exempt from the requirement, where 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. *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.*
- 2a. *Member States shall not require any administrative permit or agreement, including on environmental aspects, with the exception of grid connection permits, for the installation of recharging pools with a total installed capacity of 1MW or less in existing or future artificial structures, provided that the primary aim of such artificial structures is not the installations of recharging stations or recharging pools, such as existing petrol stations or parkings. By way of derogation from Article 2(1) of Directive 2011/92/EU, the installation of those stations shall be exempt from the requirement, where 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 recharging stations *or recharging pools, which share the same grid connection point* with a total installed capacity above ~~150~~ **200** kW.
- 3a. *The planning, construction and operation of recharging stations 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 the Council Directive 92/43/EEC

ARTICLE 16j:

Permit-granting procedure for the hybridisation of renewable energy plants **or recharging stations or recharging pools**

1. 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.’;

ARTICLE 17:

(10) Article 17 is replaced by the following:

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) ~~one~~*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.

(b a) *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 ~~Article 16a(1), Article 16b(1),~~ **Article 16h(3), Article 16i(3)** and paragraph 1 of this Article, the system operator shall ~~offer choose one of the following actions options:~~ ***provided that it has received sufficient information from relevant transmission system operators on available capacity at connection points regardless of whether this is used for supply or feed-in:***
 - (a) where there is sufficient **grid** capacity and the requested connection does not affect **endanger** grid stability, reliability and safety, ***the system operator shall*** accept the requested grid connection and grant the connection,
 - (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*** ~~where technically possible~~ ***all of the following options*** 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***
 - 2 a. ***System operators shall ensure the transparency and the understanding of the data underpinning their decisions, 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 endangers 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 shall ~~may, 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 **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 according 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.**

Article 2

Amendments to Directive (EU) 2019/944

Directive (EU) 2019/944 is amended as follows:

In Article 2, the following point is inserted:

"(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. Such investment should be justified by expected long-term system benefits and subject to regulatory scrutiny.

In Article 6, the following Article 3a is inserted:

3a. Within [6 months after entry into force of this Directive] Member States shall establish clear, transparent, and predictable criteria for prioritizing 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 these criteria, Member States shall take into account ~~with regard to the recommendation by the Commission in its Guidance on efficient and timely grid connections (C/2025/6703).~~

Article 8 is replaced by the following:

‘Article 8

Authorisation procedure

1. In circumstances where an authorisation, such as a licence, permission, concession, consent or approval, is required for the construction or operation, **refurbishment, modernisation or repowering** 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, **or where applicable, regional governments** 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.
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 their updates**;
 - (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/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 ***including renewable energy communities and citizens energy communities*** 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;

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 take appropriate measures to address identified gaps, including through targeted recruitment and the upskilling and reskilling of staff.

The Commission shall evaluate the progress made by Member States and publish its assessment. 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.

- 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 ~~54~~ ***40a***
 - (b) ensure that authorisation procedures, including all relevant procedures of the competent authorities, do not exceed ~~two~~ ***one*** years ***for distribution system infrastructure, two years for transmission system infrastructure*** except when duly justified on the grounds of extraordinary circumstances, where they may be extended by up to ~~one year~~; ***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;
- (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 and remuneration methodology calculation procedures for proposed new distribution and transmission grid projects does not extend beyond the deadline set out in Article 8(3), point (b), applicable to authorisation procedures carried out by Member State authorities.*

- 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 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.

- 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 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.
- 6. The time limit established in paragraph 3 of this Article shall apply without prejudice to obligations under applicable Union ~~environmental and energy~~ law, including Directive (EU) 2018/2001, to judicial appeals, remedies and other proceedings before a court or tribunal, and to alternative dispute resolution mechanisms, including complaints procedures, non-judicial appeals and remedies, and may be extended for the duration of such procedures.
- 7. This Article shall apply without affecting Articles 7 to 10 of Regulation (EU) 2022/869 and Article 15 and Articles 15b to 17 of Directive (EU) 2018/2001.

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, repowering and operations 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 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.

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 protected under national law. Any such exclusion shall be based on the basis of clear, objective and proportionate legal criteria and shall not go beyond what is necessary to protect the cultural heritage to ensure harmonized implementation.***

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, modernisation, or repowering of existing ***electricity*** transmission and ***electricity*** distribution system infrastructure, provided ***that such refurbishment, modernisation or repowering*** ~~it~~ 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*** ~~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;
 - (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. In case, where a screening process, determination or an

environmental impact assessment is required for the refurbishment, modernisation or repowering it 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.

10. Under justified circumstances, Member States may also apply the exemptions referred to in paragraph 9 to the construction of new ***electricity*** distribution infrastructure or associated equipment, provided that the relevant project has undergone a screening in accordance with Directive with Article 4(2) of Directive 2011/92/EC whereby the competent national authority has ascertained that the project is not likely to have a significant environmental impact, notably in view of the particularities of the area in which the project is deployed, such as urban and densely built areas.

Those exemptions shall not apply to the construction of new distribution 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.

Where the screening referred to in the first subparagraph identifies a likely significant environmental impact, the competent authority shall inform the project developer within ~~45~~ **30** days from the application that an assessment referred to in points (a), (b) and (c) of paragraph 9 is required.

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.

11. The planning, construction and operation of transmission and distribution system infrastructure 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 the Council Directive 92/43/EEC.
- 11a. ***When competent authorities assess whether the planning, construction and operation of transmission and distribution system infrastructure is 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 neglected 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.***

12. An environmental impact assessment in accordance with Directive 2011/92/EU, and, where applicable, an appropriate assessment under Directive 92/43/EEC, for a project for the extension, refurbishment, modernisation or repowering of existing transmission or distribution system infrastructure, shall be limited to evaluating the potential impact arising from the changes or extensions compared to the original transmission or distribution system infrastructure.
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.’;

EMD: Article 8a

- (1) the following Article 8a is inserted:

‘Article 8a

Absence of alternative or satisfactory solutions and implementation of compensatory measures for the purpose of Article 6(4) of Directive 92/43/EEC

14. When assessing whether satisfactory alternative solutions to transmission or distribution system infrastructure projects, and associated equipment, exist for the purposes of Articles 6(4) and Article 16(1) of Directive 92/43/EEC, Article 4(7), point (d), of Directive 2000/60/EC and Article 9(1) of Directive 2009/147/EC, the condition of having no satisfactory alternatives shall be fulfilled where there are no satisfactory alternative solutions capable of achieving the same objective of the project in question, in terms of the development of the same capacity through the same technology within the same or similar timeframe and without resulting in significantly higher costs.
15. When implementing compensatory measures for transmission or distribution system infrastructure projects, and associated equipment, for the purpose of Article 6(4) of Directive 92/43/EEC, Member States may, in justified cases and where it can be reasonably demonstrated that the plan or project would not irreversibly affect the ecological processes essential for maintaining the structure and functions of the site and would compromise the overall coherence of the Natura 2000 network before compensatory measures are put into place, allow for such compensatory measures to be carried out in parallel with the implementation of the project. Member States may allow for those compensatory measures to be adapted over time in accordance with the precautionary principle, depending on whether the significant negative effects are expected to arise in the short, medium or long term.’;

EMD: Article 38

- (1a) *Article 38(5) is inserted:*

"5. Member States may provide that distribution systems limited to a specific industrial, commercial, shared services, or residential area (confined distribution systems) shall not be considered distribution systems for the purpose of this directive if the rights according to Article 4 are guaranteed and at least one of the following conditions is fulfilled: a) the system is non-discriminatorily made available to all customers free of charge and electricity is primarily distributed to the operator of the system or their related undertakings and only a subordinate percentage of electricity is distributed to other customers, including households, or b) the system is non-discriminatorily made available to all customers free of charge and only a limited amount of energy is yearly distributed to a limited number of customers including households."

EMD: ARTICLE 40a

(2) the following Article 40a is inserted:

‘Article 40a

Network development and powers to make investment decisions

1. At least every two years, all transmission system operators shall submit to the ***Member State or any other competent authority*** regulatory authority a ten-year network development plan based on existing and forecast supply and demand after having consulted all the relevant stakeholders, in accordance with paragraph 2, point (c). That network development plan shall contain efficient measures in order to guarantee the adequacy of the system, ~~and the security of supply, ***energy independence, energy affordability and achievement of the national energy and climate plans submitted in accordance with Regulation (EU) 2018/1999***~~. The transmission system operator shall publish the ten-year network development plan on its website.

Member States shall endeavour to ensure coordinated planning steps of the respective ten-year network development plans for natural gas, hydrogen and electricity.

2. The ten-year network development plan shall in particular:
 - (a) indicate to market participants the main transmission infrastructure that needs to be built or upgraded over the next ten years and next fifteen years, considering the potential of anticipatory investments to accommodate future system needs;
 - (b) consider with priority use of non-fossil flexibility resources pursuant to Regulation (EU) 2019/943, non-wire solutions pursuant to a Regulation on guidelines for trans-European energy infrastructure (EU) [TEN-E Regulation as proposed by COM(2025)xxxx], and other alternatives to system expansion;
 - (c) be based on a joint scenario developed every two years pursuant to Article 55 of Directive (EU) 2024/1788 of the European Parliament and the Council, which shall be consistent with the ~~a central scenario~~ ***Article 11 of Regulation (EU) [TEN-E Regulation as proposed by COM(2025)xxxx]***; ~~of and the~~ ***any*** sensitivities developed in accordance with ***a Regulation on guidelines for trans-European energy infrastructure Article 11 of Regulation (EU) [TEN-E Regulation as proposed by COM(2025)xxxx]***;
 - (d) be in line with the integrated national energy and climate plan and its updates, take into account the state of play in the integrated national energy and climate plans submitted in accordance with Regulation (EU) 2018/1999, be consistent with

targets set by Directive (EU) 2018/2001, follow the application of the energy efficiency first principle in accordance with Article 27 of Directive (EU) 2023/1791 and support the climate-neutrality objective set out in Article 2(1) and Article 4(1) of Regulation (EU) 2021/1119 of the European Parliament and of the Council;

(e) contain all the investments already decided and identify new investments which have to be executed in the next three years;

(f) provide for a time frame for all investment projects;

(fa) include an estimate of labour needs, including training, reskilling and upskilling.

2a. The energy efficiency first principle shall be applied across all planning frameworks to maximise the use of existing grid infrastructure. Non-wire solutions and grid optimisation measures, such as grid enhancing technologies, reconductoring, and storage, shall therefore be duly assessed before grid expansion decisions are taken.

3. New infrastructure projects shall be accompanied by an explanation how non-wired solutions, non-fossil flexibility resources or other alternatives to system expansion were taken into account.

4. When elaborating the ten-year network development plan, the transmission system operator shall fully take into account the potential for the use of demand response, energy storage facilities, ***non-wire solutions or grid enhancing technologies*** or other resources as alternatives to system expansion, as well as expected consumption, trade with other countries and investment plans for Union-wide and regional networks.

5. The regulatory authority shall consult all actual or potential system users on the ten-year network development plan in an open and transparent manner. Persons or undertakings claiming to be potential system users may be required to substantiate such claims. The regulatory authority shall publish the result of the consultation process, in particular possible needs for investments.

6. The regulatory authority shall approve or request the amendment of the ten-year network development plan and examine whether the ten-year network development plan covers all investment needs identified during the consultation process, and whether it is consistent with the non-binding Union-wide ten-year network development plan ('Union-wide network development plan') referred to in of Article 30(1), point (b), of Regulation (EU) 2019/943. Where any doubt arises as to the consistency with the Union-wide network development plan, the regulatory authority shall consult ACER. The regulatory authority may require the transmission system operator to amend its ten-year network development plan. The competent national authorities shall examine the consistency of the ten-year network development plan with the national energy and climate plan submitted in accordance with Regulation (EU) 2018/1999.

7. The regulatory authority shall monitor and evaluate the implementation of the ten-year network development plan.

8. In circumstances where the independent system operator, or independent transmission operator, other than for overriding reasons beyond its control, does not execute an investment, which, under the ten-year network development plan, was to be executed in the following three years, Member States shall ensure that the regulatory authority is required to take at least one of the following measures to ensure that the investment in

question is made where such investment is still relevant on the basis of the most recent ten-year network development plan:

- (a) to require the transmission system operator to execute the investments in question;
- (b) to organise a tender procedure open to any investors for the investment in question;
- or
- (c) to oblige the transmission system operator to accept a capital increase to finance the necessary investments and allow independent investors to participate in the capital.

9. Where the regulatory authority has made use of its powers under paragraph 8, point (b), it may oblige the transmission system operator to agree to one or more of the following:
- (a) financing by any third party;
 - (b) construction by any third party;
 - (c) building the new assets concerned itself;
 - (d) operating the new asset concerned itself.

The transmission system operator shall provide the investors with all information needed to realise the investment, shall connect new assets to the transmission network and shall generally make its best efforts to facilitate the implementation of the investment project.

The relevant financial arrangements shall be subject to approval by the regulatory authority.

10. Where the regulatory authority has made use of its powers under paragraph 8, the relevant tariff regulations shall cover the costs of the investments in question.’;

Electricity Directive: Articles 51 and 59(1)

- (3) Article 51 is deleted.

- (5) in Article 59(1), the following points ~~is~~ **are** inserted:

‘(bb) approving and requesting the amendment of the ten-year network development plans referred to in Article 40a.’;

‘(bb a) 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 not limited to, the facilitation and maximization of connections for generators and consumers.

Gas Directive: Article 8

Article 3

Amendments to Directive (EU) 2024/1788

Directive (EU) 2024/1788 is amended as follows:

(1) Article 8 is amended as follows:

(a) paragraph 1 is replaced by the following:

- ‘1. In circumstances where an authorisation, such as a licence, permission, concession, consent or approval, is required for the construction or operation of natural gas facilities, hydrogen production facilities, and hydrogen system infrastructure, Member States or any competent authority they designate, shall grant authorisations to build or operate such facilities, infrastructure, pipelines or associated equipment within their territory, in accordance with paragraphs 2 to 11 and paragraph 16. Member States or any competent authority they designate, may also grant authorisations on the same basis for the supply of natural gas and hydrogen and for wholesale customers.’;

(c) the following paragraphs 5a to 5d are inserted:

- ‘5a. Member States shall ensure that, where any studies, reports, or documentation required for the procedure are missing from the applications, the competent national authorities, in cooperation with other relevant authorities concerned, request the necessary materials from the developer, specifying their scope and level of detail, within three months of the application.

After that period, neither the competent authority nor any other relevant authority concerned shall 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 on which determinations were based no longer appropriate. In such instances, the national competent authority shall provide the project promoter with a well-reasoned justification for the request for additional information.

- 5b. Member States shall ensure that competent national authorities are equipped with adequate technical, financial and human resources to render a decision on the authorisation within the timeframe specified in paragraph 5.

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 take appropriate measures to address identified gaps, including through targeted recruitment and the upskilling and reskilling of staff.

The Commission shall evaluate the progress made by Member States and publish its assessment. In the absence of progress, the Commission may propose corrective measures to support Member States in their implementation by assisting them in reforming and streamlining their permitting procedures.

- 5c. In the authorisation procedure referred to in paragraph 1 concerning hydrogen production facilities and hydrogen system infrastructure, Member States shall ensure that the lack of reply by the relevant competent national authorities within the deadline referred to in paragraph 5 results in the specific steps to be considered as approved,

except for the environmental decisions and where the principle of administrative tacit approval is not recognised in the national legal system of the Member State concerned.

- 5d. All decisions shall be made publicly available, including final decisions granted tacitly following the lack of reply by the relevant competent authorities.’;

(d) in paragraph 8, the following subparagraph is added:

‘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 defined under Article 16 of Directive (EU) 2018/2001.’;

(e) the following paragraph 16 is added:

- ‘16. To manage authorisations within the meaning of paragraph 1 of this Article, Member States shall ensure the digital platforms are in place to handle applications, the associated process, and ongoing decision. 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 .’

- 5d a. *The planning, construction and operation of hydrogen system infrastructure 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 the Council Directive 92/43/EEC.***

Article 4

Transposition

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by [~~two~~ **one** years after its adoption] at the latest. They shall forthwith communicate to the Commission the text of those provisions.

When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

2. Member States shall communicate to the Commission the text of the main provisions of national law which they adopt in the field covered by this Directive.

Article 5

Entry into force

This Directive shall enter into force on the ~~twentieth day following that~~ **day** of its publication in the Official Journal of the European Union.

Article 6
Addressees

This Directive is addressed to the Member States.

Done at Brussels,