



European Commission’s proposal for a revised Energy Efficiency Directive

ESMIG proposals for amendments

Amendment 1 :

Test proposed by the Commission	Amendment
(5) Article 9 is amended as follows: (a) the title is replaced by the following: ‘Metering for gas’; (b) in paragraph 1, the first subparagraph is replaced by the following: ‘Member States shall ensure that, in so far as it is technically possible, financially reasonable and proportionate in relation to the potential energy savings, final customers for natural gas are provided with competitively priced individual meters that accurately reflect the final customer's actual energy consumption and that provide information on actual time of use.’;	(5) Article 9 is amended as follows: (a) the title is replaced by the following: ‘Metering for gas’; (b) in paragraph 1, the first subparagraph is replaced by the following: ‘Member States shall ensure that, in so far as it is technically possible, financially reasonable and proportionate in relation to the potential energy savings, final customers for natural gas are provided with competitively priced individual meters <u>with respect to the selected technology and functionalities</u> that accurately reflect the final customer's actual energy consumption and that provide information on actual time of use.’;

Justification:

The phrase “Competitively priced” is not clear and subject to interpretation. Indeed, this expression doesn’t make sense as the meters are not sold to final consumers and when utilities buy meters, many times this falls under public procurement rules. Moreover, the European Commission admits that the term is ambiguous and allows Member States to avoid the introduction of smart meters.

Amendment 2:

Test proposed by the Commission	Amendment
Article 9 is amended as follows: (a) the title is replaced by the following: ‘Metering for gas’; (b) in paragraph 1, the first subparagraph is replaced by the following;	Article 9 is amended as follows: (a) the title is replaced by the following: ‘Metering for gas’; (b) in paragraph 1, the first subparagraph is replaced by the following;



<p>‘Member States shall ensure that, in so far as it is technically possible, financially reasonable and proportionate in relation to the potential energy savings, final customers for natural gas are provided with competitively priced individual meters that accurately reflect the final customer's actual energy consumption and that provide information on actual time of use.’;</p>	<p>‘Member States shall ensure that, in so far as it is technically possible, financially reasonable and proportionate in relation to the potential energy savings, final customers for natural gas are provided with competitively priced individual meters that accurately reflect the final customer's actual energy consumption and that provide information on actual time of use. <u>In 10 years’ time from the positive CBA, the roll-out of gas smart meters should be completed.</u></p>
---	--

Justification:

The roll-out of gas smart meters is of utmost importance for consumers as the potential savings are high. Moreover, some Member States (France, Netherlands, United Kingdom and Italy) have already started the roll-out of gas smart meters. Therefore, the effective roll-out of gas smart meters should be ensured, and to this end, a target date should be set, as it is already the case for the electricity smart meters.

Amendment 3

Test proposed by the Commission	Amendment
<p>Article 9 is amended as follows: (a) the title is replaced by the following: ‘Metering for gas’; (b) in paragraph 1, the first subparagraph is replaced by the following: ‘Member States shall ensure that, in so far as it is technically possible, financially reasonable and proportionate in relation to the potential energy savings, final customers for natural gas are provided with competitively priced individual meters that accurately reflect the final customer's actual energy consumption and that provide information on actual time of use.’; (c) paragraph 2 is amended as follows; (i) the introductory phrase is replaced by the following: ‘Where, and to the extent that, Member States implement intelligent metering systems and roll out smart meters for natural gas in accordance with Directive 2009/73/EC.’; (ii) points(c) and (d) are deleted;</p>	<p>Article 9 is amended as follows: (a) the title is replaced by the following: ‘Metering for gas’; (b) in paragraph 1, the first subparagraph is replaced by the following: ‘Member States shall ensure that, in so far as it is technically possible, financially reasonable and proportionate in relation to the potential energy savings, final customers for natural gas are provided with competitively priced individual meters that accurately reflect the final customer's actual energy consumption and that provide information on actual time of use.’; (c) paragraph 2 is amended as follows; (i) the introductory phrase is replaced by the following: ‘Where, and to the extent that, Member States implement intelligent metering systems and roll out smart meters for natural gas in accordance with Directive 2009/73/EC.’; (ii) Point (c) <u>is replaced by the following:</u> <u>The smart metering system should provide final consumers with access to their energy consumption</u></p>

	<p><u>data and time series based on the market settlement periods.”</u> <u>(iii) Point (d) is deleted.</u></p>
--	--

Justification:

Even if we do not see the necessity of having a list of recommended functionalities similar to the one for electricity smart meters, we strongly recommend to introduce statements on data access.

Amendment 4:

Test proposed by the Commission	Amendment
<p>Article 9 (d) Paragraph 3 is deleted</p>	<p><u>Article 9(d) Paragraph 3 is replaced by the following:</u> <u>When setting up the rules regarding the management and exchange of data, Member States or, where a Member State has so provided, the designated competent authorities shall specify the eligible parties which may have access to data of the final customer with their explicit consent in accordance with Regulation (EU) 2016/679 of the European Parliament and of the Council. For the purpose of this Directive, data shall include metering and consumption data as well as data required for consumer switching. Eligible parties shall include at least customers, suppliers, transmission and distribution system operators, aggregators, energy service companies, and other parties which provide energy or other services to customers.</u> <u>Member States shall organise the management of data in order to ensure efficient data access and exchange. Independently of the data management model applied in each Member State, the party or parties responsible for data management shall provide to any eligible party with the explicit consent of the final customer, access to the data of the final customer. Eligible parties should have at their disposal in a non-discriminatory manner and simultaneously the requested data. Access to data shall be easy, while relevant procedures shall be made publicly available.</u> <u>Member States or, where a Member State has so provided, the designated competent authorities shall</u></p>

	<p><u>authorise and certify the parties which are managing data in order to ensure that these parties comply with the requirements of this Directive. Without prejudice to the tasks of the data protection officers under Regulation (EU) 2016/679, Member States may decide to require from parties managing data the appointment of compliance officers who shall be responsible for monitoring the implementation of measures taken by the relevant parties for ensuring non-discriminatory access to data and compliance with the requirements of this Directive.</u></p> <p><u>No additional costs shall be charged to final customers for access to their data. Member States shall be responsible for setting the relevant costs for access to data by eligible parties. Regulated entities which provide data services shall not profit from that activity.</u></p>
--	--

Amendment 5:

Test proposed by the Commission	Amendment
Article 9 new (e)	<p><u>(e) the following paragraph is inserted:</u> <u>The Commission, by means of implementing acts, shall determine a common European data format and non-discriminatory and transparent procedures for accessing the data, listed under Article 9(d) paragraph 3. Member States shall ensure that market participants apply a common European data format.</u></p>

Justification amendments 4 and 5:

The data format for gas smart meters should be considered in the same way as it is for electricity smart meters to ensure consumer protection as well as competition in the retail market. The Electricity Directive contains provisions on data format for electricity smart meters. Therefore, similar articles (23 on data management and 24 on data format) should be included for gas smart meters.

Amendment 6:

Test proposed by the Commission	Amendment
Article 9a:	Article 9a:

<p>4. For the purposes of this Article, as of 1 January 2020 meters and cost allocators installed shall be remotely readable devices. Meters and cost allocators that have already been installed but which are not remotely readable shall be provided with this capability or be replaced with remotely readable devices by 1 January 2027, except where the Member State in question shows that this is not cost-efficient.’;</p>	<p>4. For the purposes of this Article, <u>two years after this directive comes into effect</u>, meters and cost allocators installed shall be remotely readable devices <u>and provide data to final consumers</u>. Meters and cost allocators that have already been installed but which are not remotely readable shall be provided with this capability or be replaced with remotely readable devices <u>within 5 years of this directive taking effect</u>.</p>
--	---

Justification:

To ensure that all consumers benefit from these measures as soon as possible a clearer deadline should be added.

About ESMIG

ESMIG is the European voice of the providers of smart energy solutions. Our members provide products, information technology and services for multi-commodity metering, display and management of energy consumption and production at consumer premises.

Our activities are focused around systems for Smart Metering, consumer energy management and safe and secure data transfer.

We work closely with EU policy makers and other EU associations to make Europe’s energy and water systems cleaner, reliable, more efficient and the European consumer informed, empowered and engaged.