



Prosumers Implementation of REDII

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The purpose of energy communities in general

Purpose of consumer empowerment



Empowering citizens

- Energy communities are an effective tool to increase **public acceptance** of new projects
- Energy communities are a tool to mobilise **private capital** for the energy transition
- Energy communities could be a tool to increase **flexibility in the market**

Distinguishing renewables self-consumers, including jointly acting and renewable energy communities

Different types of prosumers



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RECs and renewable self-consumers (incl. jointly acting)

	RECs	Self-consumers (incl. jointly)
Geographical scope	Proximity of RES installations	Limited to the same building (unless enlarged by MS)
Membership	Open as long as criteria of definition are met	Limited to people living in the same building/apartment block (unless enlarged by MS)
Legal form	Legal entity required	Legal entity not required by the directive (contract between individuals)
Purpose	Provide environmental, economic or social benefits	Not specified in article
Electricity sharing	Must be possible without prejudice to network charges	

Transposing the European directives – potential challenges

Definition of energy communities: existing regulation

Definition: value-driven

- Existing rules for commercial activities of charities, associations, foundations or NGOs

Definition: effective control

- Corporate law
- Tax law
- Competition law
- ~unbundling rules

Definition: geographical proximity

- Zoning and construction plans
- Public consultation requirements

Definition: open membership

- Existing rules for membership in associations, clubs, societies

Monitoring of criteria

- Existing rules for associations, clubs, societies. Enforcement done by authority that gives privileges (e.g. tax office, regulator)

Activities of energy communities: existing regulation

Produce	<ul style="list-style-type: none">• Not new, like any other generator
Consume	<ul style="list-style-type: none">• Not new
Store	<ul style="list-style-type: none">• Not specific to energy communities
Sell	<ul style="list-style-type: none">• Not new. How to regulate?
Sharing	<ul style="list-style-type: none">• Emerging concept: e.g. autoconsommation collective

Considerations: Electricity sharing

Sharing =
supply?

- Depends, defining it as supply might be disproportionate (and hence not in line with article 16.1 e, Elec Dir)
- Sharing needs to be possible

Distinction
between sharing
and supply

- Sharing is multidirectional, and more ad hoc; supply from one steady source
- **Possible criteria:** size of installation, level of professionalisation
- **Check:** regulation for sharing economy, Airbnb, other platforms

Who can share

- Jointly acting self-consumers
- Members with RES installations with other community members

How can it be
done

- Through the DSO (e.g. autoconsommation collective)
- Through private energy service providers and software solutions

Energy sharing

Category of "sharing"	Energy shared	Parties to the sharing	Scope of sharing	Requirement for MS?
Renewables self-consumer	Renewable electricity	same customer	"within its premises within close boundaries" <i>[physical boundaries]</i>	mandatory
			"within other premises" <i>[based on ownership]</i>	optional
Jointly acting renewables self-consumer	Renewable energy	different customers	located within the same building <i>[physical boundaries]</i>	mandatory
REC			to other members, without geographical limitation <i>[based on membership]</i>	mandatory

Consumer protection

Consumer protection legislation

- All consumer protection regulation should apply
- However, other membership aspects can be freely determined in statutes of community

Free choice of supplier/switching

- Consumers always need to be able to choose their supplier.

Leaving an energy community

- Membership is always voluntary, must be possible to end the membership (exact details can be determined in statutes)

Commercial aspects

Statutes of the community

- Other aspects (e.g. generation, assets, membership fee, membership duration) can be freely determined in the contract as long as they are not unfair business practices.



European
Commission

Thank you for your attention