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**MODERNISATION FUND**  
Accelerating the transition to climate neutrality



# **MODERNISATION FUND**

## **EIB CONFIRMATION OF PRIORITY INVESTMENT**

ref. MF 2021-1 PL 0-003

*Beneficiary Member State: Poland*  
*Investment Proposal: Smart energy infrastructure*

### **1. Background**

The Modernisation Fund was set up pursuant to Article 10d of Directive 2003/87/EC of the European Parliament and of the Council of 13 October 2003 establishing a system for greenhouse gas emission allowance trading within the Union and amending Council Directive 96/61/EC (the “ETS Directive”).

The legal basis for the operation of the Modernisation Fund is set out in the Commission Implementing Regulation (EU) 2020/1001 of 9 July 2020 laying down detailed rules for the application of Directive 2003/87/EC of the European Parliament and of the Council as regards the operation of the Modernisation Fund supporting investments to modernise the energy systems and to improve energy efficiency of certain Member States (the “Implementing Regulation”).

In accordance with Article 10d(6) of the ETS Directive, the European Investment Bank (the “EIB”) is to confirm whether a proposed investment falls into a priority area. The EIB may confirm the proposal as a priority investment if the conditions specified in Article 6(7) of the Implementing Regulation are met.

### **2. Investment proposal**

Pursuant to Article 4(1) of the Implementing Regulation, on 11/05/2021 Poland (the “beneficiary Member State”) submitted to the EIB an investment proposal “Smart energy infrastructure” for which it envisages a contribution from the Modernisation Fund (Modernisation Fund reference number MF 2021-1 PL 0-003).

The investment proposal concerns a scheme for the period 2022-2025 relating to the roll-out of approximately 3.8 million smart meters.

The beneficiary Member State has requested funding of EUR 44 000 000 for a first disbursement under the proposed scheme.

The beneficiary Member State has indicated an expected Modernisation Fund funding for the investment proposal of EUR 222 000 000.

The main objective of the investment is to develop an Advanced Metering Infrastructure by rolling-out smart electricity meters to end users as well as the necessary infrastructure.

The scheme aims at assisting the active participation of customers to the electricity market. Smart metering systems are expected to allow customers to have near real-time access to their consumption data, to modulate their energy consumption and potentially to offer their flexibility to the power system.

Raising awareness of consumers and encouraging their active participation in the energy market through smart meters and dynamic tariffs is one of the objectives and targets of the National Energy and Climate Plan (NECP) for Poland. Smart grids, and in particular smart metering systems are included in the measures of the NECP aiming at utilising the energy efficiency potential of the electricity infrastructure. The introduction of dynamic tariffs is also a NECP measure supporting the active participation of consumers.

### **3. Compliance with the conditions for priority investment**

- a) The beneficiary Member State has demonstrated that the investment complies with the requirements laid down in Article 10d(1) of the ETS Directive as it supports the modernisation of the energy system and it is in line with the objectives and measures set out in its NECP.
- b) According to the information provided by the beneficiary Member State and pursuant to Article 10d(2) Directive 2003/87/EC, the investment is considered as a priority investment as it falls under the priority area “modernisation of energy networks”.
- c) The beneficiary Member State has sufficient funds available for the requested disbursement according to the statement of the available funds referred to in Article 5(1) of the Implementing Regulation and after deduction of any amounts to be disbursed for investments already confirmed in accordance with Article 6(9) of the Implementing Regulation.
- d) The beneficiary Member State has provided evidence that the investment proposal does not constitute State aid within the meaning of Article 107(1) of the Treaty on the Functioning of the European Union.

- e) The beneficiary Member State has confirmed in writing that the investment complies with any other applicable requirements of Union and national law.
- f) According to the information provided by the beneficiary Member State, the amounts requested from the Modernisation Fund are not intended to cover the same costs of the investment as those financed by another Union or national instrument.

#### **4. Conclusions**

The EIB has assessed the investment proposal based on the information submitted by the beneficiary Member State in accordance with Article 4 and Annex 1 of the Implementing Regulation and has concluded that the investment proposal has met the conditions specified in Article 6(7) of the Implementing Regulation.

In view of the above, and in reliance on the information and evidence provided and the confirmations given by the beneficiary Member State as described at paragraph 3 above, the EIB confirms the proposal "Smart energy infrastructure" as a priority investment.

This confirmation is without prejudice to the requirement for a disbursement decision to be made pursuant to Article 10d(3) of the ETS Directive.

European Investment Bank  
Luxembourg, 7<sup>th</sup> June 2021