



Brussels, 28.7.2021
C(2021) 5802 final

COMMISSION DECISION

of 28.7.2021

**on disbursement of the revenues of the Modernisation Fund under Directive 2003/87/EC
of the European Parliament and of the Council**

only Czech, Hungarian and Polish versions are authentic

COMMISSION DECISION

of 28.7.2021

on disbursement of the revenues of the Modernisation Fund under Directive 2003/87/EC of the European Parliament and of the Council

only Czech, Hungarian and Polish versions are authentic

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to 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/EC¹, and in particular Article 10d(3) thereof,

Having regard to 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 States², and in particular Article 8(1) thereof,

Whereas:

- (1) In accordance with Article 4(1) of Implementing Regulation (EU) 2020/1001, Czech Republic, Hungary and Poland submitted investment proposals to the European Investment Bank (hereafter, ‘the EIB’) and to the Investment Committee.
- (2) In accordance with Article 6(1) of Implementing Regulation (EU) 2020/1001, the EIB assessed the proposals submitted by the three beneficiary Member States as priority investments. The EIB concluded that those proposals fall into the areas listed in Article 10d(2) of Directive 2003/87/EC and comply with the conditions set out in Article 6(7) of Implementing Regulation (EU) 2020/1001. It therefore decided on confirmation of those proposals as priority investments and informed the Commission thereof.
- (3) Following the confirmation by the EIB of the investment proposal ‘2021-1 PL 0-006 Development of the power grid for future electric car charging stations’ submitted by Poland, Commission services requested from Poland additional clarifications concerning the scope of the investment and its state aid status. On 16 June 2021 Poland provided confirmation of the exclusion of any “energy storage systems” from the investment, and that the entirety of investment would be undertaken by entities in a natural monopoly situation (Distribution System Operator), and thus falling out of state aid rules.
- (4) In accordance with Article 8(1) of Implementing Regulation (EU) 2020/1001, following the meeting of the Investment Committee, the Commission is to adopt

¹ OJ L 275, 25.10.2003, p. 32.

² OJ L 221, 10.7.2020, p. 107.

without undue delay a decision specifying the amount of the resources from the Modernisation Fund to be disbursed to each investment confirmed as a priority investment by the EIB or recommended for the financing by the Investment Committee.

- (5) It is therefore appropriate to disburse the revenues of the Modernisation Fund to the beneficiary Member States concerned,

HAS ADOPTED THIS DECISION:

Article 1

The revenues of the Modernisation Fund are disbursed for investments listed in the Annex to this Decision.

Article 2

This Decision is addressed to Czech Republic, Hungary and Poland.

Done at Brussels, 28.7.2021

*For the Commission
Raffaele Mauro Petriccione
Director-General
Directorate-General for Climate Action*