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



## **MODERNISATION FUND** **EIB CONFIRMATION OF PRIORITY INVESTMENT**

ref. MF 2022-1 CZ 0-005

*Beneficiary Member State: Czech Republic*

*Investment Proposal: Scheme: Municipal PV – communal renewable energy, priority investment of the “RES+” Programme (New renewable energy sources)*

### **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 24/02/2022 the Czech Republic (the “beneficiary Member State”) submitted to the EIB an investment proposal “*Scheme: Municipal PV – communal renewable energy, priority investment of the “RES+” Programme (New renewable energy sources)*” for which it envisages a contribution from the Modernisation Fund (Modernisation Fund reference number MF 2022-1 CZ 0-005).

The investment proposal concerns a scheme for the period 2022-2030 relating to the installation of new photovoltaic power plants, energy storage and electrolyzers to produce hydrogen.

The beneficiary Member State has requested funding of EUR 100 000 000 for a disbursement under the proposed scheme.

The beneficiary Member State has indicated an expected Modernisation Fund funding for the investment proposal of EUR 200 000 000.

The objective is to promote investments in renewable energy sources by providing investment subsidies for new installed capacity. This scheme focuses on projects of photovoltaic power plants within communal energy in municipalities, mostly on public sector properties. Electricity storage systems and reimbursement of acquisition and installation costs of smart metering and energy management system facilities can be also supported as a part of a complex photovoltaic plant project installed directly at the source site. In addition, support may be provided for the purchase of an electrolyser to produce green hydrogen from PV plants.

It is planned to install under the scheme 317 MW of new capacity of photovoltaic power plants and 87.3 MWh of electricity storage capacity.

The scheme is aligned with the objectives of the National Energy and Climate Plan (NECP) for Czech Republic.

### **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 areas “generation of electricity from renewable sources” and “energy storage”.
- 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 measures under the investment proposal are exempted from the State aid notification in accordance with Commission Regulation (EU) No 651/2014 of 17 June 2014 declaring certain categories of aid compatible with the internal market in application of Articles 107 and 108 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 it 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 “Scheme: Municipal PV – communal renewable energy, *priority investment of the “RES+” Programme (New renewable energy sources)*” (Modernisation Fund reference number MF 2022-1 CZ 0-005) as a priority investment.

This confirmation, being based in part upon an exemption from State aid notification that is limited in time, is made on the assumption that the investment proposal, if it constitutes State aid after the expiry of such time limit, will continue to be exempted from State aid notification or that the beneficiary Member State will either obtain State aid clearance or cease to finance the investment proposal with Modernisation Fund funds at that time. As implied by Article 6(8) of the Implementing Regulation, the beneficiary Member State, when submitting a proposal concerning a subsequent disbursement for the scheme, may propose changes to the scheme for re-assessment.

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, 23<sup>rd</sup> March 2022