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MODERNISATION FUND

Accelerating the transition to climate neutrality

MODERNISATION FUND **EIB CONFIRMATION OF PRIORITY INVESTMENT**

ref. MF 2024-1 PL 0-007

Beneficiary Member State: Poland
Investment Proposal: My Wind Electric System

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 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 14/02/2024 Poland (the “beneficiary Member State”) submitted to the EIB an investment proposal “My Wind Electric System” for which it envisages a contribution from the Modernisation Fund (Modernisation Fund reference number MF 2024-1 PL 0-007).

The investment proposal concerns a scheme for the period 2024-2029 relating to the support for the development of prosumer energy in micro wind farms.

The beneficiary Member State has requested funding of EUR 8 880 000 for a first disbursement under the proposed scheme.

The beneficiary Member State has indicated a total expected Modernisation Fund funding for the investment proposal of EUR 88 890 000.

The scheme aims at generation and use of electricity from renewable sources (wind). This will contribute to an increase in the share of renewable energy sources in final energy consumption, enable an increase in self-consumption of generated electricity through its storage.

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.
- 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 a) the generation and use of electricity from renewable sources.
- c) The beneficiary Member State has sufficient funds generated before 31 December 2027 available from allowances referred in Article 10(1), the fourth subparagraph of Directive 2003/87/EC – 2.5% 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:
 - 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.
- g) According to the information provided by the beneficiary Member State, the duration of the scheme does not exceed five years.

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 “My Wind Electric System” (Modernisation Fund reference number MF 2024-1 PL 0-007) 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, 12th March 2024