

Common rules for the internal market in electricity. Recast

2016/0380(COD) - 26/03/2019 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 551 votes to 72 with 37 abstentions a legislative resolution on the proposal for a directive of the European Parliament and of the Council on common rules for the internal market in electricity (recast).

The position of the European Parliament adopted at first reading under the ordinary legislative procedure has amended the Commission proposal as follows:

Aim

The directive would establish common rules for the production, transmission, distribution, storage and supply of electricity, as well as consumer protection provisions for the creation of truly integrated, competitive, consumer-oriented and flexible, fair and transparent electricity markets in the Union.

The directive also sets out ways of cooperation between Member States, regulatory authorities and transmission system operators with a view to creating a fully interconnected internal electricity market that enhances the integration of electricity produced from renewable sources, free competition and security of supply.

Competitive, consumer-oriented electricity market

Member States should ensure that there are no unjustified barriers within the internal electricity market and ensure a level playing field under which electricity undertakings are subject to transparent, proportionate and non-discriminatory rules, charges and treatment, in particular with regard to balancing liability, access to wholesale markets, access to data, switching procedures and billing schemes and, where applicable, the granting of authorisations.

Market participants from third countries operating in the internal electricity market should comply with applicable Union and national law, including with regard to environmental and safety policy.

Consumer rights

The contract with an electricity supplier should specify, among other things, (i) the services provided, the levels of quality of the services offered, as well as the time required for the initial connection, (ii) the types of maintenance services offered, (iii) the means by which up-to-date information on all applicable tariffs, maintenance charges and bundled products or services can be obtained, (iv) the duration of the contract, the conditions for renewal and termination of the contract and for termination of the services and whether termination of the contract without charge is permitted.

Final customers should receive a summary of the main contractual conditions in a clearly visible manner, and in simple and concise language.

Right to a dynamic electricity pricing contract

Final customers who are equipped with a smart meter could apply to enter into a dynamic pricing electricity contract with at least one supplier and with each supplier who has more than 200,000 end

customers. Suppliers should obtain the consent of each end customer before they switch to a dynamic pricing electricity contract.

Right to change supplier

The amended directive provides for the possibility of switching suppliers free of charge within a maximum of three weeks (and 24 hours by 2026). Residential customers would be entitled to participate in collective switching arrangements.

Comparison tools

At least one tool per Member States should cover the whole of the market. Customers should be informed of the availability of such tools in or together with their bills.

Active energy customers

Final consumers would have the right to act as active customers, without being subject to disproportionate or discriminatory technical requirements, or administrative requirements, procedures and charges, and network access charges, which do not reflect costs.

The directive would also empower Member States to allow citizen energy communities to become distribution system operators, either under the general regime or as "closed distribution system operators".

Billing information

Invoices and invoicing information should be accurate, easy to understand, clear, concise, accessible and presented in a form that facilitates comparison by final customers. Upon request, final customers would receive a clear and understandable explanation of how the invoice was issued, in particular when invoices are not issued on the basis of actual consumption. Member States considering amending the content requirements of invoices should consult consumer organisations.

Smart meters

Consumers would be able to request the installation of an intelligent electricity meter that will inform them of their consumption and costs in near real time. They could easily access validated consumption history data and view it easily, securely, on request and at no additional cost. Member States should ensure the deployment of these smart meters but would not be obliged to finance their installation if their cost outweighs the benefits.

Fuel poverty

Member States should ensure that vulnerable and fuel-poor residential customers are protected through social policy or by means other than public intervention in the setting of prices for the supply of electricity. The notion of "vulnerable customers" could include income levels, the share of energy expenditure in disposable income, the energy efficiency of housing, high dependence on electrical equipment for health reasons, age or other criteria.