

Energy: rules for the internal market in electricity. 'Electricity Directive'

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The main elements of the Commission proposal are retained in the common position. The Council has taken on board nearly all Parliament amendments which the Commission had accepted in its amended proposal, either in the same form or in a way that does not substantially alter the intention of the amendments. Most of the changes introduced by the Council strengthen or clarify the Commission's proposal, without changing its substance. The most important difference with the Commission proposal are the delay in the date for full market opening until July 2007 - as opposed to 2005 proposed by the Commission and supported by Parliament - and the delay in the legal unbundling for distribution system operators until July 2007 - as opposed to 1 January 2004 as proposed by the Commission and supported by Parliament. The Commission is able to support the common position on these points in the spirit of a general compromise. It has to be pointed out that the date of 2007 for full market opening is unconditional and will not be rediscussed. The Commission has made two declarations which have been attached to the minutes of the Council meeting. These declarations aim to give an indication of the interpretation that the Commission will make of certain provisions. The first concerns new infrastructures (Article 22 of the Gas Directive) as well as on future long-term contracts (Article 32 of the Gas Directive).