

Energy Regulatory developments under Royal Decree-Law 5/2023

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Royal Decree-Law 5/2023 of 28 June adopting and extending certain measures in response to the economic and social consequences of the war in Ukraine, support for the reconstruction of the island of La Palma and other situations of vulnerability; transposing European Union Directives on structural modifications of commercial companies and reconciliation of family and professional life for parents and carers; and implementing and enforcement of European Union law.

On 29 June 2023, Royal Decree-Law 5/2023 of 28 June 2023 was published in the Official State Gazette, adopting and extending certain measures in response to the economic and social consequences of the war in Ukraine, to support the reconstruction of the island of La Palma and other situations of vulnerability; transposing European Union Directives on structural modifications of commercial companies and reconciliation of family and professional life for parents and carers; and on the implementation and enforcement of European Union law (hereinafter '**RDL 5/2023**').

The Royal Decree-Law is divided into an extensive introduction (comprising 61 pages) and an operative section, made up of five 'books', containing 226 articles, 5 additional provisions, 10 transitional provisions, 1 derogating provision and 9 final provisions.

The Regulation gives rise to a large number of measures and regulatory amendments, as an omnibus law. The purpose of this legal update is to analyse those related to the field of Public Law, with a particular focus on provisions affecting regulated sectors, and more specifically, the energy sector.

A brief reference will also be made to the amendments introduced in the Draft National Integrated Energy and Climate Plan for 2023 - 2030 ('**PNIEC 2023-2030**'), which increases the targets for renewable energy, energy saving and emission reductions, which will be submitted to the European Commission before 30 June. The Draft was published on 28 June 2023, launching the public consultation process and the deadline to submit allegations would therefore be Monday 4 September¹.

¹ In accordance with Regulation (EU) 2018/1999 of the European Parliament and of the Council of 11 December 2018 on the governance of the Energy Union and Climate Action, the final document is due to be submitted to the European Commission in June 2024. As such, the Draft is a document subject to modifications over the next 12 months, which will take into consideration the input received during the public consultation process.

6-month extension on the deadline to certify having obtained the CAA to maintain the validity of access and connection permits.

The announced measure consists in granting an additional 6 months to prove compliance with the fourth administrative milestone set out in Royal Decree-Law 23/2020, of 23 June, approving measures in the field of energy and other areas for economic recovery ('**RDL 23/2020**'), i.e., obtaining the Administrative Construction Authorisation ("**AAC**"), to holders of access permits obtained after 31 December 2017 and before the entry into force of RDL 5/2023.

RDL 23/2020 introduced a series of mandatory administrative milestones to maintain the validity of the access and connection permits, linked to the progress of the processing of electricity generation facilities. However, given the impossibility of processing within the deadlines initially set out in such regulation, Royal Decree-Law 29/2021, of 21 December, on urgent measures in the energy sector to promote electric mobility, self-consumption and the deployment of renewable energies ('**RDL 29/2021**') introduced a 9-month extension of such deadlines, while maintaining the 5-year deadline for obtaining the Administrative Operating Authorisation ('**AAE**').

Therefore, with the new extension of RDL 5/2023, the initial period of 28 months for obtaining the AAC (which became 37 months after the extension of RDL 29/2021) has been extended to 43 months².

RDL 5/2023 justifies this new extension due to the conditional nature of many of the Environmental Impact Statements, which require the implementation of substantial changes to the projects (and often require adapting the execution project and new processing in the territory), as well as difficulties in meeting the demand for supplies due to there being various projects underway. However, the initial 5-year deadline for obtaining the AAE is also maintained.

² This period will run from:

- a) 25 June 2020 for power generation facilities that obtained access permits before that date and after 31 December 2017.
- b) From the date of obtaining the permits for holders of access permits who obtained them from 25 June 2020 and before the entry into force of RDL 5/2023.

Note that, according to the laws' wording, the extension will not apply to permits obtained after the entry into force of this Royal Decree-Law.

Therefore, for holders of access permits obtained after 31 December 2017 and before the entry into force of RDL 5/2023, the deadlines are envisaged in accordance with the below table:

Milestone	Projects with an access permit granted between 28 December 2013 and 31 December 2017	Projects with an access permit granted after 31 December 2017 and prior to the entry into force of RDL 23/2020	Projects with access permits granted after 25/06/2020 and prior to the entry into force of RD 5/2023
Filing and admission for processing of the AAP request	3 months from 25/06/2020 (i.e., 25/09/2020)	6 months from 25/06/2020 (i.e., 25/12/2020)	6 months from obtaining the access permit
Obtaining a favourable DIA	27 months from 25/06/2020 (i.e., 25/09/2022)	31 months from 25/06/2020 (i.e., 25/01/2023)	31 months from obtaining the access permit
Obtaining the AAP	30 months from 25/06/2020 (i.e., 25/12/2022)	34 months from 25/06/2020 (i.e., 25/04/2023)	34 months from obtaining the access permit
Obtaining the AAC	33 months from 25/06/2020 (i.e., 25/03/2023)	43 months from 25/06/2020 (i.e., 25/01/2024)	43 months from obtaining the access permit
Obtaining the AAE	5 years from 25/06/2020 (i.e., 25/06/2025)	5 years from 25/06/2020 (i.e., 25/06/2025)	5 years from obtaining the access permit

Regulation of renewable energy communities and citizen energy communities.

RDL 5/2023 introduces in Law 24/2013, of 26 December, on the Electricity Sector (**‘Law 24/2013’**) citizen energy communities as a new subject in the electricity sector. They are defined as *‘legal entities based on voluntary and open participation, whose effective control is exercised by partners or members who are natural persons, local authorities, including municipalities, or small companies, and whose main objective is to provide environmental, economic or social benefits to their members, partners or the locality in which they operate, rather than to generate a financial profit.’*

Likewise, two articles are included in Law 24/2013 to regulate the rights and obligations of both renewable energy communities and citizen energy communities. Regarding the latter, their legal framework will be defined by further regulations³.

³ It should be noted that the draft aiming to regulate renewable energy communities and citizen energy communities is currently being processed (until 18 May 2023 it was still in the public information process).

Updating the remuneration parameters for facilities under the Specific Remuneration Regime.

Adjustment of the estimate of the average electricity market price in the regulatory period 2023-2025 and of the adjustment value for deviations in the market price ('Vajdm') in 2023.

RDL 5/2023 sets the value of the estimate of the electricity market price to be considered when updating the remuneration parameters of the standard installations for the regulatory period between 1 January 2023 and 31 December 2025, as well as the methodology for calculating the Vajdm for the year 2023. Thus:

- The estimate⁴ of the electricity market price for the year **2023** is **109.31 €/MWh**.
- The estimate⁵ of the electricity market price for the year **2024** is **108.86 €/MWh** and for the year **2025** is **89.37 €/MWh**. For the years 2026 and beyond, the value obtained for the year 2025 will be used.

These values replace the prices estimated in application of article 22 of Royal Decree 413/2014, of 6 June, which regulates electricity production from renewable energy sources, cogeneration and waste ('**RD 413/2014**').

- For the calculation of the Vajdm for the year 2023, which will be applied when updating the remuneration parameters for the regulatory period beginning on 1 January 2026, the weighted average value of the basket of electricity market prices for the year 2023 will be the minimum value between said value and the average annual price of the daily and **intraday** market in the year 2023.

Forecasts on the updating of the remuneration for the operation of standard installations whose operating costs depend essentially on the price of fuel for the first and second half of 2023.

A number of criteria are set out to be considered in relation to the estimation of fuel prices:

⁴ Calculated on the basis of the arithmetic mean of the daily market prices from 1 January to 31 May 2023, the average of the prices of futures contracts delivered in June traded on the electricity futures market organised by OMIP from 1 to 31 May 2023, and the average of the prices of futures contracts delivered in the third and fourth quarters of 2023 traded on the electricity futures market organised by OMIP from 1 January to 31 May 2023.

⁵ Calculated as the average of the quotations of the corresponding annual futures contracts traded on the electricity futures market organised by OMIP from 1 January to 31 May 2023.

- **Natural gas - Q1 2023:** the estimate⁶ of the price at the virtual balancing point of natural gas for the first half of 2023 is **41.84 €/MWhPCS**. The estimated price of natural gas will be calculated by adding the estimated tolls cost to the price at the virtual balancing point.
- **Natural gas - Q2 2023:** the estimate⁷ of the border cost of natural gas for the second half of 2023 is **48.95 €/MWhPCS**. The estimated price of natural gas will be calculated by adding the estimated tolls cost to the price at the virtual balancing point.
- **Fuel oil - Q1 and Q2 2023:** a cost of 40 €/t for logistics costs is added to the international price⁸, resulting in an estimated fuel oil price for the first and second half of 2023 of **476.33 €/t**.
- **Gas oil and LPG - Q1 and Q2 2023:** a cost of 40 €/t for logistics costs is added to the international price⁹ for gas oil and LPG, resulting in an estimated price for gas oil and LPG for the first and second half of 2023 of **764.46 €/t**.
- **Biomass:** the biomass price will be estimated on the assumption of an **annual 1% increase**.

It should be noted that they are currently underway (and are expected to be published soon):

- The proposed order updating the remuneration parameters for the regulatory half-period from 1 January 2023 to 31 December 2025, revising the estimates of standard revenues from the sale of energy on the market and the parameters directly related to these and, for standard installations whose operating costs depend essentially on the price of fuel, the review of the evolution of fuel costs, setting the values of the

⁶ Obtained from the mean of the daily average prices of MIBGAS from 1 January to 31 May 2023 and the arithmetic mean of the daily last prices of the monthly futures with settlement in June published by MIBGAS from 1 to 31 May 2023. In cases in which the last daily price has not been published, the 'EOD Price' has been taken as a reference.

⁷ Calculated from the arithmetic mean of the last daily prices of the quarterly futures with settlement in the third and fourth quarter of 2023 published by MIBGAS from 1 January to 31 May 2023, except in cases in which the last daily price has not been published, in which the 'EOD Price' has been taken as a reference.

⁸ The international fuel oil price is obtained as the half-sum of the averages of the quotations of Fuel Oil 1 per cent on the CIF MED and CIF NWE markets traded from 1 January to 31 May 2023, published daily in the Platts European Marketscan, applied to the average of the USD/EUR exchange rates of the values published by the European Central Bank (ECB) for that period.

⁹ The international price of gas oil and LPG is obtained as the half-sum of the averages of the 0.1 per cent gas oil quotations on the CIF MED and CIF NWE markets traded from 1 January to 31 May 2023, published daily in the Platts European Marketscan, applied to the average of the USD/EUR exchange rates of the values published by the European Central Bank (ECB) for that period.

operating remuneration for the first half of 2023, applicable as of 1 January 2023.

- The proposal for an order establishing the methodology for updating the operating remuneration for those standard installations whose operating costs depend essentially on the price of fuel and setting the values of the operating remuneration for the second half of 2023, applicable from 1 July 2023.

Such orders currently being processed must incorporate the considerations introduced by RDL 5/2023. In this respect, RDL 5/2023 foresees¹⁰ that, the order updating the remuneration parameters of the standard facilities for the regulatory half-period beginning on 1 January 2023 will establish the necessary mechanisms to ensure that the provisions of RDL 5/2023 do not entail a reduction in the remuneration for operation in the first half of 2023 received by facilities whose operating costs depend essentially on the price of fuel, in terms of remuneration for the operation of the first half of 2023, related to what would result from the provisions of article 12 of Royal Decree-Law 20/2022, of 27 December, on measures in response to the economic and social consequences of the war in Ukraine and support for the reconstruction of the island of La Palma and other situations of vulnerability ('**RDL 20/2022**'), and article 22 of RD 413/2014.

Regulatory measures to promote electric vehicles. Modifications for the processing of recharging points.

Law 24/2013 of 26 December 2013 on the Electricity Sector ('**LSE**') is amended to increase the capacity of facilities subject to administrative authorisations and declarations of public interest to 3,000 kW:

- The following administrative authorisations are required for the commissioning of new transmission, distribution, production, and direct line installations, as well as for electrical infrastructure for electric vehicle charging points with a capacity of **over 3,000 kW, instead of the 250 kW previously envisaged**, as provided for in the law, or for the modification of existing installations.
- It may be determined that **certain types of non-substantial changes** to transmission, distribution and production facilities, direct lines, as well as to the electrical infrastructure of charging stations for electric vehicles with **more than 3,000 kW** are

¹⁰ In addition, facilities that have requested the temporary waiver of the Specific Remuneration Regime for its application as of 1 July 2023 may request the cancellation of said waiver. The cancellation of the temporary waiver will take effect from 1 July 2023 or from a later date when stated in the request (based on full months). Requests will be sent to the competent body to carry out the settlements within 20 working days from the entry into force of RDL 5/2023.

not subject to the Prior Administrative Authorisation and the Administrative Construction Authorisation.

- Electrical installations for the generation, transmission, and distribution of electrical energy, as well as the electrical infrastructure of electric vehicle charging points with a capacity of over 3,000 kW, instead of the 250 kW previously provided for, are declared to be of public interest, for the compulsory purchase of the property and rights necessary for their installation and the imposition and exercise of access easements.

Tax incentives to encourage the purchase of plug-in and fuel cell electric vehicles.

Personal income tax

Law 35/2006, of 28 November, on Personal Income Tax and partially amending the laws on Corporate Income Tax, Non-Resident Income Tax and Wealth Tax, has been amended to introduce deductions for the acquisition of plug-in electric and fuel cell vehicles and recharging points:

- Deduction of 15% of the purchase value of a new electric vehicle.
- Deduction of 15% of the amounts paid to install battery recharging systems for electric vehicles (that are not used for a business activity).

Corporate income tax

Law 27/2014, of 27 November, on Corporate Income Tax, is amended so that:

- Investments in new FCVs, FCHVs, BEVs, REEVs or PHEVs which are used for business activities, and which enter into operation in the tax periods starting in 2023, 2024 and 2025 may be written off taking into account the result obtained by multiplying by 2 the maximum linear depreciation coefficient foreseen in the officially approved depreciation tables.
- Investments in new charging infrastructure for electric vehicles, of normal or high power used for businesses and which enter into operation in the tax periods starting in 2023, 2024 and 2025, may be written off according to the result obtained by multiplying by 2 the maximum linear depreciation coefficient foreseen in the officially approved depreciation tables.

Support mechanisms for the electro-intensive industry.

The application of the support mechanism to guarantee the competitiveness of the electro-intensive industry introduced by Article 1 of Royal Decree-Law 6/2022 of 29 March adopting urgent measures within the framework of the National Response Plan to the economic and social consequences of the war in Ukraine ('**RDL 6/2022**') is extended until 31 December 2023, consisting of an **80% reduction of the cost of access tolls** to the electricity **transmission and distribution networks** applicable in each billing cycle for consumers who hold an 'electro-intensive consumer' certificate referred to in chapter II of Royal Decree 1106/2020, of 15 December.

Extension of the temporary scope of the maximum price limitation for bottled liquefied petroleum gases.

The limitation on the (pre-tax) selling price of bottled liquefied petroleum gases provided for in Article 19 of Royal Decree-Law 11/2022 of 25 June adopting and extending certain measures to respond to the economic and social consequences of the war in Ukraine, to address situations of social and economic vulnerability, and for the economic and social recovery of the island of La Palma ('**RDL 11/2022**') is extended until 31 December 2023.

It therefore affects **butane cylinders**, the price of which remains at **19.55 €**.

Adaptation of the VTC leasing regime to European regulations. Taxis as a passenger transport declared as a public interest service.

VTC permits will be conditional on compliance with environmental criteria on improving air quality and reducing CO2 emissions, as well as transport, traffic and public space management in the region in which the authorisation is to be granted, in accordance with the following criteria:

- Each permit must be linked to a specific vehicle, whether owned, leased or with a long-term lease within the meaning of traffic regulations, i.e., leases for over three months.
- The permit will be denied if the annual limit for NO2 or PM2.5 or the target value or long-term objective value for O3, as laid down in the air quality improvement regulations, is exceeded.

- The permit may be denied based on objective criteria relating to the reduction of CO2 emissions, transport, traffic and public space management, established for such territory by the region in which the permit would be addressed .

If the permit is not granted for not complying with said criteria, the procedure will be suspended and may be resumed at any time, upon request by the interested party, within three years of the initial notice of non-compliance, to demonstrate that they meet the criteria.

The Autonomous Community may, after stating their grounds, and as long as the decision is proportionate and justified, limit each application to a maximum number of permits.

This measure follows the CJEU ruling¹¹ which found that an additional specific permit and the limitation of the number of licences are restrictions on the exercise of the freedom of establishment, concluding that the aim of transport, traffic, and public space management in a conurbation, as well as environmental protection, may constitute an overriding general interest justifying such measures.

With RDL 5/2023, passenger transport by taxi is now considered a public interest service, and therefore political measures must guarantee the provision of a good quality service for all users, non-discriminatory and with an adequate service coverage. This is without prejudice to the powers of the Autonomous Community to put other regulations in place.

According to the statement of reasons, a commitment has been made to promote accessible public transport, taking into account citizens' right to mobility, toward a means of transport that removes private vehicles from urban and interurban environments closest to large cities, which is where most of the services are concentrated.

Amendment of the Law on Contentious-Administrative Jurisdiction to reduce deadlines and speed up the processing of cassation appeals.

Royal Decree 5/2023 has introduced a series of amendments that affect the preferential processing of appeals and the reduction of deadlines and speeding up the processing of cassation appeals before the Chamber for Contentious-Administrative Matters of the Supreme Court.

With regard to the preferential processing of appeals, it is possible to process one or more appeals that can be grouped by categories or groups that pose a similar dispute. To this end,

¹¹ Judgement of the CJEU in Case C-50/21 Prestige and Limousine of 8 June 2023 (ECLI:EU:C:2023:448).

section 2 of article 37 of Law 29/1998, of 13 July, regulating Contentious-Administrative Jurisdiction (**‘LJCA’**) is amended, and worded as follows:

‘Where a number of appeals with identical subject-matter are pending before a judge or court, the court will, if they have not been joined, hear and determine one or more appeals on a preferential basis after hearing the parties for a period of five days, and stay the progress of the others, at the stage they are at, until a ruling has been handed down for the first of such appeals.

In the event that these multiple appeals with the same object could, in turn, be grouped by categories or groups that raise a substantially similar dispute, the court, if they have not been joined already, will process one or more of each group preferentially, after hearing the parties for a period of five days, suspending the course of the others until a ruling has been handed down in those processed preferentially’.

This amendment is justified to improve the mechanism of witness litigation in cases of class actions, especially in view of the thousands of appeals filed in the area of the State's financial liability for the damage caused by the declaration of unconstitutionality of the Royal Decrees declaring the state of alarm due to the COVID-19 epidemic.

There is also a possibility of suspending the proceedings at first instance once the Chamber of the Supreme Court has admitted an appeal in cassation in which the same controversial issue is raised as in the first instance. To this end, the wording of Article 56.⁵¹² has been altered.

¹² Article 56.5: *‘Once the claim and defence have been lodged, if a court, at any time prior to delivering its ruling, becomes aware, by whatever means, that the Chamber for Contentious-Administrative Proceedings of the Supreme Court has admitted an appeal in cassation which is substantially similar to the issue debated in the appeal, it will hear the parties for a period of ten days on its possible suspension, attaching a copy of said order to it.*

Once the pleadings have been filed or the deadline has expired, if the court or tribunal considers that there is a substantial similarity and that the decision to be handed down in cassation may be relevant to the outcome of the proceedings, it will order the suspension until a final decision is handed down in the cassation appeal. No appeal may be filed against the order ruling on the suspension.

The order granting the stay will be sent to the Trial Division of the Chamber for Contentious-Administrative Proceedings of the Supreme Court indicated in the order of admission, which, in turn, will send a copy of the judgment in the appeal to the referring court or tribunal.

Once the court or tribunal has received the statement of the judgment in the cassation appeal, it shall lift the stay and will give a new hearing to the parties, within a period of ten days, so they may present their arguments on the effect that the decision has on the outcome of the appeal. Once the transfer has been served or the time limit has expired, the proceedings will continue as they were before, unless the parties withdraw or accept the appeal, in which case the court or tribunal will decide as appropriate’.

In addition, section b) of article 88 of the LJCA is modified, which establishes one of the grounds on which an objective appeal is presumed to be of interest:

b) When such a decision deliberately strays away from existing case law as erroneous *‘or unmotivated despite having been cited in the debate or being established doctrine’*.

Article 89.5 of the LJCA has also been redrafted, reducing the deadline for (i) the parties to appear before the Administrative Chamber of the Supreme Court and for (ii) the Supreme Court to agree to hear on whether the appeal has an objective appeal interest for case law, once the cassation appeal has been admitted for a period of 15 days, instead of the 30 days as before.

Reference to other measures introduced by RDL 5/2023:

Finally, there are certain other measures included regarding other sectors, which have not been included in the subject matter of this legal update:

- Transposition of the European Union directive on structural modifications of commercial companies.
- Transposition of Directive (EU) 2019/1158 of the European Parliament and of the Council of 20 June 2019 on work-life balance for parents and carers and repealing Council Directive 2010/18/EU.
- Amendment of the revised text of the Workers' Statute, approved by Royal Legislative Decree 2/2015, of 23 October.
- Modification of the revised text of the Law on the Statute of Civil Servants, approved by Royal Legislative Decree 5/2015, of 30 October.
- Amendment of Law 36/2011, of 10 October, regulating social jurisdiction.
- Penalty regime applicable to infringements provided for in Regulation (EU) 2021/784 of the European Parliament and of the Council of 29 April 2021 on combating the dissemination of terrorist content online.
- Measures for the implementation and enforcement of European Union law in the field of traffic, motor vehicle traffic and road safety.
- Provisions applicable to access and use of the Register of Beneficial Ownership.
- Extension of certain measures to respond to the economic and social consequences of the war in Ukraine, and to support the reconstruction of the island of La Palma and other situations of vulnerability.

- Aid to maritime transport.
- Support measures for the agricultural sector.
- Provisions to give effect to the right to be forgotten for cancer survivors.
- Measures to strengthen the duties of the National Commission for Markets and Competition.
- Extension of public transport discounts.
- Extension of the diesel discount for professional road transport.

Publication of the Draft National Integrated Energy and Climate Plan for the period 2023 - 2030 ('PNIEC 2023-2030').

The Draft PNIEC for 2023 - 2030 has been published on 28 June 2023 and is due to be submitted to Brussels by 30 June 2023.

The Draft, which foresees an upward increase in expectations for 2030 in line with the European context and the new proposals stemming from the 'Objective 55' and 'REPowerEU' packages, foresees, among other issues, an increase in demand, and sets a number of new targets.

Particularly illustrative is the following table showing the main magnitudes covered by this year's PNIEC, compared to the previous 2020 draft:

		Resultados en 2030	
		PNIEC 2020	PNIEC 2023
Generales	Reducción de emisiones de GEI respecto a 1990	23%	32%
	Reducción de emisiones de GEI respecto a 2005 – Sectores ETS	-61%	-70%
	Reducción de emisiones de GEI respecto a 2005 – Sectores difusos	-39,1%	-43%
	Porcentaje de renovables en la generación eléctrica	74%	81%
	Número de vehículos eléctricos	5 Millones	5,5 Millones
	Número de viviendas rehabilitadas	1.200.000	1.377.000
	Potencia total y renovable del mix energético	Total: 160 GW Ren.: 113 GW	Total: 214 GW Ren.: 160 GW
	Porcentaje renovables sobre energía final	42%	48%
	Eficiencia Energética. Reducción de consumo de energía primaria	-39,5%	-42%
	Eficiencia Energética Reducción de consumo de energía final	-41,7%	-44%
Transporte	Dependencia energética	61%	51%
	Reducción intensidad de emisiones de GEI transporte	-	-16,6%
	Porcentaje de renovables en el sector transporte	15%*	25%
Industria	Porcentaje combinado de RFNBO ⁴⁵ + Bios avanzados y biogás del Anexo IX Parte A	2,1%	11%
	Incremento anual de energías renovables en la industria	1,1%	5,1%
Edificación, calefacción refrigeración	Porcentaje de RFNBO sobre el hidrógeno en la industria	25%**	74%
	Energía final procedente renovables en edificios	-	73%
		Aumento anual porcentaje renovables calefacción y refrigeración	0,83% (2021-2025) 1,19% (2026-2030)

* En la modificación de la Directiva de Energías Renovables se ha establecido un cambio de metodología para el cálculo de este término, por lo que el 28% establecido en el PNIEC anterior pasa a un 15%

** Hoja de Ruta del Hidrógeno Renovable

- Increase renewables in final energy from 42% to 48%.
- Reduce emissions over 1990 from 23% to 32%.
- Increase energy efficiency (primary energy savings) from -39.5% to -42%.
- Reduce energy dependence from 61% to 51%.
- Increase renewable electricity production from 74% to 81%.
- Increase wind power capacity by 2030 from 50 to 62 GW (including 3 GW of offshore wind).
- Increase PV capacity by 2030 from 39 GW to 57 GW (not including self-consumption).
- Increase self-consumption capacity to 19 GW by 2030 (from around 6 GW at present).
- Increase biogas power from 240 MW to 440 MW
- Increase biomass power from 1,049 to 1,409.
- Promote storage and batteries from 8 to 22 GW
- Maintain the 26 GW of gas combined cycle plants

- Maintaining the nuclear power plant closure plan.
- Increase the share of renewables in the transport sector from 15% to 25%.
- Achieve the target of 73% of the final energy consumed by buildings to be renewable.
- Reaching a target of 11 GW of renewable hydrogen electrolyzers by 2030.
- Biomethane is expected to develop significantly in line with the European target of increasing from 10 to 35 bcm by the end of the decade and to cover 8.5% of natural gas demand by 2030 in the EU.

In accordance with Regulation (EU) 2018/1999 of the European Parliament and of the Council of 11 December 2018 on the governance of the Energy Union and Climate Action, the final document is due to be submitted to the European Commission in June 2024. Thus, the Draft is a document subject to amendments over the next 12 months, which will take into consideration the input provided during the public consultation process.

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