



EUROPEAN COMMISSION

Brussels, 7.10.2011
C(2011) 7065 final

COMMISSION DECISION

of 7.10.2011

**relating to the 2012 work programme
for contracts in the field of energy**

COMMISSION DECISION

of 7.10.2011

relating to the 2012 work programme for contracts in the field of energy

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 194 thereof,

Having regard to Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities¹, and in particular Article 49(6) and Article 75(2) thereof,

Having regard to Commission Regulation (EC, Euratom) No 2342/2002 of 23 December 2002 laying down detailed rules for the implementation of Council Regulation (EC, Euratom) No 1605/2002 on the Financial Regulation applicable to the general budget of the European Communities², and in particular Article 90 thereof,

Having regard to Regulation (EC) No 1228/2003 of the European Parliament and of the Council of 26 June 2003 on conditions for access to the network for cross-border exchanges in electricity³,

Having regard to Directive 2003/54/EC of the European Parliament and of the Council of 26 June 2003 concerning common rules for the internal market in electricity and repealing Directive 96/92/EC⁴,

Having regard to Directive 2003/55/EC of the European Parliament and of the Council of 26 June 2003 concerning common rules for the internal market in natural gas and repealing Directive 98/30/EC⁵,

Whereas:

- (1) In accordance with Article 75 of the Financial Regulation and Article 90(1) of the Implementing Rules, the commitment of expenditure from the European Union budget shall be preceded by a financing decision setting out the essential elements of the action involving expenditure and adopted by the institution or the authorities to which powers have been delegated by the institution.

¹ OJ L 248, 16.9.2002, p. 1.

² OJ L 357, 31.12.2002, p. 1.

³ OJ L 176, 15.7.2003, p. 1.

⁴ OJ L 176, 15.7.2003, p. 37.

⁵ OJ L 176, 15.7.2003, p. 57.

- (2) Given that the 2012 work programme provides a sufficiently detailed framework within the meaning of Article 90(2) and (3) of the Implementing Rules, this Decision constitutes a financing decision for the expenditure envisaged under the work programme for contracts.
- (3) Article 49(6)(d) of the Financial Regulation provides that appropriations for measures carried out by the Commission by virtue of tasks resulting from its prerogatives at institutional level under the Treaty on the Functioning of the European Union may be implemented without a basic act.
- (4) This financing decision may also cover the payment of default interest due on the basis of Article 83 of the Financial Regulation and Article 106(5) of the Implementing Rules.
- (5) The term 'substantial change' within the meaning of Article 90(4) of the Implementing Rules should be defined for the purposes of applying this Decision.
- (6) Grants and contracts relating to specific programmes are the subject of separate work programmes adopted by the Commission and serving as financing decisions.

HAS DECIDED AS FOLLOWS:

Article 1

The general work programme for contracts in the field of energy for 2012 set out in the Annex is hereby adopted. It constitutes a financing decision within the meaning of Article 75 of the Financial Regulation.

Article 2

The maximum contribution authorised by this Decision for the implementation of the work programme is set at EUR 3 970 000, to be financed from the following budget lines of the General Budget of the European Union for 2012:

- budget line 32 04 03: EUR 3 720 000
- budget line 32 04 16: EUR 250 000

These appropriations may also cover default interest.

The implementation of this Decision is subject to the adoption of the 2012 budget in accordance with Article 314 of the Treaty on the Functioning of the European Union or the availability of appropriations, in 2012, under the rules of provisional twelfths referred to in Article 315 of the Treaty on the Functioning of the European Union.

Article 3

Cumulative changes in the allocations to specific actions not exceeding 20% of the maximum contribution authorised by this Decision are not to be considered substantial provided that

they do not significantly affect the nature and objective of the work programme. This may include the increase of the maximum contribution authorised by this financing Decision by up to 20%.

Done at Brussels, 7.10.2011

For the Commission
Günther OETTINGER
Member of the Commission

ANNEX

List of contracts and administrative arrangements in the field of energy in 2012

The amounts shown in this Decision refer to the European Union's 2012 budget.

Minor changes to the implementation of this programme affecting essential elements listed under Article 90 of the Implementing Rules to the Financial Regulation, which are of an indicative nature⁶, may be made by the authorising officer by delegation (AOD), or by the authorising officer by sub-delegation (AOSD), in line with the delegation of powers conferred upon him by the AOD, in accordance with the principles of sound financial management without it being necessary to amend the financing decision.

This list of contracts is equivalent to a financing decision and is divided into two parts:

- A. Contracts for expenditure relating to the activity 'Conventional energy';
- B. Contracts for expenditure relating to the activity 'Security'.

DG ENER contracts are principally for studies but also for the provision of services and the purchase of data and supplies. The appropriations covered by the work programme may also be used to pay default interest in accordance with Article 83 of the Financial Regulation.

⁶ The essential elements of an indicative nature are, for grants, the indicative amount of the call for proposals and, for procurement, the indicative number and type of contracts envisaged and the indicative time frame for launching procurement procedures.

A. CONTRACTS FOR CONVENTIONAL ENERGY ACTIVITY

This section covers contracts for expenditure relating to the activity 'conventional and renewable energy with a basic act'. This appropriation is intended, in particular, to cover expenditure incurred by the Commission for collecting and processing information of all kinds needed for the analysis, definition, promotion, monitoring, evaluation and implementation of a European policy on competitive, safe and sustainable energy, of the internal energy market and its extension to third countries, of security of energy supply for all aspects in a European and global perspective as well as the strengthening of the rights and protection of energy users by supplying quality services at transparent and comparable prices.

The principal objectives established are to set up a progressive European policy assuring continuous energy supply security, the smooth running of the internal energy market and access to transport networks for energy, the observation of the energy market, analysis of modelling, in particular scenarios on the impact of policies being considered, the strengthening of the rights and protection of energy users, based on general and specific information on European and global energy markets for all energy types.

Budget line	<i>32 04 03 Activities to support European energy policy and the internal energy market</i>		
Legal basis	<p>Regulation (EC) No 1228/2003 of the European Parliament and of the Council of 26 June 2003 on conditions for access to the network for cross-border exchanges in electricity (OJ L 176, 15. 7. 2003, p. 1).</p> <p>Directive 2003/54/EC of the European Parliament and of the Council of 26 June 2003 concerning common rules for the internal market in electricity and repealing Directive 96/92/EC,</p> <p>Directive 2003/55/EC of the European Parliament and the Council of 26 June 2003 concerning common rules for the internal market in natural gas and repealing Directive 98/30/EC,</p> <p>Task resulting from the Commission's prerogatives at institutional level in accordance with Article 49(6)(d) of the Financial Regulation.</p>		
2012 appropriations	Initial budget	3 720 000	
	Transfers	0	
	Total	3 720 000	
Use of appropriations	Grants	0	
	Contracts	3 720 000	
Amount of this framework decision		3 720 000	
Details of grants (for the record)			
<i>No grant will be awarded under this budget line.</i>			
Details of contracts			
<i>Type</i>	<i>Number</i>	<i>Indicative amount</i>	<i>Date of conclusion of contract</i>
Specific contract under a framework	Consultant (3), study (6), assessment (1),	2 230 000	Q1 (0), Q2 (4), Q3

contract	provision of services (2)		(6), Q4 (2)
Open procedure	Communication (1), study (5)	950 000	Q2 (1), Q3 (2), Q4 (3)
Extension of contracts	The purchase of commercial data entered in the Energy Market Observation System (EMOS) by extending the contracts signed following the 2010 call for proposals (Platts + Enerdata) for the period December 2012 to November 2013.	453 900	Q4 (1)
Negotiated procedure	Study (1) Provision for 1 Thomson Reuters licence: EUR 6 100 through a DG ECFIN framework contract (purchase order)	26 100	Q3 (1), Q4 (1)
Agreements	Study arising from the agreements concluded within the EU-OPEC Energy Technology Centre framework	60 000	Q3 (2)

Q1: 1st quarter, Q2: 2nd quarter, Q3: 3rd quarter, Q4: 4th quarter

B. CONTRACTS AND ADMINISTRATIVE ARRANGEMENTS FOR EXPENDITURE RELATING TO THE ACTIVITY 'SECURITY'

This section covers expenditure incurred by the Commission for collecting and processing information of all kinds needed for the analysis, definition, promotion, monitoring, evaluation and implementation of the measures and rules and regulations needed in order to enhance energy security, technical assistance and specific training actions. The main objectives of the measure are to develop and implement energy security rules.

Budget line	<i>32 04 16 Security of energy installations and infrastructures</i>		
Legal basis	Task resulting from the Commission's prerogatives at institutional level in accordance with Article 49(6)(d) of the Financial Regulation.		
2011 appropriations		Initial budget	250 000
		Transfers	0
		Total	250 000
Use of appropriations		Grants	0
		Contracts	250 000
Amount of this financing decision			250 000
Details of grants			
<i>No grant will be awarded under this budget line.</i>			
Details of contracts			
<i>Type</i>	<i>Number/subject</i>	<i>Indicative amount</i>	<i>Date of conclusion of contract</i>
Specific contract under a framework contract	Conference (1)	250 000	Q4 (1)