



EUROPEAN COMMISSION

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Dear President,

The Commission would like to thank the Austrian Bundesrat for its Opinion on the Communication on the Energy Roadmap 2050 {COM(2011) 885 final} and apologises for the delay in replying.

The Commission shares the Bundesrat's views on many important points, in particular the importance of energy efficiency and energy savings. The recent political agreement on the new Energy Efficiency Directive; adoption and implementation of the Recast of the Energy Performance of Buildings Directive; on-going work on Ecodesign and Labelling implementing measures as well as strengthening of CO2 emissions standards for cars and light commercial vehicles are important steps in this direction. The Roadmap shows that further significant efforts on energy efficiency will be needed in all Member States and all economic sectors. The European Commission will further assess how this can be best achieved.

The Commission also agrees that under all circumstances more renewable energies will be needed in all sectors - electricity, heating and transport - and that more and smarter energy infrastructures are necessary in order to allow for higher shares of renewable energies. The Communication "Renewable energy: a major player in the European energy market" {COM(2012) 271 final} presented earlier last year further details how this can be achieved.

Moreover, the Commission shares the Bundesrat's view that security of supply remains a fundamental objective of EU energy policy and the transition of the energy system must be conducted in a way that does not compromise on this objective.

Regarding nuclear energy, the Roadmap 2050 suggests that long-term transition of the energy system is possible also with only a very limited contribution from nuclear. However, nuclear energy provides today around 28% of electricity and most of low-carbon electricity in the EU. Nuclear energy is currently used in 14 Member States and according to Article 194 TFEU Member States have in principle the right to choose between the exploitation of different energy sources provided that EU law is fully respected.

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As nuclear energy remains a technology of choice for many Member States, the European Commission will continue working on safety and security issues. Nuclear safety remains the utmost priority when considering the construction and operation of nuclear installations. The accident at the Fukushima nuclear power plant in Japan triggered the need for an immediate and coordinated response from the EU. On 25 March 2011, the European Council concluded that the safety of all EU nuclear plants should be reviewed, on the basis of comprehensive and transparent risk and safety assessments. The cooperation and contributions of stakeholders in the stress test process has demonstrated that nuclear safety is an area where cross-border cooperation and action at EU level bring tangible benefits. Significant safety improvements have been identified in all participating countries. A European Nuclear Safety Regulators Group (ENSREG) action plan (finalised end of July 2012) provides for national plans to implement recommended improvements on nuclear power plants and peer review workshops to share lessons learned on the implementation of post-Fukushima safety improvements. The Commission's report to the Council on the comprehensive risk and safety assessments ("stress tests") of nuclear power plants in the European Union and related activities was adopted in October 2012. It contains the main findings of the stress tests with the Commission's views on the overall process, recommendations and follow-up actions. The Commission is also pursuing its work, in line with the European Council mandate in 2011, to revise the Euratom legal framework for nuclear safety. Legislative proposals should be presented in the coming months. The revision process will take full account of the stress test's results as well as the results of the Commission's public consultation.

On CCS (Carbon Capture and Storage), the Directive 2009/31/EC on the geological storage of carbon dioxide provides the legal framework for CO₂ storage in the EU. In particular, Member States should retain the right to determine the areas within their territory from which storage sites may be selected. This includes the right of Member States not to allow any storage in parts or on the whole of their territory, or to give priority to any other use of the underground, such as exploration, production and storage of hydrocarbons or geothermal use of aquifers. In this context, Member States should in particular give due consideration to other energy-related options for the use of a potential storage site, including options which are strategic for the security of the Member State's energy supply or for the development of renewable sources of energy.

To conclude, the transition of our energy system to a low carbon economy is a very challenging task with many uncertainties. Moreover, not all Member States have an identical view of how this can be achieved and start from very different positions regarding their climate, past efforts and possibilities for further renewables expansion, levels of wealth and technological development. That is why it is necessary to leave several options open at this stage of what will be an iterative process. The Energy Roadmap is only a starting point and should contribute to further discussions.

The Commission hopes that these comments address the issues raised in the Bundesrat's Opinion and looks forward to continuing our policy dialogue in the future.

Yours faithfully,

*Maroš Šefčovič
Vice-President*