



EUROPEAN COMMISSION

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Dear President,

The Commission would like to thank the Senát of the Czech Republic for its Opinion on the Proposal for a Regulation of the European Parliament and of the Council on Union guidelines for the development of the Trans-European Transport Network {COM(2011) 650 final} and on the Proposal for a Regulation establishing the Connecting Europe Facility {COM(2011) 665 final}. The Commission appreciates the favourable Opinion of the Senát of the Czech Republic on its proposals and apologises for the long delay in replying.

The Senát has made a number of comments, which the Commission services have carefully considered. I would like to take the opportunity here to present the Commission's position regarding these comments.

The Senát has stated that it supports the development of a modern and efficient network infrastructure. The Commission shares the views of the Senate that an efficient and modern infrastructure network is crucial for a smooth functioning of the European Union's internal market, harnessing its potential, strengthening EU competitiveness and energy security. The new guidelines of the European Union for the development of the Trans European transport Networks will significantly contribute to this objective.

The Commission also notes the Senát's concern regarding the transfer of funds from the Cohesion Fund to the Connecting Europe Facility (CEF). The Senát explains this reservation by the significant deficit of Cohesion states as regards their domestic infrastructure, whose construction is co-financed by the Cohesion Fund. However, it should be noted that the earmarking of 10 billion euro from the Cohesion fund to the Connecting Europe Facility does not displace the Cohesion policy, but rather complements it, where the Cohesion policy has more difficulties to deliver the objectives, namely cross-border and other complex projects. The Cohesion Fund will still provide € 24 billion to transport projects on the TEN-T core and comprehensive network to ensure that national and regional priorities are met.

*In the second recommendation, the Senát suggested the adjustment of the *acquis communautaire* with the aim to simplify and accelerate the process of infrastructure projects' approvals. The modification of the applicable law on infrastructure projects approval at European level is not part of the ongoing TEN-T Policy review process. The recommendation is worth considering and it might be subject of discussion in the framework of other revision processes later on.*

*Mr Milan ŠTĚCH
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The Commission welcomes the Senát's support to the use of the Connecting Europe Facility for transport solutions for fuels and energy across the territory and networks of the Czech Republic.

The fourth recommendation of the Senát concerns the competences of the European Commission in the implementation of core network corridors. According to the Treaty on the Functioning of the European Union, Member States have the main say in the planning of trans-European networks. In this respect the Commission would like to emphasize that Member States have always kept the responsibility for the implementation of the TEN-T Network. The proposal for the new TEN-T Guidelines does not alter this obligation.

The Senát also recommended to limit the role of a European Coordinator to cross-border segments only. The Commission would like to underline that the main task of a Coordinator would be the coordination between Member States in order to achieve a smooth and timely implementation of the Core Network, which is also in the interest of Member States. The cross-border sections, as indicated, have a high European added value and are the key segments of the Core network corridors. There is no doubt that the Coordinators' biggest challenge will be the completion of these projects. Still, interoperability and intermodality are equally important conditions for a modern and efficient network infrastructure in Europe.

These crucial tasks will constitute the main activities of a European Coordinator. These tasks would be impossible to achieve, if the Coordinator's competence were reduced to the cross-border segments only.

The sixth recommendation of the Senát addresses the infrastructure targets, which are at the heart of the proposal. The railway standards introduced within the Core network should not place increased demands on investment beyond present requirements, especially when it is unclear whether these criteria cover only a new construction or also the modernisation of existing infrastructure. In his respect, the Commission would like to underline that at this point one of the main objectives of the TEN-T proposal is to ensure interoperability across Europe. The upgrading of the already existing railway to a higher standard is an indispensable precondition to achieve an efficient and interoperable TEN-T network that consists of different national networks.

The Commission agrees entirely that the Czech government should submit a mid-term transport infrastructure development strategy, which shall include possible financing sources and adhere to the guidelines of trans-European transport network. The Commission has been made aware that such a document is currently being prepared by the Czech Republic.

As regards the Senát's eighth comment, the Commission would like to underline that some modifications suggested by the Czech authorities were already undertaken in the Annex I (maps of the comprehensive and core network) of the TEN-T proposal during the ongoing discussion in the Council preparatory bodies. All changes were made in accordance with the TEN-T methodology.

As regards energy, the Infrastructure Package and the Connecting Europe Facility address the priority areas of an EU added value and seek to ensure that priorities that are not necessarily supported by the market (e.g. the security of supply of the EU, the linking of energy islands and the integration of the internal market) can be successfully implemented. In

that respect, the Commission welcomes the Senate's support for the use of CEF funds for networks crossing and interconnecting the Czech Republic.

Furthermore, the proposal for the Guidelines on trans-European energy infrastructure reflects the important request of the Czech Senate to simplify and accelerate the process of infrastructure projects approvals. In order to achieve the energy and climate objectives by 2020, it is essential to have shorter and more efficient permit granting procedures. The Commission welcomes the support from the Czech Senát on this crucial point in the upcoming discussions on these proposals in coming months.

The third internal market package foresees that the European Network for Transmission System Operators adopts a Union-wide Ten-Year Network Development Plan. The Guidelines are based on these plans for gas and electricity. Projects of common interest, which have been approved by Member States in the regional groups, will become a part of the above mentioned binding Union-wide plans.

Regarding trans-European telecommunications networks, the Commission fully agrees that the guidelines need to take into account national strategies for broadband development and electronic government. Indeed, the Commission has recently reviewed the progress made under national broadband plans and will continue to work together with the Member States to render these plans operational. In the context of this work, the Commission and the Czech government should work in close cooperation to align national strategies with the proposed infrastructure fund. Furthermore, for the rolling out of broadband networks, further use should be made of the current and future Structural and Cohesion funds.

The Commission takes note of the Senát's proposal about taking into account different levels of development across European regions. The Commission proposal does leave room for devising targeted actions to take into account variables such as population density or per capita income. Such actions would be developed in the Annual and/or Multi-annual Work Programmes, which will be negotiated between the Commission and Member States.

Furthermore, the Commission would like to stress that CEF Digital Service Infrastructures will provide inter-operability of generic services (offered at the national level by the private or public sector) by setting up European-level core platforms or hubs. The main objective is to connect existing national platforms, rather than altering them or forcing harmonisation. Member states will join the European infrastructure if and when they deem relevant. If in one Member State these digital services are not offered, the CEF will not mandate that these should be provided.

I hope that these clarifications address the issues raised in the Senát's Opinion.

We count on your sustained contribution to assist us in the elaboration and implementation of the TEN policy and I look forward to continuing our political dialogue on these important issues.

Yours faithfully,

*Maroš Šefčovič
Vice-President*