



EUROPEAN COMMISSION

*Brussels, 15.2.2018  
C(2018) 885 final*

*Dear President,*

*The Commission would like to thank the Senato della Repubblica for its Opinion on the proposal for a Directive of the European Parliament and of the Council amending Directive 2010/31/EU on the energy performance of buildings {COM(2016) 765 final}.*

*This proposal forms part of the Clean Energy for All Europeans package, a broader package of ambitious legislative and non-legislative measures designed to achieve the objectives of the Energy Union, including the 2030 targets for energy and climate. Specifically, these measures aim at putting energy efficiency first, achieving global leadership in renewable energy and providing a fair deal for consumers.*

*The Commission is pleased that the Senato della Repubblica shares the view that action at European Union level would create greater benefits in terms of competitiveness, synergies between energy efficiency and climate policies and effectiveness of public and private investments.*

*The Commission welcomes that the Senato della Repubblica supports the emphasis on energy efficiency in the Clean Energy for All Europeans Package and notes, in particular, that the Senato della Repubblica considers that binding European Union targets on energy efficiency would be beneficial, in particular for the economy.*

*The Commission also welcomes the Senato della Repubblica's view on the importance of energy performance of buildings in achieving energy efficiency targets and long-term climate strategies. On this point, the Senato della Repubblica rightly emphasises that financing is a key issue, and the Commission shares the view of the Senato della Repubblica that new instruments should be developed in order to effectively unlock public and private investments.*

*Mr Pietro GRASSO  
President of the  
Senato della Repubblica  
Piazza Madama, 1  
IT – 00186 ROMA*

*In relation to the proposal amending the Energy Performance of Buildings Directive, the Commission notes the favourable opinion of the Senato della Repubblica on long-term renovation strategies, including roadmaps with clear milestones. These provisions are certainly among the most important ones in the proposal, given that a large part of the European building stock needs to be significantly improved in terms of energy efficiency. The Commission also takes good note of the detailed comments made by the Senato della Repubblica on specific provisions of the amending proposal. In particular the Commission notes the Senato della Repubblica's concerns on the proposed provisions on electro-mobility. On this and on other points raised in the Opinion, the Commission is pleased to have the opportunity to provide a number of clarifications regarding the proposal and trusts that these will allay the Senato della Repubblica's concerns.*

*In response to the specific questions raised in the Opinion, the Commission would like to refer the Senato della Repubblica to the attached annex.*

*The Commission would like to emphasise that the points made in this reply are based on the initial proposal submitted by the Commission, which is currently in the legislative process involving both the European Parliament and the Council.*

*The Commission hopes that the clarifications provided in this reply address the issues raised by the Senato della Repubblica and looks forward to continuing the political dialogue in the future.*

*Yours faithfully,*

*Frans Timmermans  
First Vice-President*

*Miguel Arias Cañete  
Member of the Commission*

## Annex

*The Commission has carefully considered each of the issues raised by the Senato della Repubblica in its Opinion and is pleased to offer the following clarifications.*

*First, the reference made by the Senato della Repubblica to the Smart Finance for Smart Buildings initiative is fully relevant when it comes to enhancing financing support for renovation of buildings. This initiative – which should indeed unlock EUR 10 billion of public and private investment by 2020 – illustrates well the type of actions that are needed to leverage financing: better use of public funds, aggregation of projects and, enhancement of financing conditions. This rationale is also the one that led the Commission to propose, in its proposal amending the Energy Performance of Buildings Directive, that Member States should introduce mechanisms to guide investment decisions.*

*Also in relation to financing, the Commission would like to highlight that Eurostat, the Commission's Statistical Office, in September 2017 published an updated guidance note on recording of energy performance contracts in government accounts. Energy performance contracts in the public sector offer a practical solution to make public buildings and other public infrastructures more energy efficient, as the initial investment can be covered by a private partner and repaid by guaranteed energy savings. However, frequently this type of contract simultaneously contains elements of a rental, service, lease, purchase or loan agreement, making its recording complex. At the request of Member States, Eurostat worked with National Statistical Institutes to reflect on the most appropriate recording of energy performance contracts in government accounts, resulting in the revised guidance note, which clarifies the accounting rules applied to the treatment of energy performance contracts. Thanks to the revised guidance, it will be easier for public buildings – which make up more than 10% of the overall European Union building stock – to invest for the purpose of improving energy efficiency.*

*In relation to the provisions on electro-mobility in the proposal amending the Directive on the Energy Performance of Buildings, the Commission would like first to emphasise that the ambition, as set out in the proposal, is proportionate and relevant for the European Union as a whole, when considering the projection for the development of electric vehicles by 2030. Battery Electric Vehicles and Plug-in Electric Vehicles are projected at 32 to 52 million by 2030 (12% of new sales in the EUCO30 scenario). This suggests that between 35 and 57 million recharging points would be needed in 2030 for the whole European Union<sup>1</sup>. In contrast, the Commission proposal would mandate only 3.11 million recharging points in non-residential building by 2030 and would enable the installation of recharging points by pre-cabing an additional 2.87 million parking spaces by 2030. The targets set in the Commission proposal would therefore ensure that a minimum number of recharging points is available for electric vehicle users, but would still leave significant flexibility to Member States – in particular those which, like Italy, are front-runners on electro-mobility – to calibrate the extension of their recharging*

---

<sup>1</sup> Commission non-paper on the electric vehicles recharging infrastructure in the proposal amending the Directive on the Energy Performance of Buildings, WK 4874/2017 INIT, April 2017.

*infrastructure according to the development of the electric vehicle market at national level.*

*On electro-mobility, the Commission would also like to stress that the cost of the installation of recharging points is limited both in non-residential and residential sectors. The assessment of the Commission services is that these costs would lie in any case between 0.5 and 2% of the costs of a major renovation for the type of buildings targeted, and would be even smaller in the case of new constructions.*

*In relation to the Senato della Repubblica's concern on the imposition of specific technological solution by the proposal on electro-mobility, the Commission would like to stress that the proposal does not prescribe specific technology for charging of the electric vehicles, but a range of standardised power ranges and plugs, as defined in the Alternative Fuels Infrastructure Directive<sup>2</sup>.*

*More specifically on the pre-cabling of parking spaces in residential buildings (Article 8(3) of the proposal), the Commission would like to underline that these provisions are aimed at addressing a critical barrier to the installation of recharging points on private parking spaces in multi-apartment buildings. The pre-equipment of parking spaces is actually the most effective way to ensure that apartment owners can install, when they wish so, a recharging point on their parking space. As regards the costs, the Commission would like to stress again that these are very limited, in particular in comparison to the costs of a major renovation or a new construction.*

*The Senato della Repubblica also rightly emphasises that small and medium-sized enterprises should not have to bear costs that could hinder their investment capacity. This assessment is shared by the Commission and this is the reason why specific exemptions from electro-mobility obligations have been included in the proposal for buildings owned and occupied by small and medium-sized enterprises.*

*On the relation between electric vehicles and renewable energy, the Senato della Repubblica relevantly stresses that recharging points could make use of electricity produced from on-site renewable energy sources. However, on the comment made on the possible impact on the calculation of energy performance, the Commission would like to underline that electricity consumed by recharging points would not be counted as part of the energy needs of the building.*

*The Senato della Repubblica also highlights that renovation is a critical priority and, in relation to this, suggests extending the obligation to renovate each year 3% of the floor area of buildings owned and occupied by central government under Article 5 of the Energy Efficiency Directive to all the buildings of the public administration. The Commission would like to inform the Senato della Repubblica that it did not propose to*

---

<sup>2</sup> Directive 2014/94/EU of the European Parliament and of the Council of 22 October 2014 on the deployment of alternative fuels infrastructure, OJ L 307, of 28 October 2014, p. 1.

*reopen Article 5 of the Energy Efficiency Directive when submitting the Clean Energy for all Europeans proposals, and has not analysed what the impact of widening the scope would be. However, previously, when the Commission presented the proposal for the initial Energy Efficiency Directive in 2011, it did propose that the requirement should encompass the whole public sector. The outcome of the negotiations then was that the requirement should only apply to central government, which – in the Commission's view – entailed a substantially lower level of ambition.*

*On the evaluation of energy savings thanks to renovation (Article 10(6) of the proposal), the Senato della Repubblica states in its Opinion that methods other than Energy Performance Certificates could be used. While the Commission acknowledges that alternative methods can provide a reliable assessment of energy savings, the Commission would like to stress that the purpose of the proposal for a new Article 10 is to ensure a link between financial support and the quality of renovation measures, whether major or minor. The choice to rely on Energy Performance Certificates is based on the argument that these have proven to be a very useful market tool in many Member States, mainly in the residential sector. In addition, Energy Performance Certificates should become a requirement for more effective financing of renovations, especially through Cohesion Policy Funds<sup>3</sup>. The Energy Efficiency Financial Institutions Group has also highlighted the importance of energy performance certificates for making financial decisions, including loans<sup>4</sup>. On the role of Energy Performance Certificate databases, the Commission would like to underline that such databases are already in place in 26 Member States. When they are in place, these databases can play an important role in facilitating investments in building renovation and contributing to more targeted and effective energy efficiency policies. The proposed provision on the tracking of actual energy consumption of buildings thanks to these databases would take this endeavour further, making more transparent information on building stocks available so as to better inform policy makers and support the decisions of market players, in particular financial institutions. Therefore, the Commission sees the added value of having more information not only on the energy performance of the building stock, but also on actual measured energy consumption in the databases.*

*On the issue of district heating, the Commission agrees that such solutions can be beneficial and would like to refer to Article 6 and Article 7 of the current Energy Performance of Building Directive, makes reference to district or block heating or cooling as one of the high-efficiency alternative systems that should be taken into account before the construction of a new buildings or the major renovation of an existing one. These provisions have been deleted in the proposal amending the Directive for simplification purposes because, at the time the amended Directive would enter into force, they would become redundant with the requirement for all new buildings to be*

---

<sup>3</sup> See the Commission report on financing energy renovation {COM(2013) 225 final}, which also came to the same conclusion.

<sup>4</sup> Energy Efficiency – the first fuel for the EU Economy, How to drive new finance for energy efficiency investments (Final report covering Buildings, Industry and SMEs), Energy Efficiency Financial Institutions Group, February 2015 – available at <http://eefig.eu/index.php/the-eefig-report>.

*nearly zero-energy buildings. Reaching nearly zero-energy level actually implies that the use of locally available high-efficiency alternative systems becomes an implicit obligation, since the requirement to have a very high energy performance and comply with stringent minimum energy performance levels makes it necessary to assess all feasible available heating and cooling systems. This includes, when available, district heating and cooling. This assessment is confirmed by information collected in the context of the Concerted Action on the Energy Performance of Buildings Directive, which suggests that a majority of Member States use district heating with a high share of renewable energy sources as one of the strategies to introduce renewable energy in nearly zero-energy buildings.*