

MINISTRY OF INDUSTRY, ENERGY AND TOURISM
STATE SECRETARIAT FOR ENERGY

**Report on the exemptions adopted pursuant to Article 14(6) of
Directive 2012/27/EU of the European Parliament and of the
Council of 25 October 2012 on energy efficiency**

SPAIN

Madrid, 5 December 2013

1. INTRODUCTION

The purpose of this report is to notify the European Commission, in accordance with the provisions of the final paragraph of Article 14(6) of Directive 2012/27/EU of the European Parliament and of the Council of 25 October 2012 on energy efficiency, of the exemptions adopted as regards the cost-benefit analysis which must be carried out after 5 June 2014 when:

(a) a new thermal electricity generation installation with a total thermal input exceeding 20 MW is planned, in order to assess the cost and benefits of providing for the operation of the installation as a high-efficiency cogeneration installation;

(b) an existing thermal electricity generation installation with a total thermal input exceeding 20 MW is substantially refurbished, in order to assess the cost and benefits of converting it to high-efficiency cogeneration;

(c) an industrial installation with a total thermal input exceeding 20 MW generating waste heat at a useful temperature level is planned or substantially refurbished, in order to assess the cost and benefits of utilising the waste heat to satisfy economically justified demand, including through cogeneration, and of the connection of that installation to a district heating and cooling network;

(d) a new district heating and cooling network is planned or in an existing district heating or cooling network a new energy production installation with a total thermal input exceeding 20 MW is planned or an existing such installation is to be substantially refurbished, in order to assess the cost and benefits of utilising the waste heat from nearby industrial installations.

However, under Article 14(6) Spain may dispense with a cost-benefit analysis in respect of:

(a) those peak load and back-up electricity generating installations which are planned to operate under 1 500 operating hours per year as a rolling average over a period of five years, based on a verification procedure established by the Member States ensuring that this exemption criterion is met;

(b) nuclear power installations;

(c) installations that need to be located close to a geological storage site approved under Directive 2009/31/EC.

Member States may also lay down thresholds, expressed in terms of the amount of available useful waste heat, the demand for heat or the distances between industrial installations and district heating networks, for exempting individual installations from the provisions of points (c) and (d) of paragraph 5.

Member States shall notify exemptions adopted under this paragraph to the Commission by 31 December 2013 and any subsequent changes to them thereafter.

2. EXEMPTIONS IN ACCORDANCE WITH ARTICLE 14 of DIRECTIVE 2012/27/EU

2.1 Exemptions under paragraphs 6(a), (b) and (c)

Regarding the possible exemptions set out in Article 14(6), we expect only to dispense nuclear power plants from the provisions of paragraph 14(5)(a), without prejudice to possible future changes which, if they come about, will be communicated to you using the procedure in place.

2.4 Exemptions under paragraphs 5(c) and (d)

- Concerning installations with a total thermal input exceeding 20 MW generating waste heat at a useful temperature level, **no exemption is planned.**
- Concerning district heating and cooling networks, **no exemption is planned.**

3. CONCLUSIONS

This report meets the requirements of the final paragraph of Article 14(6) which requires Member States to notify the Commission of exemptions that are planned under paragraph 5 by 31 December 2013.