

AGFW-Antwort auf die Fragen der CISAF-Konsultation

General comments

Please provide any comments you may wish to bring to the Commission's attention in relation to the draft proposal for a new Clean Industrial Deal State aid Framework.

Antwort: NA

Section 4 Aid to accelerate the rollout of renewable energy

Please provide any comments specific to section 4.1 of the draft framework ("Aid schemes to accelerate the rollout of renewable energy").

Antwort:

Para 32: We suggest adding the following point (c):

(c) system-integrating cogeneration systems consisting of a highly efficient cogeneration as defined in Annex III of Directive (EU) 2023/1791 and a power-to-heat installation and/or thermal storage and providing the services in accordance with para (34) point (a).

Justification: The CHP plant provides electrical power in a predictable manner and thus provides the "positive balancing performance". Power-to-(district)-heat (PtH) plants provide "negative balancing services" by (primarily) using/consuming so-called "surplus" electricity from renewable energies. This creates space for the use of electricity from renewable energies instead of curbing it. From this comprehensive system-integrated flexibility concept, power is made available to the power system in a predictable manner, and renewable electricity is integrated into the DHC system. At the same time, other heat generation is reduced, primary energy sources are conserved, emissions are avoided, etc. The thermal storage also "decouples" demand and supply on the heat side in terms of time and thus makes it more flexible.

Para 33 in combination with para 40:

We explicitly welcome the inclusion of aid for thermal storage in section 4.1 and section 4.1.1 of CISAF. As a key flexibility asset for both the electricity and heating and cooling sectors, thermal storage plays a pivotal role in enabling the efficient integration of renewable energy and accelerating its deployment. Simplified and accelerated State aid measures and an aid intensity of 45% or up to 65% of total investment costs as outlined in para 42, represent a powerful incentive to scale up thermal storage across Europe.

If you consider the proposed completion deadlines or exemptions therefrom (see point (37)) are not appropriate, please provide concrete justification for any alternative timeline or other exemptions you would consider more appropriate.

Antwort: The proposed completion deadline of 36 months in para 37 is not enough for larger projects for renewable heat production or heat storages. We suggest extending the deadline to **at least 48 months** after the date of granting.

The German funding scheme KWKG (Kraft-Wärme-Kopplungsgesetz) is a good example for a four-year completion deadline. The KWKG allows funding for highly efficient cogeneration plants (§ 6), district heating networks (§ 18), and thermal storage (§ 22). In order to receive KWKG funding beyond 2026, the cogeneration plant, district heating network or thermal storage must be in operation within 4 years after all relevant permits have been submitted.

Please provide any comments specific to section 4.2 of the draft framework (“Aid for non-fossil flexibility support schemes”).

Antwort: NA

Please provide any comments specific to section 4.3 and Annex I of the draft framework (“Aid for capacity mechanisms following a target model”).

Antwort: NA

Section 5: Aid to deploy industrial decarbonisation

Antwort zu Frage 1: The suggested aid mechanism for investments in energy infrastructure in para 74 in combination with para 72 is not working as intended. We suggest deleting para 74 of CISAF entirely.

Justification: Section 5 of CISAF aims for aid mechanisms to deploy industrial decarbonisation. Para 74 allows for investments in energy infrastructure, as long as the conditions of para 72 are met. However, para 72 cannot be fulfilled in practise. The supply of industrial waste heat to a district heating network does not lead to (i) a reduction in direct greenhouse gas emissions of the industrial activity itself or (ii) in a reduction of the energy consumption of the beneficiary’s industrial activity.

Moreover, para 74 directly affects the property rights of the energy utility as it requires “an open infrastructure that is subject to third-party access”. Funding mechanisms for energy infrastructure should be included in other aid mechanisms targeting the energy sector itself. The suggested mechanism in para 74 CISAF is overly complicated and should be deleted.

Begründung für den EK-EU: Abschnitt 5 zielt eindeutig auf Industrieförderung ab. Förderfähig wären also Industrieunternehmen.

Nach Rn. 72 müsste die Förderung entweder zur direkten Reduktion von THG-Emissionen oder vom Energieverbrauch des Beihilfeempfängers führen. Liefert ein Industriebetrieb Abwärme an ein FVU senkt dies jedoch nicht dessen eigentliche Emissionen / dessen Energieverbrauch.

Nach Rn. 74 müsste geförderte Energieinfrastruktur entweder am Standort des Industriebetriebs liegen oder an ein öffentliches Netz mit „third-party-access“ geliefert werden. Die TPA-Bedingung könnte für Abwärmelieferungen an ein FW-Netz gefährlich sein.

Section 6: Aid to ensure sufficient manufacturing capacity in clean technologies

Please provide any comments specific to section 6 of the draft framework ("Aid to ensure sufficient manufacturing capacity in clean technologies").

Antwort: NA

The list of clean technologies in point (122) eligible for manufacturing aid should be defined by reference to identifiable market failures in ensuring resilient supply of such technologies. Please indicate whether you consider that the scope for aid for clean tech manufacturing equipment and components activities under section 6 should be aligned with the scope of the corresponding section of the Temporary Crisis and Transition Framework (as set out in the draft for consultation of stakeholder views), with the scope of the Annex of the Net Zero Industry Act, or with some other sub-set of such technologies. Please provide justification and any available evidence for the scope of projects for which you consider that State aid for additional manufacturing capacity is required.

Antwort:

The DHC sector welcomes heightened attention to encourage clean tech manufacturing aid to increase the EU's competitiveness. The EU maintains an industrial leadership in the heating and cooling sector, and it is also crucial for the transition to a net-zero economy. State aid must be accelerated for the production and acquisition of all equipment for decarbonised heat production, distribution, and storage which can render DHC systems carbon-negative.

The Net Zero Industry Act (NZIA) aims to enhance European manufacturing capacity for net-zero technologies and their key components, addressing barriers to scaling up production of central decarbonisation technologies in Europe. Chapter 6 of CISAF aims to provide aid for sufficient manufacturing capacity in clean technologies in Europe. Interlinking the Net Zero Industry Act and chapter 6 of CISAF would be logical to allow member states to create accelerated state aid measures to accomplish the NZIA targets. The NZIA aims to enhance manufacturing capacity for strategic net-zero technologies and provide the EU with competitive industrial leadership.

Art. 4 of the NZIA defines a concrete list of net-zero technologies. Annex I of the NZIA substantiates final products and specific components considered to be primarily used for the production of net-zero technologies. We strongly recommend including the entire scope of Art. 4 and Annex I of the NZIA for chapter 6 of CISAF, particularly in para 122(a) and para 142 of CISAF. This would allow for accelerated depreciation schemes for all types of equipment for the production, distribution, and storage of decarbonised heat along the entire district heating and cooling value chain. It would

significantly increase the demand for said clean technology equipment in the district heating sector and therefore create additional manufacturing capacity.

Section 7: Aid to reduce risks of private investments

Antwort: NA

Begründung für den EK-EU: Nicht direkt relevant für FVUs. Abschnitt 7 verweist in Rn. 146 u.a. auf Förderung für Energieinfrastruktur in Form von „legal monopolies“. Wir sollten auf keinen Fall argumentieren, dass FW-Systeme gesetzliche Monopole seien.

Ihr Ansprechpartner
Raphael Schenkel
Referent Europa
+49 69 6304-219
r.schenkel@agfw.de

Herausgeber: AGFW | Der Energieeffizienzverband für Wärme, Kälte und KWK e.V.

AGFW ist der Spitzen- und Vollverband der energieeffizienten Versorgung mit Wärme, Kälte und Kraft-Wärme-Kopplung. Wir vereinen mehr als 700 Versorgungsunternehmen (regional und kommunal), Energiedienstleister sowie Industriebetriebe der Branche aus Deutschland und Europa. Als Regelssetzer vertreten wir über 95 % des deutschen Fernwärmeanschlusswertes.

Der AGFW ist registrierter Interessenvertreter und wird im Lobbyregister des Bundes unter der Registernummer R001096 geführt.

Stresemannallee 30 | D-60596 | Frankfurt am Main | +49 69 6304-1 | info@agfw.de | www.agfw.de
Schumannstraße 2 | D-10117 | Berlin-Mitte

© copyright
AGFW, Frankfurt am Main