POSITION PAPER ON EU GRIDS PACKAGE

25.03.2026

German Lobby register number: R002477
EU Transparency register number. 426344123116-68

EXECUTIVE SUMMARY

Amprion welcomes the European Commission's decision to place the electricity grid high on the European agenda. A secure and robust grid is essential to decarbonising the energy system and strengthening Europe's resilience. That is why its further development and enhancement is vital. As one of the biggest transmission system operators of Europe, Amprion is planning and building the grid of tomorrow while securely operating the grid of today.

For Amprion, three key messages are essential:

- The centralisation of the planning process at EU level will not help the TSOs to deliver the projects. The decisions must be taken at the right level (national, regional or EU level).
- The sharing of costs for grid projects should be on voluntary basis. The best level for an agreement is at regional level with an early involvement of all actors.
- EU procedural rules for grid permitting are currently sector-specific and across numerous texts, which results in legal confusion on national level. That is why a single, coherent framework for permit-granting procedures avoiding fragmented, duplicative legislation would be of particular importance for accelerating the process.

GRID PLANNING (TEN-E Article 11-14, Annex VII)

Scenario Governance and TYNDP Cycle (Art. 11, Annex VII)

Plan for uncertainty - Europe should not rely on a single "central" scenario for long-lived grid infrastructure. Several central, plausible scenarios for electrification, industry, hydrogen and sector coupling should guide EU-wide grid planning.

Political framing by EC, technical delivery by ENTSOs – the European Commission sets the overall scenario boundaries with:

- strong involvement of Member States (MS), national authorities, TSOs and ENTSOs,
- explicit use of NECPs and latest national developments, aligned with EU decarbonisation targets.

Within this framework, ENTSOs develop and consult the scenarios as technical experts. The EC approves them via implementing act, ensuring MS co-decision and political ownership.
The TYNDP (scenario, IoSN, CBA, PCI) should follow a stable 2-years cycle to reflect rapid changes in technology, markets and policy.

Identification of System Needs (IoSN) (Art. 12)

Identification of Needs not Solutions - the IoSN should find the economic optimum of the cross-border capacities (between TYNDP zones) for each scenario enabling robust system-oriented planning and avoiding premature EU level project decisions.

A cross-sectoral methodology should:

- be developed and consulted by ENTSOs, and
- be approved by the European commission, ensuring political legitimacy and alignment with EU objectives.

This ensures quality, coherence and credibility of the IoSN process.

Need Matching, Regional Planning and Governance (Art. 13)

Regional investment plans based on IoSN results: TSOs should prepare regional investment plans that:

- assess how identified economic needs are covered by TSO project portfolios, and
- reveal gaps or alternatives where additional infrastructure or optimisation is needed.

TEN-E Regional Groups (RGs) should assess IoSN and CBA results and consider additional strategic factors such as geopolitics, security of supply, regional resilience and system adequacy. MS in RGs may request further studies or sensitivities from TSOs.

Since MS finance and permit new infrastructure, they must retain sole responsibility for granting new grid projects. In many MS, only certified TSOs are allowed to develop critical infrastructure. EU processes should support, not replace, national decisions.

Cost Benefit Analysis – CBA (Art. 14)

Avoid distorting debates from disaggregating CBA results to country level: TYNDP and CBA are EU-level planning tools and should prioritise overall European welfare. Mandatory publication of CBA results disaggregated at country level is highly sensitive to scenario assumptions, climate and weather conditions, and risks shifting debate to short-term national views, undermining the European planning purpose of TYNDP. Therefore, mandatory national CBA value publication should be removed from the TEN-E framework.

OFFSHORE (TEN-E Article 15-16)

Cross-border radial grid connection (simple connection of offshore generation to the onshore system) should not contribute to the interconnection target as these only contain one grid connection point and therefore do not increase the interconnectivity of the transmission grid. (Art 15)

Amprion supports the definition of regional build-out targets as these poses additional support to the successful cooperation in developing RES with lowest costs. (Art 15)

COST SHARING AND FINANCING (TEN-E Article 14, 17-22)

The sharing of costs between project promoters and even beyond is a complex process that should remain a voluntary. The best level for the agreement is a regional level with an early involvement of all actors – without publishing country-specific CBA-based sharing keys (Art. 14). The cost sharing should only cover a hosting country's costs outweighing the welfare gains (negative net benefit) of a project. Experience like in the North Sea Bassin shows that it is more promising to agree on solutions at regional level. (Art 17)

Bundling of projects can be a solution to find cost sharing agreements at regional level but should **only consider one energy carrier** (electricity, gas, hydrogen) to ensure applicability. (Art 18)

The use of congestion income should remain the responsibility of the national regulators. Current regulation already foresees the usage for grid development and when achieved reduction of grid tariff. Constraining the use of congestion income would weaken financing capacity, increase regulatory complexity, and create legal uncertainty - without delivering clear additional benefits. (Art 19)

CEF Funding for works should be decoupled from CBCA. The criteria for the CEF funding are already high and as CBCA can only start 36 months before construction begins, there is a high risk of delaying the project. Additionally, the prerequisite for a project not being commercially viable for one of the promoters is questionable regarding its practical application. (Art 21)

PCI (TEN-E Article 3-6, Annex I-IV)

Reducing the scope and frequency of PCI/PMI data collections: only key milestones - such as changes in the project phase - require updates, and moving the PCI/PMI monitoring to a biennial cycle will cut unnecessary administrative work without weakening transparency (Art 3,5)

Set workable deadlines: by shifting the PCI/PMI monitoring deadline from December to March would reduce the administrative burden (Art 5)

Reducing the **criteria to 200 MW** will increase the number of projects that will be eligible to PCI/PMI status. This large increase will lead to even less individual assessment of the projects and reduce the quality of the assessments. (Annex IV)

Remove the Unit Investment Costs data collection: the data is not reliable for future projects. (Art 14)

Update the Transparency Platform only for current PCI/PMI projects: reduce the administrative burden and ensure added value of the platform. (Art 26)

PERMITTING (TEN-E Article 7-10, Annex VI, REDIII, Article 15 - 16)

The Commission proposes new rules in various domains, including procedural law for grid permitting procedures. As a general point, Amprion is critical of new rules that solely address procedural steps. Permitting frameworks differ significantly across Member States and must reflect national administrative structures and legal traditions. Top-down procedural changes would alter well-functioning national workflows, introduce legal uncertainty during the transition phase, and create new administrative interfaces between project promoters and authorities, as well as among authorities themselves. Such changes generate substantial costs with no clear added value. It is therefore a matter of subsidiarity to allow Member States to determine the appropriate procedural framework.

Where EU legislators can add value is in reducing unnecessary burdens stemming from material requirements that are not fit for purpose in electricity grid development.

The introduction of a preclusion rule at EU level (EIA Acceleration Regulation, Art. 6) is welcome: A harmonised preclusion rule strengthens legal certainty, limits late procedural challenges, and supports predictable permitting timelines for electricity transmission projects.

Clarify species protection through population-based approaches (EIA Acceleration Regulation, Art. 8):

- The introduction of a population reference and a clearer definition of incidental killing improve consistency in the application of species protection rules and reduces assessment effort.
- Define unreasonable alternatives and enable parallel coherence measures (RED III, Art. 16g): Clearer criteria for deeming alternatives unreasonable under the Habitats, Water Framework, and Birds Directives, combined with the possibility to implement coherence measures in parallel with project implementation, can significantly shorten permitting timelines without weakening environmental protection.

Introduce sector specific environmental exemptions for transmission projects: Exemptions under the Water Framework Directive, the Soil Monitoring Law, and the Marine Strategy Framework Directive - like those included in earlier drafts of the Grids Package - would reduce duplication and better reflect the system relevance of electricity transmission infrastructure.

Clarify liability during the construction phase (RED III, Art. 15e): Clear and proportionate liability exemptions during construction are essential to avoid legal uncertainty and disproportionate risk exposure to TSOs.

Avoid fragmented and duplicative rules across EU legislation: Similar wording on data portals, tacit approvals, screening deadlines, overriding public interest, exemptions from environmental assessment, and reasonable alternatives are proposed across multiple legal acts. This fragmentation creates legal uncertainty and increases administrative effort without clear added value. One coherent legal reference point should therefore be established and consistently referred to across EU legislation.

Reduce additional public participation requirements without proven acceleration effects: Further prescriptive requirements on public participation, combined with existing obligations - such as detailed participation concepts under the TENE framework - risk increasing bureaucracy and slowing procedures. These requirements should be critically reviewed for proportionality and practical relevance.

Furthermore, **digitalisation efforts**, which Amprion welcomes, should build on existing systems and experiences. Additional requirements should only be introduced if they demonstrably reduce complexity and cost. The intention to centralise information and track procedural steps is commendable, but practical implementation requires prioritising interoperability. A far more effective and realistic measure, which Amprion would strongly welcome, is the development of a mandatory, shared species data repository. This repository should be fed by authorities, project promoters across all infrastructure sectors and environmental NGOs, and be made **accessible across sectors**. This would address one of the most persistent data bottlenecks in permitting procedures.

NATIONAL PLANNING (Permitting directive, new Article 40a in the electricity directive)

Respect Member State governance in national development plan (NDP) approval and oversight: Competence for approving and amending NDPs must remain with the authority designated by each Member State.

Keep adequacy assessments separate from grid planning: NDPs focus on long-term system operability, whereas adequacy is assessed through NRAA/ERAA (the National and European Resource Adequacy Assessments), ensuring methodological clarity and avoiding duplication of separate regulatory processes.

Ensure proportionate planning and investment obligations: Three-year execution requirements are unrealistic – typical permitting and construction timelines exceed three years, making such expectations impracticable.

Consider grid-optimization and other grid alternative solutions at methodological, not project, level: A methodology-based approach provides clarity while preventing excessive administrative effort at project level.

Avoid burdensome project-level reporting: Detailed project-by-project justifications would significantly increase administrative workload without improving planning quality.

Integrate grid-construction alternatives without over-prioritizing them: These tools reduce operational constraints but cannot replace structural infrastructure, and over-prioritization could undermine long-term grid adequacy.

Maintain subsidiarity and avoid unnecessary escalation: ACER consultation should remain voluntary, as mandatory escalation would introduce procedural complexity and dilute national accountability.