



2nd Country Desk Meeting

“Prosumer collective and draft RES law containing elements of RED II transposition in Poland”

Date: 25.05.2022 r.

Version: 1



This project has received funding from the European Union’s Horizon 2020 research and innovation programme under grant agreement No 953040. The sole responsibility for the content of this document lies with the COME RES project and does not necessarily reflect the opinion of the European Union.

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COUNTRY DESK

The Horizon 2020-Project COME RES

COME RES - Community Energy for the uptake of renewables in the electricity sector aims at connecting long term visions with short-term actions to facilitate the market uptake of renewable energy sources (RES) in the electricity sector. The project has a specific focus on target regions in Belgium, Germany, Italy, Latvia, the Netherlands, Norway, Poland, Portugal, and Spain, where community energy has the potential to be further developed and model regions where community energy is in a more advanced stage of development. COME RES covers diverse socio-technical systems including community PV, wind (onshore), storage and integrated community solutions. The project is coordinated by the Environmental Policy Research Centre (FFU), Freie Universität Berlin (FUB) and with 16 European partners in the consortium.

The Polish Stakeholder desk

Country desks have been set up in all COME RES partner countries to enable informal dialogue forums where, in addition to project results, current topics such as barriers, drivers and development opportunities for RECs are regularly discussed with actors and stakeholders. The Polish country desk is coordinated by KAPE – The Polish National Energy Conservation Agency.

In Poland, the country desk concentrates on community PV and community integrated solutions in the Warmian-Masurian target region. The desk involved a core group of 25 stakeholders, including policy makers, national and regional (renewable) energy organisations, energy clusters, academia, civil society, banks, regional funds for environmental protection and water management, the PV industry, public utilities as well as local authorities and members of the parliament.

Minutes of the country desk meeting

The meeting was the second meeting of the Polish Country Desk in the COME RES project and was held online on 25.05.2022. The meeting was attended by 12 people. During the meeting, the subject of the meeting - Prosumer collective and draft RES law containing elements of RED II transposition in Poland - was presented and then a discussion took place. The meeting ended with a summary and identification of topics for further analysis. The Polish Country Desk has brought together national, regional and local stakeholders, including policymakers, research organisations, regional fund, RES company and other representatives of the energy community.

Anna Dylağ presented the results of the COME RES project to date and project plans. The next topic was a discussion of the draft RES Act - UC99¹, assuming partial transposition of the RED II directive. The changes cover many areas relating to renewable energy sources, such as: energy clusters, modernization of RES installations, operational support for RES installations that are nearing the end of their 15-year support system, hybrid RES installations or offshore wind energy.

The draft law in this regard includes, among other things, establishing clear rules for concluding an agreement to establish an energy cluster and changing the definition of an energy cluster. It is envisaged to introduce a bonus mechanism for the consumption for own needs of energy generated by members of the energy cluster. The basic mechanism of preferences for energy clusters will include exemptions from the RES fee, cogeneration fee, excise tax and obligations related to certificates of origin for electricity generated from RES by members of the energy cluster and consumed by members of the energy cluster for each hour of the settlement period

Later on, Anna Frączek of Client Earth discussed the new elements in the RES Act concerning the collective prosumer. We can talk about the collective prosumer in Polish law with the entry into force of the amendment to the Law on Renewable Energy Sources, which introduced the possibility of using a new institution of accounting for micro and small installations of renewable energy sources. This is a solution that allows direct generation and consumption of energy from renewable sources by owners of premises in multi-family buildings. In this case, both the electricity consumption points and the installation of renewable energy sources are connected to the electrical distribution network via the building's internal electrical system. The discussion focused on the practical application of the law's provisions and the impact on the current prosumer energy industry.

Concluding discussions and mingling

The country desk meeting yielded 3 conclusions, including:

- The collective prosumer provides an opportunity for residents of multi-unit buildings in cities - users who are excluded by Polish law from the energy cooperative - to produce and use renewable energy.
- The participants agreed that transposition of REDII and IEMD directives lasts too long. The draft laws have been awaiting implementation for more than a year and do not constitute a complete transposition.
- The billing method for both collective prosumers and energy cooperatives is unknown.

¹ <https://www.gov.pl/web/premier/projekt-ustawy-o-zmianie-ustawy-o-odnawialnych-zrodlach-energii-oraz-niektorych-innych-ustaw7>

Time	Activity
11:00-11:05	1. Welcome: Anna Dyląg (KAPE)
11:05-11:20	2. The COME RES project results: Anna Dyląg (KAPE)
11:20-12:00	3. Discussion of the draft law regarding RED II requirements: Zuzanna Sasiak (Polish Green Network)
12:00-12:30	4. Collective prosumers analysis: Anna Frączek (ClientEarth)
12:30	5. Final summary and conclusion: Anna Dyląg (KAPE)

Table 1 - Agenda of Country Desk.

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