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**Advancing Renewable
Energy Communities**

1. Thematic Workshop and Policy Roundtable of the German Country Desk 30.03.2021

SUMMARY REPORT

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Since 1 September 2020 the Environmental Policy Research Centre (FFU) of the Freie Universität Berlin has been coordinating the Horizon 2020 project COME RES, which aims to facilitate the market development of renewable energies in the electricity sector through the advancement of Renewable Energy Communities (RECs) in nine EU countries. So-called country desks have been set up in Germany and the other partner countries. The country desks serve as informal dialogue forums where, in addition to (interim) project results, current topics such as barriers, drivers and development opportunities for RECs are regularly discussed with actors and stakeholders. The country desk in Germany is coordinated by the Environmental Policy Research Centre. The thematic focus in Germany is on wind energy (onshore) and integrated approaches (e.g. microgrids, virtual power plants). The regional focus is primarily on Thuringia as the target region and on Schleswig-Holstein as the model region in the frame of the COME RES project. However, relevant developments in other federal states will also be considered.

In addition to regular country desk meetings, thematic workshops on relevant topics are organised. On March 30, 2021, the first thematic workshop of the country desk in Germany took place, which was organised by FFU in cooperation with the **Wind Energy Service Unit** of the **Thuringian Energy and GreenTech Agency (ThEGA)**. The workshop was titled "The Future of Citizen Wind Power - What Should a Regulatory Framework for Renewable Energy Communities Look Like?" Its aim was to organise a stakeholder dialogue on the transposition and implementation of the recast Renewable Energy Directive (RED II) in Germany and in the different *Länder*, especially with regard to the regulations addressing specifically RECs. The online event gathered 70 actors and stakeholders including policy makers from the EU, as well from the national, regional and local level.

The workshop was structured into three sections: the **introductory part** included presentations about COME RES and selected issues of the transposition process in Germany. This was followed by an **interactive dialogue session** and a **roundtable with policy makers** concluded the event. A detailed documentation of the workshop in German language including the presentation slides can be found at the COME RES website <https://come-res.eu/stakeholder-desks/germany>. The workshop was moderated by **Dr Bettina Knothe**, Consultant for Participatory Sustainability.

The workshop was opened by **Prof Dr Dieter Sell**, Managing Director of the Thuringian Energy and GreenTech Agency and **Dr Rosaria Di Nucci (FFU)**. Further on, **Dr Di Nucci** and **Michael Krug (FFU)** presented key activities and preliminary results of the COME RES project including the findings of a legal gap assessment referring to the transposition of the RED II in the different COME RES partner countries. The speakers reported that in Germany there is still a lack of a legal definition of RECs that fully complies with the requirements of the RED II. Further transposition gaps have been identified in the field of electricity sharing or regarding the required assessment of barriers and development potentials for RECs. **Ana Maria Sanchez Infante**, European Commission, gave an insight into the European energy policy context, the policy objectives and the legal framework for RECs and citizen energy communities (CECs) provided by the RED II and the Integrated Electricity Market Directive respectively. **Bernd Voß**, Member of the State Parliament of Schleswig-Holstein and the European Committee of the Regions, highlighted the political possibilities to implement the European goals regionally. He also formulated demands to the Federal

government: empower citizens, change the regulatory framework and accelerate the transposition of relevant EU directives.

The **introductory part** included presentations by **Klaus Mindrup** (Member of the Federal Parliament, SPD), **Malte Zieher** (Alliance for Citizens' Energy, *Bündnis Bürgerenergie*) and **Dr Philipp Leander Wolfshohl** (Federal Network Agency, *Bundesnetzagentur*). **Klaus Mindrup** gave a brief outline of the historical development of citizen energy and referred to Germany's pioneering role. However, in his view this has changed. A crucial turning point has been marked by the debate about the supposed lack of solidarity through exemptions from surcharges and grid fees for renewable self-consumers. He emphasised that the Federal Ministry of Economic Affairs and Energy (BMWi) does not follow the path of the EU and its concept of self-consumption/prosumership. **K. Mindrup** also commented the resolution (*Entschliessungsantrag*) of the parliamentary groups of CDU/CSU and SPD accompanying the most recent amendments of the Renewable Energy Sources Act adopted in December 2020. He added that he will not expect any significant changes to the legal framework before a new government will be in office after the parliamentary elections in September 2021. He emphasised that the existing definition of citizens' energy companies (*Bürgerenergiegesellschaften*) in the Renewable Energy Sources Act (EEG) has not been adjusted because the Christian Democrats (CDU) and the ministerial administration of the BMWi shared the opinion that the existing definition was already sufficiently complying with the requirements of the RED II.

Malte Zieher explained the concept to energy sharing which has been anchored in the RED II, but which - in his view - has not yet been transposed in the German legislation. He called for respective electricity tax exemptions, cost-based grid charges and simplified reporting obligations for RECs. The speaker referred to an impulse paper on energy sharing prepared by Energy Brainpool¹ and added that energy sharing, peer to peer trading and self-consumption represent a number of new opportunities the new EU legislation offers to citizens. He emphasised that the European legal framework envisages that Member states shall take into account specificities of RECs when designing support schemes in order to allow them to compete for support on an equal footing with other market actors. **Dr Wolfshohl** illustrated recent developments of the auction system and assured that non-discriminatory access to tenders for RECs is guaranteed. He also pointed out that one of the political goals linked to the auctions was to safeguard actor diversity, despite objections formulated by the Federal Network Agency. This political goal, however, has been neglected by the government. In the subsequent discussion, representatives of renewable energy cooperatives underlined that frequent changes to the "rules of the game" and the increasing complexity of the market rules would jeopardise the principle of non-discrimination, although citizen energy cooperatives are generally happy to play with the rules.

Key issues highlighted in the **interactive dialogue session** were the need for further action regarding the transposition and implementation of RED II, the development potentials for RECs in the COME RES target

¹ https://www.buendnis-buergerenergie.de/fileadmin/user_upload/2020-03-06_EnergyBrainpool_Impulspapier-Energy-Sharing.pdf

region Thuringia and the model region Schleswig-Holstein as well as the elements of an enabling framework for RECs and the possibilities of the federal states (*Länder*), districts and municipalities to facilitate the development of RECs. It was emphasised by several participants that (financial) participation of citizens and local communities is generally necessary to achieve a broader level of social acceptance. This should be accompanied by effective formal and informal procedural participation. Another issue which was highlighted were the problems municipalities are facing in obtaining adequate information about citizen energy companies active in their territory and participating in the auctions. This was followed by an intense discussion on the need of waterproof definitions of citizen energy companies (resp. renewable energy communities) in order to avoid misuse of the concept of community energy in the future. Too vague legal definitions in combination with attractive privileges for citizen energy companies in the field of wind energy led to the misuse of the concept after the amendments to the Renewable Energy Sources Act (EEG) in 2017 which marked the transition from feed in tariffs/premiums to auctions. The participants also discussed existing support instruments for RECs like community resp. citizen energy funds. Schleswig-Holstein was the first of the German *Länder* that has set up such a fund in 2018. Stakeholders from Thuringia appreciated that the Thuringian state government decided to follow this example and **Milena Schulz-Gärtner** representing the Ministry of Energy Transition of Schleswig-Holstein offered the Ministry's assistance in setting up a similar fund in Thuringia. **M. Krug** (FFU) also emphasised that COME RES aims to facilitate transfers of good practice and signalled the project's general readiness to support such a transfer. The discussion also revolved around the need for strengthening knowledge and competence in the municipalities and better staffing of the energy agencies.

The **policy roundtable ("policy lab")** was moderated by **Dr Bettina Knothe** and involved the following persons:

Ana Maria Sanchez Infante, European Commission, GD ENER

Tobias Goldschmidt, State Secretary, Ministry of Energy Transition, Schleswig-H.

Klaus Mindrup, Member of Federal Parliament, SPD, Representative for Cooperatives

Markus Gleichmann, Member of State Parliament, Thuringia, Die Linke, European Committee of the Regions

Laura Wahl, Member of State Parliament, Thuringia, Bündnis 90/Die Grünen

Hans-Jürgen Weidt, Mayor of the Municipality of Werther, Thuringia.

Initially, the policy roundtable addressed issues related to the transposition of RED II from both a European and a regional perspective. Furthermore, the contributions of RECs to enhance social acceptance were highlighted. Further acceptance factors which have been identified include the involvement of all citizens, early fact-based information, and the generation of local value added. A problem in Thuringia is the negative perception of the energy transition - frames are crucial, e.g. in relation to public services and job creation, since there is severe local opposition against wind energy projects. It was proposed to introduce a spatial target for wind energy at federal level (2% of the total area to be reserved for wind energy) and to launch a nationwide citizen energy fund. In addition, the importance of cooperation between cooperatives and municipalities, as well as between urban and rural regions was stressed together with an expansion of the

leeway for financial participation offered to municipalities. It was suggested to check whether the possibility of voluntary payments by the operators of new wind farms to host municipalities which has been recently introduced with the amendments of the Renewable Energy Sources Act of 2020 might be extended to operators of existing wind energy plants.

In her summary, **Dr Rosaria Di Nucci** (FFU) underlined that the implementation of the RED II in Germany may face danger of becoming a lost opportunity. She addressed the multiple dimensions of the implementation process as well as some implementation deficits. In the workshop, important elements that should be included in a future enabling framework for RECs were mentioned (e.g. citizen energy funds). The presentations and reactions in the chat also illustrated the socio-political, economic and environmental challenges involved, in particular the need for concretisation in relation to RECs (targets, proximity, effective control, rights of RECs, energy sharing etc.). **Michael Krug** (FFU) added that the next thematic workshop will take place in early September 2021. A further meeting of the country desk will take place in December 2021; the third thematic workshop will follow in spring 2022.

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