



11 March 2021
Rue Wiertz, 60
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Ms Kadri Simson, Commissioner, Directorate-General for Energy
Rue Demot 24, 1040 Brussels, Belgium Kadri.SIMSON@ec.europa.eu

Dear Commissioner Simson, dear Kadri,

first and foremost, I hope you and your loved ones are well in these difficult times.

As I know about your strong dedication to make the Green Deal come true, I would like to bring your attention to an important issue that requires quick action in order to prevent the stalling of wind farm development in Germany.

Currently, the European Commission has not yet given its approval for the recently revised German Renewable Energy legislation ('Erneuerbare-Energien-Gesetz' - EEG), which has to undergo an evaluation concerning the conformity with Union rules on state aid. Apart from the continuation of the levy exemption for certain industries, since 1 January 2021, the EEG levy is stabilized by funds from the federal budget. This constitutes state aid, which must be approved by the EU Commission. Almost all relevant regulations of the EEG 2021 are affected by this, meaning the follow-up support for existing plants that no longer receive EEG support, as well as the expansion of new wind farms via tenders.

The website of the German Federal Network Agency (Bundesnetzagentur) states that "the approval by the European Commission under state aid law, as required by Article 105 (1) of the EEG, is not yet available. As soon as the European Commission has given its approval, the surcharges can be issued"¹. Therefore, all tenders are put on hold, meaning that development of new wind farms receives another devastating blow. This situation leads to considerable uncertainties for all wind energy stakeholders, endangering the sheer existence of many companies.

I kindly ask you to investigate on the state of play in Commission's decision making. A speedy decision is needed to resolve uncertainties, comply with the objectives of the Green Deal and the urgently needed scale-up of renewable energy in the EU.

According to the website of the German Ministry for Economy and Energy, intense consultation with the Commission was made during the revision of the Renewable Energy Legislation, and agreement on most of the relevant issues was reached². Against this background, how long will the Commission need for a final approval? Are there any unresolved issues that require a response by the German government?

As the rapid deploy of renewable energy is indispensable to reach our climate objectives, I am happy to have a personal exchange with you, where we then could also discuss the revision of RED II.

I am looking forward to receive your answer.

Yours sincerely,
Jutta Paulus MEP

¹ https://www.bundesnetzagentur.de/DE/Sachgebiete/ElektrizitaetundGas/Unternehmen_Institutionen/Ausschreibungen/Wind_Onshore/Gebotstermin_01_02_2021/Gebotstermin_01_02_21.html

² <https://www.bmwi.de/Redaktion/DE/FAQ/EEG-2021/faq-beihilferechtlichen-genehmigung-eu-kommission.html>