


Summary of the assessment of national guarantees of origin for electricity produced from renewable sources (GO) and disclosure systems for the purpose of decisions about the recognition of imported GO
On behalf of the German Federal Environment Agency

Luxembourg	
<div style="display: flex; flex-direction: column; align-items: center; gap: 10px;"> <div style="border: 1px solid black; width: 60px; height: 40px; background-color: white;"></div> <div style="border: 1px solid black; width: 60px; height: 40px; background-color: yellow;"></div> <div style="border: 1px solid black; width: 60px; height: 40px; background-color: white;"></div> </div>	<div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="width: 60%;"> <p>Introduction</p> <p>The German Federal Environment Agency (UBA) is currently assessing general questions on whether guarantees of origin for electricity produced from renewable sources (GO) from other Member States of the European Union and further states can be recognized in the course of Article 15 of the Directive 2009/28/EC. The evaluation of the legal and practical set-up of the national systems for GO and electricity disclosure is performed by a consortium of external consultants (Öko-Institut e. V.) and lawyers (Becker Büttner Held Rechtsanwälte Wirtschaftsprüfer Steuerberater PartGmbB (BBH)).</p> <p>General</p> <p>As of 01.02.2018, assessment of available information regarding system-related issues does not result in well-founded doubts about accuracy, reliability or veracity of GO issued in and imported from Luxembourg, so that in accordance with Article 15 Directive 2009/28/EC, there seems to be no reason at present for non-recognition of such GO.</p> <p>In regard to GO from biomass (except waste incineration plants) no official procedures for the reliable determination of renewable energy volumes from production plants exist or is transparently available, but also no such plants are currently registered in the Luxembourg registry. Therefore, for GO which might be issued for potentially registered biomass plants and other biomass co-firing facilities in the future, an assessment of the reliable determination of renewable energy volumes needs to be performed before any recognition of these GO. ILR has announced to introduce clear regulation on this issue with a revised Domain Protocol which is expected to be approved by the AIB General Meeting in June 2018.</p> <p>Specifics</p> <p>At present, Luxembourg GO meet all the criteria mentioned in Article 15 Directive 2009/28/EC. Luxembourg GO are issued for the standard size of 1 MWh and are used for electricity disclosure only. In electricity disclosure, renewables are distinguished from other fuels.</p> <p>Electricity from renewable energies can not only be disclosed based on cancelled GO, but also based on national generation contracts or other certificates which are established by independent organisations or a competent authority. Furthermore, the national competent body <i>Institut Luxembourgeois de Régulation</i> (ILR) is also auctioning the disclosure attributes of supported generation, which then can be disclosed by the successfully bidding suppliers. As ILR, as the authority responsible for the supervision of electricity disclosure, has to be informed about all disclosure attributes and related tracking instruments and taking the limited total number of generation plants into account (currently 13 generation plants are registered in the national GO registry), ILR is</p> </div> <div style="width: 30%; text-align: center;">  </div> </div>

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capable to reliably ensure that no double counting of GO attributes with other explicit tracking instruments occurs. The **residual mix** which is provided by ILR does not contain any renewable energies, while shares of other fuels are increased on a pro-rata basis in order to compensate for potentially missing attribute shares.

There is **no evidence** that GO might be **used to meet the binding renewable energy targets** imposed by Article 3 Directive 2009/28/EC, nor to impact the calculation of the gross energy consumption. GO expire 12 months after the end of the production period. The production period is limited to one month for all production devices with an installed capacity of at least 200 kW. The production of smaller devices needs to be determined at least on an annual basis.

Luxembourg legal regulations as well as the EECS Rules which are applied by ILR, safeguard that Luxembourg GO can be **used only once**. ILR is the **only competent body** in Luxembourg for GO. The rules in place in Luxembourg, and here in particular **the EECS Rules, safeguard accurate, reliable and fraud-resistant issuance, transfer and cancellation of GO and the electronic register with the exception of renewable production from biomass.**

Luxembourg legal regulations as well as the Luxembourg EECS Domain Protocol do not include any official procedures for the reliable determination of renewable energy volumes from production plants based on biomass or biomass co-firing facilities. While no biomass plant is currently registered in the Luxembourg registry, biomass GO from waste incineration have been issued. In the absence of official procedures, ILR confirms to require independent audits for this issuing of GO from waste incineration plants and to apply the methodology for the determination of renewable shares as developed by the German Association of Waste Treatment Plants (Interessengemeinschaft der Thermischen Abfallbehandlungsanlagen Deutschland e.V.). Therefore accurate, reliable and fraud-resistant issuance of biomass GO is ensured for waste incineration plants, but not generally for biomass plants and other biomass co-firing facilities.

As ILR is the national regulatory authority, it can be considered **independent from production, trade and supply**. Issuing of GO takes place for net production based on meter readings, which are under the responsibility of the respective grid operator. Documentation for production devices is checked by an independent auditor when being registered and re-registration is due each five years. Only plants below 30 kW are not continuously audited, but are subject to inspections on a random basis. Luxembourg regulations include **provisions both for the correction of erroneous GO and of erroneous or outdated registered data for production devices**. Luxembourg GO include **all the information required by Article 15 (6) of the Directive 2009/28/EC**.

In conclusion, for the moment and regarding system-related issues, there are **no well-founded doubts as regards the accuracy, reliability or veracity of Luxemburg GO with the exception of biomass GO from biomass plants or biomass co-firing facilities (not including waste incineration plants)**, so that it can be concluded that GO can be recognised for all sources except biomass.

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	<p>Critical issues</p> <p>GO are not the only eligible tracking mechanism for renewable energy as renewable attributes can also be disclosed based on national generation contracts or other certificates which are established by independent organisations or a competent authority. In theory, this could lead to double counting of renewable attributes. However, the Luxembourg competent body ILR has to be informed about all disclosure attributes and related tracking instruments and the total number of 13 registered renewable generation plants in the Luxembourg EECS registry is very limited. Therefore, the supervision of electricity disclosure in Luxembourg by ILR can be considered appropriate in order to ensure that no double counting occurs.</p> <p>Luxembourg legal regulations as well as the Luxembourg EECS Domain Protocol does not include any official procedures for the reliable determination of net renewable electricity volumes from production plants based on biomass or biomass co-firing facilities. Therefore the accurate, reliable and fraud-resistant issuance of biomass GO is not sufficiently safeguarded for the time being. Currently, no biomass plant is registered in the Luxembourg GO registry, but biomass GO for the registered waste incineration plant have been issued. In the absence of official procedures, ILR confirms to require independent audits for this issuing of GO from waste incineration plants and to apply the methodology for the determination of renewable shares as developed by the German Association of Waste Treatment Plants (Interessengemeinschaft der Thermischen Abfallbehandlungsanlagen Deutschland e.V.). This ensures accurate, reliable and fraud-resistant issuance of biomass GO for waste incineration plants. Therefore, no reason for non-recognition of Luxembourg GO from all currently registered renewable production plants according to our assessment exists at present. However, in regard to GO which might be issued for potentially registered biomass plants and other biomass co-firing facilities in the future, an assessment of the reliable determination of renewable energy volumes needs to be performed before any recognition of these GO. ILR has announced to introduce clear regulation on this issue with a revised Domain Protocol which is expected to be approved by the AIB General Meeting in June 2018.</p> <p>Reasons for non-recognition</p> <p>None for non-biomass RES-E GO and for RES-E GO from waste incineration.</p>
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Please note

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