Facilitating public authorities access to energy data for better implementation and monitoring of SEAP actions through effective and structured collaboration with energy data providers

DATACTION

Policy recommendations

Improving energy data sharing

for

Effective sustainable energy planning at sub-national levels

February 2016

Acronyms and Abbreviations

CoM: Covenant of Mayors

DSO: Distribution System Operator

EE: Energy Efficiency

EED: Energy Efficiency Directive

MS: Member State

RES: Renewable Energy Source

TSO: Transport System Operator

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Recommendations for EU and National policy makers

The following section summarizes recommendations **FOR EU AND NATIONAL POLICY MAKERS** on **IMPROVING THE ACCESS and COLLECTION of ENERGY DATA** for sustainable energy planning by sub-national public authorities.

The recommendations are based on the outcomes of roundtable discussions held at EU and regional levels within the framework of the IEE-DATA4ACTION Project. They were derived by identifying gaps in existing legislation and defining key elements that could be introduced in future or revised legislation in order to facilitate the exchange of energy data.

At a European level, recommendations can inform the review of Directive 2012/27/EU on energy efficiency that focuses on Articles 1, 3, 6, 7, 9-11, 20 and 24. They also consider Directive 2009/28/EC on renewable energy, Directive 2010/31/EU on energy performance of buildings, Directives 2009/72/EU and 73 on internal markets in electricity and gas, Directive 95/46/EC on the protection of personal data, Directive 2007/2/EU on Infrastructure for Spatial Information in the European Community (Inspire), Regulation (EC) No 1099/2008 on energy statistics.

The effective transposition of the above listed EU directives is key for improving data access for sustainable energy planning. Additional measures are listed below that can be implemented by Member States directly in national legislations, in order to facilitate access to energy data for sustainable energy planning.

R1 – EU level - *Access to data* - Definition of "energy data for sustainable energy planning"

While the sharing of individual private data with third parties is already addressed by EU directives, the exchange of **territorial, aggregated and non-identifying data** needed for effective sustainable energy planning and monitoring at sub-national levels is usually not addressed, nor defined. Territorial energy data is different from individual private data and is generally not restricted by data protection regulations. By lack of common definition, several expressions are used which are sometimes confusing and hindering energy data sharing efforts.

Recommendation 1: When article 2 of the EED Directive 2012/27/EU is to be revised, a common definition of the energy data set needed for sustainable energy planning, in particular, inventories should be included. It could be defined as *territorial aggregated energy data*. It should include both energy consumption and production data.

R2 – **EU level** - *Access to data* – **Role of Member States**

The role of Member States to facilitate **access to local territorial aggregated energy data** for effective sustainable energy planning at sub-national levels should be emphasized by EU legislation.

Recommendation 2: Directive 2012/27/EU refers to the role of MS in encouraging sustainable energy planning by municipalities (whereas par. 18). When being revised, EED should require that MS facilitate access to energy data required in local and regional energy planning in order to support sub-national authorities in developing and monitoring sustainable energy plans (or similar energy or climate protection planning instruments). This could be achieved by obliging national public authorities to collect local data or by ensuring that sub-national public authorities have access to such data from multiple data providers, such as DSOs, that will need to provide accurate local data by sector and by geographical area. An article "Energy data for sustainable energy planning" could be added to the revised EED (for example under chapter IV – Horizontal Provisions) inviting MS to request and support data processing at sub-national levels for more effective sustainable energy planning.

R3 – **EU level** - *Access to data* – **Role of Transmission and Distribution System Operators**

The key role of Transmission and Distribution System Operators in providing territorial aggregated energy data to public authorities for sustainable energy planning is not yet recognized at EU level (e.g.: article 25 "tasks of distribution system operators" of Directives 2009/72/EC and 2009/73/EC). Hence, this role is not reflected in National legislations (see recommendation 4 below).

Recommendation 3: EU legislation should recognize the key role of TSOs and DSOs in sustainable energy planning and energy data sharing with public authorities, for instance by amending Directives 2009/72/EC and 2009/73/EC, article 25 or incorporating this consideration in the review of the EED and/or RES directives.

Case study: Several European DSOs such as ENEL Distribution in Italy, ERDF in France, EON in Czech Republic are already sharing territorial energy data for sustainable energy planning with municipalities. This effort is done on a voluntary basis and DSOs have expressed a strong need in better defining their roles in this regard.

R4 – **EU and MS levels** - *Access to data* – **Rights and obligations of TSOs and DSOs in National legislations**

There are no obligations for Transmission and Distribution System Operators, within most EU and National legislative frameworks, to provide *territorial aggregated energy data* to public

authorities at sub-national levels. As a result, data exchange processes are only implemented on a voluntary basis. Similarly, public authorities such as regional and provincial authorities supporting municipalities in energy planning, need to be provided with easier, free of charge, access to energy data relating to these municipalities.

Recommendation 4: Forthcoming EU sustainable energy Directives to ask Member States to provide, within their National regulations, legal clarity on rights and obligations of Transmission and Distribution Systems Operators, in particular, as to energy consumption and local energy production data sharing, on an annual basis, with sub-national public authorities. National regulation should acknowledge that data sharing with sub-national authority is among TSO and DSO's duties and that the cost of this duty should be borne by TSOs and DSOs. In particular, public authorities supporting municipalities in energy planning within their territory, such as regional and provincial authorities, are to be provided with free of charge, easy access to energy data of the municipalities they support.

R5 – MS level - *Data format* – Common data format at National level from TSO and DSOs

Data exchanges are usually limited, due to the lack of common data format, leading to additional efforts by data providers to process energy data according to the National energy planning schemes (voluntary or regulatory ones).

There are no recommendations for Member States to take measures to encourage TSOs and DSOs and other data providers (such as obligated parties) to provide energy aggregated data (according to sustainable energy planning needs: CoM or local legislation) to public authorities.

Recommendation 5: Member States to take measures to encourage TSOs and DSOs and other data providers, (such as obligated parties as per directive 2012/27/EU Article 7) to provide to sub-national public authorities, free of charge, accurate aggregated energy data sets in a format that is compatible with the energy planning schemes used at National level. These schemes require aggregated data by sectors (residential, tertiary, industrial, transportation, agricultural sectors) and by geographical areas within each territory and must be provided in compliance with regulations dealing with the confidentiality of information about individual consumers.

R6 – EU and MS levels - *Data communication* – Territorial aggregated data communication to the general public

Sustainable energy planning at regional and local level requires strong multi-stakeholder engagement (civil society, financiers, etc.) in order to actively contribute to the implementation of the plans. As of today, access to aggregated territorial energy data is limited and should be accessible to the general public. EU legislation should include

recommendations for MS to ensure sub-national public authorities provide access to aggregated energy data to the general public.

Recommendation 6: Member States to take legislative measures to ensure that the aggregated data sets provided by the DSOs and other data providers, to the local administrations are public information, and that the local administrations provide this data to the general public at least based upon request.

Case study: In Rhône-Alpes, OREGES, the regional energy data centre provides online information about energy consumed and produced within one territory/municipality. This information is available to the general public: http://oreges.rhonealpes.fr/

R7 – MS level - *Data commercial sensitivity* – **Standardized schemes for commercial data protection**

Most TSOs and DSOs across Europe, agree that territorial aggregated energy data are by nature non-identifying therefore do not lead to data privacy issues. Some exceptions might exist when few large consumers are installed within small municipalities or territories representing a major share of the energy consumed and therefore data privacy and commercial sensitivity can become a significant issue. Varied schemes can be developed to prevent it (legal agreements, limiting data dis-aggregation by defining minimum quantities of commercial entities, etc.). It would help public authorities if MS could develop common rules at least at National level.

Recommendation 7: Member States should propose a standardized scheme and take legislative measures to ensure that commercial sensitivity rules are defined and implemented.

R8 – EU level - Data format – EED **data suitable for regional and local sustainable energy planning**

Energy data requested at National level by Article 7 of the EED 2012/27/EU can be a very effective source of data for energy planning by sub-national public authorities.

Recommendation 8: Member States should be requested as per the revised EED or at their own initiative, to put measures in place to actually request and collect the data defined in article 7 of the EED in a standardized and compatible format with sustainable energy planning initiatives.

R9 – **EU and MS levels** - *Access to data* – **Access to National energy statistics**

National Energy statistics can help with calculating or estimating local energy data for sustainable energy planning. As per EU regulation 1099/2008, yearly energy statistics are to be reported by MS to Eurostat for further consolidation and dissemination. In most cases, National energy statistics are calculated based on the aggregation of sub-national data which are not accessible to public authorities. In addition, data sources and calculation methodologies are not transparent enough (i.e. not including metadata) in order to facilitate local interpretations and improve data accuracy.

Recommendation 9: Member States should be requested (as per the revised EED or other EU directives) or at their own initiative, to make National energy data publicly available with transparent and easy access, in a timely manner and detailed level, that could be useful to other public authorities for sustainable energy planning. In particular, it should be compulsory to make available to municipalities, data related with National and regional supporting schemes for RES and EE projects.

R10 – **EU and MS levels** - *Access to data* – **Support to regional data centres**

MS and regions can play a crucial role in supporting local municipality sustainable energy planning by facilitating access to energy data from multiple providers and by setting up regional data centres or observatories. Several European initiatives have already proven successful (see DATA4ACTION project). More initiatives could be undertaken and provide effective support at regional level.

Recommendation 10: EU legislation should recognize the key role of sub-national data centres working closely with municipalities and facilitating data access and processing for sustainable energy planning. It could be done by requesting MS to encourage regional public authorities, especially the ones that have signed up to the Covenant of Mayors as territorial coordinator to set up or facilitate the creation of independent voluntary "one-stop shop " data centres providing free data sharing services to local authorities and interfacing with multiple data providers. MS, through their National energy agencies or equivalent organization, should also facilitate capacity building activities among these regional data centres (e.g. by creating a National network or capacity building capabilities).

Case study: Across Europe, more than 30 regional data centres exist that are supported by public authorities and work closely with energy data providers and energy agencies in order to provide free of charge energy data services to local authorities for energy planning. Additional 12 regional data centres are being developed across Europe thanks to the DATA4ACTION project. A European network has been created and is supported by FEDARENE http://www.energee-watch.eu/

R11 – **EU and MS levels** - *Access to data* – **Incentivizing data providers**

Obligated parties as defined in Article 7 of the Directive 2012/27/EU can provide significant input data to public authorities for sustainable energy planning. This effort which contributes to more accurate energy planning and energy efficiency is usually not taken into account within the obligation measures chosen at National levels. Hence data providers are not incentivized for their efforts.

Recommendation 11: MS should be invited to establish within their energy efficiency obligation schemes for obligated parties (article 7 Directive Energy efficiency 2012/27/EU), incentive mechanisms for energy providers in order to encourage them to share, with local public authorities, their data available at territorial level for sustainable energy planning. Depending on the National obligation scheme and in the case of White Certificates Trading, incentive mechanism could be created that would allow obligated parties to trade certificates for sharing energy saving data with municipality for instance on an annual basis.

R12 – **EU and MS levels** - *Access to data* – **Public buildings and street lighting**

Context: Energy consumption and production data of public buildings and street lighting are not publicly available in a transparent way to the general public. The exemplary role of public bodies as referred to in Art. 5 of the EED cannot be promoted.

Recommendation 12: Member States should be requested (as per the revised EED or other EU directives) to put measures in place to ensure that energy consumption in individual buildings and facilities belonging to public administrations at all levels is public.

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