

Brussels, 1 December 2017

Dear Ambassadors,

In light of the 2nd informal trilogue on the Energy Performance of Buildings Directive (EPBD) taking place next week on 5 December 2017, the members of the [Platform for Electro-Mobility](#) strongly urge you to take into account the following considerations relating to electro-mobility infrastructure provisions in Article 8:

1. Extend the application of ducting infrastructure provisions and ensure charge points' 'smartness' in new and substantially refurbished non-residential buildings.

The Platform endorses AM 54 which offers an improvement to the European Parliament's position, both with regards to extending ducting infrastructure provisions, calling for 1 out of 5 (option A) or 1 out of 4 (option B) parking spaces to be pre-equipped, as well as with regards to charge points' 'smartness' (*'starting and stopping in reaction to price signals'*) and compatibility with EU charging connector standards (reference to AFI Directive 2014/94/EU). The ability of charging infrastructure to control the charging process is crucial for integrating high numbers of electric vehicles into the electricity system and contributes to optimising the energy use of buildings.

2. Need for a more explicit requirement for the simplification of permitting and approval procedures in multi-tenant existing buildings.

The Platform calls for more explicit wording in AM 58 to clarify that Member States shall simplify and streamline permitting and approval procedures for owners and tenants to deploy recharging points in existing residential and non-residential buildings. No tenant or co-owner should be stopped from installing a recharging point for an electric vehicle, unless there is a material reason for this. While Member States are best suited to define the rules to implement this in their specific country, in accordance with national building and tenant codes, the insertion of an explicit requirement in the EPBD is key to ensuring coherence Union-wide. Several Member States, including France, Portugal and Spain, have already realised this necessity and implemented such rules. The Platform proposes the following, more explicit wording:

For existing multi-apartment residential buildings, Member States shall ensure that private parking space owners shall be able to install, at her/his own expense, a recharging point for electric vehicles without any further approval or procedure, other than the prior communication to the building co-owners, whereby it is recommended that the installation is done by a certified installer or followed by a safety inspection.

3. Ensure wider application of recharging and ducting installations in existing buildings undergoing major renovation.

AM 57 suggests that if the cost of recharging and ducting installations exceeds 5% of the total cost of the major renovation for existing buildings, Member States may decide not to apply pre-equipment requirements set. This would further narrow down of the scope of application of these provisions to existing buildings. Moreover, this would create multiple loopholes for economic operators to evade the proposed pre-equipment requirements. In order to accommodate ever increasing electric vehicle fleets the Platform calls for the elimination of this cost threshold. The application of pre-equipment provisions to major renovations is limited to those encompassing the parking or the electrical infrastructure of the building (in both the European Parliament's and Council's proposals), which sets a reasonable and sufficient threshold.

4. Replace the exemption of small and medium-sized enterprises from the application of provisions for non-residential buildings, set in Art 8(2), with an exemption for '*small and micro-sized enterprises*' only.

As per EU definition¹, SMEs cover enterprises of <250 staff and < EUR 50 m turnover. In EU 28 SMEs account for 99.8% of all enterprises², meaning that their proposed exemption would result in a significant narrowing down of the scope of application of provisions for non-residential buildings set out in Article 8(2). Adequately pre-equipping larger non-residential buildings with charge points and ducting infrastructure is of particular importance as these often provide parking spaces not limited to a single user and are much more frequented than private buildings. This in turn ensures high visibility and intensive usage of installed charge points, which is also key to securing a business case for their operators. A more reasonable approach would therefore be to limit the exemption only to 'small and micro-sized enterprises' (whereby, as per EU definition, small are <50 staff and < EUR 10 m turnover; and micro enterprises are <10 staff and < EUR 2 m turnover).

5. Clarify pre-equipment obligations for buildings of mixed-use and public parking lots operated by private entities.

The European Parliament has already provided useful clarifications regarding pre-equipment obligations in buildings of mixed-use as well as in public parking lots operated by private entities. Given that a significant number of buildings do not strictly fall in either the residential or non-residential category, clarification is important for mixed-use buildings to avoid fragmented approaches to interpretation and implementation of Article 8. The Platform supports the approach taken by the European Parliament, suggesting that the same obligations as for non-residential buildings apply to mixed-use buildings.

An additional identified category of 'buildings' as per the definition of the EPBD, are 'newly built and substantially refurbished public parking lots'. Having these pre-equipped with conduits for the later installation of charge points is key in light of cities' growing concerns with tackling congestion issues and high air pollution levels, and goes hand-in-hand with initiatives to incentivise zero emission vehicles in city centers.

¹ European Commission Recommendation 2003/361/EC, EU definition of SME

http://ec.europa.eu/growth/smes/business-friendly-environment/sme-definition_en

² http://ec.europa.eu/eurostat/statistics-explained/index.php/Statistics_on_small_and_medium-sized_enterprises

Thanking you in advance for your consideration, and we remain at your disposal for further clarifications.

Sincerely,

The members of the Platform for Electro-Mobility

