

**Members of the European Parliament  
of the ITRE Committee**

European Parliament  
Rue Wiertz 66  
BE-1047 Brussels  
BELGIUM

14 March 2018 (UPDATED)

Dear Members of the ITRE Committee,

Ahead of your vote on the gas directive (Buzek report) on 21 March, I would like to share with you the strong concerns that the European business community has regarding the overall process on this file.

There is no doubt that a well-functioning internal energy market and security of supply are central to the Energy Union project and of primary importance for businesses. That is why the right framework conditions are so crucial.

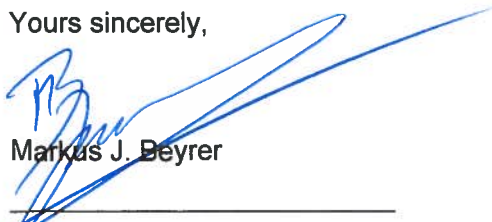
However, from the beginning, the process of revision of the gas directive has not been properly handled, in clear contradiction with the EU better regulation principles. No satisfactory answers have been given so far on the absence of a proper "stakeholder consultation", "impact assessment" or any evidence-based evaluation of existing legislation. And now the outcome of the *ad-hoc* ex-post consultation organised by the European Commission is disregarded, whereas it raised some valid concerns.

It is clear that the proposal is not just a slight amendment but represents a significant change of the EU and EEA regulatory frameworks for interconnector gas pipelines. It would have far-reaching impacts, create huge uncertainties for investments while many outstanding issues remain. Furthermore, a number of amendments in the ITRE Committee, if adopted, would further increase the uncertainty around the impact of the directive such as those introducing a new definition and obligations for "import pipelines". The recent opinion of the Council legal service, stating that the proposal breaches UNCLOS due to the fact that the EU cannot impose such rules in exclusive economic zones, is another example of far-reaching impact of the proposal, which has not been properly assessed.

BusinessEurope believes that a number of the questions now in discussion are legitimate and deserve an open and evidence-based debate, possibly in the context of a greater review of the European gas market policy. We therefore urge the ITRE Committee to give serious consideration to the option of postponing its work until a proper impact assessment and stakeholder consultation have been made<sup>1</sup>.

I remain at your disposal for further discussions on this important matter.

Yours sincerely,



Markus J. Beyrer

<sup>1</sup>The Polish Confederation Lewiatan and the Lithuanian Confederation of Industrialists (LPK) support the continuation of the legislative work within a "fast-track" procedure.