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Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.

The titles of all other acts are printed in bold type and preceded by an asterisk.

II

(Non-legislative acts)

REGULATIONS

COMMISSION DELEGATED REGULATION (EU) 2016/89**of 18 November 2015****amending Regulation (EU) No 347/2013 of the European Parliament and of the Council as regards the Union list of projects of common interest**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) No 347/2013 of the European Parliament and of the Council of 17 April 2013 on guidelines for trans-European energy infrastructure and repealing Decision No 1364/2006/EC and amending Regulations (EC) No 713/2009, (EC) No 714/2009 and (EC) No 715/2009 ⁽¹⁾, and in particular Article 3(4) thereof,

Whereas:

- (1) Regulation (EU) No 347/2013 establishes a framework for the identification, planning and implementation of projects of common interest (PCIs) which are required to implement the nine strategic geographical energy infrastructure priority corridors identified in the fields of electricity, gas and oil, and the three Union-wide energy infrastructure priority areas for smart grids, electricity highways and carbon dioxide transportation networks.
- (2) Pursuant to Article 3(4) of Regulation (EU) No 347/2013, the Commission is empowered to adopt delegated acts to establish the Union list of PCIs ('Union list').
- (3) Projects proposed for the inclusion in the Union list have been assessed by the regional groups and meet the criteria laid down in Article 4 of Regulation (EU) No 347/2013.
- (4) The draft regional lists of PCIs were agreed by the regional groups at technical-level meetings. Following positive opinions of the Agency for the Cooperation of Energy Regulators ('ACER') on 30 October 2015 on the consistent application of the assessment criteria and the cost/benefit analysis across regions, the regional groups' decision-making bodies adopted the regional lists on 3 November 2015. Pursuant to Article 3(3)(a) of Regulation (EU) No 347/2013, prior to the adoption of the regional lists, all proposed projects were approved by the Member States to whose territory the projects relate.
- (5) Organisations representing relevant stakeholders, including producers, distribution system operators, suppliers, and consumer and environmental protection organisations were consulted on the projects proposed for inclusion in the Union list.
- (6) PCIs should be listed per strategic trans-European energy infrastructure priorities in the order laid down in Annex I to Regulation (EU) No 347/2013. The Union list should not contain any ranking of projects.

⁽¹⁾ OJ L 115, 25.4.2013, p. 39.

- (7) PCIs should be listed either as stand-alone PCIs or as a part of a cluster of several PCIs. However, certain PCIs should be clustered because they are interdependent or (potentially) competing.
- (8) The Union list contains projects at different stages of their development, including pre-feasibility, feasibility, permit-granting and construction. For PCIs at an early development stage, studies may be needed to demonstrate technical and economic viability and compliance with Union legislation, including environmental legislation. In this context, potential negative impacts on the environment should be adequately identified, assessed and avoided or mitigated.
- (9) The inclusion of projects on the Union list is without prejudice to the outcome of the relevant environmental assessment and permit procedure. Under Article 5(8) of Regulation (EU) No 347/2013, a project that does not comply with Union law may be removed from the Union list. The implementation of PCIs, including their compliance with the relevant legislation, should be monitored in accordance with Article 5 of that Regulation.
- (10) Pursuant to the second paragraph of Article 3(4) of Regulation (EU) No 347/2013, the Union list is established every two years, therefore the Union list established by Commission Delegated Regulation (EU) No 1391/2013 ⁽¹⁾ is no longer valid and should be replaced.
- (11) Pursuant to Article 3(4) of Regulation (EU) No 347/2013, the Union list is to take the form of an annex to that Regulation.
- (12) Regulation (EU) No 347/2013 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Annex VII to Regulation (EU) No 347/2013 is amended in accordance with the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 18 November 2015.

For the Commission

The President

Jean-Claude JUNCKER

⁽¹⁾ Commission Delegated Regulation (EU) No 1391/2013 of 14 October 2013 amending Regulation (EU) No 347/2013 of the European Parliament and of the Council on guidelines for trans-European energy infrastructure as regards the Union list of projects of common interest (OJ L 349, 21.12.2013, p. 28).

ANNEX

Annex VII to Regulation (EU) No 347/2013 is replaced by the following:

‘ANNEX VII

The Union list of projects of common interest (“Union list”), referred to in Article 3(4)

A. PRINCIPLES APPLIED IN ESTABLISHING THE UNION LIST

(1) **Clusters of PCIs**

Some PCIs form part of a cluster because of their interdependent, potentially competing or competing nature. The following types of cluster of PCIs are established:

- a **cluster of interdependent PCIs** is defined as a “Cluster X, including the following PCIs:”. Such cluster has been formed to identify PCIs that are all needed to address the same bottleneck across country borders and provide synergies if implemented together. In this case, all the PCIs have to be implemented to realise the EU-wide benefits;
- a **cluster of potentially competing PCIs** is defined as a “Cluster X, including one or more of the following PCIs:”. Such cluster reflects an uncertainty around the extent of the bottleneck across country borders. In this case, not all the PCIs included in the cluster have to be implemented. It is left to the market to determine whether one, several or all PCIs are to be implemented, subject to the necessary planning, permit and regulatory approvals. The need for PCIs shall be reassessed in a subsequent PCI identification process, including with regard to the capacity needs; and
- a **cluster of competing PCIs** is defined as a “Cluster X, including one of the following PCIs:”. Such cluster addresses the same bottleneck. However, the extent of the bottleneck is more certain than in the case of a cluster of potentially competing PCIs, and therefore only one PCI has to be implemented. It is left to the market to determine which PCI is to be implemented, subject to the necessary planning, permit and regulatory approvals. Where necessary, the need for PCIs shall be reassessed in a subsequent PCI identification process.

All PCIs are subject to the same rights and obligations established under Regulation (EU) No 347/2013.

(2) **Treatment of substations and compressor stations**

Substations and back-to-back electricity stations and gas compressor stations are considered as parts of PCIs if they are geographically located on transmission lines. Substations, back-to-back stations and compressor stations are considered as stand-alone PCIs and are explicitly listed on the Union list if their geographical location is different from transmission lines. They are subject to the rights and obligations laid down in Regulation (EU) No 347/2013.

(3) **Definition of “No longer considered a PCI”**

The phrase “No longer considered a PCI” refers to projects from the Union list established by Regulation (EU) No 1391/2013 that are no longer considered PCIs for one or more of the following reasons:

- according to the new data the project does not satisfy the eligibility criteria;
- a promoter has not re-submitted it in the selection process for this Union list;
- it has already been commissioned or is to be commissioned in the near future and so it would not benefit from the provisions of Regulation (EU) No 347/2013; or
- it was ranked lower than other candidate PCIs in the selection process.

Such projects are not PCIs, but are listed with their original PCI numbers on the Union list for the sake of transparency and clarity.

They may be considered for inclusion in the next Union list if the reasons for not-inclusion in the current Union list no longer apply.

(4) Definition of “PCIs with double labelling as electricity highways”

“PCIs with double labelling as electricity highways” means PCIs which belong to one of the priority electricity corridors and to the priority thematic area electricity highways.

B. THE UNION LIST OF PROJECTS OF COMMON INTEREST

(1) Priority Corridor Northern Seas Offshore Grid (“NSOG”)

Construction of the first interconnection between Belgium and United Kingdom:

No.	Definition
1.1	Cluster Belgium — United Kingdom between Zeebrugge and Canterbury [currently known as “NEMO” project], including the following PCIs: 1.1.1 Interconnection between Zeebrugge (BE) and the vicinity of Richborough (UK) 1.1.2 Internal line between the vicinity of Richborough and Canterbury (UK) 1.1.3 No longer considered a PCI
1.2	No longer considered a PCI

Increase of the transmission capacity between Denmark, Germany and the Netherlands:

1.3	Cluster Denmark — Germany between Endrup and Brunsbüttel, including the following PCIs: 1.3.1 Interconnection between Endrup (DK) and Niebüll (DE) 1.3.2 Internal line between Brunsbüttel and Niebüll (DE)
1.4	Cluster Denmark — Germany between Kassø and Dollern, including the following PCIs: 1.4.1 Interconnection between Kassø (DK) and Audorf (DE) 1.4.2 Internal line between Audorf and Hamburg/Nord (DE) 1.4.3 Internal line between Hamburg/Nord and Dollern (DE)
1.5	Denmark — Netherlands interconnection between Endrup (DK) and Eemshaven (NL) [currently known as “COBRACable”]

Increase of the transmission capacity between France, Ireland and United Kingdom:

1.6	France — Ireland interconnection between La Martyre (FR) and Great Island or Knockraha (IE) [currently known as “Celtic Interconnector”]
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1.7	Cluster France — United Kingdom interconnections, including one or more of the following PCIs: 1.7.1 France — United Kingdom interconnection between Cotentin (FR) and the vicinity of Exeter (UK) [currently known as “FAB” project] 1.7.2 France — United Kingdom interconnection between Tourbe (FR) and Chilling (UK) [currently known as “IFA2” project] 1.7.3 France — United Kingdom interconnection between Coquelles (FR) and Folkestone (UK) [currently known as “ElecLink” project]
1.8	Germany — Norway interconnection between Wilster (DE) and Tonstad (NO) [currently known as “NordLink”]
1.9	Cluster connecting Ireland to United Kingdom, including one or more of the following PCIs: 1.9.1 Ireland — United Kingdom interconnection between Wexford (IE) and Pembroke, Wales (UK) [currently known as “Greenlink”] 1.9.2 Ireland — United Kingdom interconnection between Coolkeeragh — Coleraine hubs (IE) and Hunterston station, Islay, Argyll and Location C Offshore Wind Farms (UK) [currently known as “ISLES”] 1.9.3 No longer considered a PCI 1.9.4 No longer considered a PCI 1.9.5 No longer considered a PCI 1.9.6 No longer considered a PCI
1.10	Norway — United Kingdom interconnection
1.11	No longer considered a PCI
1.12	Compressed air energy storage in United Kingdom — Larne
1.13	Interconnection between Iceland and United Kingdom [currently known as “Ice Link”]
1.14	Interconnection between Revsing (DK) and Bicker Fen (UK) [currently known as “Viking Link”]

(2) **Priority Corridor North-South Electricity Interconnections in Western Europe (“NSI West Electricity”)**

No.	Definition
2.1	Austria internal line between Westtirol and Zell-Ziller (AT) to increase capacity at the Austrian/German border

Increase of the transmission capacity between Belgium and Germany — construction of the first interconnection between both countries:

2.2	Cluster Belgium — Germany between Lixhe and Oberzier [currently known as the ALEGrO project], including the following PCIs: 2.2.1 Interconnection between Lixhe (BE) and Oberzier (DE) 2.2.2 Internal line between Lixhe and Herderen (BE) 2.2.3 New substation in Zutendaal (BE)
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2.3	Cluster Belgium — Luxembourg capacity increase at the Belgian/Luxembourgian border, including the following PCIs: 2.3.1 No longer considered a PCI 2.3.2 Interconnection between Aubange (BE) and Bascharage/Schiffange (LU)
2.4	No longer considered a PCI
2.5	Cluster France — Italy between Grande Ile and Piosasco, including the following PCIs: 2.5.1 Interconnection between Grande Ile (FR) and Piosasco (IT) [currently known as “Savoie-Piemont” project] 2.5.2 No longer considered a PCI
2.6	No longer considered a PCI
2.7	France — Spain interconnection between Aquitaine (FR) and the Basque country (ES) [currently known as “Biscay Gulf” project]
2.8	Coordinated installation and operation of a phase-shift transformer in Arkale (ES) to increase capacity of the interconnection between Argia (FR) and Arkale (ES)

Cluster North-South-West corridor in Germany to increase the transmission capacity and to integrate renewable energy:

2.9	Germany internal line between Osterath and Philippsburg (DE) to increase capacity at Western borders
2.10	Germany internal line between Brunsbüttel-Großgartach and Wilster-Grafenrheinfeld (DE) to increase capacity at Northern and Southern borders
2.11	Cluster Germany — Austria — Switzerland capacity increase in Lake Constance area, including the following PCIs: 2.11.1 No longer considered a PCI 2.11.2 Internal line in the region of point Rommelsbach to Herbertingen (DE) 2.11.3 Internal line point Wullenstetten to point Niederwangen (DE) and internal line Neuravensburg to the border area DE-AT
2.12	Germany — Netherlands interconnection between Niederrhein (DE) and Doetinchem (NL)

Cluster of projects increasing the integration of renewable energy between Ireland and Northern Ireland:

2.13	Cluster Ireland — United Kingdom interconnections, including one or more of the following PCIs: 2.13.1 Ireland — United Kingdom interconnection between Woodland (IE) and Turleenan (UK) 2.13.2 Ireland — United Kingdom Interconnection between Srananagh (IE) and Turleenan (UK)
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Increase of the transmission capacity between Switzerland and Italy:

2.14	Italy — Switzerland interconnection between Thusis/Sils (CH) and Verderio Inferiore (IT)
2.15	Cluster Italy — Switzerland capacity increase at IT/CH border, including the following PCIs: 2.15.1 Interconnection between Airolo (CH) and Baggio (IT) 2.15.2 No longer considered a PCI 2.15.3 No longer considered a PCI 2.15.4 No longer considered a PCI

Cluster of internal projects increasing the integration of renewable energy in Portugal and improving the transmission capacity between Portugal and Spain:

2.16	Cluster Portugal capacity increase at PT/ES border and connecting new RES generation, including the following PCIs: 2.16.1 Internal line between Pedralva and Sobrado (PT), formerly designated Pedralva and Alfena (PT) 2.16.2 No longer considered a PCI 2.16.3 Internal line between Vieira do Minho, Ribeira de Pena and Feira (PT), formerly designated Frades B, Ribeira de Pena and Feira (PT)
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Increase of the transmission capacity between Portugal and Spain:

2.17	Portugal — Spain interconnection between Beariz — Fontefría (ES), Fontefría (ES) — Ponte de Lima (PT) (formerly Vila Fria/Viana do Castelo) and Ponte de Lima — Vila Nova de Famalicão (PT) (formerly Vila do Conde) (PT), including substations in Beariz (ES), Fontefría (ES) and Ponte de Lima (PT)
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Storage projects in Austria and Germany:

2.18	Capacity increase of hydro-pumped storage in Austria — Kaunertal, Tyrol (AT)
2.19	No longer considered a PCI
2.20	Capacity increase of hydro-pumped storage in Austria — Limberg III, Salzburg (AT)
2.21	Hydro-pumped storage Riedl in the AT/DE border area
2.22	Hydro pumped storage Pfaffenboden in Molln (AT)

Cluster of projects in northern and western Belgium to increase the transmission capacity:

2.23	Cluster of internal lines at the Belgian northern border between Zandvliet — Lillo (BE), Lillo-Mercator (BE), including a substation in Lillo (BE) [currently known as “Brabo”]
2.24	Internal line between Horta-Mercator (BE)

Clusters of internal lines in Spain to increase the transmission capacity with the Mediterranean:

2.25	Cluster of internal lines in Spain to increase capacity between Northern Spain and the Mediterranean area, including the following PCIs: 2.25.1 Internal lines Mudejar — Morella (ES) and Mezquite-Morella (ES), including a substation in Mudejar (ES) 2.25.2 Internal line Morella-La Plana (ES)
2.26	Spain internal line La Plana/Morella — Godelleta to increase capacity of the north-south Mediterranean axis
2.27	Capacity increase between Spain and France (generic project)

(3) **Priority Corridor North-South Electricity Interconnections in Central Eastern and South Europe (“NSI East Electricity”)**

Reinforcement of the interconnection between Austria and Germany:

No.	Definition
3.1	Cluster Austria — Germany between St. Peter and Isar, including the following PCIs: 3.1.1 Interconnection between St. Peter (AT) and Isar (DE) 3.1.2 Internal line between St. Peter and Tauern (AT) 3.1.3 No longer considered a PCI

Reinforcement of the interconnection between Austria and Italy:

3.2	Cluster Austria — Italy between Lienz and Veneto region, including the following PCIs: 3.2.1 Interconnection between Lienz (AT) and Veneto region (IT) 3.2.2 Internal line between Lienz and Obersielach (AT) 3.2.3 No longer considered a PCI
3.3	No longer considered a PCI
3.4	Austria — Italy interconnection between Wurlach (AT) and Somplago (IT)
3.5	No longer considered a PCI
3.6	No longer considered a PCI

Reinforcement of the interconnection between Bulgaria and Greece:

3.7	Cluster Bulgaria — Greece between Maritsa East 1 and N. Santa, including the following PCIs: 3.7.1 Interconnection between Maritsa East 1 (BG) and N. Santa (EL) 3.7.2 Internal line between Maritsa East 1 and Plovdiv (BG) 3.7.3 Internal line between Maritsa East 1 and Maritsa East 3 (BG) 3.7.4 Internal line between Maritsa East 1 and Burgas (BG)
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Reinforcement of the interconnection between Bulgaria and Romania:

3.8	Cluster Bulgaria — Romania capacity increase [currently known as “Black Sea Corridor”], including the following PCIs: 3.8.1 Internal line between Dobrudja and Burgas (BG) 3.8.2 No longer considered a PCI 3.8.3 No longer considered a PCI 3.8.4 Internal line between Cernavoda and Stalpu (RO) 3.8.5 Internal line between Gutinas and Smardan (RO) 3.8.6 No longer considered a PCI
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Reinforcement of the interconnection between Slovenia, Croatia and Hungary, and reinforcements of the internal grid in Slovenia:

3.9	Cluster Croatia — Hungary — Slovenia between Žerjavenec/Hévíz and Cirkovce, including the following PCIs: 3.9.1 Interconnection between Žerjavenec (HR)/Hévíz (HU) and Cirkovce (SI) 3.9.2 Internal line between Divača and Beričevo (SI) 3.9.3 Internal line between Beričevo and Podlog (SI) 3.9.4 Internal line between Podlog and Cirkovce (SI)
3.10	Cluster Israel — Cyprus — Greece between Hadera and Attica region [currently known as “EUROASIA Interconnector”], including the following PCIs: 3.10.1 Interconnection between Hadera (IL) and Kofinou (CY) 3.10.2 Interconnection between Kofinou (CY) and Korakia, Crete (EL) 3.10.3 Internal line between Korakia, Crete and Attica region (EL)

Reinforcements of the internal grid in Czech Republic:

3.11	Cluster Czech Republic internal lines to increase capacity at North-Western and Southern borders, including the following PCIs: 3.11.1 Internal line between Vernerov and Vitkov (CZ) 3.11.2 Internal line between Vitkov and Prestice (CZ) 3.11.3 Internal line between Prestice and Kocin (CZ) 3.11.4 Internal line between Kocin and Mirovka (CZ) 3.11.5 Internal line between Mirovka and Cebin (CZ)
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Cluster North-South-East corridor in Germany to increase transmission capacity and to integrate renewable energy:

3.12	Internal line in Germany between Wolmirstedt and Bavaria to increase internal North-South transmission capacity
3.13	Internal line in Germany between Halle/Saale and Schweinfurt to increase capacity in the North-South Corridor East

Increase of the transmission capacity between Germany and Poland:

3.14	Cluster Germany — Poland between Eisenhüttenstadt and Plewiska [currently known as “GerPol Power Bridge” project], including the following PCIs: 3.14.1 Interconnection between Eisenhüttenstadt (DE) and Plewiska (PL) 3.14.2 Internal line between Krajnik and Baczyna (PL) 3.14.3 Internal line between Mikułowa and Świebodzice (PL)
3.15	Cluster Germany — Poland between Vierraden and Krajnik [currently known as “GerPol Improvements”], including the following PCIs 3.15.1 Interconnection between Vierraden (DE) and Krajnik (PL) 3.15.2 Installation of phase shifting transformers on the interconnection lines between Krajnik (PL) — Vierraden (DE) and coordinated operation with the PST on the interconnector Mikułowa (PL) — Hagenwerder (DE)

Increase of the transmission capacity between Hungary and Slovakia:

3.16	Cluster Hungary — Slovakia between Gőnyű and Gabčíkovo, including the following PCIs: 3.16.1 Interconnection between Gabčíkovo (SK) — Gönyű (HU) and Veľký Ďur (SK) 3.16.2 No longer considered a PCI 3.16.3 No longer considered a PCI
3.17	PCI Hungary — Slovakia interconnection between Sajóvátka (HU) and Rimavská Sobota (SK)
3.18	Cluster Hungary — Slovakia between Kisvárda area and Velké Kapušany, including the following PCIs: 3.18.1 Interconnection between Kisvárda area (HU) and Velké Kapušany (SK) 3.18.2 No longer considered a PCI
3.19	Cluster Italy — Montenegro between Villanova and Lastva, including the following PCIs: 3.19.1 Interconnection between Villanova (IT) and Lastva (ME) 3.19.2 No longer considered a PCI 3.19.3 No longer considered a PCI
3.20	No longer considered a PCI
3.21	Italy — Slovenia interconnection between Salgareda (IT) and Divača — Bericevo region (SI)
3.22	Cluster Romania — Serbia between Resita and Pancevo [currently known as “Mid Continental East Corridor”], including the following PCIs: 3.22.1 Interconnection between Resita (RO) and Pancevo (RS) 3.22.2 Internal line between Portile de Fier and Resita (RO) 3.22.3 Internal line between Resita and Timisoara/Sacalaz (RO) 3.22.4 Internal line between Arad and Timisoara/Sacalaz (RO)

Hydro-pumped storages in Bulgaria and Greece:

3.23	Hydro-pumped storage in Bulgaria — Yadenitsa
3.24	Hydro-pumped storage in Greece — Amfilochia
3.25	No longer considered a PCI
3.26	No longer considered a PCI

(4) **Priority Corridor Baltic Energy Market Interconnection Plan (“BEMIP Electricity”)**

No.	Definition
4.1	Denmark — Germany interconnection between Tolstrup Gaarde (DK) and Bentwisch (DE) via offshore windparks Kriegers Flak (DK) and Baltic 1 and 2 (DE) [currently known as “Kriegers Flak Combined Grid Solution”]
4.2	Cluster Estonia — Latvia between Kilingi-Nõmme and Riga [currently known as 3 rd interconnection], including the following PCIs: 4.2.1 Interconnection between Kilingi-Nõmme (EE) and Riga CHP2 substation (LV) 4.2.2 Internal line between Harku and Sindi (EE) 4.2.3 Internal line between Riga CHP 2 and Riga HPP (LV)
4.3	Now part of PCI no. 4.9
4.4	Cluster Latvia — Sweden capacity increase [currently known as “NordBalt” project], including the following PCIs: 4.4.1 Internal line between Ventspils, Tume and Imanta (LV) 4.4.2 Internal line between Ekhyddan and Nybro/Hemsjö (SE)

Reinforcements in Lithuania and Poland necessary for the operation of “LitPol Link I”:

4.5	Cluster Lithuania — Poland between Alytus (LT) and Elk (PL), including the following PCIs: 4.5.1 No longer considered a PCI 4.5.2 Internal line between Stanisławów and Olsztyn Mątki (PL) 4.5.3 No longer considered a PCI 4.5.4 No longer considered a PCI 4.5.5 Internal line between Kruonis and Alytus (LT)
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Hydro-pumped storages in Estonia and Lithuania:

4.6	Hydro-pumped storage in Estonia — Muuga
4.7	Capacity increase of hydro-pumped storage in Lithuania — Kruonis

4.8	Cluster Estonia — Latvia and internal reinforcements in Lithuania, including the following PCIs: 4.8.1 Interconnection between Tartu (EE) and Valmiera (LV) 4.8.2 Internal line between Balti and Tartu (EE) 4.8.3 Interconnection Tsirguliina (EE) and Valmiera (LV) 4.8.4 Internal line between Eesti and Tsirguliina (EE) 4.8.5 Internal line between substation in Lithuania and state border (LT) 4.8.6 Internal line between Kruonis and Visaginas (LT)
4.9	Various aspects of the integration of the Baltic States' electricity network into the continental European network, including their synchronous operation (generic project)

(5) **Priority Corridor North-South Gas Interconnections in Western Europe (“NSI West Gas”)**

Projects allowing bidirectional flows between Ireland and the United Kingdom:

No.	Definition
5.1	Cluster to allow bidirectional flows from Northern Ireland to Great Britain and Ireland and also from Ireland to United Kingdom, including the following PCIs: 5.1.1 Physical reverse flow at Moffat interconnection point (IE/UK) 5.1.2 Upgrade of the SNIP (Scotland to Northern Ireland) pipeline to accommodate physical reverse flow between Ballylumford and Twynholm 5.1.3 Development of the Islandmagee Underground Gas Storage (UGS) facility at Larne (Northern Ireland)
5.2	No longer considered a PCI
5.3	Shannon LNG Terminal and connecting pipeline (IE)

Projects allowing bidirectional flows between Portugal, Spain, France and Germany:

5.4	3 rd interconnection point between Portugal and Spain
5.5	Eastern Axis Spain — France — interconnection point between Iberian Peninsula and France at Le Perthus, including the compressor stations at Montpellier and St. Martin de Crau [currently known as “Midcat”]
5.6	Reinforcement of the French network from South to North — Reverse flow from France to Germany at Obergailbach/Medelsheim Interconnection point (FR)
5.7	Reinforcement of the French network from South to North to create a single market zone, including the following PCIs: 5.7.1 Val de Saône pipeline between Etrez and Voisines (FR) 5.7.2 Gascogne-Midi pipeline (FR)
5.8	Reinforcement of the French network to support South to North flows, including the following PCIs: 5.8.1 Est Lyonnais pipeline between Saint-Avit and Etrez (FR) 5.8.2 Eridan pipeline between Saint-Martin-de-Crau and Saint-Avit (FR)
5.9	No longer considered a PCI

5.10	Reverse flow interconnection on TENP pipeline in Germany
5.11	Reverse flow interconnection between Italy and Switzerland at Passo Gries interconnection point
5.12	No longer considered a PCI
5.13	No longer considered a PCI
5.14	No longer considered a PCI
5.15	No longer considered a PCI
5.16	No longer considered a PCI
5.17	No longer considered a PCI
5.18	No longer considered a PCI
5.19	Connection of Malta to the European Gas network — pipeline interconnection with Italy at Gela and/or offshore Floating LNG Storage and Re-gasification Unit (FSRU)
5.20	Gas Pipeline connecting Algeria to Italy (via Sardinia) [currently known as “Galsi” pipeline]

(6) **Priority Corridor North-South Gas Interconnections in Central Eastern and South Eastern Europe (“NSI East Gas”)**

Projects allowing bidirectional flows between Poland, Czech Republic and Slovakia linking the LNG terminals in Poland and Croatia:

No.	Definition
6.1	Cluster Czech — Polish interconnection upgrade and related internal reinforcements in Western Poland, including the following PCIs: 6.1.1 Poland — Czech Republic Interconnector [currently known as “Stork II”] between Libhošť — Hať (CZ/PL) — Kędzierzyn (PL) 6.1.2 Transmission infrastructure projects between Lwówek and Kędzierzyn (PL) 6.1.3 Now part of PCI no. 6.1.2 6.1.4 Now part of PCI no. 6.1.2 6.1.5 Now part of PCI no. 6.1.2 6.1.6 Now part of PCI no. 6.1.2 6.1.7 Now part of PCI no. 6.1.2 6.1.8 Now part of PCI no. 6.2.3 6.1.9 Now part of PCI no. 6.1.2 6.1.10 Now part of PCI no. 6.2.3 6.1.11 Now part of PCI no. 6.2.3 6.1.12 Tvrdonice-Libhošť pipeline, including upgrade of CS Břeclav (CZ)

No.	Definition
6.2	Cluster Poland — Slovakia interconnection and related internal reinforcements in Eastern Poland, including the following PCIs: 6.2.1 Poland — Slovakia interconnector 6.2.2 Transmission infrastructure projects between Rembelszczyna and Strachocina (PL) 6.2.3 Transmission infrastructure projects between Tworóg and Strachocina (PL) 6.2.4 Now part of PCI no. 6.2.2 6.2.5 Now part of PCI no. 6.2.2 6.2.6 Now part of PCI no. 6.2.2 6.2.7 Now part of PCI no. 6.2.2 6.2.8 Now part of PCI no. 6.2.2 6.2.9 Now part of PCI no. 6.2.2
6.3	No longer considered a PCI
6.4	PCI Bidirectional Austrian — Czech interconnection (BACI) between Baumgarten (AT) — Reinthal (CZ/AT) — Brečlav (CZ)

Projects allowing gas to flow from Croatian LNG terminal to neighbouring countries:

6.5	Cluster Krk LNG terminal and evacuation pipelines towards Hungary and beyond, including the following PCIs: 6.5.1 Phased development of a LNG terminal in Krk (HR) 6.5.2 Gas pipeline Zlobin — Bosiljevo — Sisak — Kozarac — Slobodnica (HR) 6.5.3 No longer considered a PCI 6.5.4 No longer considered a PCI
6.6	Now PCI no 6.26.1
6.7	No longer considered a PCI

Projects allowing gas flows from the Southern Gas Corridor and/or LNG terminals in Greece through Greece, Bulgaria, Romania, Serbia and further to Hungary, including reverse flow capability from south to north and integration of transit and transmission systems:

6.8	Cluster Interconnection between Greece, Bulgaria and Romania, and necessary reinforcements in Bulgaria, including the following PCIs: 6.8.1 Interconnection Greece — Bulgaria [currently known as IGB] between Komotini (EL) — Stara Zagora (BG) 6.8.2 Necessary rehabilitation, modernization and expansion of the Bulgarian transmission system 6.8.3 Interconnection of the Northern ring of the Bulgarian gas transmission system with Podisor — Horia pipeline and expansion of capacity on Hurezani-Horia-Csanadpalota section 6.8.4 Gas pipeline aiming at expanding the capacity on the interconnection of the Northern ring of the Bulgarian and Romanian gas transmission networks
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6.9	Cluster LNG terminal in northern Greece, including the following PCIs: 6.9.1 LNG terminal in northern Greece 6.9.2 No longer considered a PCI 6.9.3 Gas compressor station at Kipi (EL)
6.10	PCI Gas interconnection Bulgaria — Serbia [currently known as “IBS”]
6.11	No longer considered a PCI
6.12	No longer considered a PCI
6.13	6.13.1 Now PCI no. 6.24.4 6.13.2 Now PCI no. 6.24.5 6.13.3 Now PCI no. 6.24.6
6.14	Now PCI no. 6.24.1
6.15	Interconnection of the national transmission system with the international gas transmission pipelines and reverse flow at Isaccea (RO) 6.15.1 Now part of PCI 6.15 6.15.2 Now part of PCI 6.15

Project allowing gas from the Southern Gas Corridor to flow through Italy towards the North-Eastern Europe

6.16	No longer considered a PCI
6.17	No longer considered a PCI
6.18	Adriatica pipeline (IT)
6.19	No longer considered a PCI

Projects allowing development of underground gas storage capacity in South-Eastern Europe:

6.20	Cluster increase storage capacity in South-Eastern Europe, including one or more of the following PCIs: 6.20.1 No longer considered a PCI 6.20.2 Chiren UGS expansion (BG) 6.20.3 No longer considered a PCI and one of the following PCIs: 6.20.4 Depomures storage in Romania 6.20.5 New underground gas storage in Romania 6.20.6 Sarmasel underground gas storage in Romania
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6.21	No longer considered a PCI
6.22	No longer considered a PCI
6.23	Hungary — Slovenia interconnection (Nagykanizsa — Tornyiszentmiklós (HU) — Lendava (SI) — Kidričevo)
6.24	Cluster phased capacity increase on the Bulgaria — Romania — Hungary — Austria bidirectional transmission corridor (currently known as “ROHUAT/BRUA”) to enable 1.75 bcm/a in the first phase and 4.4 bcm/a in the second phase, including new resources from the Black Sea: 6.24.1 Romanian-Hungarian reverse flow: Hungarian section 1st stage CS at Csanádpalota (1st phase) 6.24.2 Development on the Romanian territory of the National Gas Transmission System on the Bulgaria — Romania — Hungary — Austria Corridor — transmission pipeline Podișor — Horia GMS and 3 new compressor stations (Jupa, Bibești and Podișor) (1st phase) 6.24.3 GCA Mosonmagyaróvár CS (development on the Austrian side) (1st phase) 6.24.4 Városföld-Ercsi– Győr pipeline (capacity 4.4 bcm/a) (HU) 6.24.5 Ercsi-Százhalombatta pipeline (capacity 4.4 bcm/a) (HU) 6.24.6 Városföld compressor station (capacity 4.4 bcm/a) (HU) 6.24.7 Expansion of the transmission capacity in Romania towards Hungary up to 4.4 bcm/year (2nd phase) 6.24.8 Black Sea shore — Podișor (RO) pipeline for taking over the Black sea gas 6.24.9 Romanian-Hungarian reverse flow: Hungarian section 2nd stage CS at Csanádpalota or Algyő (HU) (capacity 4.4 bcm/a) (2nd phase)
6.25	Cluster infrastructure to bring new gas to the Central and South-Eastern European region with the aim of diversification, including one or more of the following PCIs: 6.25.1 Pipeline system from Bulgaria to Slovakia [currently known as “Eastring”] 6.25.2 Pipeline system from Greece to Austria [currently known as “Tesla”] 6.25.3 Further enlargement of the Bulgaria — Romania — Hungary — Austria bidirectional transmission corridor [currently known as “ROHUAT/BRUA”, phase 3] 6.25.4 Infrastructure to allow the development of the Bulgarian gas hub
6.26	Cluster Croatia — Slovenia — Austria at Rogatec, including the following PCIs: 6.26.1 Interconnection Croatia — Slovenia (Lučko — Zabok — Rogatec) 6.26.2 CS Kidričevo, 2nd phase of upgrade (SI) 6.26.3 Compressor stations at the Croatian gas transmission system 6.26.4 GCA 2014/04 Murfeld (AT) 6.26.5 Upgrade of Murfeld/Ceršak interconnection (AT-SI) 6.26.6 Upgrade of Rogatec interconnection

(7) **Priority corridor Southern Gas Corridor (“SGC”)**

No.	Definition
7.1	PCI Cluster of integrated, dedicated and scalable transport infrastructure and associated equipment for the transportation of a minimum of 10 bcm/a of new sources of gas from the Caspian Region, crossing Azerbaijan, Georgia and Turkey and reaching EU markets in Greece and Italy, and including one or more of the following PCIs: 7.1.1 Gas pipeline to the EU from Turkmenistan and Azerbaijan, via Georgia and Turkey, [currently known as the combination of “Trans-Caspian Gas Pipeline” (TCP), “Expansion of the South-Caucasus Pipeline” (SCP-FX) and “Trans Anatolia Natural Gas Pipeline” (TANAP)] 7.1.2 Gas compressor station at Kipi (EL) 7.1.3 Gas pipeline from Greece to Italy via Albania and the Adriatic Sea [currently known as “Trans-Adriatic Pipeline” (TAP)] 7.1.4 Gas pipeline from Greece to Italy [currently known as “Poseidon Pipeline”] 7.1.5 No longer considered a PCI 7.1.6 Metering and Regulating Stations for the connection of the Greek transmission system with TAP 7.1.7 Komotini — Thesprotia pipeline (EL)
7.2	No longer considered a PCI
7.3	7.3.1 Pipeline from offshore Cyprus to Greece mainland via Crete [currently known as “EastMed Pipeline”] 7.3.2 Removing internal bottlenecks in Cyprus to end isolation and to allow for the transmission of gas from the Eastern Mediterranean region
7.4	Cluster of interconnections with Turkey, including the following PCIs: 7.4.1 Gas compressor station at Kipi (EL) 7.4.2 Interconnector between Turkey and Bulgaria [currently known as “ITB”]

(8) **Priority Corridor Baltic Energy Market Interconnection Plan in Gas (“BEMIP Gas”)**

No.	Definition
8.1	Cluster diversifying supply in the Eastern Baltic Sea Region, including the following PCIs: 8.1.1 Interconnector between Estonia and Finland [currently known as “Balticconnector”], and 8.1.2 One of the following LNG terminals: 8.1.2.1 No longer considered a PCI 8.1.2.2 Paldiski LNG (EE) 8.1.2.3 Tallinn LNG (EE) 8.1.2.4 No longer considered a PCI

Reinforcement of the transmission infrastructure in the Baltic States and modernisation of the gas underground storage in Latvia:

8.2	Cluster infrastructure upgrade in the Eastern Baltic Sea region, including the following PCIs: 8.2.1 Enhancement of Latvia — Lithuania interconnection 8.2.2 Enhancement of Estonia — Latvia interconnection 8.2.3 No longer considered a PCI 8.2.4 Enhancement of Inčukalns Underground Gas Storage (LV)
8.3	Poland–Denmark interconnection [currently known as “Baltic Pipe”]
8.4	No longer considered a PCI
8.5	Poland-Lithuania interconnection [currently known as “GIPL”]
8.6	Gothenburg LNG terminal in Sweden
8.7	Capacity extension of Świnoujście LNG terminal in Poland
8.8	No longer considered a PCI

(9) **Priority Corridor Oil Supply Connections in Central Eastern Europe (“OSC”)**

Enhancement of the security of oil supply in the Central Eastern European region by increasing interoperability and enabling adequate alternative supply routes:

No.	Definition
9.1	Adamowo — Brody pipeline: pipeline connecting the JSC Uktransnafta’s handling site in Brody (Ukraine) and Adamowo Tank Farm (Poland)
9.2	Bratislava — Schwechat — Pipeline: pipeline linking Schwechat (Austria) and Bratislava (Slovak Republic)
9.3	JANAF-Adria pipelines: reconstruction, upgrading, maintenance and capacity increase of the existing JANAF and Adria pipelines linking the Croatian Omisalj seaport to the Southern Druzhba (Croatia, Hungary, Slovak Republic); (The Hungarian — Slovak interconnection is no longer considered a PCI)
9.4	Litvinov (Czech Republic) — Spargau (Germany) pipeline: the extension project of the Druzhba crude oil pipeline to the refinery TRM Spargau
9.5	Cluster Pomeranian pipeline (Poland), including the following PCIs: 9.5.1. Construction of oil terminal in Gdańsk 9.5.2. Expansion of the Pomeranian pipeline: loopings and second line on the Pomeranian pipeline linking Plebanka tank farm (near Płock) and Gdańsk handling terminal
9.6	TAL Plus: capacity expansion of the TAL pipeline between Trieste (Italy) and Ingolstadt (Germany)

(10) Priority Thematic Area Smart Grids Deployment

No.	Definition
10.1	North Atlantic Green Zone Project (Ireland, United Kingdom/Northern Ireland) aims at lowering wind curtailment by implementing communication infrastructure, enhanced grid control and interconnection and establishing (cross-border) protocols for Demand Side Management.
10.2	Green-Me (France, Italy) aims at enhancing RES integration by implementing automation, control and monitoring systems in HV and HV/MV substations, including communication with the renewable generators and storage in primary substations, as well as new data exchange to allow for a better cross-border interconnection management.
10.3	SINCRO.GRID (Slovenia/Croatia) aims at solving network voltage, frequency control and congestion issues enabling further deployment of renewables and displacement of conventional generation by integrating new active elements in the transmission and distribution grids into the virtual cross-border control centre based on advanced data management, common system optimisation and forecasting involving two neighbouring TSOs and the two neighbouring DSOs.

(11) Priority Thematic Area Electricity Highways

List of PCIs with double labelling as electricity highways

No.	Definition
<i>Priority Corridor Northern Seas Offshore Grid ("NSOG")</i>	
1.1.1	Interconnection between Zeebrugge (BE) and the vicinity of Richborough (UK)
1.3.1	Interconnection between Endrup (DK) and Niebüll (DE)
1.3.2	Internal line between Brunsbüttel and Niebüll (DE)
1.4.1	Interconnection between Kassø (DK) and Audorf (DE)
1.4.2	Internal line between Audorf and Hamburg/Nord (DE)
1.4.3	Internal line between Hamburg/Nord and Dollern (DE)
1.5	Denmark — Netherlands interconnection between Endrup (DK) and Eemshaven (NL) [currently known as "COBRACable"]
1.6	France — Ireland interconnection between La Martyre (FR) and Great Island or Knockraha (IE) [currently known as "Celtic Interconnector"]
1.7.1	France — United Kingdom interconnection between Cotentin (FR) and the vicinity of Exeter (UK) [currently known as "FAB" project]
1.7.2	France — United Kingdom interconnection between Tourbe (FR) and Chilling (UK) [currently known as "IFA2" project]

No.	Definition
1.7.3	France — United Kingdom interconnection between Coquelles (FR) and Folkestone (UK) [currently known as “ElecLink” project]
1.8	Germany — Norway interconnection between Wilster (DE) and Tonstad (NO) [currently known as “NordLink”]
1.10	Norway — United Kingdom interconnection
1.13	Interconnection between Iceland and United Kingdom [currently known as “Ice Link”]
1.14	Interconnection between Revsing (DK) and Bicker Fen (UK) [currently known as “Viking Link”]

Priority Corridor North-South Electricity Interconnections in Western Europe (“NSI West Electricity”)

2.2.1	Interconnection between Lixhe (BE) and Oberzier (DE)
2.5.1	Interconnection between Grande Ile (FR) and Piosasco (IT) [currently known as “Savoie- Piemont”project]
2.7	France — Spain interconnection between Aquitaine (FR) and the Basque country (ES) [currently known as “Biscay Gulf” project]
2.9	Germany internal line between Osterath and Philippsburg (DE) to increase capacity at Western borders
2.10	Germany internal line between Brunsbüttel-Großgartach and Wilster-Grafenrheinfeld (DE) to increase capacity at Northern and Southern borders
2.13	Cluster Ireland — United Kingdom interconnections, including one or more of the following PCIs: 2.13.1 Ireland — United Kingdom interconnection between Woodland (IE) and Turleenan (UK) 2.13.2 Ireland — United Kingdom Interconnection between Srananagh (IE) and Turleenan (UK)

Priority Corridor North-South Electricity Interconnections in Central Eastern and South Europe (“NSI East Electricity”)

3.10.1	Interconnection between Hadera (IL) and Kofinou (CY)
3.10.2	Interconnection between Kofinou (CY) and Korakia, Crete (EL)
3.10.3	Internal line between Korakia, Crete and Attica region (EL)
3.12	Internal line in Germany between Wolmirstedt and Bavaria to increase internal North-South transmission capacity

No.	Definition
<i>Priority Corridor Baltic Energy Market Interconnection Plan (“BEMIP Electricity”)</i>	
4.1	Denmark — Germany interconnection between Tolstrup Gaarde (DK) and Bentwisch (DE) via offshore windparks Kriegers Flak (DK) and Baltic 1 and 2 (DE) [currently known as “Kriegers Flak Combined Grid Solution”]

COMMISSION IMPLEMENTING REGULATION (EU) 2016/90**of 26 January 2016****amending Council Implementing Regulation (EU) No 102/2012 imposing a definitive anti-dumping duty on imports of steel ropes and cables originating, *inter alia*, in Ukraine following a partial interim review pursuant to Article 11(3) of Council Regulation (EC) No 1225/2009**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 1225/2009 of 30 November 2009 on protection against dumped imports from countries not members of the European Community ⁽¹⁾ (the 'basic Regulation'), and in particular Article 11(3) thereof,

Whereas:

1. PROCEDURE**1.1. Measures in force**

- (1) The anti-dumping measures in force on imports of certain steel ropes and cables originating in Ukraine were originally imposed by Council Regulation (EC) No 1796/1999 ⁽²⁾ (the 'original Regulation') and last extended by Council Implementing Regulation (EU) No 102/2012 ⁽³⁾ (the 'measures in force').
- (2) The measures in force take the form of an *ad valorem* duty at 51,8 %.

1.2. Request for a review

- (3) The European Commission ('the Commission') received a request for a partial interim review pursuant to Article 11(3) of the basic Regulation. The request was lodged by PJSC 'PA' 'Stalcanat-Silur' ('the applicant'), an exporting producer from Ukraine.
- (4) The request was limited in scope to the examination of dumping as far as the applicant was concerned.
- (5) In its request, the applicant provided *prima facie* evidence that the changes to its current structure, based on the merger of, *inter alia*, two unrelated exporting producers in Ukraine (only one of which was previously investigated individually), are of a lasting nature.
- (6) Furthermore, the applicant claimed that on the basis of the applicant's own domestic prices, or on the basis of its constructed normal value (manufacturing costs, selling, general and administrative costs ('SG&A') and profit), instead of the analogue country's normal value used previously, the dumping margin of the applicant is significantly lower than the current level of the measures.
- (7) Therefore, the applicant claimed that the continued imposition of the measures at the existing level was no longer necessary to offset the effects of injurious dumping as previously established.

⁽¹⁾ OJ L 343, 22.12.2009, p. 51.

⁽²⁾ Council Regulation (EC) No 1796/1999 of 12 August 1999 imposing a definitive anti-dumping duty, and collecting definitively the provisional duty imposed, on imports of steel ropes and cables originating in the People's Republic of China, Hungary, India, Mexico, Poland, South Africa and Ukraine and terminating the anti-dumping proceeding in respect of imports originating in the Republic of Korea (OJ L 217, 17.8.1999, p. 1).

⁽³⁾ Council Implementing Regulation (EU) No 102/2012 of 27 January 2012 imposing a definitive anti-dumping duty on imports of steel ropes and cables originating in the People's Republic of China and Ukraine as extended to imports of steel ropes and cables consigned from Morocco, Moldova and the Republic of Korea, whether declared as originating in these countries or not, following an expiry review pursuant to Article 11(2) of Regulation (EC) No 1225/2009 and terminating the expiry review proceeding concerning imports of steel ropes and cables originating in South Africa pursuant to Article 11(2) of Regulation (EC) No 1225/2009 (OJ L 36, 9.2.2012, p. 1).

1.3. Initiation of a review

- (8) The Commission determined, after informing the Member States, that sufficient evidence existed to justify the initiation of a partial interim review and announced by a notice published in the *Official Journal of the European Union* ⁽¹⁾ on 18 November 2014 the initiation of an investigation pursuant to Article 11(3) of the basic Regulation, limited in scope to the examination of dumping as far as the applicant is concerned.

1.4. Product concerned and like product

- (9) The product concerned by the current review is the same as that in the original investigation and the last investigation which led to the imposition of the measures in force, i.e. steel ropes and cables, including locked coil ropes, excluding ropes and cables of stainless steel, with a maximum cross-sectional dimension exceeding 3 mm, originating in Ukraine (the 'product concerned' or 'SWR'), currently falling within CN code(s) ex 7312 10 81, ex 7312 10 83, ex 7312 10 85, ex 7312 10 89 and ex 7312 10 98.
- (10) The product produced and sold in Ukraine, as well as in third countries, and that exported to the Union have the same basic physical and technical characteristics and end uses and are therefore considered to be alike within the meaning of Article 1(4) of the basic Regulation.

1.5. Parties concerned

- (11) The Commission officially advised the applicant, the known association of the Union industry and the Ukrainian authorities of the initiation of the interim review. Interested parties were given an opportunity to make their views known in writing and to be heard.
- (12) The Commission sent a questionnaire to the applicant and received a reply within the set deadline. The Commission sought and verified all the information it deemed necessary for the determination of dumping. The verification was carried out at the premises of the applicant in Odessa, Ukraine.

1.6. Review investigation period

- (13) The review investigation covered the period from 1 July 2013 to 30 September 2014.

2. RESULTS OF THE INVESTIGATION

2.1. Dumping

2.1.1. Normal value

- (14) The total volume of export sales to the Union in the review investigation period was limited to two sales transactions only, and as explained in recital (26), these transactions were not considered representative. As also mentioned in recital (26), the export price was therefore determined on the basis of the export sales made by the applicant to third countries during the review investigation period in accordance with Article 2(9) of the basic Regulation. The sales volume to third country markets was used to assess the representativity of the domestic sales for the establishment of the normal value for the purposes of Article 2(2) of the basic Regulation
- (15) For the determination of the normal value, it was first established whether the applicant's total volume of domestic sales of the like product to independent customers was representative in comparison with its total volume of exports to third countries. In accordance with Article 2(2) of the basic Regulation it was found that the domestic sales were representative as the total volume of domestic sales was at least 5 % of the total volume of export sales to third countries in the review investigation period.

⁽¹⁾ Notice of initiation of a partial interim review of the anti-dumping measures applicable to imports of steel ropes and cables originating in Ukraine (OJ C 410, 18.11.2014, p. 15).

- (16) For each product type sold by the applicant on its domestic market and found to be directly comparable with the product type sold for export to third countries, it was established whether domestic sales were sufficiently representative for the purposes of Article 2(2) of the basic Regulation. Domestic sales of a particular product type were considered sufficiently representative when the total volume of that product type sold on the domestic market to independent customers during the review investigation period represented at least 5 % of the total sales volume of the comparable product type exported to third countries during the same period.
- (17) It was also examined whether the domestic sales of each product type could be regarded as being made in the ordinary course of trade pursuant to Article 2(4) of the basic Regulation. This was done by establishing the proportion of domestic sales to independent customers which were profitable for each product type exported to third countries concerned during the review investigation period.
- (18) For those product types where more than 80 % by volume of sales on the domestic market were above cost and the weighted average sales price of that type was equal to or above the unit cost of production, normal value, by product type, was calculated as the weighted average of the actual domestic prices of all sales of the product type in question, irrespective of whether those sales were profitable or not.
- (19) Where the volume of profitable sales of a product type represented 80 % or less of the total sales, or where the weighted average price of that product type was below the unit cost of production, normal value was based on the actual domestic price, which was calculated as a weighted average price of only the profitable domestic sales of that product type made during the review investigation period.
- (20) Wherever domestic prices of a particular product type sold by the applicant could not be used in order to establish normal value, the normal value was constructed in accordance with Article 2(3) of the basic Regulation.
- (21) When constructing normal value pursuant to Article 2(3) of the basic Regulation, the amounts for selling, general and administrative costs and for profits have been based, pursuant to Article 2(6) of the basic Regulation, on the actual data pertaining to the production and sales, in the ordinary course of trade, of the like product, by the applicant.
- (22) After final disclosure, the applicant claimed that its domestic sales to state-owned companies (SOEs) should be excluded from the normal value determination. The applicant argued that prices charged to SOEs were systematically higher than the prices charged to other customers on the domestic market based on a higher risk of non-payment or significantly delayed payment, which was also reflected in the company's internal pricing policy. It was claimed that the higher prices were thus not linked to the characteristics of the product concerned. Secondly, the applicant claimed that where the normal value was constructed in accordance with Article 2(3) of the basic Regulation, only the selling, general and administrative ('SG&A') expenses incurred in the domestic sales to independent distributors should be used to ensure the comparability with the export sales which were made exclusively to the same type of customers.
- (23) Regarding the applicant's request for exclusion of domestic sales to SOEs from the normal value determination, the evidence collected during the investigation confirmed that the sales prices for SOEs, per product type, were on average consistently higher than those charged to any other type of customers on the domestic market. This consistent price difference was a result of a combination of a number of specific factors affecting only this type of customer in the domestic market: (i) the identification by the applicant of sales to SOEs as having high risk of non-payment or seriously delayed payments; (ii) the fact that this policy is effectively applied by granting much longer credit periods to SOEs (including the possibility to further postpone the payment as reflected in the contract); (iii) the evidence of history of delayed payments; (iv) the fact that the Ukrainian law exempts SOEs to meet the claims of creditors in case of bankruptcy; (v) the fact that the sales to SOEs are made through complex tender procedures, where the provisions of the contract are not negotiable and a pre-set standard contract is used and finally that (vi) SOEs are not allowed by law to make advance payments for the purchase of goods. Thus, on the basis of these specific circumstances, the applicant's claim was accepted.

- (24) Regarding the claim to use only the SG&A expenses incurred in the sales to independent distributors when the normal value is constructed, Article 2(6) of the basic Regulation provides that the amounts for SG&A expenses should be based on the actual data pertaining to the applicant's production and sales, in the ordinary course of trade, of the like product. In accordance with this Article, the data of the applicant was used pertaining to all sales (excluding the sales to SOEs) on the domestic market. Since sales prices to end-users on the domestic market were adjusted in accordance with Article 2(10)(d)(i) of the basic Regulation (as explained in recitals (30) and (31) below), they were put at a comparable level to domestic sales to independent distributors. This claim was therefore rejected.
- (25) The applicant also argued that when constructing normal value pursuant to Article 2(3) of the basic Regulation a reasonable profit margin of 5 % should be used. Reference was made to a previous investigation concerning SWR where such profit margin was considered to be reasonable. The applicant further argued that alternatively, the level of profit should not exceed the level of profit achieved for sales to independent distributors as this sales level is comparable to the level of export sales. However, Article 2(6) of the basic Regulation provides that the amounts for SG&A expenses and for profits should be based on the actual data of the applicant pertaining to the production and sales, in the ordinary course of trade, of the like product. Since this data was available, it was therefore used in accordance with this Article. Therefore, the claim was rejected.

2.1.2. *Export price*

- (26) There were only two sales transactions made to the Union during the review investigation period. They were not considered representative because of their limited volume and because they were made to only one customer with particular product specifications. Therefore the export price was established in accordance with Article 2(9) of the basic Regulation, which allows for constructing the export price on any reasonable basis. In this case the sales of the like product made by the applicant to third countries during the review investigation period were used as a basis for the calculation of the export price. Indeed, the sales to third countries were characterised by a significant volume to a large number of customers and the investigation did not reveal price distortions or other factors on the third countries' markets, which would suggest that the applicant's sales to these markets could not be used for the purpose of establishing the export price.

2.1.3. *Comparison*

- (27) The average normal value and the average export price were compared on an ex-works basis. For the purpose of ensuring a fair comparison between the normal value and export price, due allowance in the form of adjustments was made for the difference in transport and credit costs in accordance with Article 2(10) of the basic Regulation.
- (28) The applicant also claimed an adjustment on the normal value for the difference in the level of trade pointing to the fact that its sales on the domestic market to retailers and end-users via regional sales centres were not comparable with the sales to independent distributors. The applicant further claimed that all export sales were made to independent distributors and were thus only comparable with the domestic sales to independent distributors. A weighted average price difference between sales to the two levels of trade on the domestic market was claimed to be a basis to calculate the adjustment in accordance with Article 2(10)(d)(i) of the basic Regulation.
- (29) After final disclosure the applicant maintained its claim for an adjustment for differences in the level of trade. In addition, it argued that the determination of the level of trade adjustment should be made on a quarterly basis in order to eliminate the impact of the devaluation of the Ukrainian currency against foreign currencies impacting raw material prices and high inflation in the review investigation period.
- (30) The investigation revealed that the sales to retailers (via regional sales centres) were indeed made at a different level of trade than export sales and that this difference was reflected in the sales prices. The domestic sales prices to end-users via regional sales centres were consistently higher and the quantities were consistently lower than for the sales to independent distributors. In addition, the end-users benefited from additional services offered by the regional sales centres. Therefore, an adjustment for differences in the level of trade within the meaning of Article 2(10)(d)(i) of the basic Regulation was granted.

- (31) The applicant based the calculation of the claimed adjustment on the overall average price difference between the two levels of trade weighted on basis of the volumes sold to independent distributors. However, the volumes sold to independent distributors should not have an effect on the level of the adjustment. Therefore, the Commission calculated the adjustment on the basis of the weighted average price difference per ton and per product type applied to the volume of sales to end-users only.
- (32) Finally, the adjustment was not calculated on a quarterly basis as proposed by the applicant, as it was established that it would not neutralise the impact of the distortions mentioned in recital (29).

2.1.4. *Dumping margin*

- (33) As provided for under Article 2(11) of the basic Regulation, the weighted average normal value by type was compared with the weighted average export price to third countries of the corresponding type of the like product. This comparison showed the existence of dumping.
- (34) The dumping margin of the applicant expressed as a percentage of the net, free-at-Union frontier price was found to be 10,5 %.

2.2. **Lasting nature of the changed circumstances**

- (35) In accordance with Article 11(3) of the basic Regulation the Commission examined whether the changed circumstances with regard to dumping could reasonably be considered to be of a lasting nature.
- (36) The anti-dumping duty currently applicable was established during the original investigation. During the investigation period of that investigation Ukraine was considered as an economy in transition and thus normal value was established on the basis of Article 2(7) of the basic Regulation. Consequently, normal value was established on the basis of the prices paid in an analogue country market being a market economy country, i.e. Poland.
- (37) In 2005 Ukraine was granted market economy status and therefore Article 2(7) of the basic Regulation does not apply to it any longer. Therefore, the applicant's dumping margin during the review investigation period was based on its own verified data.
- (38) The evidence obtained and verified during the investigation confirmed the changes to its current company structure, based on the merger of two former unrelated exporting producers and a third entity responsible for sales and marketing. The merger took place in 2010. The change is considered to be of a lasting nature since the tasks previously carried out by the separate entities were effectively transferred to the applicant. No indications pointing to possible future changes were found.
- (39) In the light of the above, it is therefore considered that the circumstances that led to the initiation of this review are unlikely to change in the foreseeable future in a manner that would affect the findings of the current review. Therefore, it is concluded that the changes are considered to be of a lasting nature and that the application of the measures at its current level is no longer justified.
- (40) After final disclosure, Liaison Committee of EU Wire Rope Industries (EWRIS) argued that the ongoing military operations in the region of Ukraine, where one of the two production sites of the applicant is located, does not allow concluding that the change referred to in recital (38) is of a lasting nature. In this regard, it is first noted that the conclusion on the lasting nature of the changed circumstances with regard to dumping was based on two elements referred to in recitals (37) and (38), of which EWRIS contests only one. Secondly, the investigation established that the applicant's production site in the region of Donetsk has not been operating since summer 2014, thus limiting the production capacity of the applicant. Such a decision by the applicant, motivated by the security concerns, does not contradict the finding that the merger of formerly two producers of SWR has been effective since 2010 and that it constitutes a structural change of the operations of the two companies of a lasting nature. Therefore, the argument was rejected.

3. **ANTI-DUMPING MEASURES**

- (41) In light of the results of this review investigation, it is considered appropriate to amend the anti-dumping duty applicable to imports of the product concerned from Ukraine by introducing a duty applicable to PJSC 'PA' 'Stalkanat-Silur' at the level of 10,5 %.
- (42) The country-wide measures in force are not affected by this conclusion.

4. DISCLOSURE

- (43) Interested parties were informed of the essential facts and considerations leading to the above conclusions and were given an opportunity to comment. Their comments have been taken into account where appropriate. Given that these comments led to substantial changes in the Commission's conclusions concerning the dumping margin, a second disclosure to the interested parties took place on 8 December 2015. Comments after second disclosure have been taken into account where appropriate.
- (44) The measures provided for in this Regulation are in accordance with the opinion of the Committee established by Article 15(1) of Regulation (EC) No 1225/2009.

HAS ADOPTED THIS REGULATION:

Article 1

Article 1(3) of Implementing Regulation (EU) No 102/2012 is replaced by the following:

'3. The rate of the definitive anti-dumping duty applicable to the CIF net, free-at-Union-frontier price, before duty of the product described in paragraph one and originating in Ukraine shall be as follows:

Company	Anti-Dumping duty (%)	TARIC Additional Code
PJSC "PA" "Stalcanat-Silur"	10,5	C052
All other companies	51,8	C999

The application of the individual duty rates specified for the company mentioned in the table above shall be conditional upon presentation to the customs authorities of the Member States of a valid commercial invoice, on which must appear a declaration dated and signed by an official of the entity issuing such invoice, identified by his/her name and function, drafted as follows: "I, the undersigned, certify that the (volume) of steel ropes and cables sold for export to the European Union covered by this invoice was manufactured by (company name and address) (TARIC additional code) in the Ukraine. I declare that the information provided in this invoice is complete and correct." If no such invoice is presented, the duty rate applicable to "all other companies" shall apply.'

Article 2

This Regulation shall enter into force on the day following its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 26 January 2016.

For the Commission
The President
Jean-Claude JUNCKER

COMMISSION IMPLEMENTING REGULATION (EU) 2016/91
of 26 January 2016
amending Council Regulation (EC) No 2368/2002 implementing the Kimberley Process
certification scheme for the international trade in rough diamonds

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 2368/2002 of 20 December 2002 implementing the Kimberley Process certification scheme for the international trade in rough diamonds ⁽¹⁾, and in particular Article 19 thereof,

Whereas:

- (1) Article 19 of Regulation (EC) No 2368/2002 provides for a list of Community authorities to be maintained by the Commission in Annex III;
- (2) Bulgaria sent a letter to the Commission informing of its intention to stop maintaining a Union Authority in Bulgaria according to Regulation (EC) No 2368/2002.
- (3) Annex III to Regulation (EC) No 2368/2002 should be amended accordingly.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Committee referred to in Article 22 of Regulation (EC) No 2368/2002,

HAS ADOPTED THIS REGULATION:

Article 1

Annex III to Regulation (EC) No 2368/2002 is replaced by the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 26 January 2016.

For the Commission
Vice-President
Federica MOGHERINI

⁽¹⁾ OJ L 358, 31.12.2002, p. 28.

ANNEX

‘ANNEX III

List of Member States’ competent authorities and their tasks as referred to in Articles 2 and 19**BELGIUM**

Federale Overheidsdienst Economie, KMO, Middenstand en Energie, Dienst Vergunningen/Service Public Fédéral Economie,

PME, Classes moyennes et Energie, Service Licence,

Italiëlei 124, bus 71

B-2000 Antwerpen

Tel. (32-3) 206 94 70

Fax (32-3) 206 94 90

E-mail: kpcs-belgiumdiamonds@economie.fgov.be

In Belgium the controls of imports and exports of rough diamonds required by Regulation (EC) No 2368/2002 and the customs treatment will only be done at:

The Diamond Office,

Hovenierstraat 22

B-2018 Antwerpen.

CZECH REPUBLIC

In the Czech Republic the controls of imports and exports of rough diamonds required by Regulation (EC) No 2368/2002 and the customs treatment will only be done at:

Generální ředitelství cel

Budějovická 7

140 96 Praha 4

Česká republika

Tel. (420-2) 61 33 38 41, (420-2) 61 33 38 59, cell (420-737) 213 793

Fax (420-2) 61 33 38 70

E-mail: diamond@cs.mfcr.cz

Permanent service at designated custom office — Praha Ruzyně

Tel. (420-2) 220 113 788

or Tel. (420-2) 220 119 678

GERMANY

In Germany the controls of imports and exports of rough diamonds required by Regulation (EC) No 2368/2002, including the issuing of Community certificates, will only be done at the following authority:

Hauptzollamt Koblenz

Zollamt Idar-Oberstein

Zertifizierungsstelle für Rohdiamanten

Hauptstraße 197

D-55743 Idar-Oberstein

Tel. (49-6781) 56 27-0

Fax (49-6781) 56 27-19

E-mail: poststelle@zabir.bfinv.de

For the purpose of Articles 5(3), 6, 9, 10, 14(3), 15 and 17 of this Regulation, concerning in particular reporting obligations to the Commission, the following authority shall act as competent German authority:

Bundesfinanzdirektion Südost
Krelingstraße 50
D-90408 Nürnberg
Tel. (49-911) 376 3754
Fax (49-911) 376 2273
E-mail: diamond.cert@bfdso.bfinv.de

PORTUGAL

Autoridade Tributária e Aduaneira
Direção de Serviços de Regulação Aduaneira
R. da Alfândega, 5
1149-006 Lisboa
Tel. +351 218813888/9
Fax +351 218813941
E-mail: dsra@at.gov.pt

In Portugal the controls of imports and exports of rough diamonds required by Regulation (EC) No 2368/2002 and the customs treatment will only be done at:

Alfândega do Aeroporto de Lisboa
Aeroporto de Lisboa,
Terminal de Carga, Edifício 134
1750-364 Lisboa
Tel. +351 210030080
Fax +351 210037777
E-mail address: aalisboa-kimberley@at.gov.pt

ROMANIA

Autoritatea Națională pentru Protecția Consumatorilor
(National Authority for Consumer Protection)
1 Bd. Aviatorilor Nr. 72, sectorul 1 București, România
(72 Aviatorilor Bvd., sector 1, Bucharest, Romania)
Cod postal (Postal code) 011865
Tel. (40-21) 318 46 35/312 98 90/312 12 75
Fax (40-21) 318 46 35/314 34 62
www.anpc.ro

UNITED KINGDOM

Government Diamond Office
Conflict Department
Room WH1.214
Foreign and Commonwealth Office
King Charles Street
London
SW1A 2AH
Tel. (44-207) 008 6903/5797
Fax (44-207) 008 3905'

COMMISSION IMPLEMENTING REGULATION (EU) 2016/92**of 26 January 2016****establishing the standard import values for determining the entry price of certain fruit and vegetables**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 ⁽¹⁾,

Having regard to Commission Implementing Regulation (EU) No 543/2011 of 7 June 2011 laying down detailed rules for the application of Council Regulation (EC) No 1234/2007 in respect of the fruit and vegetables and processed fruit and vegetables sectors ⁽²⁾, and in particular Article 136(1) thereof,

Whereas:

- (1) Implementing Regulation (EU) No 543/2011 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commission fixes the standard values for imports from third countries, in respect of the products and periods stipulated in Annex XVI, Part A thereto.
- (2) The standard import value is calculated each working day, in accordance with Article 136(1) of Implementing Regulation (EU) No 543/2011, taking into account variable daily data. Therefore this Regulation should enter into force on the day of its publication in the *Official Journal of the European Union*,

HAS ADOPTED THIS REGULATION:

Article 1

The standard import values referred to in Article 136 of Implementing Regulation (EU) No 543/2011 are fixed in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 26 January 2016.

*For the Commission,
On behalf of the President,*

Jerzy PLEWA
Director-General for Agriculture and Rural Development

⁽¹⁾ OJ L 347, 20.12.2013, p. 671.

⁽²⁾ OJ L 157, 15.6.2011, p. 1.

ANNEX

Standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)		
CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	IL	236,2
	MA	80,0
	TN	158,2
	TR	99,6
	ZZ	143,5
0707 00 05	MA	86,8
	TR	156,8
	ZZ	121,8
0709 93 10	MA	45,9
	TR	147,0
	ZZ	96,5
0805 10 20	EG	47,4
	MA	62,6
	TN	61,0
	TR	64,3
	ZZ	58,8
0805 20 10	IL	147,6
	MA	77,4
	ZZ	112,5
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	IL	116,8
	JM	154,6
	MA	53,1
	TR	104,1
	ZZ	107,2
0805 50 10	TR	97,9
	ZZ	97,9
0808 10 80	CL	87,5
	US	122,2
	ZZ	104,9
0808 30 90	CN	53,7
	TR	82,0
	ZZ	67,9

⁽¹⁾ Nomenclature of countries laid down by Commission Regulation (EU) No 1106/2012 of 27 November 2012 implementing Regulation (EC) No 471/2009 of the European Parliament and of the Council on Community statistics relating to external trade with non-member countries, as regards the update of the nomenclature of countries and territories (OJ L 328, 28.11.2012, p. 7). Code 'ZZ' stands for 'of other origin'.

