



European Monitoring Centre on Change

France: Employers' obligation to improve energy efficiency

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France

Phase:

Anticipation

Type:

Employers' obligation to improve energy efficiency

Last modified: 22 March, 2023

Native name:

Code de l'énergie

English name:

Energy code

Article

L.341-4-2, D.341-9, D.341-10, D.351-5, D.351-7 - Energy Code

Description

The reduction in the electricity transmission tariff for electro-intensive industries was introduced by article 157 of Law 2015-992 (17 August 2015) on energy transition for green growth.

Since 2016, article L.341-4-2 of the Energy Code stipulates that electro-intensive industrial sites can enjoy a reduction in electricity transmission tariffs ("Tarif d'Utilisation du Réseau Public de transport de l'Electricité - TURPE") if they have a predictable and stable, or countercyclical, consumption profile. The beneficiaries are consumption sites "connected directly to the transmission system or those equipped with a metering device managed by the transmission system operator".

To benefit from tariff reductions, the electro-intensive industrial sites concerned must:

- justify a level of energy used higher than a minimum level; In practice this covers mostly industrial sectors (paper, metal, chemical, cement sectors, etc.)
- meet criteria for using the public transmission network (minimum duration of use and minimum rate of use in off-peak hours);

Article D341-9 of the Energy Code (as amended by decree n°2021-420 of 10 April 2021) includes an annex listing four categories of eligible sites and the applicable electricity transmission tariff reduction. For instance, sites with a stable consumption profile are those "whose annual electricity consumption drawn from the electricity transmission network is greater than 10 GWh and whose duration of use of the network is greater than or equal to 7,000 hours; excluding sites allowing energy to be stored for subsequent return to the network". This category enjoys the highest reduction of tariff, at 81% of the Tariff for the Use of Public Electricity Networks (TURPE).

To benefit from this reduction, companies must:

- submit an annual certificate to public authorities (Prefect of the region where the site is located) to justify that the sites concerned meet the eligibility criteria (art. D351-7 Energy Code);
- send their request to the transmission network operator, along with a copy of the above certificate (art. D.341-10).

As per article D.351-5 of the Energy Code, companies can benefit from this tariff reduction if, within 5 years of their first request, they reach an energy performance target with indicators defined as the ratio between energy consumption and a unit of production. These indicators are certified as part of the implementation of an energy management system according to an international standard (ISO 50001).

Comments

Set up by law n°2000-108 of 10 February 2000 on the modernisation and development of the public electricity service, the Tariff for the Use of Public Electricity Networks (TURPE) is used to remunerate electricity transmission and distribution network operators. Concretely, electro intensive companies are mainly found in industrial sectors (paper, metal, chemical, cement sectors, etc.) strongly exposed to international competition. The reduction of TURPE thus aims to alleviate the costs supported by those sectors to contribute to their competitiveness. In return, these companies are required to improve their energy performance and thus to contribute to environmental objectives. According to the Energy Regulation Commission (CRE -2021), the estimated amount of TURPE reductions is approximately €230 million per year.

Cost covered by

Not applicable








Involved actors other than national government

Other

Thresholds

No, applicable in all circumstances

Sources

-  Law 2015-992 of 17 August 2015 on energy transition for green growth
-  Decree n° 2016-141 of 11 February 2016 relating to the electro-intensive status and the reduction in the tariff for the use of the public transport network granted to sites that consume a lot of electricity
-  The note detailing the conditions to benefit from this tariff reduction (note du 8 décembre 2016 relative à la mise en œuvre d'une politique de performance énergétique au sens de l'article D. 351-5 du code de l'énergie »)
-  Reduction in the tariff for the use of the public transport network
-  Décret n° 2021-420 du 10 avril 2021 modifiant la partie réglementaire du code de l'énergie relative aux dispositions relative à la réduction de tarif d'utilisation du réseau public de transport accordée aux sites fortement consommateurs d'électricité
-  Délibération de la CRE du 25 mars 2021 portant avis sur le projet de décret modifiant la partie réglementaire du code de l'énergie relative aux dispositions relatives à la réduction de tarif d'utilisation du réseau public de transport accordée aux sites f
-  Energy Code

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