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PWEA CURRENT ACTIVITY

Preparations to the 10th Wind Energy Forum



The 10th Wind Energy Forum will be held on 6 November 2008 in Marriott Hotel, Warsaw. The meeting is to be focused around the central theme:

**“Amendments to the Energy Law.
New and old barriers to wind power development”.**

The Forum is to be attended by representatives of Ministry of Economy – Director of the Energy Department, Mr. Zbigniew Kamieński already confirmed his presence.

During the Forum representatives of the Ministry will present key assumptions and rationale for the solutions proposed in the draft Energy Law, in particular applicable to wind energy. We count on a rich discussion among both Forum parties: the

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Ministry and wind energy sector concerning the removal of barriers to wind power development.

More than 140 participants have already registered, representing all players on the wind energy market in Poland: investors, developers, producers, representatives of the distributor and the operator, counsellors at law and consulting companies.

We remind that early registration ends on 30.09.

Detailed information, agenda and registration forms are to be found on www.psew.pl.

We kindly invite you to participate in the 10th Wind Energy Forum.

Preparations for the 4th PWEA Conference „Wind Energy Market in Poland”



On 18.09 in Warsaw the first session of the IVth PWEA Conference Steering Committee was held. The Conference is to take place on 21 – 22 April 2009 in Mazurkas Conference Centre in Ożarów Mazowiecki near Warsaw.

The session was presided by **Professor Tadeusz Skoczowski**, President of the Polish National Energy Conservation Agency. Participation in the works of the Steering Committee has been confirmed by:

1. **Professor Jerzy Buzek**, MP, European Parliament;
2. **Professor Maria Czerepaniak-Walczak**, University of Szczecin, Faculty of Humanities;
3. **Andrzej Czerwiński**, MP/Chairman of the Parliamentary Team for Energy;
4. **dr Grzegorz Górski**, President of the Board, Electrabel Polska S.A.;
5. **Witold Kępa**, Director of the North – Western Local Office, Energy Regulatory Office;
6. **Sławomir Krystek**, General Director, Polish Chamber of Power Industry and Environment Protection;
7. **Marek Kulesa**, Director, Association of Energy Trading;
8. **Arkadiusz Litwiński**, MP/Deputy Chairman of the Environmental Protection. Natural Resources and Forestry Committee;
9. **Professor Jacek Malko**, Wrocław University of Technology, Group of Power Networks and Systems;
10. **dr Bożena Mroczek**, Pomeranian Medical University in Szczecin;
11. **Jarosław Mroczek**, President, Polish Wind Energy Association;
12. **Igor Muszyński**, Chadbourne & Parke LLP;
13. **Grzegorz Onichimowski**, President, Polish Power Exchange;
14. **Anna Paślawska**, Vice – President, Polish Wind Energy Association;

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15. **Andrzej Pazda**, Director, Polish Electricity Transmission and Distribution Association;
16. **Professor Jan Popczyk**, Silesian University of Technology, Electrical Department
17. **Krzysztof Prasalek**, Vice – President, Polish Wind Energy Association;
18. **Artur Różycki**, President, Enea Operator Sp. z o.o.;
19. **Christoph Sowa**, Lawyer/Project Manager, Enertrag AG;
20. **Tadeusz Staszewski**, Development Director, Vattenfall Poland Sp. z o.o.;
21. **Wojciech Stępniewski**, Project Manager, WWF;
22. **Tomasz Wieczorek**, President, Polish Association for Energy Certification;
23. **Grzegorz Wiśniewski**, President, EC BREC Instytut Energetyki Odnawialnej Sp. z o.o.;
24. **Marek Wodawski**, Vice – President of the Board, EnergiaPro Grupa Tauron;
25. **Professor Krzysztof Żmijewski**, Chairman of the Social Energy Consultation Council.



During the three - hour session the substantial scope of the „Market and Policy” plenary session and 10 thematic session was approved:

1. Grid and Law,
2. Wind Power on the Energy Market,
3. Wind Turbines in the Grid,
4. Environment,
5. Social Awareness and Approval,
6. Sector Services,
7. Technology,
8. Offshore,
9. Q&A,
10. Sponsor’s Session.

Moreover discussed was call for abstracts, scheduled to start in the first week of October 2008.

Soon the Steering Committee is to address personal invitation to moderate particular sessions.

Honorary patronage of EWEC 2010 has been assumed by Minister for the Environment, Professor Maciej Nowicki, and Minister for Economy, Mr. Waldemar Pawlak.

Detailed information about the Conference are to be found at <http://www.konferencja2009.psew.pl>

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Session of the Sejm's Environmental Protection, Natural Resources and Forestry Committee concerning the demand to remove RES development barriers

Due to many problems encountered during construction of wind farms, Polish Wind Energy Association developed a document entitled "Wind Power Development Barriers". The purpose of the document was to brief the Government on key barriers delaying the investment process. We succeeded in interesting Vice – Chairman of the Sejm's Environmental Protection, Natural Resources and Forestry Committee, MP Arkadiusz Litwiński. An effect of mutual works was development of Demand no. 5 concerning barriers to RES development, addressed to the Prime Minister. On 18 September 2008 the Environmental Protection, Natural Resources and Forestry Committee started to consider the reply to Demand no. 5. Due to non - substantive Government's reply PWEA requested to reject the answer to the Demand and to supplement it. PWEA expresses its will for further active cooperation with other organizations and Committee in the field. On the Committee's session PWEA was represented by Mrs. Joanna Filipkowska, expert for environmental issues.

Furthermore, PWEA provided EWEA (European Wind Energy Association) with a document describing barriers to wind power development currently existing in Poland to apply for participation in the WINDBARRIERS project.

source: PWEA (19.09.2008)

Guidelines for assessment of wind farms' impact on birds

Polish Wind Energy Association started a widely targeted promotion of the "Guidelines for assessment of wind farm's impact on birds" developed in March 2008 by PWEA and Polish Birds Protection Society, with substantial aid from ornithology and environment protection experts. The document is recommended by the following ecological organizations: Instytut na Recz Ekorozwoju, Greenpeace and Zachodniopomorskie Towarzystwo Ekologii Praktycznej.

It presents a code of good practice for environmental issues related to development of wind farm investments.

The purpose of the guidelines is to popularize wind farm development based on the sustainable development principle. PWEA wishes to popularize the document not only among investors, but primarily administration bodies, the society, environmental and ecological organizations. Keynote of the action is to prove that well – prepared and operated wind energy investments do not harm the environment and that by common effort of both investors, officials, administration employees and ecological organizations it is possible to reach an agreement and manage the investment process in harmony with the environment.

Currently PWEA is applying for recommendation for the document by Minister for the Environment, Professor Maciej Nowicki and Chief Nature Conserver, Mr. Maciej Trzeciak, Ph. D.

The „Guidelines for assessment of wind farms' impact on birds" is available at PWEA website: www.psew.pl.

source: PWEA (12.09.2008)

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PWEA President in EWEC 2009 Programme Committee

President Jarosław Mroczek is to participate in review of abstracts sent for the European Wind Energy Conference & Exhibition 2009, Marseilles, 16-19 September 2009.

source: PWEA (01.09.2008)

EWEC 2010 in Poland

European Wind Energy Association decided that European Wind Energy Conference & Exhibition 2010 will take place in Warsaw, Poland on 20 – 23 April. Polish Wind Energy Association is EWEA's local partner for the event. On 25 September in Brussels a meeting between representatives of PWEA and EWEA was held to discuss organizational details of the event.

EWEC is a cyclical meeting of the entire European wind energy sector. 4 days each year attract 6000 participants from over 80 countries, 2000 speakers participating in thematic panels, and 4000 visitors coming to see more than 200 stands and exhibits.

Honorary patronage of EWEC 2010 has been assumed by Minister for Economy, Mr. Waldemar Pawlak.

source: PWEA (25.09.2008)

New PWEA members

a) It is our pleasure to inform that new members were admitted to the Association:

- Companies:

- **Nordex Polska Sp. z o.o.** – sponsoring supporting member,
- **ABB Sp. z o.o.** – ordinary supporting member,
- **Domrel Biuro Usług Inwestycyjnych Sp. z o.o.** – ordinary supporting member,
- **von Zanthier & Schulz** – ordinary supporting member.

- Ordinary members:

- Adrien Fouchet – representative of Nordex Polska Sp. z o.o.,
- Tomasz Wolanowski – representative of ABB Sp. z o.o.
- Tadeusz Kierys – representative of Domrel Sp. z o.o.
- Henning von Zanthier – representative of von Zanthier & Schulz.

b) Due to organizational changes in two companies we inform that:

- Name of company „TELE-FONIKA KABLE HANDEL Spółka Akcyjna” – ordinary supporting member – has been changed to „TELE-FONIKA KABLE Spółka z ograniczoną odpowiedzialnością Spółka komandytowo-akcyjna”;

- Kornelius Sp. z o.o. became a shareholder in Global Wind Energy Poland Sp. z o.o. and continues its PWEA membership as GWEP.

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Amendment of the System Ordinance

On 9 September the *Minister of Economy Ordinance dated 21 August 2008 amending the Ordinance on the detailed conditions for operations of the power system* has been published in the Journal of Laws.

The document mostly makes current regulations more precise, as well as clarifies the method for determining the value of the balancing component. Modified were also the provisions concerning the application for determination of connection conditions for wind farms. Current regulation to submit technical specification of a turbine has been substituted with a requirement to determine the number of generating units within the wind farm, generator types and expected values of electrical parameters of grids and transformers comprising the wind farm's installations and facilities.

The Ordinance entered into force on 24 September 2008.

source: www.rcl.gov.pl, (09.09.2008)

Amendments to the Transmission Grid Code – System Balancing and Management of System Constraints

On 19 September 2008 PSE-Operator S.A. started the public consultation procedure for draft Update Card no. B/7/2008 to the Transmission Grid Code – System Balancing and Management of Grid Constraints (“TGC – Balancing”). An announcement concerning planned changes to the TGC – Balancing has been published on the TSO's website.

Amendments contained in the Update Card are introduced to implement the rules under the regulations laid down in the Minister for Economy Ordinance dated 4 May 2007 on the detailed conditions for operation of the power system (the System Ordinance), amended by Minister for Economy Ordinance dated 21 August 2008 amending the Ordinance on the detailed conditions for operation of the power system. Amendments not stemming directly from the regulations contained in the System Ordinance are introduced as part of previously started development of the balancing mechanism to take into account the market participants' demands and experience from Balancing Market operation.

The Update Card consultation process will last until 10 October 2008.

source: www.pse-operator.pl, (25.09.2008)

Another version of draft Energy Policy of Poland until 2030

Ministry of Economy developed a new version of the “Energy Policy of Poland until 2030” presented on a conference organized in the Ministry on 3 September 2008. Priorities of the “Policy” presented on the conference include:

1. Improvement of energy efficiency,
2. Increase in energy security,
3. Development of use of renewables energy sources, including biofuels,
4. Development of competitive markets for fuels and energy,
5. Limiting environmental impact of the energy sector.

The latest draft of the Policy partially includes the remarks of social partners given during the August discussion on the documents “Energy Policy of Poland – Strategy until 2030” and “Assumptions to discussion on Energy Policy of Poland until 2030”. Detailed proposals are still being analyzed in development of a programme for executive actions. The document will be subjected to further wide arrangements and consultations (the deadline for submission of further remarks is 1 October 2008) and subjected to an EIA assessment. The final version of “Energy Policy of Poland until 2030” is to be ready by end of the year.

source: PWEA, www.mg.gov.pl (03.09.2008)

Changes to Environmental Impact Assessment procedures

Sejm of the Republic of Poland has finished works on the new Act on Disclosure of Environmental Information and Protection Thereof, Public Participation in Environmental Protection and Environmental Impact Assessments (EIA) and submitted the Act to Senate. The EIA Act to ensure transparent legal framework clearly lays down procedural requirement for public participation in development of strategic documents.

Another change proposed in the amendment applies to participation of ecological organizations in proceedings requiring public participation. **Ecological organizations** acquired the right to participate in the proceedings with rights of a party. This means that ecological organizations, basing on their statutory targets, may participate in the **entire** proceedings, even if not willing to when the proceedings started. **Moreover, the requirement** for the organization to justify the will to participate by its area of operation **has been removed** – such an requirement does not apply to parties, and the European Commission clearly indicated illegality of such an requirement in the Polish law.

Facing the needs of beneficiaries of the EU funds a possibility for the investor to request a **reassessment** has also been stipulated. In general, it is assumed that performance of the reassessment will be an exception rather than a routine element of the investment procedure.

Furthermore developed are amendments to the Environmental Protection Law. Such include **shortening waiting time** for issuance of the environmental decision from 60 days (EPL) to 30 days (EIA). Moreover, for the first time a **penalty** for non – issuance of the environmental decision within 30 days is stipulated: „Article

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56c.1. If the competent authority does not issue the decision on environmental determinants within 30 days from the date of submission of the application, the applicant may demand payment of a penalty for each day of the delay in the amount equal to 20% of average gross monthly remuneration in the national economy, announced by President of the Central Statistical Office for the quarter preceding the day of obligation generation date.”

The document is available at:

http://www.psew.pl/files/768_ustawa_oos_projekt_z_dnia_17072008.pdf

source: PWEA (23.09.2008)

European Parliament's support for priority grid access and improved infrastructure for renewable energies

The Energy Committee (ITRE) of the European Parliament's presented its position on the proposed Renewable Energy Directive. The ITRE Committee voted overwhelmingly in favour of key amendments which will support the development of renewable energy to help achieve the 20% by 2020 target. Foremost among these are the quick development of all necessary physical connections to the grid, priority access and priority during dispatch for renewable energy.

National governments will have the options of transferring surplus renewable energy to count towards their national target, launching joint renewables projects with other Member States, voluntary agreements and equalisation strategies with other Member States.

Other important amendments agreed by ITRE include mandatory interim targets that are legally binding, which together with the direct penalty mechanism, would allow the European Commission to take effective early action against those Member States that fall behind on their renewable energy targets. ITRE also underlined that electricity from outside the EU may be imported into the Community only when the Community reaches its renewable targets. This means that all Member States must reach their national targets.

The European Parliament will vote on the Renewable Energy Directive in a plenary session in the coming months.

source: EWEA (11.09.2008)

Lack of "right of way" blocks investment in wind energy

The energy industry votes for rapid development and adoption of a special act increasing the pace of investment in new power grids. Lack of the so – called right of way may delay or block investments, in consequence leading to difficulties in ensuring power system security.

Such acts are in force in many countries. In the past an idea to introduce a provision to the Energy Law stipulating that potential court disputes concerning

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performances of damages do not hold investments in power lines was considered. Now, however, more profound legal regulations are required.

In accordance with PETDA to meet the growing demand for electricity in Poland at least one thousand megawatts of new capacity has to be commissioned each year, with another thousand modernized.

To bring to establishment of new legal solutions for infrastructure investments, in August 2008 an Alliance was established between 5 subjects: GAZ-SYSTEM S.A., The Chamber of the Natural Gas Industry, Polish Electricity Transmission and Distribution Association, PSE-Operator S.A. and Towarzystwo Rozwoju Infrastruktury ProLinea. The purpose of the Alliance is to bring to adoption by the Polish Parliament of new legal solutions favouring infrastructure investment and clearly ordering the legal status of grid infrastructure in existence and under construction.

Although the Alliance is open to other subjects, the Steering Committee decided to admit only subjects whose primary field of activity is transmission and distribution of energy. Therefore, PWEA's application for inclusion in the Alliance's works has been rejected, as from an organization representing other subsectors of the energy sector.

source: PAP, www.pse-operator.pl (05.09.2008)

Information about the project's distance to public roads

In accordance with the announcement of Speaker of the Sejm of Republic of Poland dated 25 January 2007 on announcement of uniform text of the Public Roads Act (Journal of Laws no. 19, Item 115):

Article 43.1 of the Act Construction objects located near roads shall be located at least from the external edge of the road:

No.	Road type	In developed areas	Outside developed areas
1	Motorway	30 m	50 m
2	Express road	20 m	20 m
3	Public road:		
	a) National,	10 m	25 m
	b) Provincial, district,	8 m	20 m
	c) Communal	6 m	15 m

Article 43.2. In particularly justified cases location of the construction object near the road referred to in Clause 1 Item 3 of the table at a distance lower than determined in Clause 1 may occur only by permission of the road manager, issued before acquisition by the object's investor or a building permit or notification of the construction or performance of construction works. Provisions of Article 38.3 shall apply accordingly.

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Article 43.3. Provisions of Clause 2 shall not apply to placing advertisements outside developed areas.

source: PWEA

European Technology Platform for Wind Energy

In 2006 the **European Technology Platform for Wind Energy** (TPWind) was launched. The main objectives included identification of areas for increased innovation, new and existing research and development tasks. The primary objective is reduction of social, environmental and technological wind energy costs.

Wind energy is expected to develop in three phases:

1. **Phase 1: Short term (2020)** – The market matures in Western Europe and develops in central and eastern Europe. Competition from low labour cost countries increases further. Large-scale deployment of offshore wind energy begins. The installed capacity reaches 180 GW, including 40 GW offshore.
2. **Phase 2: Medium term (2020-30)** – Wind energy continues to mature in all its applications, both onshore and offshore. The main developments are further cost reductions and high penetration technology. Deep offshore technology develops on an industrial scale. Exports from Europe grow. Installed capacity reaches 300 GW in 2030, when annual installations reach 20 GW, of which half is offshore and 7.5 GW is re-powering.
3. **Phase 3: Long term (2030-50)** – The main European markets are in offshore and re-powering. Exports from Europe are strong.

To make this vision a reality, four thematic areas have been identified:

- ✓ **wind conditions** – improvement of available prediction techniques to reduce prediction errors below 3%;
- ✓ **wind turbine technology;**
- ✓ **wind energy integration;**
- ✓ **offshore deployment.**

In order to implement the TPWind 2030 vision and enable the large-scale deployment of wind energy, the development and adoption of market development strategies, further development of administrative procedures, ensuring public support, cost reduction and integrating wind into the natural environment has to be considered. Also, development of systems for financing wind energy was emphasized.

source: www.windplatform.eu (24.09.2008)