

Info – Pack: establishment of an energy community



**A short guide for citizens, local stakeholders, public actors and investors
for the development of energy communities in the straits of Otranto / Corfu**

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1. Introduction

This short guideline digital handbook (info pack) includes all key information that derived from the analyses of legal & financial framework and the feasibility study in order to give advices and info to the potential energy community members and founders.

1.1. PASSAGE: Straits of Otranto and Corfu

This cross-border action plan has been jointly designed by Province of Lecce (Italy), Region of Ionian Islands and InnoPolis (Greece), and Regional Council of Vlora (Albania), partners of PASSAGE project, and many stakeholders involved on each side of the Straits of Otranto and Corfu.

PASSAGE project is aiming to develop a low-carbon transition at the scale of 6 European straits and 5 maritime border regions. The first phase of the project (April 2016-March 2018) was focused on the diagnosis and the identification of levers for action. The second phase of the project (April 2018-March 2020) will be dedicated to the implementation of this action plan.

This action plan is aiming to trigger a low-carbon transition of the straits of Otranto and Corfu, based on the evidence provided by the carbon emissions' study carried out by I Care & Consult in the framework of PASSAGE project. For the first time, this study has demonstrated the cross-border share of carbon emissions generated by the activities linked to the strait. Among the emissions considered in this study are the direct emissions, occurring within above-mentioned straits' boundaries, and the indirect emissions, occurring outside of the boundaries of the strait but directly linked to the activities of the straits.

1.2. Why this info-pack?

The purpose of the info-pack is to offer useful tools to individuals and groups looking to create to set up energy communities projects. Energy communities' projects have the potential to

create investment and employment through saving or generating energy and contributing to a more rational and sustainable energy system overall. It will interest groups of citizens, existing civic groups and businesses, local and regional authorities, as well as policy makers and implementers.

1.3. Making the energy transition a just transition

With an established international consensus on the need to move away from fossil fuel-based energy sources and reduce emissions of CO₂, more and more countries are making a transition to renewable sources of energy. Some countries such as Denmark, Sweden and Germany began this energy transition in the 1970s following the 1973 oil crisis. Others like Ireland and Greece are newer arrivals to this societal change.

Along with the change from fossil fuels to cleaner renewable energy, the change also opens the possibility of a change from passive energy consumers, and a centralised energy system to active prosumers and more local decentralised distribution systems stimulating local economies. The Energy transition presents a once in a generation opportunity for communities and countries to increase the prosperity and resilience of local economies. In this sense, decentralising the energy system through locally owned renewable energy presents “one of the most promising prospects for a healthy, social and economic development.” As part of this global consensus of a transition to a low carbon economy, many governments are passing climate related legislation.

The Paris Agreement to keep global warming below 1.5 ° C, will require a further scaling up of the current process of decarbonisation. As with any societal change, opportunities and challenges are present. The Paris Agreement recognises “the imperative of a just transition of the workforce and the creation of decent work and quality jobs in accordance with nationally defined development priorities. The term “Just Transition” is also mentioned in the Preamble of the United Nation Framework Convention on Climate Change (UNFCCC) Paris Agreement, which recognizes the position of workers between society and nature. A Just Transition is one where the benefits of changing our energy system are shared between public and private interests, while the costs of such a change are not allowed for fall on workers and citizens alone.

A coordinated response to the Energy Transition and climate action can generate jobs, enhance environmental sustainability, promote social justice and energy democracy.

1.4. Why energy communities?

Renewable energy communities are grassroots initiatives that invest in ‘clean energy’ in order to meet consumption needs and environmental goals and thereby – often unwittingly – conduce to the spread of renewables (Doci et al., 2015). Energy communities contributing to renewable energy production leads both to returning energy prices and investment and also fighting climate change.

In its recently released Clean Energy Package, the European Commission finally acknowledged that energy communities – such as cooperatives – have a major role to play in the Europe’s energy transition. This could be a potential game changer for people and communities across the EU.

European Commission has tabled its proposal to reform the EU’s electricity market and better promote the use of renewable energy sources. The EU’s executive body formally acknowledged the reality of the new, multipolar energy market, by providing for the first time a legal recognition for smaller players, i.e. the citizen cooperatives and other local entities that develop the so-called “energy communities” projects.

1.5. Energy poverty and energy democracy

Energy poverty is a widespread problem across Europe, as between 50 and 125 million people are unable to afford proper indoor thermal comfort. Tackling Fuel Poverty in Europe, Recommendations Guide for Policy Makers”. Report produced in the framework of the Intelligent Energy Europe project EPEE- European Fuel Poverty and Energy Efficiency, September 2009. Energy democracy is an emergent social advancing renewable energy transitions by resisting the fossil-fuel-dominant energy agenda while reclaiming and democratically restructuring energy regimes. By integrating technological change with the

potential for socioeconomic and political change, the movement links social justice and equity with energy innovation. Also, Energy democracy is important for the next reasons:

1. The cost of producing energy from RES is constantly decreasing and is already directly competitive with (subsidized) fossil fuels.
2. The democratization of the energy sector ensures that replacement of dirty sources to clean energy will be done in the fastest and socially fair way.
3. Many energy activities with enormous environmental and developmental benefits (eg biomass, biogas) remain on the sidelines due to lack of interest or bureaucratic obstacles. The institutional framework for energy communities facilitates their development.

1.6. The key actors of energy communities.

The key actors/stakeholders of an energy community include: individual energy citizens, civil society organizations, non-governmental organizations, government actors, agencies and capacity building organizations, business and industry partners.

- **Energy citizens:** Citizens have the opportunity to get informed and trained - in the framework of energy democracy – in the areas of energy saving and to the production of energy in their households and businesses.
- **Civil society organizations:** Local village groups, residents' associations, interest groups predominantly voluntary in nature are organizations with an existing structure and membership who may have an interest in getting involved in energy-related projects.
- **Non-governmental organisations:** These organizations can provide information, access and support.
- **Government actors:** Regional / Local authorities (the local mayor, the head of the related department, an engaged employee) should be engaged as supporters and potential partners of the energy project.

- **Government agencies and capacity building organisations:** Government agencies that can provide support and information (The national department of energy, the department of social enterprise, the department of community development, other government agencies).
- **Social Finance Organisations:** Social finance organisations specialize in providing finance in situations which there is no other possibility for funding (local authorities, private financial backing).
- **Business and Industry:** Local energy businesses, existing cooperative businesses or national energy companies. If there is an amount of superfluous energy it is possible to be sold to the national energy company.

2. Steps for a community to create an energy communities project

2.1. Factors influencing the success of collective projects

Collective action, self-help, self-organising, these are some of the terms which can be used to describe the approach of community initiatives. Energy communities' initiatives require high levels of voluntary time and commitment. People's motivation for becoming involved can also vary. It may be concern for one's community or region, environmental concerns, or a sense of civic pride or engagement from people's values and upbringing. Some or all of these motivations can be part of your team. A number of key factors are required for successful energy communities' initiatives:

Internal Factors

- Volunteer time / Volunteer skills
- Shared vision/consensus on projects
- Trust and support (among the group and with the community)
- Good Governance

External Factors

- Ability to access resources and create partnerships with statutory organisations: e.g. Development and Enterprise Support Organisations, Third Level Organisations, Municipalities
- Ability to access resources and create partnerships with other local bodies - e.g. civil society groups, sports groups etc

These supports can include capacity building resources (time and money), and capital support. While these supports may or may not be present, the real skill for community groups is to find out, approach, and win the support of the relevant decision-makers in the bodies and organisations who hold the keys to these resources.

Ripeness

Each community will have its own characteristics. In group projects, progress can seem slower than one might like. Thus, the importance of ‘ripeness’ - what projects are most likely to succeed given the available people and resources? It is important that your chosen project is within the capacity of the team that you have assembled. Or for example, there is no point pursuing a large wind project, if the community is divided about this technology. For projects to proceed, they must be able to use the resources that are available, both in the community and in the support environment.

Allow for Early Wins

While projects plans may be ambitious, projects which are to a high-level dependent on voluntary effort, should aim for a number of “early wins”. These are goals that can be achieved in the short to mid-term. The benefit of having “early wins” is that it gives a sense of satisfaction and achievement to the people involved and can spur them on to further success.



Process and Pace

In all community initiatives, the “process” is important. One or two of the group may be very clear about the destination and may want to go ahead quickly. However, others may need to explore further, and ask more questions. This is a balancing act for any group. It is important to move slow enough to ensure that everyone understands and feels able to contribute to the group decisions, and fast enough to keep people interested and motivated. One thinks of the Bruce Tuckman categories of the stages of group development “forming, storming, norming, and performing”.

Consensus Decision Making

Votes are to be avoided. Votes divide and separate people and are a sure way to create conflict. While it is not always possible to satisfy everybody, anchor the consensus principle into your work from the start, and allow enough time for discussion when taking decisions.

The challenge for energy community initiatives, is to cultivate and maintain a vision of what it wants, while dealing with the drudgery of slow-moving bureaucracies, planning, financial and other processes. It is precisely because there is a less than helpful and at times, oppositional state, that energy communities are required, to get things moving, to localise the benefits of the new energy economy.

2.2. The 4 steps for an energy communities project

According to the project management principles there are 4 basic principles which must be followed up for a successful project implementation.

The basic 4 steps are: Scoping, Planning, Doing and Reviewing

1st Step: Initiation and Scoping

- Identify initial area of interest (village, town, urban area, city). Decide what is the scale of the action.



- Identify assets and resources (potential partners, supporters, stakeholders)
- Meetings and group discussions (a community facilitator can be used if it is needed)
- Identification and decision making for the first project(s)
 - ✓ The options which should be picked have to be the most suitable related to the skills and resources which are available.
 - ✓ Prioritization of the potential project ideas based on some of the following factors: cost, timeframe, local value creation potential (jobs and investment), energy savings, revenue generation, fit with skills, values and goals of proposed team, availability of funding, timeframe & achievability (e.g. short, mid, long term), level of risk
- Decision making for the progress of the project or not

2nd Step: Setup and Planning

- Commit to proceeding (Set up, elect the steering group, subcommittee with appropriate legal structure for the Energy Communities (L 4513/2018))
- Carry out further research into the area of opportunity – if it is required – for baseline data (this might include energy surveys)
- Agreement for the Project Scope. Focus on project design, business plan, costing, time involved, key milestones, technical requirements, grid or planning applications, assumptions, constraints, risks.
- Identification of specific funding opportunities – equity, share offering, social finance
- Meetings with project partners (e.g. local authority personnel, social finance,). Join with relevant local, regional and national support networks.

3rd Step: Doing

- Commence project (project management, project completion, regular project status updates to stakeholders to ensure ongoing oversight by group). Final work and contract closeout.

4th Step: Reviewing



- Review (lessons learned, identify areas for improvement, communication of the progress, engagement with the wider network, follow up opportunities)

2.3. Feasibility study for energy community

A co-operative is formed to serve its members by providing services that are used by the members.

It is critical to establish who will join the co-operative and actively use its services. The market issues revolve around questions such as: Can the co-op get better prices, better quality, or better services than potential members currently get through other means? How will the co-operative be, and remain competitive? Before spending a lot of time and money setting up a co-operative, be sure you can efficiently produce a product or deliver a service for a price people are willing to pay. Depending on the size and complexity of the proposed co-operative venture, a feasibility study need not be elaborate and costly, but it must address the risks, benefits, strengths and weaknesses and answer the following questions (Co-operative Federation of Victoria Ltd, 2001):

Concept: What product or service will you market?

Market: Who is going to buy your product/service? Where? Why? And in what quantity? Who is your competition?

Cost/Price: What will it cost to produce? What is people willing to pay? What is the competition charging?

Production: How will your product be produced? How will the work be organized?

Financing: How much will it cost to start-up? Where will the money come from member investment, banks or credit unions? How much will the co-op earn and when? While the feasibility study is not a substitute for a business plan, it must at least provide the basis for one.

Conducting a Feasibility Study: Once a group of individuals has an idea for a renewable energy or energy efficiency project, they must evaluate whether or not it is feasible for them to do something about it. Evaluating the feasibility of a project will likely include taking some of the following steps ([NAACP](#)):



1. Define the intended benefits of the project for members and the community and characteristics (e.g. product and service discounts, improved salaries and working conditions, increased local employment, increased local control of energy production or usage, pollution reduction, etc.)
2. Assess community receptiveness to the project
3. Identify and contact possible sources of technical, legal and financial assistance

2.4. Developing the Business Plan

If your feasibility study returns a positive result, the next step is to develop a business plan. A business plan outlines the goals and objectives of the co-operative and the steps to reach those goals. The business plan should be as complete as possible and include ([NAACP](#)):

- ✓ The products or services that will be produced or sold, (energy) to other similar products or services available on the market (quality and price),
- ✓ Equipment and material needed,
- ✓ The organization of work and the management approach,
- ✓ Financing requirements and the financing plan,
- ✓ List of external professional resources with whom the cooperative will work (accounting firms, legal firms, other cooperatives),
- ✓ List of legal requirements that must be complied with to operate the business, and
- ✓ A timetable of activities

2.5. Energy community models

This section presents a scale of the different types of Energy community models, categorised according to several characteristics or ingredients. Different structures have these ingredients in different quantities. For example, cooperative energy structures differ from strictly charity or not-for-profit models, in being businesses with democratic ownership (decisions taken being



based on equality among members, not shareholders). Coop structures can be more suitable for partnerships between individual citizens, local civil society actors, and local municipalities.

Consultations

Energy infrastructure projects, whether public or private, are usually carried out with consultations of one kind or another. Infrastructure consultations collect the views the people in the area near to or in some way affected by the project. While these consultations may shape aspects of the project, they do not give any financial benefit or direct influence in how decisions are made.

Community Benefit Models

Financial or other offerings are made to people or groups in the area near to or in some way affected by the project. This may be a one off or regular payment or other benefits, such as training opportunities, discounts on heating or energy bills. Where projects do not have the support of the local community, such compensations can be viewed negatively as trying to ‘buy off’ or even bribe a section of the community and can cause even deeper division. In some wind turbine developments, compensation can include a loss of value factor calculated for nearby householders.

Community Involvement Model

In this model, a part of the overall project is offered for investment to local stakeholders. In Denmark, up to 23% of wind projects must be offered to the local stakeholders. This requirement includes energy cooperatives which may include a number of local actors. This recognises the issue of social acceptance around some renewable technology.

Community-Based Model (for profit)

This model features a majority community shareholding which retains control interest in the project.

Community-Based Model (not for profit)



In this model, along with a majority community interest, profits are not distributed among members but re-invested back into the project.

Cooperative / Energy Community

Cooperatives have a number of [agreed distinguishing features](#), the principal of which is one member one vote form of democratic ownership. Energy cooperatives can range from the 100% civil society owned, to platform coops where several stakeholders participate. In such cases, a project may be owned equally between civil society, municipal actors and private investors. For example, a Solar PV project on a local school, owned and run by a cooperative comprising of the school, the local municipality, and several civil society groups.

Characteristics of Energy Community Models

Characteristics	Consultation Model	Community Benefit Model	Community Involvement Model	Community Based Model (For profit)	Community Based Model (Not for Profit)	Energy Communities
Community development	No local capacity building	Low community benefit	Individual and community benefit.	High levels of individual and community benefit.	High levels of individual and community benefit.	High levels of individual and community benefit.
Local Value Generation	No local benefit	Small number of local beneficiaries	Member economic participation	Member economic participation	Community economic participation	Member economic participation
CO2 Reduction	Important	Important	Important	Important	Important	Important
Decision making	No involvement	No involvement	Minority community involvement	Majority community owned	Consensus/ collective approach	Consensus/ collective approach
Membership	None	None	Membership on invitation	Voluntary and open membership	Voluntary and open membership	Voluntary and open membership
Ownership	None	None	Shared Ownership	Shared ownership	Trusteeship/ Asset lock model	Democratic Ownership, by members
Profit/Surplus	No entitlements	No entitlements	Shared profits	Shared profits	Surplus reinvested	Profit Redistributed among members
Level of Independence	None	None	Dependent	Autonomy and independent	Autonomy and independent	Autonomy and independence Co-operation among Co operatives
Equivalent or suitable Greek legal form			IKE, AE or other forms - to be reviewed	Energy community (New law / DEC 2017) IKE, AE or other forms - to be reviewed	Not-for-Profit Civil Partnership (A.M.K.E.)	Civic Cooperative (L1667/1986) Energy community (New law / DEC 2017) Social Cooperative Enterprise (L4019/2011)

3. Steps to build an energy community in Greece

3.1. Current legal context in Greece and related basic information

Energy Communities are under the Greek National Law 4513/2018. The Energy Community is a fully-fledged urban cooperative with the aim of promoting social and solidarity-based economy and innovation in the energy sector, addressing energy poverty and promoting energy sustainability, production, storage, self-consumption, distribution and energy supply, enhancing energy self-sufficiency / security in island municipalities as well as improving energy efficiency in end-use at local and regional level.

Who can be part of an energy community?

- Individuals
- Public entities
- Legal persons under private law
- Local and regional authorities

What are the Locality criteria?

At least the 51% of the members must be related to the place where the headquarters of the Energy Community is located. Specifically, the individuals must have full or minor ownership or usufruct on a property located within the region of the Energy Community or to be municipal residents of that region and the legal persons to have their headquarters in the region of the Energy Community.



3.2. Local energy ownership model of Greece

The structure of the support regime for renewable electricity in Greece has changed. In January 2018, a new law on energy communities was voted in the Greek Parliament, which defines the role of citizens in the energy sector and gives wide scope for energy communities. The law encourages citizens, local authorities and private and public agencies to participate in the production, distribution and supply of energy; essentially, it gives electricity consumers a possibility to become electricity producers. The main driver for reform is to bring Greece into compliance with the European Commission's Guidelines on State aid for environmental protection and energy for the period 2014– 2020 (Guidelines).

According to press coverage, the changes enable energy communities to produce, sell or self-consume electricity and thermal energy produced by RES or CHP. The law enables local energy communities to set-up ownership structures and prohibits the charging of fees to renewable energy communities that do not align with real costs. Overall, the objective of the law is to enable citizens, municipalities and regions to directly participate in energy projects, particularly renewable energy projects. It also aims to ensure energy community projects do happen in the community by laying down requirements for the member of the community to be linked to the place of its headquarters. There are reports that suggest some municipalities are already taking steps towards establishing local energy communities. It has been reported that Larissa, Thessaloniki and some municipalities in Athens are already preparing to use virtual net-metering and to develop plans that would provide free solar energy to households suffering energy poverty. The new provisions for virtual power sharing investments may be particularly important, as they can enable consumption to occur in a different location to where the energy is produced. This is critical in parts of Greece where residents live in multi-apartment buildings and lack the space for micro-generation installations.

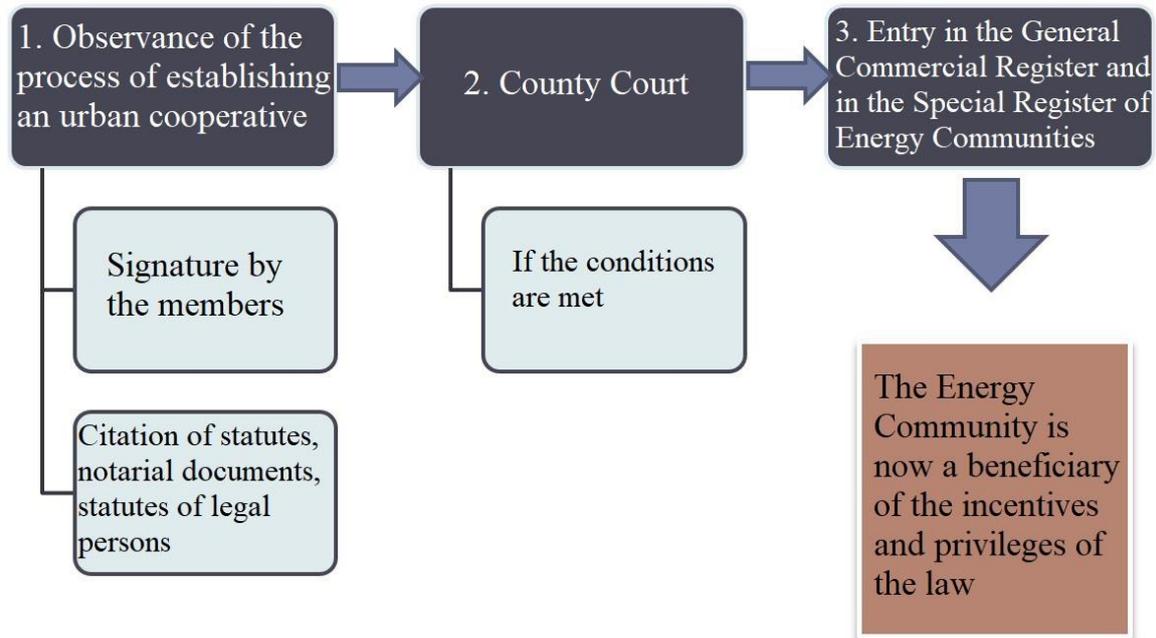
Therefore, although still in its early stages, with the broad definition of energy community and the possibility of virtual metering, the new law has the possibility of completely revolutionizing the ability of energy communities to form and operate in Greece. However, as the law has only recently been adopted, it is not yet possible to evaluate its impact.

Source: *European Committee of the Regions, 2018*



3.3. The process of setting up an energy community in Greece

Below it is presented a scheme in which you can understand the specific steps which have to be followed during the process of setting up an energy community in Greece (Tsekeris, 2018).



Adaptation from *Tsekeris, 2018*

The process for the establishment of an Energy Community must follow the establishment process of an urban cooperative. The statutes must be signed by the members. The following supporting documents shall be presented to the County Court:

- ✓ The statute of Energy Community
- ✓ Notarial documents or real estate statements for individuals proving the full or fine ownership or usufruct of a property in the Region of the registered office of the Energy Community or the certificates of marital status of individuals-members who are citizens of the municipality of the Region in which the Energy Community is located
- ✓ The statutes of the legal persons – members of the Energy Community

The Energy Community acquires legal status after the registration of its statutes to the General Commercial Register and in the Special Register of Energy Communities.

3.4. Formations of Energy Community

In this section are presented some important information about the discrimination between the profitable or not character of the energy communities, the options related to the minimum number of members and some other critical information (e.g. exceptions about Island areas) (Tsekeris, 2018).

Non-Profit Character - No redistribution of surplus use possible

Minimum members' number

1. Five (5) if the members are individuals or public entities (5*20%)
2. Three (3) if the members are only local or regional authorities (e.g. 35%, 35%, 30%)
3. Three (3) if the members are individuals, or public entities or legal persons under private law of which two (2) of them must be local or regional authorities (20%, 40%, 40%)
4. Two (2) if the members are local or regional authorities located in an island area (50%, 50%)

Profit distribution

- Profit distribution is not allowed - Reserve and disposal for the purposes of E.C.
- An exception for the islands (<3100), a portion of the profits may be allocated to local utility actions (e.g. tanks etc.)

Profitable Character – Distribution of surplus usage

Minimum members' number



- Fifteen (15) if the members are public entities, or legal persons under private law or individuals
- Ten (10) if the Energy Community is in an Island municipality.
- Fifty percent (50%) plus one (1) must be individuals (profit distribution is allowed)

Profit distribution

- ✓ The distribution of the balance of net profits is allowed after deduction of reserves to members.

General Information

- ✓ Each member has one vote, irrespective of the cooperative capital it owns.
- ✓ The "speculative" or "non-profit" character of E.C. remains throughout its life.
- ✓ Cooperative portions
 - Each member may hold, in addition to the compulsory cooperative share and one or more optional cooperative shares, with a maximum of 20% in the cooperative capital except for the local or regional authorities who may participate in cooperative capital up to a maximum of 40%.
- ✓ Special term for Island
 - Especially for the islands (<3100 inhabitants), the participation rates of local or regional authorities can reach 50%.

3.5. Subject of activity

An Energy Community must carry out one of the following activities (Tsekeris, 2018):

- Production, storage, own consumption or sale of electric or thermal or cooling energy from RES stations and for High Efficiency Co-generation of Heat and Power established within the Region where the Energy Community is located



- Managing (collecting, transporting, processing, storing, supplying) raw material to produce electric or thermal or cooling energy from biomass or bioliquids or biogas or through the energy recovery of the biodegradable fraction of municipal waste
- Supply to the members: energy products, appliances, installations to reduce energy consumption and use of conventional fuels, and improvement of the energy efficiency.
- Supply to the members: electric vehicles (hybrid or non-hybrid) and vehicles which use natural gas, liquefied petroleum gas or biogas.
- Distribution of electricity within the region of its headquarters or distribution of thermal or cooling energy.
- Supply of electricity or gas to Final Customers within the region where its headquarters are located.
- Demand management to reduce end use of electricity
- Development, management and exploitation of the charging stations for electric vehicles (CNG, LNG, LPG or biogas or the management of sustainable transport means within the region of the Energy Community.
- Installation and operation of water desalination units using RES
- Provision of Energy Services (ESCOs)

Also, an Energy Community can run potentially the following actions (Tsekeris, 2018):

- Attracting funds for investments in the field of the exploitation of RES or High Efficiency Co-generation of Heat and Power or interventions to improve energy efficiency within the regional unit where the Energy Community is located.
- Preparation of technical and economic studies for the exploitation of RES or High Efficiency Co-generation of Heat and Power or the implementation of energy efficiency improvement interventions or the provision of technical support to the above sectors.
- Managing or participating in programs funded by national or European Union resources for its purposes.
- Provide advice on the management or participation of its members in programs funded by national or European Union resources for its purposes.

- Information, education and awareness at local and regional level on energy sustainability issues.
 - Actions to address energy poverty for vulnerable consumers or people below the poverty threshold, regardless of whether they are members of the energy community, such as indicatively providing or offsetting energy, energy upgrading housing or other measures that reduce energy consumption in citizens' homes
- ✓ The statute of an Energy Community does not include other activities than those mentioned.

3.6. Financial Incentives & Support Measures

What are the financial incentives and support measures for an Energy Community in Greece? (Tsekeris, 2018)

- ✓ Integration of the Energy Communities to the Development Law (Law 4399/2016) - by analogy with the Social Cooperative Enterprises - as well as other programs funded by national or European Union resources.
- ✓ Possibility for special conditions and terms of preferential participation or exclusion from competitive bidding procedures (MOUs) and preferential charges for market services
- ✓ Exemption from the obligation to pay the annual fee for holding an electricity generation license
- ✓ Priority to grant production license, connection offer, and approval of environmental conditions for power stations (if they have a territorial overlap and are subject to the same application cycle)
- ✓ Reduced Letters of Guarantee (50%)
- ✓ The installation of photovoltaic stations and small wind turbine stations is allowed for the Energy Communities in order to meet the energy needs of their members using a virtual energy netting (also for non-members).
- ✓ Transfer of licenses, production plants exclusively to Energy Communities, with a similar allowable way of allocating surpluses for use within the same region.

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