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DECISION OF THE EEA JOINT COMMITTEE
No 7/2011

of 1 April 2011

amending Annex IV (Energy) to the EEA Agreement

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as amended by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as ‘the Agreement’, and in particular Article 98 thereof,

Whereas:

- (1) Annex IV to the Agreement was amended by Decision of the EEA Joint Committee No 2/2011 of 11 February 2011¹.
- (2) Commission Regulation (EU) No 774/2010 of 2 September 2010 on laying down guidelines relating to inter-transmission system operator compensation and a common regulatory approach to transmission charging² is to be incorporated into the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The following shall be inserted after point 39 (Commission Regulation (EC) No 643/2009) of Annex IV to the Agreement:

- ‘40. **32010 R 0774:** Commission Regulation (EU) No 774/2010 of 2 September 2010 on laying down guidelines relating to inter-transmission system operator compensation and a common regulatory approach to transmission charging (OJ L 233, 3.9.2010, p. 1).

The provisions of the Regulation shall, for the purposes of this Agreement, be read with the following adaptations:

- (a) The following shall be added to Article 3:

“For the EFTA States the Regulation shall expire when Regulation (EU) No 838/2010 enters into force in the EEA Agreement”.

¹ OJ L 93, 7.4.2011, p. 31.

² OJ L 233, 3.9.2010, p. 1.

- (b) The first sentence in point 3 of part B of the Annex shall be replaced with the following:

“The value of the annual average transmission charges paid by producers shall be within a range of 0 to 0,5 EUR/MWh, except those applying in Denmark, Sweden, Finland, Norway, Romania, Ireland, Great Britain and Northern Ireland.”

- (c) The second sentence in point 3 of part B of the Annex shall be replaced with the following:

“The value of the annual average transmission charges paid by producers in Denmark, Sweden, Finland and Norway shall be within a range of 0 to 1,2 EUR/MWh.”

Article 2

The texts of Regulation (EU) No 774/2010 in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

Article 3

This Decision shall enter into force on 2 April 2011, provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee*.

Article 4

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

Done at Brussels, 1 April 2011.

*For the EEA Joint Committee
The Acting President
Gianluca Grippa*

*The Secretaries
to the EEA Joint Committee
Bergdís Ellertsdóttir Peter Meyer
(Acting Secretary)*

* No constitutional requirements indicated