

## Updating the EU Emissions Trading System

Fields marked with \* are mandatory.

### Introduction

The [European Green Deal](#), adopted by the Commission in December 2019, has tackling climate change and reaching the objectives of the Paris Agreement and other environmental issues (including addressing air pollution) at its core. The [2050 climate neutrality objective, which the Commission proposed in 2018](#) and the [European Council and Parliament](#) endorsed, is one of its central elements. [The Commission has proposed to enshrine climate neutrality into EU law](#). In order to set the EU on a sustainable path to achieve climate neutrality by 2050, the Commission has proposed in the Communication on stepping up the [EU's 2030 climate ambition](#) an EU-wide, economy-wide net greenhouse gas emissions reduction target of at least 55% in 2030 (compared to 1990).

Building on the existing 2030 legislation and the Communication on stepping up the EU's 2030 climate ambition, the Commission will review and propose to revise, where necessary, the key relevant legislation by June 2021. This will include a coherent set of changes to, notably, the EU Emissions Trading System Directive, the Effort Sharing Regulation and the Land Use, Land Use Change and Forestry (LULUCF) Regulation, CO2 Emissions Performance Standards for Cars and Vans and, the Renewable Energy Directive and the Energy Efficiency Directive.

This consultation focuses on the [EU Emissions Trading System \(EU ETS\)](#), a key tool for reducing greenhouse-gas emissions and achieving the EU's climate targets. The EU ETS is a cap-and-trade system that currently governs 41% of the EU's emissions, covering power and heat generation, energy-intensive industrial sectors and aviation within the European Economic Area and to/from Switzerland. The Communication on stepping up the EU's 2030 climate ambition explicitly indicates the need to revise the EU ETS in light of the aforementioned more ambitious target. This includes the extension of the EU ETS to new sectors, such as the maritime sector, which is a sector that requires a basket of measures to ensure its fair contribution to the climate neutrality goal by 2050. Furthermore, emissions trading system could be expanded to road transport and buildings, and potentially all fossil fuel use.

**This public consultation invites citizens and organisations to contribute to the assessment of how to translate the increased EU 2030 emission reduction ambition into an upgraded, more ambitious, workable and realistic ETS. The results of the consultation (which will be summarised and published) will inform the Impact Assessment, accompanying the Commission proposal for revising the ETS.** There are additional parallel public consultations on the review of the LULUCF Regulation, of the CO2 Emissions Performance Standards for Cars and Vans and of the Effort Sharing Regulation.

### Guidance on the questionnaire

This public consultation consists of some introductory questions related to your profile, followed by a questionnaire. **Please note that you are not obliged to respond to all questions in the questionnaire.**

The Commission already held an [open public consultation on the 2030 Climate Target Plan](#), which was open for 12 weeks from 31 March to 23 June 2020. Many high-level questions related to the increased climate ambition were asked in the context of that consultation. **The present questionnaire therefore focuses on more specialised and detailed questions on the ETS design required to best achieve the revised target.**

At the end of the questionnaire, you are invited to provide any additional comments and to upload additional information, position papers or policy briefs that express the position or views of yourself or your organisation.

The results of the questionnaire as well as the uploaded position papers and policy briefs will be published online. Please read the specific privacy statement attached to this consultation informing on how personal data and contributions will be dealt with.

In the interest of transparency, if you are replying on behalf of an organisation, please register with the register of interest representatives if you have not already done so. Registering commits you to complying with a Code of Conduct. If you do not wish to register, your contribution will be treated and published together with those received from individuals.

**About you**

\*Language of my contribution

English

\*I am giving my contribution as

Company/business organisation

\*First name

X

\*Surname

Y

\*Email (this won't be published)

X.Y@total.com

\*Country of origin

France

\*Organisation name

Total SE

\*Organisation size

Large (250 or more)

\*Transparency register number

NNN

Type of organisation (please select the option that fits best):

Private enterprise

Please indicate the economic sector you are active in (as an individual or as an organisation)

Other

If other, please specify:

Energy supplier

If you are a civil society organisation or a public administration, please indicate your main area of focus or your area of competence:

1000 characters maximum

N/A

\*Publication privacy settings

**Anonymous**

Only your contribution, country of origin and the respondent type profile that you selected will be published. All other personal details (name, organisation name and size, transparency register number) will not be published.

**Public**

Your personal details (name, organisation name and size, transparency register number, country of origin) will be published with your contribution.

\*  I agree with the [personal data protection provisions](#)

**A. The Contribution of EU ETS to the overall climate ambition for 2030**

The Commission has proposed to increase the net economy-wide target to reduce greenhouse gas emissions ('GHG') domestically by at least 55% by 2030 compared to 1990. Currently, consistent with the EU-wide GHG emission reduction target of 40% in 2030 (compared to 1990), the ETS Directive puts a cap on emissions to ensure that the sectors covered by the EU ETS will reduce their emissions by 43%, as compared to 2005, by 2030. To achieve the increased economy-wide target, also the ETS's contribution will have to be increased and changes to fundamental aspects of the EU ETS may be required, including the cap on emissions and the measures in place to protect against the risk of carbon leakage.

**1. With the increased 2030 GHG reduction ambition of at least 55%, what should be the current EU ETS sectors' contribution to the increased 2030 target (i.e. without the accounting for the possible inclusion of new sectors)?**

- The current ETS sectors should increase their current ETS contribution (compared to 2005) in line with the new target. Based on cost-efficiency considerations as calculated in the Impact Assessment accompanying the Communication on stepping up the EU's 2030 climate ambition (table 26), the current ETS sectors should contribute around -63% compared to 2005
- The contribution of the current ETS sectors should be more than what their potential for cost-efficient emissions reductions would indicate
- The contribution of the current ETS sectors should be more than 43% reductions (compared to 2005) but less than what their potential for cost-effective emissions reductions would indicate
- Other

Please specify:

922/1000 characters maximum

**Total supports the Commission proposal to reduce domestic GHG emissions by at least 55% net by 2030.**  
 Total supports the increased ambition for ETS (-63% in 2030 vs 2005) along with appropriate measures to avoid carbon leakage and maintain EU industry competitiveness. Without such protections, EU industry is likely to shrink at the expense of high carbon containing imports from other regions with lower carbon ambition.  
 Total prefers a CBAM to provide a level playing field with non-EU producers, but if implementation of CBAM would not be effective in due time, other temporary measures are needed for industry. Until now, the Commission has set up the system of free allowances to avoid carbon leakage. Other mechanisms could be proposed, for instance in the framework of the EU Recovery Plan, to support investment by emission intensive industry sectors in low carbon technologies while maintaining EU competitiveness.

**2. A strengthened EU ETS 2030 ambition can be achieved through different combinations of policy options. Considering the current EU ETS sectors, please rate the following aspects in terms of relevance? Please rate from 1 (not important) to 5 (very important):**

	1	2	3	4	5
Strengthen the cap through the increase of the linear reduction factor			X		
Strengthen the cap through a one-off reduction ('rebasng the cap')			X		
A combination of increasing the linear reduction factor and a one-off reduction				X	
Cancelling allowances held in the Market Stability Reserve (MSR) [The Market Stability Reserve is further explained in section E of this survey]		X			
Maintain the increased feeding rate of the MSR after 2023				X	
Early application of a strengthened cap (e.g. 2023 instead of later)					X

Other, please specify in the box below					
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Please specify:

1000 characters maximum

N/A
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**3. In view of a strengthened ETS cap and thus a decreasing absolute volume of allowances available for auctioning and free allocation, how should the total cap be divided?**

- The current auction share of 57% should be maintained
- The auction share should be increased and free allocation decreased
- **Other**

Please specify:

276/1000 characters maximum

The current auction share of 57% should be reduced. As long as a CBAM is not implemented in a sufficient number of emission intensive sectors, carbon leakage protection will be provided through the system of free allowances put in place by the Commission and the application of a correction factor (CSCF) should be avoided.
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**B. Addressing the risk of carbon leakage**

Current rules foresee the continuation of the free allocation until 2030 based on updated benchmark values. In the European Green Deal, the Commission announced it would propose, for selected sectors, a Carbon Border Adjustment Mechanism should differences in levels of ambition worldwide persist, as the EU increases its [climate ambition](#). Such measure would be an alternative to the measures that address the risk of carbon leakage in the EU's Emissions Trading System. Furthermore, an increased ambition for the EU ETS and hence a lower cap of allowances under the ETS would impact the amount of allowances available for free allocation in any case.

**4. Do you believe the current carbon leakage framework addressing direct carbon costs, consisting of free allocation, should be maintained, amended or replaced? Multiple answers are possible**

- The current carbon leakage protection framework should be maintained without changes
- The current carbon leakage protection framework should be modified by targeting the support even more to the sectors most at risk
- **For selected sectors, the current carbon leakage framework should be replaced by a Carbon Border Adjustment Mechanism**
- Free allocation should be made conditional to beneficiaries carrying out investments for reducing their GHG emissions
- Other measures to further incentivise GHG reductions should be introduced

Please explain your answer:

543/1000 characters maximum

Total fully supports the introduction of a CBAM and is ready to participate at an early stage with the refining sector, provided that adequate measures are taken to preserve competitiveness of exports to countries without CO <sub>2</sub> tax and of downstream sectors (petrochemicals, polymers, chemicals). A transition period may be necessary with some coexistence of CBAM and free allowances in order to gain confidence in the correct functioning of the CBAM. Competitiveness of EU exports should be safeguarded with appropriate WTO compatible mechanisms.
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*EU ETS benchmark values reflect the average emission intensities of the 10% best installations covered by the ETS per product. These benchmark values will be updated for the periods 2021–2025 and 2026–2030 by considering the actual improvements of the installations’ performances. However, the annual update rate is limited to a value between 0.2% and 1.6% per year. The annual update rate reflects the improvements in each sector between 2007–2008 and 2016–2017 and results in a reduction of the benchmarks applied for calculating the free allocation received by each installation.*

**5. In view of the likely lower amount of allowances available for free allocation, (due to increased ETS target) which of the following aspects in relation to the benchmark-based allocation do you consider most relevant? Please rate from 1 (not important) to 5 (very important):**

	1	2	3	4	5
Modified method to determine benchmark values to ensure faster incorporation of innovation and technological progress (e.g. by not limiting the annual reduction rate for each benchmark when updating benchmark values)	x				
Additional product benchmarks				x	
Revised definitions of product benchmarks to incentivise innovation	x				
Increased transparency regarding benchmark values and process via mandatory publication of underlying data by industry		x			
Other, please specify in the box below				x	

Please specify:

1000 characters maximum

We request increased transparency from the Commission regarding benchmark values and process via mandatory publication of participating installations by Commission

*Member States can compensate certain electro-intensive sectors for the indirect costs passed on through electricity prices (indirect cost compensation, the ETS Directive currently states that Member States should limit the amount they spend on indirect cost compensation to 25% of their auction revenues. This compensation is subject to State aid rules and as such not granted in all countries. Multiple responses possible.*

**6. Should the approach to indirect cost compensation be modified?**

- Yes, the rapidly on-going decarbonisation of the electricity production in the EU will sufficiently reduce indirect costs and therefore, indirect cost compensation can be gradually phased out
- Yes, indirect cost compensation should be further harmonised in Europe, sectors exposed to the risk carbon leakage due to indirect costs should be compensated equally regardless of the Member State where they are active
- Yes, the approach to indirect cost compensation should remain the same, but additional requirements should be set to ensure that Member States granting it do not spend more than a given percentage of their auctioning revenues on it
- No, Member States should maintain flexibility to grant indirect cost compensation or not, subject to State Aid control

**C. An increasing role for emissions trading**

*An expansion of emissions trading could include emissions from fossil fuel combustion in, road transport and buildings. Depending on the administrative systems chosen, the portion of industry currently not included in*

the ETS could also be brought in. The Commission will look, inter alia, at the option to cover all emissions of fossil fuel combustion under the ETS, while taking into account potential effects on existing EU legislation in this field.

In the context of the impact assessment work for the Communication on stepping up the EU’s 2030 climate ambition, difficulties emerged as to regulating emitters themselves in a number of sectors being examined for possible ETS application in the same manner as in the current ETS sectors (downstream approach), because these emitters number in the millions and are often private persons. Instead, entities further up the supply chain such as the fuel distributors or tax warehouses could be regulated and be required to monitor and report emissions as well as surrender allowances (upstream approach).

The EU ETS has shown that the development of a new market requires setting up functioning monitoring, reporting and verification (MRV) and can benefit from transitional arrangements for market and price stability reasons, before being gradually integrated into the existing system. Transitional arrangements for an extension of ETS scope would allow for setting up gradually the required regulatory framework and administrative capacity.

**7. Carbon pricing alone does not address all barriers to the deployment of low and zero emissions solutions. Which other policies should be deployed when extending the use of emissions trading to emissions from buildings, road transport or all fossil fuel combustion? Please rate from 1 (not important) to 5 (very important):**

	1	2	3	4	5
Polices addressing energy performance of buildings, the energy savings obligation, or other energy efficiency policies to be specified in the box below					X
CO2-standards for cars and vans					X
Transport policies				X	
Renewable energy policies					X
Energy taxation				X	
Other, please specify in the box below					X

Please specify:

392/1000 characters maximum

We ask to introduce in the existing EU ETS an harmonised treatment of Guaranties of Origin (GoO) for biomethane and hydrogen, with rules that are consistent with those of RED II, that are applied in the same way in all Member States and that allow trading these GoO freely in a European market. In case road transport and buildings are also part of an ETS, the same rules should apply there.

**8. Emissions trading for road transport and buildings or all fossil fuel use could be integrated into the existing EU ETS so that there would be one single system covering emissions from all these sectors. If the new sectors are integrated into the current EU ETS such integration would be (multiple answers are possible):**

- Positive, because it would capture the emissions under the cap and facilitate more cost-effective abatement by increasing abatement options
- Positive, because including buildings into an extended EU ETS would provide a level playing field for all modes of heating and cooling
- Positive, because including fossil fuels used in road transport into an extended EU ETS would provide a level playing field for all modes of road and rail transport, including electric rail which is already subject to indirect carbon pricing

- Positive, because setting a separate ETS for road transport and/or buildings or all fossil fuel use would lead to higher administrative costs for administrations and regulated entities
- Positive, because including emissions from all fossil fuel use into an extended EU ETS would provide a uniform carbon price signal for all industries
- Negative, because there could be an insufficient price signal for the transport and building sector to decarbonise
- Negative, because the new sectors are too different from the current sectors and abatement effort will mainly materialise in the current ETS sectors
- Negative, as the integration of the new sectors in the current ETS might disrupt and undermine the stability of the current ETS
- Other

Please specify:

966/1000 characters maximum

Total is not in favour of adding road transport and buildings to the current EU ETS, for the reasons indicated above. We consider that introducing a carbon price for these sectors through the Energy Taxation Directive would be more efficient. We recommend to:

- base energy taxation on energy content to bring more uniformity between energies and utilisations
- Define minimum and maximum European tax rates, giving member states a 'corridor' and establishing a 'level playing field' between countries
- Simplify by taxing final consumption and not energy production (energy producers pay on basis of emissions via the ETS)
- Introduce an emissions-based element in the taxation of energy products, with a starting value close to the ETS price and increasing at a reasonable, pre-defined rate

If such harmonised reform of taxation is not considered feasible, then separate ETS systems for road transport and buildings are an acceptable second choice (see next questions).

**9. A separate EU-wide emissions trading system for road transport and buildings or all fossil fuel use could be established as a parallel system to the current EU ETS. Flexibilities could be built in, e.g. to allow partial fungibility between the allowances of the separate systems. What is your preferred design option for the relationship between these two systems:**

- Both systems should stay independent and no relationship between them should be established
- One-way flexibilities between the systems will increase cost-efficiency
- Two-way flexibilities between the systems will increase cost-efficiency
- Other

Please specify:

493/1000 characters maximum

The current EU ETS and the separate trading system for road transport and buildings should stay independent. Moreover, between road transport and buildings, abatement cost and price elasticity are also different. Therefore, we are not in favour of a combined ETS for transport and buildings together in a first period. The two will require different policy tools.

The different ETS systems may converge later towards a unique system, but we consider this unlikely to be desirable before 2030.

**10. Establishing a separate EU-wide emissions trading system for road transport and buildings or all fossil fuels will require choosing its main features. Which of the following aspects of the new ETS do you consider should be similar to the current ETS in order to allow for a later integration? Please rate from 1 (very similar) to 5 (very different):**

	1	2	3	4	5
The level of ambition for emissions reduction		X			
The linear reduction factor		X			
Provisions to address distributional aspects, i.e. how revenues are divided and used				X	
Provisions to address carbon leakage issues in the energy intensive industry where appropriate			X		
Monitoring, reporting and verification rules	X				
The infrastructure to be used (e.g. the use of the existing EU ETS infrastructure such as the Union Registry)	X				
Application of the market stability provisions			X		

**11. Emissions trading for road transport and buildings or all fossil fuels could be gradually integrated into the existing EU ETS. Should the ETS revision already determine when and how such integration will take place?**

- Yes, the market needs certainty and legislation should determine that integration will happen
- **Yes, the legislation should foresee a review to determine whether and when integration is desirable**
- No, in view of the risks associated the legislation should not foresee such integration
- Other

Please specify:

1000 characters maximum

N/A

**D. Extension to Maritime greenhouse gas emissions**

*While CO2 emissions from EU's international maritime transport are being monitored, reported and verified under the dedicated EU MRV System, they are not covered by the EU ETS or other EU climate legislation, contrary to the EU's international commitment to economy-wide action under the Paris Agreement.*

*In line with the European Green Deal communication, the Commission will assess carbon pricing options to ensure that the price of waterborne transport reflects the impact it has on climate. In addition, the Commission will consider including at least intra-EU maritime transport in the EU ETS, as stated in the communication on stepping up Europe's 2030 climate ambition, to ensure the sector contributes to the emission reductions needed.*

*As carbon pricing will not be able to address all barriers to the deployment of low and zero emissions solutions, a basket of other complementary policy actions at EU level are needed to trigger further investments in clean energy technologies and infrastructure. The existing legislative framework, the ongoing reviews and announced revisions of other related pieces of legislation, including on mobility, transport fuels, or Energy Taxation Directive, will be taken into account to ensure synergies of instruments. Due to the international nature of maritime transport, international cooperation is desirable, notably at the International Maritime Organization.*

**12. What is your opinion on the most appropriate measure to put a price on GHG emissions from EU maritime transport activities?**

- **Extension of the EU ETS to cover maritime transport**

- A specific ETS system just for maritime transport
- A tax at EU level on GHG emissions from maritime transport
- Other

Please specify:

An international CO2 pricing mechanism would be even more efficient, because maritime transport is a global sector and any regional cost increase introduces a significant risk for carbon leakage. Extra care will be needed to avoid carbon leakage. If carbon costs are implemented based on fuel intake, they would be easy to avoid by bunkering in nearby non-EEA ports. An obligation based on rigorous Measuring, Reporting & Verification (MRV) rules and calculation from trip and fuel type could be an option worth investigating.

*520/1000 characters maximum*

**13. Decarbonisation of the maritime transport to ensure its fair contribution to EU climate targets will require a basket of measures across different policy areas, including putting a price on carbon emissions from shipping. Do you think that EU carbon pricing measures in the maritime sector (such as an ETS or a tax on GHG emissions from maritime transport) should be combined with EU emission standards for ships (notably technical or operational carbon intensity standards)?**

*at most 1 choice*

- Yes
- No, emission standards are sufficient and should be implemented alone
- No, carbon pricing is sufficient and should be implemented alone
- I do not know

**14. The impacts of EU carbon pricing for the maritime sector, in particular its environmental effectiveness, will directly depend on the design elements for the selected measure. Please select the most appropriate design option for a EU carbon pricing policy for maritime transport under each of the categories listed below.**

#### Regulated Entities

- Carbon price should be paid by ship commercial operators
- Carbon price should be paid by ship owners
- Other

Please specify:

*1000 characters maximum*

This choice is consistent with the current MRV obligations

#### Exemptions

- The International Maritime Organisation has energy efficiency measures (the Energy Efficiency Design Index for new ships and the Ship Energy Efficiency Management Plan for existing ships) in place for ships of 400GT and above. Therefore, only ships below 400 GT should be excluded.
- In line with the EU MRV System for shipping, ships below 5000 GT should be excluded, as they are only responsible for about 10% of emissions.
- Other

Please specify:

*1000 characters maximum*

No exemptions. All emitters, even small ones, have to contribute to the climate effort.

#### Geographical scope

- Emissions from intra-EU (from an EU port to another EU port) and extra-EU voyages (departing and incoming between an EU port and a port outside the EU) should be addressed by carbon pricing
- Emissions from intra-EU voyages (from an EU port to another EU port) should be addressed by carbon pricing

#### Type of emissions covered

- In line with the EU MRV System for shipping, only CO2 emissions should be accounted for, as they are responsible for 98% of all GHG emissions from maritime transport.
- Not only emissions of CO2, but also of methane, nitrous oxide and black carbon emissions should be accounted for in view of their important increase over the 2012-2018 period.
- Other

Please specify:

1000 characters maximum

N/A

**15. The Climate Target Plan Impact Assessment presented various scenarios where the extra-EU scope of the maritime sector is included in the EU GHG target. In line with these scenarios, if the EU were to apply carbon pricing to emissions from extra-EU voyages, on which basis should this be done? (select one option)**

- Departing journeys only (from an EU port to a port outside the EU)
- Incoming journeys only (from a port outside the EU to an EU port)
- 50% of both the incoming and the outgoing journeys
- 100% of both the incoming and the outgoing journeys

#### E. Market stability

*Since its introduction, the Market Stability Reserve (MSR) has reinforced the stability of the EU ETS. The MSR is a rule-based instrument placing allowances in or releasing allowances from the reserve in case the total number of allowances in circulation ('the surplus') is above or below pre-established thresholds. The rhythm of placement in the reserve, ('the intake rate'), is 24% per year until 2023 and 12% from 2024. As planned for in the legislation, the Commission is reviewing the functioning of the Market Stability Reserve, to assess whether it has achieved its objectives and whether it remains fit for purpose in an ETS with higher climate ambition.*

**16. Has the MSR delivered on its main objective (the stability of the ETS), and is it likely to fulfil its goals in the future, or should its structure or parameters be changed?**

- Yes, the approach has worked well and should not be changed
- Yes, the approach has worked well and should be continued, but parameters (e.g. volume-based thresholds, intake rate) should be modified
- Yes, the approach has worked well but a carbon price floor is necessary
- Yes, the approach has worked well but should be improved to be able to react faster to address unexpected demand or supply shocks
- No, the approach did not work well and it should be reconsidered in the future
- Other

Please specify:

663/1000 characters maximum

The introduction of the MSR was an important driver for the recovery of CO2 prices in the EU ETS since 2018. By its design, the MSR can only react with delay to supply or demand shocks. It was not able to prevent a sharp drop at the start of the COVID crisis and simulations have shown that the MSR is not the right tool to prevent a return to lower prices in case of a significant sustained drop in emissions (due to other crises or due to other climate policies). The combination with a price floor provides a better guarantee to prevent a reversal of the coal-to-gas and coal-to-renewables shift and to provide a clear price signal for low-carbon investments.

**17. Should the MSR thresholds (minimum of 400 and maximum of 833 million allowances) used to determine whether allowances are placed in the MSR or released, be kept as they are? Please explain your answer.**

- The thresholds as they are fit for purpose
- The thresholds should be increased
- The thresholds should be reduced

Please explain your answer:

1000 characters maximum

No opinion

**18. Should the MSR intake rate be kept as it is or should it be increased or decreased?**

at most 1 choice(s)

- The MSR intake rate should be kept at 24% and fall back to the level of 12% as of 2023 as per current regulation
- The MSR intake rate should be kept at 24% beyond 2023
- The MSR intake rate should be higher than 24%, in order to reduce the surplus faster
- The MSR intake rate should be decreased, to lower than 12% from 2024 onwards
- Other

Please specify:

1000 characters maximum

N/A

**19. Current regulation determines that as a long-term measure to improve the functioning of the EU ETS, and unless otherwise decided in the first review of the MSR in 2021, from 2023 onwards the number of allowances held in the reserve will be limited to the auction volume of the previous year. Holdings above that amount will lose their validity. Do you believe this invalidation rule should be kept in place? Please explain your answer.**

- Yes, the rule should remain in place
- No, the rule should be abolished
- Yes, the rule should remain in place but be amended please explain how in the box

Please explain your answer:

1000 characters maximum

No opinion

**20. At the moment, emission allowances for aviation are not taken into account for the calculation of the EU ETS surplus and therefore do not influence the amount of allowances fed into or released from the MSR. Should aviation allowances and emissions be taken into account in the future?**

- Yes

- No

You may explain your answer:

1000 characters maximum

Otherwise amount of allowances in circulation will be overestimated

*The review of the EU ETS Directive for Phase IV (2021-2030) introduced, in Article 12(4) of the ETS Directive, the option for Member States to cancel voluntarily emission allowances corresponding to electricity generation capacity in their territory that was closed following national measures.*

**21. Should voluntary cancellation of allowances become mandatory for Member States that implement national measures to close fossil fuels power plants or other measures that substantially reduce demand for allowances, for instance by promoting breakthrough technologies or banning polluting technologies?**

- No, it should be left to the Member State to decide what to do with the resulting allowances
- Yes, these allowances should be cancelled proportionally, taking into account the emissions of the replacing power generating technology
- Other, for instance placing the allowances in the MSR.

Please explain your answer:

1000 characters maximum

N/A

## **F. Revenues**

*Emissions trading raises revenues for public authorities that can be re-invested in the economy, leading to better overall economic outcomes. A small percentage of revenues is allocated to the EU Modernisation and Innovation Funds to support low-carbon investments. However, the largest share of the revenues are for the Member States. The majority of these revenues are currently reported as being used for climate-related purposes. The review will address the current rules in place, also taking into account that as new sectors are possibly added to the ETS, revenues may increase and at the same time there is a need for ETS revenue to contribute as an own resource of the EU budget .*

**22. In your opinion, how should the ETS revenue be used? (Multiple answers are possible)**

- Facilitating just transition and the social impacts of the climate transformation
- Addressing social and distributional impacts related to the review of ETS
- Energy efficiency, in particular the renovation of buildings
- Low-carbon and zero-emissions mobility
- Support for clean investments in ETS sectors
- Providing financial incentives for consumers to buy more climate friendly goods and services, including more fuel efficient vehicles/ vehicles not using fossil fuels
- More support to innovation
- Lowering taxes such as labour taxation and increasing transfers to EU citizens, in particular low-income households

**23. Are stricter rules necessary to ensure Member States spend their ETS auction revenues in line with climate objectives?**

- Yes, the ETS Directive should require Member States to spend more revenues on climate-related purposes
- Yes, the ETS Directive should require that Member States spend ETS revenues in a way compatible with the climate neutrality objective ('do no harm')
- No, Member States should be free to determine how they want to spend the revenues, taking into account that 50% should be used for climate-related purposes.

**G. Low-carbon support mechanisms**

Currently, the Innovation Fund is funded by 325 million allowances from the free allocation share, 75 million allowances from the auction share, 50 million allowances from the MSR monetised in 2020 and the leftover allowances from the NER300 programme. The monetisation of these allowances is expected to generate around EUR 10 billion until 2030 depending on the carbon price.

**24. What should be the size of the Innovation Fund?**

- The size of the Innovation Fund should remain unchanged
- **The size of the Innovation Fund should increase by using more allowances from the auction share**
- The size of the Innovation Fund should increase by using more allowances from the free allocation share
- The size of the Innovation Fund should increase significantly regardless of the source of allowances. Please indicate by how much (e.g. double or triple) in the box

Please specify your answer:

1000 characters maximum

N/A

**25. Currently the ETS Directive foresees that the maximum funding rate for projects financed by the Innovation Fund is 60% of the relevant costs. Should this rate be changed?**

- No, some of the risk of innovation has to be borne by the project proponent
- **Yes, it should be increased to allow better risk-sharing for risky and complex projects**
- Yes, it should be increased but only in case of competitive bidding (e.g. Carbon Contracts for Difference)
- Other

Please specify:

1000 characters maximum

N/A

**26. Should additional supporting instruments be introduced to support full market deployment of low-carbon products through the Innovation Fund? For example, as Carbon Contracts for Difference, whereby beneficiary projects would be guaranteed a fixed carbon price in case the ETS price is not high enough. at most 1 choice**

- **Yes, additional support (e.g. covering the gap in operating revenues) is needed to create markets for low-carbon products**
- No, the existing support is sufficient

The Modernisation Fund is a dedicated funding programme to support 10 lower-income EU Member States in their transition to climate neutrality by helping to modernise their energy systems and improve energy efficiency. Currently, the Modernisation Fund is funded by 2% of the total cap, e.g. around 285 million allowances. Beneficiary Member States had the opportunity to transfer their solidarity allowances and the allowances available to them under Article 10c of the ETS Directive to the Modernisation Fund. The total size of the Modernisation Fund after such transfers is around 645 million allowances. The monetisation of these allowances is expected to generate around EUR 14 billion until 2030 depending on the carbon price.

**27. What should be the size of the Modernisation Fund?**

- The size of the Modernisation Fund should remain at 2% of the cap

- The size of the Modernisation Fund should remain unchanged as an absolute amount
- The size of the Modernisation Fund should increase
- Other

Please specify:

1000 characters maximum

No opinion

*The ETS Directive has complex rules on the types of investments to be financed under the Modernisation Fund. There is a general provision that investments have to be consistent with the 2030 climate and energy framework and the Paris Agreement. No support from the*

*Modernisation Fund shall be provided to energy generation facilities that use solid fossil fuels, but there are exceptions. There are two types of investments that can be funded by the Modernisation Fund (priority and non-priority), subject to different approval processes (simple and straightforward for priority projects and more complex for non-priority ones). Investments in gas are allowed as non-priority ones, both for power generation and infrastructure. Investments for certain just transition purposes are allowed and there are overlaps with the Just Transition Fund.*

**28. Should the types of investments that can be financed by the Modernisation Fund be streamlined and the coherence with the Green Deal be enhanced? (Multiple answers are possible)**

- No, the investments that can be supported by the Modernisation Fund should remain unchanged.
- Yes, the exception for financing coal-fired district heating in certain Member States should be removed
- Yes, the Modernisation Fund should be allowed to finance only non-fossil fuel based heating and cooling systems
- Yes, the Modernisation Fund should be allowed to finance only priority projects to simplify the administration
- Other

Please specify:

1000 characters maximum

N/A

**H. Concluding questions**

**29. Are there other key aspects which you did not find reflected in the questions and you would like to comment upon?**

917/1000 characters maximum

We recommend removing low-level heat export from the determination of the benchmark values at the next update. Inclusion of this heat export leads to lower benchmark values and thus to a decrease in free allowances that is not compensated by the gain in allocation granted for district heating (the supplier loses more than the customer wins). This creates an obstacle to the development of district heating projects for EU ETS installations.

We ask for a harmonised application of indirect cost compensation in Europe, but also to extend this compensation to all sectors deemed at risk of carbon leakage, in order not to hamper the electrification of these sectors, often one of the essential tools in their decarbonisation strategy.

We invite the Commission to take the occasion of this revision to improve the incentives for CCUS, carbon credits and negative emissions. Details are provided in the attached document.

**If appropriate, please upload any additional materials such as concise position papers or policy briefs that express the position or views of yourself or your organisation:**

Only files of the type pdf,txt,doc,docx,odt,rtf are allowed

EC Consultation ‘Updating the EU Emissions Trading System’

Reply Total SE – Attachment on CCUS, carbon credits and negative emissions

Carbon Capture, Transportation and Storage

Carbon Capture, Transportation and Storage (or CCS) is key to decarbonization of hard to abate sectors (cement, steel, refineries, hydrogen, waste incineration ...). A sequestration requirement of about 300 Million tons of CO<sub>2</sub> per annum (Mta) by 2050 has already been identified in the in-depth analysis conducted in support of the commission communication com (2018) 773, “A Clean Planet for all. A European long-term strategic vision for a prosperous, modern, competitive and climate neutral economy”. The acceleration of the EU ambition within the Green Deal will further increase this requirement. In our Total Energy Outlook (<https://www.total.com/sites/g/files/nytnzq111/files/documents/2020-09/total-energy-outlook-presentation-29-september-2020.pdf>), we estimate 400 Mta of CCS is needed in Europe for a “Green Deal” scenario. Support like the “European Innovation fund” is important but a more solid regulatory framework to scale CCS is needed to attract long term investments. This includes:

- Providing an additional financial incentive for permanent Carbon Storage during the next 15 years to allow the development of business solutions when carbon prices will most likely not be sufficient yet. These solutions could be compared with the application of a multiplication factor for the most sustainable products in the Renewable Energy Directive :
  - Allowing the allocation of EUAs from the MSR for Carbon Storage, or
  - Developing CO<sub>2</sub> storage certificates than could be traded into ETS or claimed for corporate Carbon Neutrality
- Recognizing transport of CO<sub>2</sub> by other means than pipelines and facilitating the export between countries (including outside of EU, such as Norway and UK)

In addition, the ETS should extend the accepted Carbon Capture Utilisation and Storage (CCUS) technologies if they are able to deliver permanent storage, based on thorough life cycle analysis.

Domestic Carbon Credits

If International Carbon Credits offset has been a difficult experience in the past for the EU Commission, Total believes that developing an EU Domestic Carbon Credit mechanism for emissions reductions that are going beyond EU NDCs and enable the Carbon Credits to be traded into ETS is a paramount tool to meet 2050 Net Zero objectives. It could both accelerate the decarbonation pathway of the EU economy and reduce the associated economical cost.

Carbon Removals

According to the IIA (Ref. Ares(2020)6081753 - 29/10/2020) for the Amendment of the Land Use, Land Use Change and Forestry Regulation (EU) 2018/841, it is estimated that the EU carbon removals will need to nearly double from their current level to up to 500 Mt CO<sub>2</sub>eq./yr by 2050 to be in line with aspirations for a climate-neutral EU. Unfortunately, although allowed by this Regulation, no Member State has developed any crediting mechanisms.

- EU needs to develop clear EU rules for Carbon Removals market mechanism, being for
  - natural sinks (in particular Forestry and Agriculture)
  - CCS sinks for atmospheric CO<sub>2</sub> sources (like Bio Energie Carbon Capture and Storage, or Direct Air Capture)

In this respect we welcome the intention of the Commission to look into the possibility to subtract captured CO<sub>2</sub> from biomass from ETS emissions (DG Clima reply to Norwegian authorities – July 2020)

- ETS linkage, or alternative solutions like a carbon fund, or linkage with the Effort Sharing Regulation (ESR) should be considered to develop a Carbon Price signal for Carbon Removals