

Last updated: 15/10/2012

1 Implementation of Tracking Systems

1.1 Electricity Disclosure

In Wallonia disclosure is implemented by order of the Walloon Government:

[1] "Arrêté du Gouvernement wallon du 30 novembre 2006 relatif à la promotion de l'électricité produite au moyen de sources d'énergie renouvelables ou de cogénération"

[2] "Arrêté du Gouvernement wallon du 30 mars 2006 relatif aux obligations de service public dans le marché de l'électricité "

[3] "Arrêté ministériel du 13 décembre 2006 établissant la méthode de détermination des sources d'énergie primaire utilisées pour produire de l'électricité".

[4] "Arrêté du Gouvernement wallon du 23 décembre 2010 relatif aux certificats et labels de garantie d'origine pour les gaz issus de renouvelables".

Article 27§7 of the order [1] states that the Walloon energy regulator CWaPE (Commission Wallonne pour l'Energie) has to make a yearly evaluation report with respect to the supplier fuel mix and the product fuel mix for all products of all active suppliers.

Article 2 of the order [3] states that the CWaPE has to certify the claims on the renewable and HE-CHP (High Efficiency – Combined Heat and Power) character of the electricity produced.

CWaPE is therefore considered the competent body.

Article 11 §2, especially 3rd and 4th paragraph, of order [2] lays a public service obligation on the suppliers to publish the fuel mix information together with the invoice.

Order [4] creates guarantees of origin for renewable gas.

In Wallonia the attributes that should be disclosed are:

- the energy source in the fuel mix;
- information on environmental consequences of electricity production, with respect to CO₂-emissions and radioactive waste.

Within the disclosure statement the following energy sources have to be distinguished:

- renewable;
- high-efficiency combined heat and power (strictly spoken, this is not a source but a technology);
- natural gas
- other fossil sources;
- nuclear;
- unknown origin.

The renewable sources include wind, solar, geothermal, gulf, tidal, hydro, biomass, landfill gas, sewage gas and other biogas. This distinction is not mandatory in the disclosure statement.

For renewable energy and for HE-CHP, the GO is the only tracking instrument allowed. Electricity may only be sold as green (or a similar branding) if a corresponding number of GO's is cancelled. Cancellation of GO's is also required for the renewable part of the disclosure statement on invoices.

For all other sources, the disclosure is based on contracts, and if this information is not available, on production statistics.

Disclosure is needed both for the product as well as for the company mix and is done annually for the previous calendar year.

The suppliers' portfolio is determined for Wallonia. Some suppliers prefer to have a portfolio for the whole of Belgium. Since the legislation in the other regions is based on the same principles, this can be facilitated by the respective regulators, although the different timings may complicate the disclosure calculations.

1.1.1 Disclosure Figures

The disclosure figures for 2010 are shown in Table 1 (updated from « CD-11c07-CWaPE: Rapport annuel spécifique 2009 sur l'évaluation du fuel-mix des fournisseurs d'électricité en Wallonie »).

Table 1: Disclosure Figures for 2010

Fournisseur	Produit	Type de licence	Fourniture (MWh)	% SER	% COGEN	% gaz naturel	% autres fossiles	% nucléaire	% inconnu	LGO annulés
ANODE BV	Vert	Générale	4	100,00%	0,00%	0,00%	0,00%	0,00%	0,00%	4
Electrabel Customer Solutions sa	Vert		2 007 425	100,00%	0,00%	0,00%	0,00%	0,00%	0,00%	
Electrabel Customer Solutions sa	Gris		5 790 622	0,00%	6,40%	22,85%	6,65%	61,67%	2,43%	
Electrabel Customer Solutions sa	Global	Générale	7 798 047	25,74%	4,75%	16,97%	4,94%	45,79%	1,80%	2 378 025
EDF sa	Gris	Générale	625 871	0,00%	0,00%	0,00%	45,19%	54,81%	0,00%	0
ELECTRABEL sa	Vert		1 891 341	100,00%	0,00%	0,00%	0,00%	0,00%	0,00%	
ELECTRABEL sa	Gris		6 161 494	0,00%	6,40%	22,85%	6,65%	61,67%	2,43%	
ELECTRABEL sa	Global	Générale	8 052 835	23,49%	4,90%	17,48%	5,09%	47,19%	1,86%	2 285 677
ENDESA ENERGIA	Gris	Générale	303	0,00%	0,00%	0,00%	44,00%	56,00%	0,00%	0
ENECO sa	Vert	Générale	196 108	100,00%	0,00%	0,00%	0,00%	0,00%	0,00%	196 108
EON Belgium sa	E.ON Green power		537 509	100,00%	0,00%	0,00%	0,00%	0,00%	0,00%	
EON Belgium sa	E.ON Gris		97 355	94,04%	0,00%	0,00%	0,00%	0,00%	5,96%	
EON Belgium sa	Global	Générale	634 864	99,09%	0,00%	0,00%	0,00%	0,00%	0,91%	629 062
ESSENT Belgium nv	Vert		244 112	100,00%	0,00%	0,00%	0,00%	0,00%	0,00%	
ESSENT Belgium nv	Gris		396 180	100,00%	0,00%	0,00%	0,00%	0,00%	0,00%	
ESSENT Belgium nv	Global	Générale	640 292	100,00%	0,00%	0,00%	0,00%	0,00%	0,00%	640 292
LAMPIRIS sa	Vert	Générale	588 694	99,91%	0,09%	0,00%	0,00%	0,00%	0,00%	588 694
NUON Belgium nv	Vert 60		189 258	60,00%	0,00%	26,10%	9,60%	1,80%	2,50%	
NUON Belgium nv	Vert 100		180 336	100,00%	0,00%	0,00%	0,00%	0,00%	0,00%	
NUON Belgium nv	Gris		177 241	0,00%	0,00%	66,70%	24,50%	3,80%	5,00%	
NUON Belgium nv	Global	Générale	546 835	53,74%	0,00%	30,65%	11,26%	1,85%	2,49%	293 891
OCTA+ ENERGIE sa	Vert	Générale	1 019	100,00%	0,00%	0,00%	0,00%	0,00%	0,00%	1 019
SPE sa	Luminus OPT1		-	-	-	-	-	-	-	
SPE sa	Luminus Green Energy		-	-	-	-	-	-	-	
SPE sa	Luminus vert (Eco)		-	-	-	-	-	-	-	
SPE sa	Vert et gris		4 233 562	100,00%	0,00%	0,00%	0,00%	0,00%	0,00%	
SPE sa	Global	Générale	4 233 562	100,00%	0,00%	0,00%	0,00%	0,00%	0,00%	4 233 562
BELPOWER International sa (REIBEL)	Vert	Limitée	23 939	100,00%	0,00%	0,00%	0,00%	0,00%	0,00%	23 940

Fournisseur	Produit	Type de licence	Fourniture (MWh)	% SER	% COGEN	% gaz naturel	% autres fossiles	% nucléaire	% inconnu	LGO annulés
ENERGIE 2030 AGENCE sa	Vert	Limitée	1 366	100,00%	0,00%	0,00%	0,00%	0,00%	0,00%	1 366
RECYBOIS sa	Vert	Limitée	1 464	100,00%	0,00%	0,00%	0,00%	0,00%	0,00%	1 464
SEVA sa	Vert	Limitée	5 044	100,00%	0,00%	0,00%	0,00%	0,00%	0,00%	5 044
VERDESIS	Vert	Limitée	15	100,00%	0,00%	0,00%	0,00%	0,00%	0,00%	15
Wallonie			23 350 263	45,02%	3,28%	12,41%	4,88%	33,08%	1,33%	11 278 163

1.1.2 Environmental Information

Environmental information is made available at least once a year, either on invoices or by mention of a reference where that information can be found.

1.1.3 Suppliers Fuel-Mix Calculations

Calculations are done on an annual basis by the regulator CWaPE.

The CWaPE has published its calculation procedure in a Report, which can be found on the CWaPE website:

« CD-9c30-CWaPE: Transparence des sources d'énergie utilisées par le fournisseur; Principe d'utilisation des labels de garantie d'origine, Modalités pratiques pour 2008 et 2009 ».

In short, a supplier has to cancel GO's for products marketed as green within a month of supply and it may cancel any number of GO's once a year for electricity products that are not marketed as green. Both figures are added to get the supplier fuel-mix of the year.

Note that the monthly cancellation is due to take place in order to allow verification by a consumer of the green nature of its consumption. This system is slowly beginning to work, but has not yet allowed for consumers to control their consumption (the regulator does this control for them). A recently implemented new data format for reporting contracts (green or not) and consumption is expected to improve the situation in 2012.

1.1.4 RE-GO and CHP-GO System

Legislation of RE-GO's and CHP-GO's are included in

- Arrêté du 30 novembre 2006 relatif à la promotion de l'électricité produite au moyen de sources d'énergie renouvelables ou de cogénération“

The regulator CWaPE has been appointed as competent body for both GO-systems as well.

The system has been fully operational for several years now; there is a support system based on tradable certificates, but both certificates are decoupled (contrarily to the current situation in Flanders, which is likely to be modified (see report on Flanders).

The RE-GO system is EECS-compliant. The CHP-GO system is almost, but not yet EECS compliant: it would be in line with EECS if it also held the additional information specific to CHP (CO₂-emissions).

CWaPE is maintaining the electronic GO-registry, which also covers the support certificates. All producers, suppliers and traders have free access to it.

GO's can be freely transferred, including imports and exports.

Imported GO's can be used for the disclosure statement. Since suppliers can take advantage of an exemption of a part of a federal energy levy when they supply electricity from RE sources or HE-CHP, a lot of greenwashing occurs, which has been notified to the federal minister by all Belgian regulators.

Exports are possible with the new EECS rules. In the past, some countries refused to accept Walloon GO's, because the existence of a separate support certificate was feared to cause confusion in customers' minds. Such fears were misplaced and such discrimination is not possible anymore within EECS.

Cancellation of the GO part is done according to EECS rules.

Transposition of Directive 2009/28/EC might bring a couple of minor changes to an otherwise functioning system and legal framework.

1.1.5 GO Statistics

Table 2 provides an overview of EECS-GO activities in Wallonia in the period 2008-2011.

Table 2: EECS RE-GO statistics

Year	Issued	Transferred			Cancelled
		Internal	Export	Import	
2008	80 140	62 502	150 816	2 720 936	829 507
2009	917 857	1 886 075	107 248	5 493 614	5 264 584
2010	1 811 232	2 980 406	3 416 500	17 298 686	14 133 551
2011	1 228 142	1 627 446	866 036	8 598 216	2 292 250

1.2 Other RES-E Relevant Support Schemes

The support scheme is based on tradable certificates. These certificates are granted to the producers for every unit of CO₂-abatement. The system integrates both the RES-E facilities as well as the HE-CHP installations.

Every supplier has a quota obligation, which is proportional to the amount of electricity supplied in the previous calendar year. A reduced quota is applied to suppliers delivering electricity to large consumers.

These quota are determined by the Government.

When the obligation is not met, an administrative fine is imposed. This fine, determined by the Government, is currently set at 100.00 € per missing certificate.

1.3 Other RES Scheme

The legislation for green gas is enacted, but the first project injecting bio-methane in the gas grid has yet to start (although several candidates are actively working on it).

2 Proposals for Improvement of the Tracking System

2.1 Proposals regarding general regulation on tracking systems

As from the opening of the market the tracking of green electricity has been based on the use of the GO, and is under the control of the regulator. This has the advantage that the disclosure system of RES-E and CHP-E is reliable, but it still is incomplete since other sources are not covered. Suggestions for completion of the tracking system and the information towards consumers are listed up in the next two sections.

2.2 Proposals regarding Disclosure

The general principle of disclosure is in line with the prescriptions of the Directive 2009/72/EC.

However, the practical procedure has to be amended:

1. The suppliers have to know how to apply the information obligation relating to the environmental consequences of electricity production (BPR [22]).
2. The timing of the procedure should be revised in order to give the suppliers the time to collect the information, the regulator to verify these input data and to validate the calculations, and finally for the supplier again to change their invoices and promotion material (BPR [35]).
3. The calculation methodology should be adapted: it is based on contract information and production statistics and, even when these figures are corrected, the methodology doesn't reflect the suppliers mix in an consistent way (BPR [29, 30, 32]).
4. There is no concept of residual mix (BPR [17, 25, 26]).

5. The new data format for reporting green contracts and consumption should allow timely cancellation of GO's once a month. It should also speed the reporting process (BPR [1]).
6. Clear rules should be established for claims made by suppliers (BPR [40, 41]).
7. Consistent implementation is needed for suppliers active in several countries (BPR [42]).

Furthermore, there are some points of attention.

The disclosure methodology relates to the electricity that is sold (i.e. supplied) through the grid or on-site. Legislation should be strengthened imposing the same obligation for electricity sold on-site. Production from RE sources or HE-CHP that is not injected into the grid, gets a GO, but this is immediately cancelled and not further used in the calculations (alternatively, many of those GO's are never issued in the first place).

One could argue that it would simplify the reporting of energy sources if the available sources were limited to renewable, fossil and nuclear. This proposal would however have the disadvantage of making do with the CHP (arguably a technology rather than a source). This discussion has yet to take place.

2.3 Proposals regarding GO

The RE-GO system and the CHP-GO system are quite advanced and can be maintained with small amendments:

8. The GO lifetime should be regulated according to 12 months' lifetime rule. Expiry rule should be slightly adapted in order to reflect the RE-DISS Best Practice Recommendation (Current expiry rule govern that GO's expire about a year later) (BPR [3, 4, 6]).
9. Develop clear guidelines for refusal of GO's (BPR [8, 20, 21]).
10. Although it would be welcome, there are no on-going discussions with respect to the extension of the GO-system towards other energy sources. This extension would imply that all fossil and nuclear production plants would be registered and that GO's for these plants would also be issued (BPR [11]).

However, starting from the current system, the implementation of a full GO-system seems feasible with little extra resources and effort.

2.3.1 Proposals regarding the RE-GO System

See above.

2.3.2 Proposals regarding the CHP-GO System

See above.

2.4 Matrix of disclosure related problems and country-specific proposals

Table 3: Disclosure related problems and proposals

Problem	Country-specific proposal
Possible double counting in different explicit tracking instruments	-
Double counting of attributes in explicit and implicit tracking mechanisms	3, 4
Double counting within individual supplier's portfolio	-
Loss of disclosure information	-
Intransparency for consumers	1, 6
Leakage of attributes and/or arbitrage	2, 7, 8
Unintended market barriers	9