



Mr Paul Hodson
Directorate-General for Energy
European Commission
Rue Demot 24
1040 Brussels

Brussels, 30 November 2018

Subject: Publication of Impact Assessment in accordance with Case C-57/16 P

Dear Mr Hodson,

We, the undersigned, appreciate the level of transparency that you have shown with stakeholders over the past years. And we trust that this open relationship will also continue in the future. Nevertheless, to provide full transparency, we would like to invite the European Commission to make available Impact Assessments before the measures are published.

We are aware that on 4 September 2018, the European Court of Justice issued a judgment in Case C-57/16 P (*ClientEarth v Commission*) on the release of Impact Assessments. In paras. 91-112 of the judgment, the Grand Chamber confirmed that Impact Assessment documents must be disclosed even before the publication of a legislative proposal, and that doing so “is likely to increase the transparency and openness of the legislative process as a whole.”

Since we are not aware whether all Impact Assessment documents for the ecodesign and energy labelling proposals currently in the pipeline have been published, the signatories of this letter have the following questions:

- Is the European Commission going to disclose the Impact Assessments to the Member States and other stakeholders (e.g. industry, NGOs) before the votes of the Regulatory Committee on Ecodesign and Energy Labelling in December 2018 and January 2019?
- What are the reasons why the European Commission has not yet followed up with the Court’s judgment that Impact Assessments shall be disclosed when they are finalised?

The signatories to this letter will highly appreciate the disclosure of the Impact Assessments to Member States and other stakeholders, and a reasoning for the decisions taken by the European Commission.

We thank you in advance for your answer.

Yours sincerely,



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About the signatories

About APPLiA, Home Appliance Europe

APPLiA, Home Appliance Europe represents home appliance manufacturers from across Europe. By promoting innovative, sustainable policies and solutions for EU homes, APPLiA has helped build the sector into an economic powerhouse, with an annual turnover of EUR 44 billion, investing over EUR 1.4 billion in R&D activities and creating nearly 1 million jobs. <https://applia-europe.eu/>

About DIGITALEUROPE

DIGITALEUROPE represents the digital technology industry in Europe. Our members include some of the world's largest IT, telecoms and consumer electronics companies and national associations from every part of Europe. DIGITALEUROPE wants European businesses and citizens to benefit fully from digital technologies and for Europe to grow, attract and sustain the world's best digital technology companies. DIGITALEUROPE ensures industry participation in the development and implementation of EU policies. DIGITALEUROPE's members include in total over 35,000 ICT Companies in Europe represented by 66 Corporate Members and 39 National Trade Associations from across Europe. Our website provides further information on our recent news and activities: <http://www.digitaleurope.org>

About the European Heating Industry (EHI)

EHI, the association of the European Heating Industry, represents 90% of the European market for heat and hot water generation, heating controls and heat emitters, as well as 75% of the hydronic heat pump market. Our Members produce advanced technologies for heating in buildings and renewable energy solutions including: heat pumps, solar thermal, biomass heaters, boilers, heating systems, burners, components and system integrators, radiators, surface heating & cooling. In doing so, we employ directly more than 160.000 people in Europe and invest about 700 million euro a year in energy efficiency. www.ehi.eu

About the European Heat Pump Association (EHPA)

The European Heat Pump Association (EHPA) is a Brussels based industry association which aims at promoting awareness and proper deployment of heat pump technology in the European market place for residential, commercial and industrial applications. EHPA provides technical and economic input to European, national and local authorities in legislative, regulatory and energy efficiency matters. All activities are aimed at overcoming market barriers and dissemination of information in order to speed up market development of heat pumps for heating, cooling and hot water production. EHPA coordinates quality initiatives: including the HP KEYMARK, a Quality label for heat pumps and Certification standards for heat pump installers. The association compiles the annual heat pump statistics and organizes a number of events, among them an annual heat pump conference.

About the European Partnership for Energy and the Environment (EPEE)

The European Partnership for Energy and the Environment (EPEE) represents the refrigeration, air-conditioning and heat pump industry in Europe. Founded in the year 2000, EPEE's membership is composed of 48 member companies, national and international associations from three continents (Europe, North America, Asia).

EPEE member companies realize a turnover of over 30 billion Euros, employ more than 200,000 people in Europe and also create indirect employment through a vast network of

small and medium-sized enterprises such as contractors who install, service and maintain equipment.

EPEE member companies have manufacturing sites and research and development facilities across the EU, which innovate for the global market.

As an expert association, EPEE is supporting safe, environmentally and economically viable technologies with the objective of promoting a better understanding of the sector in the EU and contributing to the development of effective European policies. Please see our website (www.epeeglobal.org) for further information.

About EUnited

EUnited represents machinery and equipment suppliers in Europe. We have 110 direct company members who design and develop specialist technology, systems and products which are used in our factories and our communities all over the world. Our sectors include Cleaning, Metallurgy, Municipal Equipment, Robotics, Valves and Vehicle Cleaning.

About Eurovent

Eurovent is Europe's Industry Association for Indoor Climate (HVAC), Process Cooling, and Food Cold Chain Technologies. Its members from throughout Europe, the Middle East and Africa represent more than 1.000 companies, the majority small and medium-sized manufacturers. Based on objective and verifiable data, these account for a combined annual turnover of more than 30bn Euros, employing around 150.000 people within the association's geographic area. This makes Eurovent one of the largest cross-regional industry committees of its kind. The organisation's activities are based on highly valued democratic decision-making principles, ensuring a level-playing field for the entire industry independent from organisation sizes or membership fees. www.eurovent.eu

About the European Ventilation Industry Association (EVIA)

The European Ventilation Industry Association (EVIA) was established in Brussels in July 2010. EVIA's mission is to represent the views and interests of the ventilation industry and serve as a platform between all the relevant European stakeholders involved in the ventilation sector, such as decision-makers at the EU level as well as our partners in EU Member States.

Our membership is composed of more than 40 member companies and 6 national associations across Europe realising an annual turnover of over 7 Billion Euros and employing more than 45,000 people in Europe.

EVIA aim to promote highly energy efficient ventilation applications across Europe, with high consideration for health and comfort aspects. Fresh and good indoor air quality is a critical element of comfort and contributes to keeping people healthy in buildings.

About the International Association of Lighting Designers (IALD)

Founded in 1969, the International Association of Lighting Designers (IALD) is an internationally recognised organisation dedicated solely to the concerns of independent architectural lighting designers. The IALD strives to set the global standard for lighting design excellence by promoting lighting quality, the advancement and recognition of architectural lighting designers and the architectural lighting design profession. IALD members are located in 60 countries and practice globally. The IALD has a European office based in Brussels. More information about IALD is available at www.iald.org.

About LightingEurope

LightingEurope is the industry association that represents the lighting industry in Europe. We are the voice of more than 1,000 lighting companies that employ more than 100,000 Europeans and create an annual European turnover of over € 20 billion. Our daily mission is to advocate and defend the lighting industry in Brussels, while reconciling it with ongoing EU policy aims. In doing so, we are dedicated to promoting efficient lighting practices for the benefit of the global environment, human comfort, and the health and safety of consumers. More information is available on: www.lightingeurope.org.

About PEARLE* - Live Performance Europe

PEARLE* – Live Performance Europe, is the ‘Performing Arts Employers’ Associations League Europe’. Pearle* represents through its member associations the interests of more than 10,000 organisations including orchestras, music ensembles, groups, festivals, concert halls and producers across Europe. This includes profit as well as non-profit organisations, ranging from micro-enterprises to companies over 250 employees. Pearle* is recognised by the European Commission as a European sectoral social partner, representing the employers in the European sectoral social dialogue committee live performance.

About PLASA

PLASA is the leading association for live entertainment technology which works to ensure that the industry is fully represented and championed. Our 400 members represent global manufacturers and distributors, production specialists, iconic venues, regional rental houses and freelancers, each one dedicated to the betterment of the industry. PLASA supports its members by providing advisory and support services as well as a range of training courses. Our commercial divisions play a crucial role in supporting the association activities which include the market-leading LSi and LSA magazines and our annual PLASA Show and PLASA Focus events. To learn more, visit www.plasa.org.