

Act Pertaining to the Extension of Energy Lines (Energy Line Extension Act - EnLAG)

EnLAG

Date of issue: 21.08.2009

Full title:

"Energy Line Extension Act dated 21 August 2009 (Federal Law Gazette I page 2870)"

Footnote

Text reference from: 26.8.2009

The Act was passed by the Federal Parliament as Article 1 of the Act dated 21 August 2009 I 2870. It came into force in accordance with Article 7 of the said Act on 26 August 2009.

§ 1

(1) A requirements plan is attached as an annex to this Act for projects in accordance with Section 43 Sentence 1 of the Energy Industry Act relating to extra-high voltage grids with a rated voltage of 380 kilovolts or more and aimed at adapting, developing and extending transmission grids for the purpose of incorporating electricity from renewable energy sources, facilitating the interoperability of electricity grids within the European Union, connecting new power stations or avoiding structural bottlenecks in the transmission grid and for which there is therefore a priority need.

(2) Projects included in the requirements plan conform with the objectives of Section 1 of the Energy Industry Act. The latter firmly establishes the necessity for these projects in the energy sector and their priority need. These findings are binding for planning permission and official approval in accordance with Sections 43 to 43d of the Energy Industry Act.

(3) Section 50 Par. 1 No. 6 of the Rules of the Administrative Courts applies to projects included in the requirements plan.

(4) The projects also include the facilities necessary for the operation of energy lines and the modifications required at the points of common coupling.

(5) Energy lines begin and end respectively at the points of common coupling at which they are connected to the existing transmission grid.

§ 2

(1) In order to test the use of buried cables at extra-high voltage level in the transmission grid as a pilot scheme, the following lines named in the annex to this Act may be installed and operated as buried cable or modified in accordance with Paragraph 2:

1. Ganderkesee – St. Hülfe section of the Ganderkesee – Wehrendorf line,
2. Diele – Lower Rhine line,
3. Wahle – Mecklar line,
4. Altenfeld – Redwitz section of the Lauchstädt – Redwitz line.

(2) Where a project in accordance with Paragraph 1 involves new construction, an extra-high voltage line may be installed and operated as buried cable or modified on a technically and economically efficient segment if the line

1. is to be installed at a distance less than 400 metres from residential buildings sited within the territorial application of a land-use plan or in built-up areas as defined under Section 34 of the German Federal Building Code if these areas primarily serve for habitation, or
2. is to be installed at a distance less than 200 metres from residential buildings sited within the undesignated outlying area as defined under Section 35 of the German Federal Building Code.

Additionally, in the case of Paragraph 1 No. 4, an extra-high voltage line may be installed and operated as buried cable or modified on a technically and economically efficient segment within the Thuringian Forest Nature Park (Regulation on the Thuringian Forest Nature Park dated 27 June 2001, GVBl [Law Gazette] for the Free State of Thuringia, p. 300) to cross the Rennsteig ridge walk.

(3) For projects in accordance with Paragraph 1, supplementary to Section 43 Sentence 1 No. 1 of the Energy Industry Act, planning approval proceedings may also be necessary for the installation and operation as well as the modification of a buried cable in accordance with Part 5 of the Energy Industry Act.

(4) The grid system operators shall determine the additional costs incurred within each grid system operator's transmission grid in one calendar year for the installation, operation and modification of buried cables as defined in Paragraph 1.

The additional costs shall be determined as a lump sum based on standard cost estimates compared with an overhead line on the same route. The additional costs for all grid system operators determined in accordance with Sentences 1 and 2 shall be added together in so far as they correspond to efficient grid operation. The resulting total cost of buried cable is to be mathematically divided pro rata among all grid system operators. The share of the total calculated cost to be borne by the individual grid system operator is defined in accordance with Section 9 Par. 3 of the German Combined Heat and Power Act. (4) If a grid system operator's actual additional costs for the installation, operation and modification of buried cables as defined in Paragraph 1 exceed that operator's calculated share of the total costs, this difference is to be financially compensated. The compensation shall be payable by those grid system operators whose actual costs are less than their calculated share of the total costs, but shall not amount to more than the proportion of the total costs calculated as their share. The grid system operators shall determine the balance by 30 November of a calendar year.

§ 3

At the end of every three years, the Federal Ministry of Economics and Technology in consultation with the Federal Ministry for the Environment, Nature Conservation and Nuclear Safety as well as the Federal Ministry of Transport, Building and Urban Development shall check whether the requirements plan needs to be adjusted to allow for electricity supply

developments and shall present the German Federal Parliament with a report on the subject, the first being on 1 October 2012. At the same time, taking into consideration the aims set out in Section 1 of the Energy Industry Act, any necessary optimisation measures shall also be assessed. This report shall also indicate experiences with the use of buried cables in accordance with § 2.

Annex

(Reference: Federal Law Gazette I 2009, 2872)

Projects in accordance with Section 1 Par. 1, for which there is a priority need:

No.	Project
1	Construction of an extra-high voltage line, Kassø (DK) – Hamburg North – Dollern, rated voltage 380 kV
2	Construction of an extra-high voltage line, Ganderkesee – Wehrendorf, rated voltage 380 kV
3	Construction of an extra-high voltage line, Neuenhagen – Bertikow/Vierraden – Krajnik (PL), rated voltage 380 kV
4	Construction of an extra-high voltage line, Lauchstädt – Redwitz (as part of the Halle/Saale – Schweinfurt connection), rated voltage 380 kV
5	Construction of an extra-high voltage line, Diele – Lower Rhine, rated voltage 380 kV
6	Construction of an extra-high voltage line, Wahle – Mecklar, rated voltage 380 kV
7	Construction of an extra-high voltage line, Bergkamen – Gersteinwerk, rated voltage 380 kV
8	Construction of an extra-high voltage line, Kriftel – Eschborn, rated voltage 380 kV
9	Construction of an extra-high voltage line, Hamburg/Krümmel – Schwerin, rated voltage 380 kV
10	Upgrading of the extra-high voltage line, Redwitz – Grafenrheinfeld, from 220 kV to 380 kV (as part of the Halle/Saale – Schweinfurt

	connection), rated voltage 380 kV
11	Construction of an extra-high voltage line, Neuenhagen – Wustermark (as the first part of the Berlin Ring), rated voltage 380 kV
12	Construction of an interconnector, Eisenhüttenstadt – Baczyna (PL), rated voltage 380 kV
13	Construction of an extra-high voltage line, Lower Rhine/Wesel – the border with the Netherlands (towards Doetinchem), rated voltage 380 kV
14	Construction of an extra-high voltage line, Lower Rhine – Uftort – Osterath, rated voltage 380 kV
15	Construction of an extra-high voltage line, Osterath – Weißenthurm, rated voltage 380 kV
16	Construction of an extra-high voltage line, Wehrendorf – Gütersloh, rated voltage 380 kV
17	Construction of an extra-high voltage line, Gütersloh – Bechterdissen, rated voltage 380 kV
18	Construction of an extra-high voltage line, Lüstringen – Westerkappeln, rated voltage 380 kV
19	Construction of an extra-high voltage line, Kruckel – Dauersberg, rated voltage 380 kV
20	Construction of an extra-high voltage line, Dauersberg – Hünfelden, rated voltage 380 kV
21	Construction of an extra-high voltage line, Marxheim – Kelsterbach, rated voltage 380 kV
22	Upgrading of the high voltage line, Weier – Villingen, from rated voltage 110 kV to rated voltage 380 kV
23	Upgrading of the extra-high voltage line, Neckarwestheim – Mühlhausen, from rated voltage 220 kV to rated voltage 380 kV
24	Construction of an extra-high voltage line, Bünzwangen – Lindach, rated voltage 380 kV plus upgrading of the high voltage line, Lindach – Goldshöfe, from rated voltage 110 kV to rated voltage 380 kV