

Renewable energy policy database and support – RES-LEGAL EUROPE

National profile: Austria

Client: DG Energy

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TABLE OF CONTENTS

RES-E SUPPORT SCHEMES 1

Summary of support schemes 5
Basic information on legal sources 6
Further information 10
Support schemes 11

RES-E GRID ISSUES 25

Overview 25
Basic information on legal sources 26
Further information 28
Grid issues 29

RES-H&C SUPPORT SCHEMES 36

Summary of support schemes 36
Basic information on legal sources 37
Further information 39
Support schemes 40

RES-H&C GRID ISSUES 46

Overview 46
Further information 47

RES-T SUPPORT SCHEMES 48

Summary of support schemes 48
Basic information on legal sources 49
Further information 51
Support schemes 52

POLICIES 57

Summary of policies 57
Basic information on legal sources 59
Further information 61
Policy categories 62

Austria summary text

In Austria, electricity from renewable sources is supported mainly through a feed-in tariff. Furthermore, the construction of PV installations on buildings and small or medium-sized hydro-electric power stations is supported through subsidies. Electricity from renewable sources is granted access to the grid according to the general legislation on energy and according to non-discriminatory principles.

Heating and cooling from renewable energy sources is supported through an incentive scheme on the level of the individual federal states (“Länder”). The main support scheme for renewable energy sources used in transport is a quota system.

There are four specialisation programmes for RES-installers, numerous quality standards for RES installations, an agreement determining the exemplary role of public authorities, a research and technology programme and a building obligation for the use of renewable heating.

RES-E support schemes

Summary of support schemes

Overview	In Austria, electricity from renewable sources is supported mainly through a feed-in tariff. Furthermore, the construction of small and medium-sized hydro-electric power stations is supported through subsidies.
Summary of support system	• **Feed-in tariff.** In Austria, electricity from renewable sources is supported mainly through a feed-in tariff, which is set out in the ÖSG 2012 and the regulations related thereto. The operators of renewable energy plants are entitled against the government purchasing agency, the so-called Ökostromabwicklungsstelle (hereinafter called "Clearing and Settlement Agency"), to the conclusion of a contract on the purchase of the electricity they produce ("obligation to enter into a contract"). • **Subsidy.** The construction of small and medium-sized hydro-electric power stations is subsidised by investment grants. The legal basis of these grants is the ÖSG 2012 in conjunction with the applicable subsidy directive.
Technologies	All renewable electricity generation technologies are eligible for the Austrian feed-in tariff. In contrast to the tariff, subsidies are available for small and medium-sized hydro-electric power stations only.
Statutory provisions	• Ökostromgesetz (ÖSG 2012) • Förderungsrichtlinien 2010 (Subsidy Directive 2010) • Ökostromverordnung 2012 (Green Electricity Regulation 2012) • Ökostrom-Einspeisetarifverordnung 2012 (ÖSET-VO 2012)

Basic information on legal sources

Name of legal source (original language)	Bundesgesetz, mit dem Neuregelungen auf dem Gebiet der Elektrizitätserzeugung aus Erneuerbaren Energieträgern und auf dem Gebiet der Kraft-Wärme-Kopplung erlassen werden (Ökostromgesetz - ÖSG)	Förderungsrichtlinien 2010 für die Gewährung von Investitionszuschüssen gemäß § 12, § 12a und § 13a Ökostromgesetz für die Errichtung von KWK-Anlagen, Kleinwasserkraftanlagen und mittleren Wasserkraftwerken	Verordnung, mit der Preise für die Abnahme elektrischer Energie aus Ökostromanlagen auf Grund von Verträgen festgesetzt werden, zu deren Abschluss die Ökostromabwicklungsstelle im Jahr 2012 verpflichtet ist
Full name			
Name (English)	Federal Act on the Support of Electricity Produced from Renewable Energy Sources (ÖSG 2012)	Subsidy Directive 2010 on the granting of investment subsidies, as set out in § 12, § 12a and § 13a of the ÖSG 2012, for the construction of CHP plants and small and medium-sized hydro-power plants	Regulation setting the prices for the purchase of electricity generated by green power plants as set out in the purchase agreements the Clearing and Settlement Agency is obliged to enter into in 2012
Abbreviated form	ÖSG 2012	Subsidy Directive 2010	Green Electricity Regulation 2012
Entry into force	24.08.2002	20.10.2009	01.01.2012
Last amended on	01.07.2012	27.03.2012	
Future amendments	ÖSG 2012		Every year on 1 January
Purpose	The act regulates the support system for electricity from renewable sources and the use	Giving a more detailed definition of the conditions for the granting of investment subsidies in accordance with the ÖSG	The regulation sets out the feed-in tariff rates for electricity from renewable

	of certificates of origin.	2012.	sources.
Relevance for renewable energy	The act aims to support renewable energy and combined heat and power only.	This directive aims to support combined heat and power and small and medium-sized hydro-power plants only.	This regulation was designed to support renewable energy.
Link to full text of legal source (original language)	http://www.e-control.at/portal/page/portal/medienbibliothek/oeko-energie/dokumente/pdfs/%C3%96SG%202012_Kundmachung_BGBLA_2011_I_75_29.07.2011.pdf	http://www.oem-ag.at/oemag/investitionsfoerderung/2012_03_27_richlinien.pdf	http://www.ris.bka.gv.at/GeltendeFassung.wxe?Abfrage=Bundesnormen&Gesetzesnummer=20007631
Link to full text of legal source (English)			

Name of legal source (original language)	Ökostrom-Einspeisetarifverordnung 2012 – ÖSET-VO 2012		
Full name	Verordnung des Bundesministers für Wirtschaft, Familie und Jugend, mit der die Einspeisetarife für die Abnahme elektrischer Energie aus Ökostromanlagen auf Grund von Verträgen festgesetzt werden, zu deren Abschluss die Ökostromabwicklungsstelle ab 1. Juli 2012 bis Ende des Jahres 2013 verpflichtet ist (Ökostrom-Einspeisetarifverordnung 2012 – ÖSET-VO 2012)		
Name (English)	Regulation of the Minister of Economy, Family and Youth determining the feed-in tariffs for the purchase of electricity from renewable energy plants on the basis of contracts to whose conclusion the Clearing and Settlement Agency is obligated from 1 July until the end of 2013 (Renewable Electricity – Feed-in Tariff Regulation – ÖSET-VO 2012)		
Abbreviated form	ÖSET-VO 2012		
Entry into force	19.09.2012		
Last amended on			

Future amendments			
Purpose	This regulation determines the feed-in tariffs for electricity generated in renewable energy plants.		
Relevance for renewable energy	This regulation applies to renewable energy only.		
Link to full text of legal source (original language)	*http://www.ris.bka.gv.at/Dokumente/BgblAuth/BGBLA_2012_II_307/BGBLA_2012_II_307.pdf*		
Link to full text of legal source (English)			

Further information

Institution (name)	Website	Name of contact person (optional)	Telephone number (head office)	E-mail (optional)
Federal Ministry of Economy, Family and Youth (BMWFJ), Energy and Mining Department	http://www.bmwfj.gv.at/ENERGIEUNDBERGBAU/Seiten/default.aspx		+43 171 10 00	post@IVSL.bmwfj.gv.at
Austrian Energy Agency	http://www.energyagency.at/		+43 158 615 240	office@energyagency.at
E-Control Ltd. - Deregulation agency	http://www.e-control.at/		+43 124 72 40	office@e-control.at
Dachverband Energie-Klima - Umbrella Organization Energy-Climate Protection	http://www.energieklima.at/		+43 590 900 34 65	energieklima@fmmi.at
Clearing and Settlement Agency for Green Electricity - OeMAG Abwicklungsstelle für Ökostrom AG	http://www.oem-ag.at/		+43 5 787 66-10	kundenservice@oem-ag.at

Support schemes

Subsidy (Investment subsidy)

Abbreviated form of legal source(s)	• ÖSG 2012 • Subsidy Directive 2010	
Summary	The construction or revitalisation of small and medium-sized hydro-power plants can be supported through investment grants. Revitalisation projects are eligible if the investment leads to an increase of the standard capacity by at least 15 % (§ 26 par. 1 ÖSG 2012). The funds available for small hydro-power plants are limited to € 16 million. Furthermore, with the amendment of the ÖSG 2012 in July 2012, a one-time only grant of € 20 million was allocated which has been raised through the support fees (Ökostrompauschale) (§ 26 par. 2 ÖSG 2012). The funds available for medium-sized hydro-power plants are limited to € 50 million. ÖSG 2012ÖSG 2012	
Eligible technologies	**General information**	In Austria, only small and medium-sized hydro-power plants are eligible for subsidies (§ 26 par. 3 ÖSG 2012ÖSG 2012). Other technologies are not eligible.
	Wind energy	
	Solar energy	
	Geothermal energy	
	Biogas	

	Hydro-power	Eligible if the plant meets the following conditions: • The maximum capacity shall not exceed 10 MW („small hydro-power plant“; § 5 par. 1 subpar. 17 ÖSG 2012ÖSG 2012). OR • The plant shall have a maximum capacity between 10 MW and 20 MW („medium-sized hydro-power plant““; § 5 par. 1 subpar. 21 ÖSG 2012ÖSG 2012). • The plant shall have been recognized as renewable energy plant (§ 7 par. 1 ÖSG 2012). • If the plant has not been put into operation within 3 years after the approval of the investment grant by the Ministry of Economy, Family and Youth, the application shall be deemed to be withdrawn and the approval to be expired (§ 26 par. 5 in conjunction with § 27 par. 5 ÖSG 2012). • ÖSG 2012ÖSG 2012
	Biomass	
Amount	• For plants with a maximum capacity of 500 kW, the amount of the investment subsidy shall not exceed 30% of the investment volume immediately needed for the construction or revitalisation of the plant (excluding land costs), with a maximum of € 1,500 per kW. • For plants with a maximum capacity of 2 MW, the amount of the investment subsidy shall not exceed 20% of the investment volume, with a maximum of € 1,000 per kW. • For plants with a maximum capacity of 10 MW, the amount of the investment subsidy shall not exceed 10% of the investment volume, with a maximum of € 400 per kW (§ 26 par. 3 ÖSG 2012). • ÖSG 2012ÖSG 2012ÖSG 2012ÖSG 2012	
Addressees	**Entitled party.** The party entitled to the subsidies are those who construct small and medium-sized power plants (§12a par. 1, § 13a par. 1 ÖSG 2012). A “constructor” of a hydro-power plant shall be every natural person or legal entity that is	

	financially responsible for the construction of a plant (§ 5 par. 1 subpar. 6 ÖSG 2012). **Obligated party.** The obligated party is the Federal Minister of Economy, Family and Youth (§ 12 par. 5 ÖSG 2012).	
Procedure	**Process flow**	• **Assessment.** The investment volume and the amount of subsidy needed are to be assessed by an independent expert determined by the Governor (§ 26 par. 4 in conjunction with § 27 par. 4 ÖSG 2012). • **Application.** Applications shall be submitted in writing to the Clearing and Settlement Agency for Investment Subsidies (OeMAG) prior to construction. For medium-sized hydro-power plants by 30 September 2012, for small hydro-power plants by 30 September 2013 (§ 4 par. 2 and 3 Subsidy Directive 2010). The applications will be processed in order of receipt. • **Selection.** Evidence of the investment costs for the plant and its eligibility for subsidies shall be provided by the report of an independent expert who shall be appointed by the Provincial Governor. Moreover, compliance with the conditions laid down in the ÖSG 2012 and the Subsidy Directive 2010 is assessed. The advisory body for investment subsidies gives a recommendation. • **Subsidy contract.** If all the conditions are met, the Federal Minister of Economy, Family and Youth shall grant the subsidy and conclude a contract. The investment grant shall be paid as soon as the plant has been commissioned at its full capacity and the final report has been submitted and examined (§§ 12, 13 Subsidy Directive 2010).
	Competent authority	Ministry of Economy, Family and Youth (BMWFJ)
Flexibility mechanism		

Distribution of costs	**State**	
	Consumers	The costs of the subsidy scheme are borne by the consumers.
	Plant operator	
	Grid operator	
	European Union	
	Distribution mechanism	• **Consumer – grid operator.** In addition to the grid use fees, the grid operators charge different support fees, which depend on the voltage level and are to be paid by the users of all voltage levels (large enterprises, private households), (§§ 22, 22 a ÖSG 2012). The support fee shall be shown separately on the electricity bills. On the whole, the means arising from the support fee shall not exceed 7.5 million Euros (§13 a ÖSG 2012). • **Grid operator – Clearing and Settlement Agency.** The grid operator shall transfer the income from the support fee to the Clearing and Settlement Agency every three months. From 2007 until and including 2012, the support fee amounts to the following: • Grid users connected to voltage levels 1 to 4 shall pay € 15,000 per year. • Grid users connected to voltage level 5 shall pay € 3,300 per year. • Grid users connected to voltage level 6 shall pay € 300 per year. • Grid users connected to voltage level 7 shall pay € 15 per year (§ 22a par. 1 ÖSG 2012).

		• From 2012 onwards, the support fee will be determined by a regulation for and every three years (§ 22a par. 2 ÖSG 2012).

Feed-in tariff (ÖSG 2012)

Abbreviated form of legal source(s)	• ÖSG 2012 • ÖSET-VO 2012	
Summary	Electricity from renewable sources is supported mainly through a feed-in tariff. The operators of renewable energy plants are entitled to the conclusion of a contract with a government purchasing agency, the Clearing and Settlement Agency, on the purchase of and payment for electricity as long as funds are available (§ 14 par. 3 ÖSG 2012). The feed-in tariffs for the different renewable technologies are stipulated annually through a resolution of the Minister of Economy, Family and Youth (§ 19 par. 1 ÖSG 2012).	
Eligible technologies	**General information**	In principle, the feed-in tariff scheme applies to all renewable energy technologies. However, the plant must be registered as a "green electricity plant" (Ökostromanlage) according to § 7 ÖSG 2012. Plants generating electricity from wind, solid and liquid biomass, biogas or geothermal energy are eligible regardless of their capacities. PV installations shall exceed 5 kWp, hydro-power plants are eligible up to a capacity of 2 MW (§1 par. 1 ÖSET-VO 2012).
	Wind energy	Eligible (§ 12 par. 1 no. 2 a) ÖSG 2012).
	Solar energy	Eligible under the following condition: • The installation's capacity shall exceed 5 kWp (§ 12 par. 2 no. 3 ÖSG 2012 in conjunction with § 1 par. 1 ÖSET-VO 2012).
	Geothermal energy	Eligible under the following condition: • Plants shall reach an efficiency of at least 60% (§ 12 par. 2 no. 4 ÖSG 2012 in conjunction with § 2 par. 1 ÖSET-VO

		2012).
	Biogas	Eligible under the following condition: • Plants shall reach an efficiency of at least 60% (§ 12 par. 2 no. 4 ÖSG 2012 in conjunction with § 2 par. 1 ÖSET-VO 2012).
	Hydro-power	Eligible under the following condition: • The plant's capacity shall not exceed 2 MW (§ 12 par. 1 no. 2 e) ÖSG 2012 in conjunction with § 1 par. 1 ÖSET-VO 2012).
	Biomass	Eligible under the following condition: • Plants shall reach an efficiency of at least 60% (§ 12 par. 2 no. 4 ÖSG 2012 in conjunction with § 2 par. 1 ÖSET-VO 2012).
Amount	**General information**	The amount of tariff is determined for each source of energy by the Minister of Economy, Family and Youth (§ 19 par. 1 ÖSG 2012).
	Wind energy	• if application is submitted until the end of 2012: €ct 9.5 per kWh • if application is submitted in 2013: €ct 9.45 per kWh (§ 6 ÖSET-VO 2012)
	Solar energy	**PV installations on a building or a noise barrier** with capacities over 5 kWp, up to 500 kWp:

		• if application submitted and contract concluded until the end of 2012: €ct 19.7 per kWh • if application submitted and contract concluded in 2013: €ct 18.12 per kWh (§ 5 par. 1 ÖSET-VO 2012 2012) **Other PV installations** with capacities over 5 kWp, up to 500 kWp: • if application submitted and contract concluded until the end of 2012: €ct 18.43 per kWh • if application submitted and contract concluded in 2013: €ct 16.59 per kWh (§ 5 par. 2 ÖSET-VO 2012 2012) Alternatively, operators of PV installations exceeding 5 kWp may also apply for a so-called net-parity tariff (Netzparitäts-Tarif) amounting to €ct 18 per kWh for a period of 13 years. Plant operators may not switch between the net-parity and the feed-in option (§14 par. 6 ÖSG 2012). After 1 January 2013, the net-parity tariff will not be available for new applications (§5 par. 4 ÖSET-VO 2012).
	Geothermal energy	• if application is submitted until the end of 2012: €ct 7.5 per kWh • if application is submitted in 2013: €ct 7.43 per kWh (§ 7 ÖSET-VO 2012)

	Biogas	**Biogas plants:** • If application is submitted until the end of 2012: €ct 13 – 19.6 per kWh, depending on the maximum capacity • If application is submitted in 2013: €ct 12.93 – 19.5 per kWh, depending on the maximum capacity ((§ 10 par. 1 ÖSET-VO 2012) **Sewage gas plants:** • If application is submitted until the end of 2012: €ct 6 per kWh • If application is submitted in 2013: €ct 5.94 per kWh (§11 par. 1 ÖSET-VO 2012) **Landfill gas plants:** • If application is submitted until the end of 2012: €ct 5 per kWh • If application is submitted in 2013: €ct 4.95 per kWh (§ 11 par. 1 ÖSET-VO 2012)
	Hydro-power	New or revitalised hydro-power plants which have increased their efficiency by at least 50 % (§ 12 par. 1 ÖSET-VO 2012): • If application is submitted until the end of 2012: €ct 5 – 10.6 per kWh, depending on the amount of electricity fed into the grid. • If application is submitted in 2013: €ct 4.97 – 10.55 per kWh, depending on the amount of electricity fed into the grid. Revitalised hydro-power plants which have increased their efficiency

		by at least 15 %: • If application is submitted until the end of 2012: €ct 3.25 – 8.3 per kWh, depending on the amount of electricity fed into the grid. • If application is submitted in 2013: €ct 3.23 – 8.26 per kWh, depending on the amount of electricity fed into the grid.
	Biomass	**Solid biomass:** • If application is submitted until the end of 2012: According to maximum capacity: €ct 11 – 20 per kWh (§ 8 par. 1 No. 1 ÖSET-VO 2012) • If application is submitted in 2013: According to maximum capacity: €ct 10.94 – 20 per kWh (§8 par. 1 No. 2 ÖSET-VO 2012) • If total installed capacity exceeds 100 MW: According to maximum capacity: €ct 8.9 – 14 per kWh (§8 par. 1 No. 3 ÖSET-VO 2012) **Liquid biomass:** • If application is submitted until the end of 2012: €ct 5.8 per kWh • If application is submitted in 2013: €ct 5.74 per kWh (§ 9 par. 1 ÖSET-VO 2012)
Degression	**General information**	The tariff for new plants may be gradually reduced to reflect the development of costs for a certain technology. The amount of annual

		reduction is determined by order of the Minister of Economy, Family and Youth (§ 19 par. 2 ÖSG 2012).
	Wind energy	
	Solar energy	
	Geothermal energy	
	Biogas	
	Hydro-power	
	Biomass	
Cap		
Eligibility period	Entitlement to the tariff is time-limited, regardless of the source of energy used. • **Biomass and biogas technologies.** A given operator of a plant fuelled by solid or liquid biomass or biogas is entitled to the purchase of all electricity he exports to the grid and to the payment of the tariff applicable on the date on which the contract is concluded, for 15 years starting on the date on which the plant is put into operation (§ 16 par. 1 no. 1 ÖSG 2012). • **Other plants.** A given operator of any other renewable energy plant is entitled to the purchase of electricity exported and to the payment of the tariff applicable on the date on which the contract is concluded, for 13 years starting on the date on which the plant is put into operation (§ 16 par. 1 no. 2 ÖSG 2012).	
Addressees	**Entitled party.** The persons entitled to the tariff are the operators of renewable energy plants. In order for a plant operator to be entitled to the tariff, the plant he claims tariff for must be licensed as a "green electricity plant" (Ökostromanlage). Plants are licensed by the governor (§ 7 par. 1 ÖSG 2012).	

	Obligated party: • **Clearing and Settlement Agency.** The Clearing and Settlement Agency is obliged to the purchase of all electricity generated from renewable energy sources as long as funds are available (§ 14 par. 2 and 3 ÖSG 2012). The Clearing and Settlement Agency is a private enterprise that has a state licence and is responsible for the purchase and sale of electricity from renewable sources within the territory of Austria (§ 31 par. 1 ÖSG 2012). • **Electricity trader.** The second party obligated to satisfy a claim for the feed-in tariff are the electricity traders, who are obliged to purchase the quantities of electricity assigned to them by the Clearing and Settlement Agency at the transfer price set by law (§ 40 par. 1 ÖSG 2012).	
Procedure	**Process flow**	The Clearing and Settlement Agency is obliged to purchase electricity from all renewable sources regardless of the generation technology used, under the following conditions: • There are still funds available for the current year (§ 14 par. 3 ÖSG 2012). • The plant in question has been commissioned and the contract with the Clearing and Settlement Agency has been concluded according to § 39 ÖSG 2012. • The producer in question is obliged to supply green electricity for at least twelve calendar months (§ 14 par. 1 ÖSG 2012). • The producer is obliged to join the eco-balance group (§ 14 par. 2 ÖSG 2012).
	Competent authority	Ministry of Economy, Family and Youth (BMWFJ)
Flexibility Mechanism		
Distribution of costs	**State**	

	Consumers	The costs of the support system are borne by the end users (§ 44 ÖSG 2012).
	Plant operator	
	Grid operator	
	European Union	
	Distribution mechanism	1. **Green electricity support fee (Ökostromförderbeitrag)** 2. **1. Fixed green electricity rate (Ökostrompauschale).** On the one hand, the costs are passed on to the consumers, who have to pay a fixed green electricity rate. • **Consumers – grid operator.** The grid operators charge all users (large-scale consumers, private households) a fixed rate (Ökostrompauschale), which differs according to the level of consumption, on top of the grid use fee (§ 45 par. 1 ÖSG 2012). Up to 2014, the support fee is as follows (§ 45 par. 2 ÖSG 2012): ○ For users connected to voltage levels 1 to 3: € 35,000 per calendar year. ○ For users connected to voltage level 4: € 35,300 per calendar year. ○ For users connected to voltage level 5: € 5,200 per calendar year. ○ For users connected to voltage level 6: € 320 per calendar year. ○ For users connected to voltage level 7: € 11 per calendar year.

		• **Grid operator – Clearing and Settlement Agency.** The grid operator is obliged to transfer the income from the fixed green electricity rate to the Clearing and Settlement Agency every quarter (§ 47 par. 1 ÖSG 2012). After 2014, the support fee will be determined by order for a period of three years (§ 45 par. 4 ÖSG 2012). **2. Revenues from sales.** On the other hand, the feed-in tariff is financed from the revenues made by the Clearing and Settlement Agency from the sale of electricity from renewable sources to the electricity traders. The revenue results from the difference between the market price and the higher price electricity traders have to pay according to §37 in conjunction with § 40 ÖSG 2012. Electricity traders may pass on to the final consumers the difference between the price they pay and the market price they charge. **3. Other revenues.** Other costs incurred by the Clearing and Settlement Agency, like administrative costs, investments related to the execution of its tasks (e.g. reserve capacity costs), the costs of support for new technologies and energy efficiency programmes, or bonus payments for renewable energy plants fuelled by liquid biomass or biogas (§ 21 ÖSG 2012), are recovered through the following payments (§ 23 par. 2 ÖSG 2012): • income earned from administrative fines • other income • income from interest payments.

RES-E grid issues

Overview

Overview of grid issues	In Austria, electricity from renewable sources is granted access to the grid according to the general legislation on energy and according to non-discriminatory principles. Only the use of the grid by electricity from renewable energy sources is subject to a specific order. When grid capacity is insufficient, grid operators are obliged to give priority transmission to electricity from renewable sources.
Connection to the grid	Plant operators are entitled against the grid operator to the conclusion of a contract on the connection of a power generation plant to the grid. The exact conditions are laid down in the implementing legislation of the federal states (Länder) (§ 45 no. 2 ElWOG). Renewable energy plants are not given priority for the connection to the grid.
Use of the grid	Electricity from renewable sources must be given priority transmission when grid capacity is not sufficient to meet all requests for use of the grid (§ 20 ElWOG). In general, entitlement to the use of the grid depends on the general legislation on energy and must be implemented so as not to discriminate against certain grid users.
Grid expansion	A grid user is entitled to the conclusion of a contract with the grid operator on the expansion of the grid, if this expansion is necessary to satisfy a claim for connection to the grid. The exact conditions are laid down in the implementing legislation of the individual Länder (§ 12 par. 1 ElWOG).
Statutory provisions	• ElWOG 2010 (General act on electricity) in connection with the related implementing acts of the federal states • SNE-VO 2012 (Order on the calculation of the grid connection fees) • Ökostromgesetz (ÖSG 2012)

Basic information on legal sources

Name of legal source (original language)	Bundesgesetz, mit dem die Organisation auf dem Gebiet der Elektrizitätswirtschaft neu geregelt wird (Elektrizitätswirtschafts- und -organisationsgesetz – ElWOG 2010)	Verordnung der Energie-Control Kommission, mit der die Tarife für die Systemnutzung bestimmt werden (Systemnutzungstarife-Verordnung 2010, SNT-VO 2010)	Verordnung der Regulierungskommission E-Control, mit der die Tarife für die Systemnutzung bestimmt werden (Systemnutzungsentgelte-Verordnung 2012, SNE-VO 2012)	Bundesgesetz, mit dem Neuregelungen auf dem Gebiet der Elektrizitätserzeugung aus Erneuerbaren Energieträgern und auf dem Gebiet der Kraft-Wärme-Kopplung erlassen werden (Ökostromgesetz - ÖSG)
Full name				
Name (English)	Federal Act providing new rules on the organisation of the electricity sector (ElWOG 2010)	Order of the E-Control commission on the calculation of charges for use of the grid (Systemnutzungstarife-Verordnung 2010, SNT-VO 2010)	Order of the E-Control commission on the calculation of charges for use of the grid (Systemnutzungsentgelte-Verordnung 2012, SNE-VO 2012)	Federal Act on the Support of Electricity Produced from Renewable Energy Sources (ÖSG 2012)
Abbreviated form	ElWOG 2010	SNT-VO 2010	SNE-VO 2012	ÖSG 2012ÖSG 2012
Entry into force	01.12.1998	01.01.2010	01.01.2012	24.08.2002
Last amended on	03.03.2011	01.01.2011		01.07.2012
Future amendments				
Purpose	Establishing rules for the	Defining the basic principles for	This order defines the process of	The act regulates the support

	generation, transmission, distribution and supply of electricity and the organisation of the electricity market; regulating fees related to the supply of electricity and making provisions with regard to accounting (§ 3 ElWOG).	the calculation and distribution of the costs for use of the grid, for the criteria according to which the charges for use of the grid are to be calculated and for the amount of charges payable (§ 1 SNT-VO 2010).	cost allocation and the calculation of system user fees (§ 1 SNE-VO 2010).	system for electricity from renewable sources and the use of certificates of origin.
Relevance for renewable energy	This law gives non-discriminatory grid access to renewable energy. In addition, its general rules on grid use are also applicable to renewable energy.	The rules imposed by the SNT-VO 2010 shall also be applied to the use of the grid by electricity from renewable sources.	The rules imposed by the SNE-VO 2012 shall also be applied to the use of the grid by electricity from renewable sources.	The act aims to promote renewable energy and combined heat and power only.
Link to full text of legal source (original language)	*http://www.jusline.at/Elektrizitaetswirtschafts-und-organisationsgesetz_%28ElWOG%29.html*	*http://www.e-control.at/portal/page/portal/medienbibliothek/strom/dokumente/pdfs/SNT-VO-Novelle-2011_konsolidierte-Fassung.pdf*	*http://www.e-control.at/portal/page/portal/medienbibliothek/recht/dokumente/pdfs/SNE-VO%202012%20BGBl.pdf*	http://www.e-control.at/portal/page/portal/medienbibliothek/oeko-energie/dokumente/pdfs/%C3%96SG%202012_Kundmachung_BGBLA_2011_I_75_29.07.2011.pdf
Link to full text of legal source (English)				

Further information

Institution (name)	Website	Name of contact person (optional)	Telephone number (head office)	E-mail (optional)
Federal Ministry of Economy, Family and Youth (BMWFJ), Energy and Mining Department	http://www.bmwfj.gv.at/ENERGIEUNDBERGBAU/Seiten/default.aspx		+43 171 10 00	post@IVSL.bmwfj.gv.at
E-Control Ltd. - Deregulation agency	http://www.e-control.at/		+43 124 72 40	office@e-control.at
Austrian Energy Agency	http://www.energyagency.at/		+43 158 615 240	office@energyagency.at

Grid issues

Connection to the grid

Abbreviated form of legal sources	• ElWOG 2010 • SNT-VO 2010	
Overview	In Austria, the Federal Act is only a framework legislation, i.e. it does not provide detailed rules. Specific provisions are laid down in the legislation of the state governments. In general, the following rules apply: A plant operator is entitled against the grid operator to the conclusion of an agreement to connect a renewable energy plant to the grid (general obligation to connect, § 5 par. 1 no. 2 ElWOG). Specific conditions for connection are agreed upon with the grid operator in charge and laid down in a grid access agreement as defined in § 7 no. 55 ElWOG. A claim for connection to the grid arises on the date on which the grid access agreement is concluded. A grid operator is defined as an operator of a transmission or distribution grid that has a nominal frequency of 50 Hz (§ 7 no. 28 ElWOG). The detailed conditions for entitlement to connection are laid down in the implementing legislation of the state governments and in the terms and conditions of the grid operators.	
Procedure	**Process flow**	The stages of the connection process are not defined by law. The connection process usually consists of the following steps: • **Application.** The plant operator applies to the grid operator for connection to the grid. • **Technical test.** The grid operator assesses whether establishing a connection is technically feasible. • **Agreement.** The plant operator and the grid operator conclude a connection agreement, which is required to complete the connection process. • **Extension/reinforcement.** If required, the grid is reinforced or extended. • **Connection.** The plant is connected and may export electricity to the grid.
	Deadlines	Applications for connection of a plant to the grid and for access to the grid shall be answered within a period of 14 days (§ 17 par. 3 no. 12 ElWOG).

	Obligation to inform	
Priority to renewable energy **(qualitative criteria)**	( ) Priority to renewable energy (x) Non-discrimination	All plant operators have the same right to the connection of their plants to the grid, irrespective of the energy source used (§ 40 no. 9, § 29 no. 19 ElWOG).
Capacity limits **(quantitative criteria)**	The contractual obligation to connect RES-E plants to the grid does not necessarily imply that grid operators also have to reinforce the grid, if this is necessary to practically allow new producers to connect to the grid. Such an obligation is not regulated in the federal and regional electricity laws. Therefore, plant operators have to conclude a contract with grid operators first, in order to claim the reinforcement.	
Distribution of costs		
	State	
	Consumers	
	Grid operator	
	Plant operator	The costs of connection to the grid are borne by the grid users (§ 2 SNT-VO 2010). A grid user shall be defined as every natural person, legal entity or Erwerbsgesellschaft that exports electricity to or receives electricity from a grid (§ 7 Z. 49 ElWOG). Thus the costs of the connection of a renewable energy plant are borne by the plant operator, who pays the so-called grid-access fee (§ 2 SNT-VO 2010). In addition, he has to pay fees for measurements that have to be taken during the construction, the operation and the gauging of metering devices and the collection of data (§ 9 par. 1 SNT-VO 2010).
	European Union	
	Distribution mechanism	

Use of the grid

Abbreviated form of legal sources	• ElWOG 2010 • SNE-VO 2012 • ÖSG 2012	
Overview	The grid operators are entitled to the conclusion of grid access agreements, which set out the rules for connection to and use of the grid (§ 5 par. 1 no. 2 ElWOG in conjunction with § 7 no. 55 ElWOG). A claim for the purchase and transmission of electricity arises on the date on which a grid access agreement is concluded. **Entitled party.** The entitled parties are the grid users (§ 54 par. 1 no. 2 ElWOG). A grid user is every natural person, legal entity or commercial enterprise that exports electricity to or receives electricity from a grid (§ 7 no. 49 ElWOG). In the present case, the grid users are the plant operators. **Obligated party.** The obligated party is the grid operator (§ 5 par. 1 no. 2 ElWOG). Grid operators are the operators of transmission or distribution grids whose nominal frequency is 50 Hz (§ 7 no. 51 ElWOG).	
Procedure	**Process flow**	The Clearing and Settlement Agency is obliged to purchase and transmit all electricity from renewable sources. According to § 10 of the ÖSG 2012, this obligation to purchase is applicable only until a certain capacity is reached. The plant operators are obliged to provide additional services. These services and related terms and conditions are set out in the grid connection agreements. The grid operator may deny access to the grid only under the circumstances described by law (disruption, insufficient grid capacity, etc.) (§ 20 ElWOG).
	Deadlines	On the national level, the obligation to give priority transmission to electricity from renewable energy sources is not subject to statutory deadlines.
	Obligation to inform	If grid access was denied due to insufficient capacity, the grid operator shall inform the plant operator on the measures required to reinforce the grid and why these have not yet been taken.

Priority to renewable energy **(qualitative criteria)**	(x) Priority to renewable energy ( ) Non-discrimination	The transmission of electricity from renewable energy sources has to be given priority over the transmission of electricity from other, non-renewable energy sources when capacity is not sufficient to meet all demands for use of the grid (§ 20 ElWOG). Apart from that, the grid operator may deny grid use to electricity from traditional energy sources to prevent electricity from renewable sources from being driven out of the market even though the price for renewable energy is in line with current market prices. In doing so, he is entitled to sell this electricity to third parties (§ 21 par. 1 ElWOG).
Curtailment	The grid operator may refuse access to the grid only in several legally defined cases, e.g. grid failures, lack of grid capacity or if RES-E would be crowded out (§ 21 par. 1 ElWOG). In these cases, the grid operators must give priority to RES-E. In cases of dispute, the regulator has to determine whether or not the requirements for curtailment measures were fulfilled (§ 22 par. ElWOG). Grid operators have to explain the refusal in written form. In case of a curtailment due to lacking grid capacities, the grid operator has to provide information about which measures are necessary to reinforce the grid and why this has not happened yet.	
Distribution of costs		
	State	
	Consumers	For the transmission grid: 65 % of the costs for the use of the grid are distributed between final consumers according to the so-called “Brutto-Wälzverfahren”, while the remaining 35 % are distributed according to the so-called “Netto-Wälzverfahren” (§ 2 par. 1 SNE-VO 2012). The costs for the use of the distribution grid are distributed between final consumers according to the particular distribution grid level they are connected to (§ 2 par. 2 SNE-VO 2012).

	Grid operator	
	Plant operator	
	European Union	
	Distribution mechanism	

Grid expansion

Abbreviated form of legal source	• ElWOG 2010 • SNE-VO 2012	
Overview	A plant operator may be contractually entitled against the grid operator to the expansion of the grid, if the expansion is necessary to establish a connection to the grid. The plant operator is entitled to the conclusion of such a contract. The exact conditions are laid down in the implementing legislation of the individual Länder (§ 12 par. 1 ElWOG). **Entitled party.** The entitled parties are the grid users. A grid user is every natural person, legal entity or commercial enterprise that exports electricity to or receives electricity from a grid (§ 7 no. 49 ElWOG). For further information please see the implementing legislation of the individual Länder. **Obligated party.** The party obligated to expand the grid is the grid operator (§ 40 par. 1 no. 7 and. § 45 ElWOG). Further details are specified in the implementing legislation of the Länder.	
Procedure	**Process flow**	
	Enforcement of claims	The RES producer cannot legally demand the grid operator to develop the grid, unless the grid operator agreed to this in a separate contract. A claim for the expansion of the grid arises on the date of the conclusion of the contract.
	Deadlines	Time limits for a possible claim for the expansion of the grid depend on the contract concluded.
	Obligation to inform	
Regulatory incentives for grid expansion and innovation	Grid operators are obliged by national law to operate, maintain and develop the grid. In doing so they shall consider economic conditions as well as the protection of the environment (§ 40 ElWOG). Neither the national nor the regional laws, however, define a specific obligation to develop the grid in order to enable the deployment or the integration of RES-E. Therefore, the Austrian legal framework provides no instrument that would enable the regulator to take future RES deployment as a specific objective into account when regulating tariffs.	

Distribution of costs		
	State	
	Consumers	Pursuant to the general provisions of energy law, the costs of the expansion of the grid are borne by the "receivers" (§ 3 SNE-VO 2012). One group of receivers are final consumers that receive electricity from the grid (§ 7 no. 14 ElWOG).
	Grid operator	Grid operators that receive electricity from the grid are also deemed to be receivers (§ 7 no. 14 ElWOG).
	Plant operator	
	European Union	
	Distribution mechanism	The expansion of the grid is financed from the so-called grid provision fee. The grid provision fee is a once-only payment that reflects all works already carried out or paid for in advance to expand those grid levels that are actually used (§ 3 SNT-VO 2010).
Grid studies	Every year, the transmission grid operator shall submit a 10-year grid development plan to the regulatory authority for authorisation. The development plan shall be based on the current situation and the forecasts for electricity supply and demand and help meet the future demand for grid capacity (§ 37 ElWOG 2010). The current development plan for the planning period 2012-2021 is available on the following website: http://rosentaler-plattform.at/cms/wp-content/uploads/2011/12/Netzentwicklungsplan.pdf	

RES-H&C support schemes

Summary of support schemes

Overview	In Austria, heating and cooling from renewable energy sources is supported through an incentive scheme on the level of the individual federal states ("Länder").
Summary of support schemes	The most substantial form of supporting small-scale RES heating and cooling is provided by the Environmental Assistance in Austria (UFI) programme. There are special investment incentives for solar thermal installations, heat pumps, geothermics and biomass heating plants.
Technologies	• Solar thermal installations • Heat pumps • Biomass heating plants • Geothermics
Statutory provisions	• UFG • Guidelines 2009

Basic information on legal sources

Name of legal source **(original language)**	Umweltförderungsgesetz (BGBl. Nr. 185/1993)	Förderungsrichtlinien 2009 für die Umweltförderung im Inland	
Full name			
Name (English)	Environmental Aid Act (BGBl. No. 185/1993)	Funding Guidelines 2009 for the Environmental Assistance in Austria	
Abbreviated form	UFG	Guidelines 2009	
Entry into force	16.03.1993	01.10.2009	
Last amended on	24.04.2012		
Future amendments			
Purpose	The Environmental Aid Act regulates the support of measures to protect the environment.	The guidelines regulate the financial support of environmental protection measures foreseen by the UFG	
Relevance for renewable energy	This act also regulates the support of renewable energy	The guidelines also regulate the financial support of renewable	

		energy measures	
Link to full text of legal source (original language)	*http://www.ris.bka.gv.at/GeltendeFassung/Bundesnormen/10010755/UFG%2c%20Fassung%20vom%2003.04.2012.pdf*	http://www.foerderungsservice.at/db/dok/a5_1_umweltinl.pdf	
Link to full text of legal source (English)			

Further information

Institution (name)	Website	Name of contact person (optional)	Telephone number (head office)	E-mail (optional)
Kommunalkredit Public Consulting GmbH – Settlement Agency	www.public-consulting.at		+43(0)1-31 6 31	kpc@kommunalkredit.at
Bundesministerium für Land- und Forstwirtschaft, Umwelt und Wasserwirtschaft / Federal Ministry of Agriculture and Forestry, Environment and Water	http://www.lebensministerium.at		(+43 1) 711 00-0	service@lebensministerium.at

Support schemes

Subsidy (Environmental Assistance in Austria - UFI)

Abbreviated form of legal source(s)	• UFG • Guidelines 2009	
Summary	The most substantial form of promoting small-scale RES heating and cooling is applied on the level of the individual federal states ("Länder"). There are special investment incentives for solar thermal installations, heat pumps, geothermics and biomass heating plants. The funding guidelines are published separately for each federal state; however, they do not differ in eligibility criteria and respective amounts. As an example, the funding guidelines for Vienna can be found on this website: http://www.wien.gv.at/stadtentwicklung/energieplanung/rtf/energiefoerderungen-oeffentliche.rtf The Environmental Aid Act (UFG) provides for the general support of schemes to protect the environment. The UFG is divided into several fields of action; incentives to use energy from RES in the heating and cooling sector are provided in the Environmental Assistance in Austria (UFI) field of action. (§ 23 par. 1 UFG in conjunction with § 4 par. 1 Guidelines 2009) In principle, the investment grants for measures supporting the use of energy from renewable sources in the heating and cooling sector differ according to technology. Usually, a flat rate of de minimis support is calculated. "De minimis" allows for aid up to € 200,000 to be provided from public funds over a period of three years. Another option for support is the 'standard reimbursement rate' which mostly amounts to 25 % of the environment-related investment costs and can be increased through awards (sustainability and gas-cleaning awards, etc.) to a maximum of 30 %. In some cases, the application must be made before the beginning of the project and the environment-related investment costs must amount to a certain minimum sum (€ 10,000). The granting of support requires that the applied measure (for investments > € 1 mln: the whole operating system) corresponds to the current state of the art and constitutes a substantial relief to the environment. (§ 5 Guidelines 2009)	
Eligible technologies	**General information**	In the UFI field of action, following technology groups are eligible for

		support of RE heating and cooling
	Aerothermal	**Air heat pumps**: see Geothermal ("heat pumps")
	Hydrothermal	**Water heat pumps**: see Geothermal ("heat pumps")
	Biogas	
	Biomass	**Individual biomass units up to 400 kW** • Automatically stocked biomass combustion plants or log wood boilers in central heating systems for operational purposes • Additional costs (e.g. boiler house, wood chip silos, chipping machine etc.) **Individual biomass units from 400 kW** • Automatically stocked biomass combustion plants or log wood boilers in central heating systems for operational purposes • Additional costs (e.g. boiler house, wood chip silos, chipping machine etc.) **Biomass CHP** • Power stations including automatically stocked biomass combustion plants (feeding, combustion plant, chimney) • Boiler (steam boiler, thermal oil boiler) • Power generation (steam turbine, block heat power plant) • Building measures • Costs for implementing quality management systems
	Geothermal energy	**Geothermics**

		• Building and plant costs exclusively for the use of geothermics. • This includes drilling, heat exchange and distribution grids, underground injection, cogeneration and the reuse of existing geothermal oil wells **Heat pumps up to 400 kW** • Heat pump systems for operational purposes for heating, hot water supply, for space cooling • These include heat pumps, heat source systems, hydraulic installations, system regulation **Heat pumps from 400 kW** • Heat pump systems for operational purposes for heating, hot water supply, for space cooling • These include heat pumps, heat source systems, hydraulic installations, system regulation
	Solar Thermal	**Large solar installations** • Innovative solar thermal installations with a collector area between 100 and 2000 m² are eligible. **Thermal solar installations up to 100 m²** • Solar installations for hot water supply or part solar space heating including casing, heat accumulators and distribution grids with a maximum collector area of 100 m² **Thermal solar installations from 100 m²** • Solar installations for hot water supply or part solar space heating including casing, heat accumulators and the provision of process heat with a collector area from 100 m²

Amount	**Individual biomass units < 400 kW:**
	• € 120 per kW (0-50 kW), € 60 for each additional kW (51-400 kW)
	• max. 30 % of investment costs
	Individual biomass units > 400 kW:
	• De minimis support:
	  ○ Standard reimbursement rate: 20 %
	  ○ Awards: max. 10 %
	• Support over De minimis limit:
	  ○ max. 40 % of investment costs
	• Environment-related investment costs: minimum € 10,000
	Biomass CHP:
	• De minimis support:
	  ○ Standard reimbursement rate: 10 %
	  ○ Awards: max. 10 %
	• Support over De minimis limit:
	  ○ max. 40 % of investment costs
	• Environment-related investment costs: minimum € 10,000
	Geothermics:
	• De minimis support:
	  ○ Standard reimbursement rate: 30 %
	• Support over De minimis limit:
	  ○ max. 40 % of investment costs
	Heat pumps < 400 kW
	• Water heat pumps: € 85 per kWth (0-80 kWth), € 45 for each additional kWth (81-400kWth)
	• Air heat pumps: € 70 per kWth (0-80 kWth), € 35 for each additional kWth (81-400kWth)
	• max. 30 % of investment costs
	Heat pumps > 400 kW
	• De minimis support: max. 15 %

	• Support over De minimis limit: max. 40 %
	• Environment-related investment costs: minimum € 10,000
	Thermal solar installations < 100 m²
	• depending on the type of collector used:
	  ○ € 100 per m2 for standard collectors
	  ○ € 150 per m2 for vacuum collectors
	• max. 30 % of investment costs
	Thermal solar installations > 100 m²
	• De minimis support: max. 20 %
	• Support over De minimis limit: max. 40 %
	• Environment-related investment costs: minimum € 10,000	

Addressees	Support within UFI is directed primarily at natural or legal persons registered on the territory of Austria (§ 26 par. 1 UFG).	
Procedure	**Process flow**	• **Application:** The grant application is submitted to the settlement agency Kommunalkredit Public Consulting GmbH (KPC). • **Evaluation:** The KPC assesses the application and forwards it to further evaluation to the Commission on matters of environmental assistance in Austria. (§ 28 UFG) • **Decision making:** On the basis of the Commission's recommendations, the Federal Minister of Agriculture, Forestry, Environment and Water decides on each application. • **Conclusion of a contract:** Following the Minister's decision, the KPC signs a contract with the applicant and is responsible for its execution.
	Competent authority	Responsible for the entire support scheme is the Austrian Federal Ministry of Agriculture, Forestry, Environment and Water. The Kommunalkredit Public Consulting GmbH is entrusted as a settlement

		agency with the practical development of support programmes.
Flexibility mechanism		
Distribution of costs	**State**	The UFI incentive scheme is finance from the budget of the Austrian Federal Ministry of Agriculture, Forestry, Environment and Water. Until 2014, the funding under the UFI amounts to € 90.238 million per year.
	Consumers	
	Plant operator	
	Grid operator	
	European Union	
	Distribution mechanism	

RES-H&C grid issues

Overview

Overview of grid issues	In Austria, district heating networks are managed at local level by the individual heat supply companies. In contrast to other countries with a considerable share of district heating like Denmark, there is no federal regulation providing a legal framework for the connection of RES-H plants to the heating grid. Therefore, the connection to the grid is based on the individual contract with the district heating supply company. Detailed information on the connection process can be provided by the Austrian Association of Gas- and District Heating Supply Companies (FGW). Due to the nature of heat supply, the connection of a heat producing plant to a district heating grid is closely linked to the construction of the specific plant. The procedure of grid connection is at the same time also the procedure for grid development, since the construction of a plant must occur simultaneously with the construction (development) of the district heating grid.

Further information

Institution (name)	Website	Name of contact person (optional)	Telephone number (head office)	E-mail (optional)
Fachverband der Gas- und Wärmeversorgungsunternehmungen (FGW) / Association of Gas- and District Heating Supply Companies (FGW)	http://www.gaswaerme.at/		+43 1 513 15 880	office@gaswaerme.at
Austrian Energy Agency	http://www.energyagency.at/		+43 158 615 240	office@energyagency.at
O.Ö. Energiesparverband / Upper-Austrian Energy Saving Association	http://www.esv.or.at/		+43-732-7720-14380	office@esv.or.at

RES-T support schemes

Summary of support schemes

Overview	In Austria, the main support scheme for renewable energy sources used in transport is a quota system. This scheme obliges companies importing or producing petrol or diesel to ensure that biofuels make up a defined percentage of their annual fuel sales. Furthermore, biofuels are supported through a fiscal regulation mechanism.
Summary of support schemes	• **Tax regulation mechanism.** In Austria, petrol and diesel from a minimum content of 4.6 % resp. 6.6 % of biogenic material are subject to a lower mineral oil tax. Mineral oil solely from biogenic material and E85 are exempt from this tax. • **Biofuels quota.** To ensure that biofuels make up a defined percentage of the annual fuel sales, there is a substitution obligation in force since 2005. From 2009, the substitution target amounts to 5.75 %, measured by the total fossil petrol or diesel introduced or used in the federal territory.
Technologies	The tax regulation mechanism and the biofuels quota apply to biofuels only
Statutory provisions	• Fuel Order • Mineral Oil Tax Act • Bioethanol Blending Order

Basic information on legal sources

Name of legal source **(original language)**	Kraftstoffverordnung 1999	Mineralölsteuergesetz 1995	Bioethanolgemischverordnung 2007
Full name	Verordnung des Bundesministers für Umwelt, Jugend und Familie über die Festlegung der Qualität von Kraftstoffen (BGBl. II Nr. 418/1999)	Bundesgesetz, mit dem die Mineralölsteuer an das Gemeinschaftsrecht angepaßt wird (BGBl. Nr. 630/1994)	Verordnung des Bundesministers für Finanzen über die Begünstigung von Gemischen von Bioethanol und Benzin (BGBl. II Nr. 260/2007)
Name (English)	Fuel Order 1999 (BGBl. II Nr. 418/1999)	Mineral Oil Tax Act 1995 (BGBl. Nr. 630/1994)	Bioethanol Blending Order 2007 (BGBl. II Nr. 260/2007)
Abbreviated form	Fuel Order	Mineral Oil Tax Act	Bioethanol Blending Order
Entry into force	01.11.1999	01.01.1995	01.10.2007
Last amended on	03.12.2012	31.03.2012	
Future amendments			
Purpose	The Fuel Order regulates the general quality of fuels, introduced or used in Austria.	The Mineral Oil Tax Act sets the amount of the federal tax levied on mineral oil in Austria.	This order regulates the tax exemption for mixtures of bioethanol and petrol.

Relevance for renewable energy	This order also regulates the requirements for biofuels.	This act also includes tax reductions for biofuels.	This order applies to biofuels only.
Link to full text of legal source (original language)	*http://www.ris.bka.gv.at/GeltendeFassung.wxe?Abfrage=Bundesnormen&Gesetzesnummer=20000212*	*http://www.ris.bka.gv.at/GeltendeFassung.wxe?Abfrage=Bundesnormen%20&Gesetzesnummer=10004908*	*http://www.ris.bka.gv.at/GeltendeFassung.wxe?Abfrage=Bundesnormen&Gesetzesnummer=20004426*
Link to full text of legal source (English)			

Further information

Institution (name)	Website	Name of contact person (optional)	Telephone number (head office)	E-mail (optional)
Bundesministerium für Finanzen / Federal Ministry of Finance	https://www.bmf.gv.at/		(+43 1) 810 001 228	
Bundesministerium für Land- und Forstwirtschaft, Umwelt und Wasserwirtschaft / Federal Ministry of Agriculture and Forestry, Environment and Water	http://www.lebensministerium.at		(+43 1) 711 00-0	service@lebensministerium.at

Support schemes

Tax regulation mechanism

Abbreviated form of legal source(s)	• Mineral Oil Tax Act • Bioethanol Blending Order	
Summary	The Mineral Oil Tax (MÖSt) in Austria is a consumption charge through which fuels from mineral oils used in road transport are charged. Petrol and diesel from a minimum content of 4.6 % resp. 6.6 % of biogenic material are subject to a lower mineral oil tax. Mineral oil solely from biogenic material and E85 are exempt from mineral oil tax.	
Eligible technologies	**General information**	Subject to the tax allowance are only biofuels.
	Biofuels	Tax reductions or emissions for mineral oils from biogenic materials within the scope of this federal act are: 1. bioethanol (from biomass and/or biodegradable parts of waste from produced undenatured ethanol) 2. fatty acid methyl ester (FAME, biodiesel) 3. biogas 4. biomethanol 5. biodimethylether 6. Bio-ETBE (ethyl tertiary butyl ether) 7. Bio-MTBE (methyl tertiary butyl ether) 8. synthetic biofuel (synthetic hydrocarbons yielded from biomass or synthetic hydrocarbon mix) 9. bio substances 10. pure vegetable oil
	Electricity	
	Hydrogen	

Amount	Following fuels are subject to tax reductions or are exempt from mineral oil tax: • Petrol containing biogenic materials of at least 4.6 % and no more than 10 mg sulfur per kg: € 0.482 per liter; otherwise € 0.515 – reduction of € 0.033 per litre (§ 3 par. 1 no. 1 e Mineral Oil Tax Act). • Diesel containing biogenic materials of at least 6.6 % and no more than 10 mg sulfur per kg: € 0.397 per liter; otherwise € 0.425 – reduction of € 0.028 per litre (§ 3 par. 1 no. 4 d Mineral Oil Tax Act). • Mineral oil solely from biogenic material is exempt from mineral oil tax (§ 4 par. 1 No. 7 Mineral Oil Tax Act). • Furthermore, it is provided that the biogenic share of super ethanol – E85 is exempt from mineral oil tax, which equals to a tax reduction of € 0.442 per litre (§ 1 par. 2 no. 2 Bioethanol Blending Order).	
Addressees	**Entitled party:** End consumers of biofuels resp. fuel producers	
Procedure	**Process flow**	
	Competent authority	Austrian Federal Ministry of Finance
Flexibility Mechanism		
Distribution of costs	**State**	The costs of the tax exemption are borne by the state, which receives lower tax revenue.
	Consumers	
	Plant operator	
	Grid operator	
	European Union	
	Distribution mechanism	

Biofuel quota

Abbreviated form of legal source(s)	• Fuel Order	
Summary	The European Biofuels Directive has been implemented into Austrian law within the scope of the 2004 Fuel Order Amendment. From 1 January 2009, the substitution target amounts to 5.75 %, measured by the total fossil petrol or diesel introduced or used in the federal territory.	
Eligible technologies	**General information**	Subject to the obligation are only biofuels.
	Biofuels	The substitution obligation of fossil fuels with biofuels is technology-neutral. The type of biofuel and of its production technology for the meeting of targets is arbitrary.
	Electricity	
	Hydrogen	
Amount	**Amount of quota and period of application**	The 2004 Amendment to the Fuel Order specified that from 1 October 2005 a 2.5 % share of biofuels or other renewable fuels must be introduced under the substitution obligation. This target value rose in October 2007 to 4.3 % and in October 2008 to 5.75 % (§ 6a par. 2 and 3 Fuel Order). From 1 January 2009, the substitution target amounts to 5.75 %, measured by the total fossil petrol or diesel introduced or used in the federal territory. To meet the overall target, at least a 3.4 % share of biofuels or other renewable fuel must be introduced or used in order to substitute fossil petrol and a share of 6.3 % to substitute fossil

		diesel (§ 6a par. 4 Fuel Order).
	Adjustment of quotas	The quotas can be subject to further legal amendments.
	Fees and penalty charges	If biofuels do not comply with the specifications stated in § 3 Fuel Order or do not meet the substitution obligation, they may not be released for free circulation.
Addressees	The parties obliged to substitute are those who introduce or export petrol or diesel to Austria for the first time, unless in the fuel tank of a vehicle.	
Procedure	**Process flow**	The party obliged to substitute must provide every year proof of the quantities of biofuels and other renewable fuels as well as of petrol and diesel fuel introduced or used by it. This proof for the period of one calendar year must arrive on 1 May at the latest of the following year at the Federal Ministry of Agriculture, Forestry, Environment and Water (§ 6a par. 5 no. 1 Fuel Order).
	Competent authority	Austrian Federal Ministry of Agriculture, Forestry, Environment and Water
Flexibility Mechanism		
Distribution of costs	**State**	
	Consumers	The costs are borne by the consumers.

	European Union	
	Others	
	Distribution mechanism	The obliged companies pass on the costs arising from the quota obligation to the consumers by adding a surcharge to their fuel.

Policies

Summary of policies

Overview	The following policies aim at promoting the development, installation and usage of RES-installations in Austria: There are four specialisation programmes for RES-installers, numerous quality standards for RES installations, an agreement determining the exemplary role of public authorities, a research and technology programme and a building obligation for the use of renewable heating.

Summary of policies	• There are four different specialisation programmes for RES-installers:
	  ○ Certified heat pump installer
	  ○ Certified solar heat installer and planner
	  ○ Certified photovoltaic installer and planner
	  ○ Certified biomass heating installer
	• There is no single certification programme for RES installations. However, RES installations must meet certain quality standards in order to be able to be eligible for support.
	• The exemplary role of public authorities is based on an agreement concluded between the Austrian federal government and the state governments.
	• The subsidy programme “Neue Energien 2020” (New Energies 2020) by the Austrian Climate and Energy Fund aims at developing new technologies, initiating the industrial application of climate- and energy-related innovations and accelerating their market introduction and dissemination.
	• While RE measures in industrial and commercial buildings are mainly supported at federal level through the Environmental Aid Act, RE measures for residential buildings largely fall within the sphere of competence of the federal states.
	• There are investment incentives for the integration of RES in order to reinforce the small-scale regional heat supply in rural areas as well as the expansion of district heating in urban centers.

Technologies	The available support policies apply for all RES technologies
Statutory provisions	• Heating and Cooling Network Expansion Act (Wärme- und Kälteleitungsbaugesetz - BGBl. I Nr. 113/2008) • Article 15a B-VG Agreement (Art. 15a B-VG Vereinbarung - *BGBl. II Nr. 251/2009)* • Environmental Aid Act (Umweltförderungsgesetz - BGBl. Nr. 185/1993) • Climate and Energy Fund Law (Klima- und Energiefondsgesetz - KLI.EN FondsG, BGBl. I No 40/2007)

Basic information on legal sources

Name of legal source (original language)	Wärme- und Kälteleitungsbaugesetz (BGBl. I Nr. 113/2008)	Art. 15a B-VG Vereinbarung *(BGBl. II Nr. 251/2009)*	Umweltförderungsgesetz (BGBl. Nr. 185/1993)	Klima- und Energiefondsgesetz (KLI.EN-FondsG) (BGBl. I Nr. 40/2007)
Full name	Wärme- und Kälteleitungsausbaugesetz und Änderung des Energie-Regulierungsbehördengesetzes	Vereinbarung gemäß Art. 15a. B-VG zwischen dem Bund und den Ländern über Maßnahmen im Gebäudesektor zum Zweck der Reduktion des Ausstoßes an Treibhausgasen		
Name (English)	Heating and Cooling Network Expansion Act (BGBl. I No. 113/2008)	Agreement pursuant to Article 15a. B-VG between the federation and the federal states on measures in the building sector for the purpose of reducing emissions of greenhouse gases	Environmental Aid Act (BGBl. No. 185/1993)	Climate and Energy Fund Law (KLI.EN FondsG, BGBl. I No 40/2007)
Abbreviated form	WKLG	Article 15a B-VG Agreement	UFG	KLI.EN-FondsG
Entry into force	08.08.2008	13.08.2009	16.03.1993	06.07.2007
Last amended on			24.04.2012	
Future amendments				

Purpose	The act provides a framework for increasing the district heating (and cooling) infrastructure in Austria	Promoting the use of energy efficient technologies and renewable energy in the building sector	The Environmental Aid Act regulates the support of measures to protect the environment.	This act aims at achieving a sustainable energy supply, reducing greenhouse gas emissions and implementing the Austrian climate strategy.
Relevance for renewable energy	This act also relates to renewable energy.	This agreement also regulates the use of renewable energy in the building sector.	This act also regulates the support of renewable energy	The KLI.EN-FondsG also supports activities to expand the application of renewable energy sources
Link to full text of legal source (original language)	*http://www.ris.bka.gv.at/Dokumente/BgblAuth/BGBLA_2008_I_113/BGBLA_2008_I_113.html*	*http://www.ris.bka.gv.at/Dokumente/BgblAuth/BGBLA_2009_II_251/BGBLA_2009_II_251.pdf*	*http://www.ris.bka.gv.at/GeltendeFassung/Bundesnormen/10010755/UFG%2c%20Fassung%20vom%2003.04.2012.pdf*	*http://www.klimafonds.gv.at/assets/Uploads/Klimafondsgesetz/KLI.EN-fondsGBundesgesetzblatt.pdf*
Link to full text of legal source (English)				

Further information

Institution (name)	Website	Name of contact person (optional)	Telephone number (head office)	E-mail (optional)
AIT Austrian Institute of Technology GmbH	http://www.ait.ac.at		+43 (0) 50 550-6612	office@ait.ac.at
Austrian Biomass Association / Österreichischer Biomasse-Verband	http://www.biomasseverband.at		+43-1-533 07 97-0	office@biomasseverband.at
Austrian Standards Institute (ASI)	http://www.as-institute.at		+43 1 213 00	office@as-institute.at
AWISTA GmbH – settlement agency	http://www.awista.at/		+43 316 466524	office@awista.at
Austrian Climate and Energy Fund / Klima- und Energiefonds	http://www.klimafonds.gv.at/		+43 (0)1 585 03 90	office@klimafonds.gv.at

Policy categories

Training programmes for installers

Abbreviated form of legal source(s)	This policy is based on Article 14(3) D 2009/28/EG. This has not yet been implemented in national law.
Description	In Austria there currently are specialisation programmes for installers in the fields: • Certified heat pump installer, • Certified solar heat installer and planner, • Certified photovoltaic installer and planner, • Certified biomass heating installer. Specialisation programmes for certified heat pump installers: • Course duration: 5 days, 40 learning units of 45 min • Validity of certificate is limited to three years. • Specialisation programmes for certified solar heat installers: • Course duration: 8 days, 64 learning units of 45 min • Validity of certificate is limited to three years. Specialisation programmes for certified photovoltaic installers: • Course duration: 7 days, 56 learning units of 45 min • Validity of certificate is limited to three years. Specialisation programmes for certified biomass heating installers: • Course duration: 5 days • Validity of certificate is limited to three years.

Addressees	Since the offered trainings are specialisation programmes, the addressees must have certain experiences: **Certified heat pump installers:** • Plumbers and fitters • Planning engineers • Architects • Engineering firms • HVAC companies • Retailers **Certified solar heat installers:** • Plumbers and fitters • Planning engineers • Roofers • Architects • Engineering firms • HVAC companies • Retailers **Certified photovoltaic installers:** • Electrical engineers • Planning engineers • Roofers • Plumbers and fitters • Architects • Engineering firms • HVAC companies • Retailers

	Certified biomass heating installers: • Heating installers or persons with an equivalent professional degree	
Competent authority	The certification of installers is carried out by the EN 18024 accredited personal certification body of the Austrian Research and Examination Centre. Austrian Institute of Technology (AIT). The biomass heating installer is accredited by the Biomass Association in collaboration with the Economic Promotion Institute.	
Further information	• Certified heat pump installers: http://www.ait.ac.at/research-services/research-services-energy/training-education/zertifizierter-waermepumpeninstallateur/zertifizierung/ • Certified solar heat installers: http://www.ait.ac.at/research-services/research-services-energy/training-education/zertifizierter-solarwaermeinstallateur-bzw-planer/zertifizierung/ • Certified photovoltaic installers: http://www.ait.ac.at/research-services/research-services-energy/training-education/zertifizierter-photovoltaiktechniker-bzw-planer/zertifizierung/ • Certified biomass heating installers: http://www.biomasseverband.at/seminare/inhalte-der-seminarreihen/biowaerme-installateurR-2012/	
Distribution of costs	**State**	
	Private Financing	The costs for the specialisation programmes are borne by the installers themselves.
	European Union	
	Others	

Certification Programmes for RES installations

Abbreviated form of legal source(s)	
Description	In Austria, there is no single certification programme for renewable energy installations. However, RES installations must meet certain quality standards in order to be able to be entitled to promotion. These quality criteria are established by the Austrian Standards Institute in the form of Ö-Normen (Austrian standards). These standards can be categorised according to following special fields: • Machine safety • Electrical engineering and energy management • Noise restriction • Air quality management • Fermentation / waste disposal • Water management
Addressees	
Competent authority	In general, the standards are established by the Austrian Standards Institute (ASI). Furthermore, the most important Austrian certificates are awarded by following authorities: • Machine safety: Austrian Association of Gas and Water (ÖVGW) • Electrical engineering and energy management: Austrian Electrotechnical Association (ÖVE) • Noise restriction: Austrian Society for Noise Abatement (ÖAL)
Further information	Further information concerning the certification of RES installations can be found on following website: http://www.as-plus.at/certification/produktzertifizierung.html

Distribution of costs	**State**	
	Industry	
	System Producers	
	European Union	
	Others	

Exemplary role of public authorities in accordance with Art. 13 Abs, 5 RES Directive

Abbreviated form of legal source(s)	• Article 15a B-VG Agreement
Description	The exemplary role of public authorities is based on Art. 15a of the Austrian Federal Constitutional Law (B-VG). Pursuant to this article, the Article 15a B-VG Agreement was concluded between the Austrian federation and the federal states, which defines the measures for the purpose of reducing greenhouse gas emissions in the building sector. The contracting parties agreed that they shall exert an exemplary role in terms of a preferably energy-efficient management of the buildings used by them, including the "widest possible use of renewable energy sources". (art. 1 par. 1 Article 15a B-VG Agreement) Furthermore, minimum heating requirements for the construction and remediation of publicly-used buildings have been defined in the agreement. However, these only take into account energy-efficiency criteria. The use of renewable energy sources is subject to the legislation of the federal states.
Addressees	Public authorities on federal and regional level
Competent authority	The implementation lies in the competence of the respective federal or local authorities
Further information	

RD&D Policies

Abbreviated form of legal source(s)	• KLI.EN-FondsG
Description	With its research and technology programme "Neue Energien 2020", the Austrian Climate and Energy Fund aims at supporting the development of new technologies, initiating the industrial application of climate- and energy-related innovations and accelerating their market introduction and dissemination. The programme has a budget of 30 million euro available for non-repayable investment grants. The amount of support varies according to the respective tender. The tenders within this programme cover following areas: • Smart Energy R&D • Energy Efficiency • Renewable Energy • Education, Awareness Raising, Technology Transfer
Addressees	**Companies** • Micro and small enterprises • Medium-sized enterprises • Large companies **Research institutions** • Universities, colleges • Non-university scientific research institutions • Other science-oriented organisations (e.g. interest groups, associations) • Individual researchers

	Communities
Competent authority	Austrian Federal Climate and Energy Fund (Klima- und Energiefonds)
Further information	http://www.klimafonds.gv.at/foerderungen/aktuelle-foerderungen/2011/neue-energien-2020/ http://www.klimafonds.gv.at/assets/Uploads/Jahresprogramme/Jahresprogramm2011.pdf

RES-H building obligations

Abbreviated form of legal source(s)	• Article 15a B-VG Agreement • *UFG*
Description	The implementation of building related measures mainly lies in local competence. However, the conclusion of the Article 15a B-VG Agreement between the Austrian federal and state governments introduced an essential step to the harmonisation and reinforcement of RE measures in the building sector. The federal state governments have for the most part already implemented the obligations according to Article 15a B-VG Agreement in their respective housing support laws. While RE measures are promoted in industrial and commercial buildings mainly at federal level through the Umweltförderungsgesetz (UFG – Environmental Aid Act), the development of the legislation and RE measures for residential buildings falls largely within the sphere of competence of the federal states. The support of RE measures in the building sector is provided as part of the 'Environmental Assistance in Austria' (UFI) field of action (§ 24 par. 1 UFG). The promotion under UFI is directed primarily towards Austrian companies and is in the form of financial support for investments. The amount of support is set according to the applied technology and shall not exceed 50 % of environment related investment costs. (§ 27 UFG) The applications are to be assessed by a commission on matters of environmental assistance in Austria. (§ 28 UFG) Since the implementation of measures in the residential building sector lies in local competence, the conditions of eligibility and the amount of support in the respective federal states are regulated differently. The promotion of measures takes place exclusively in the form of financial support for investments (most of them one-off, outright investment subsidies).
Obligated entities	Industrial and commercial buildings:

	• companies, businesses • contracting companies • non-profit associations • charitable associations • local public authorities, where there are market-oriented practices • energy supply companies Residential buildings: • Mostly natural persons, houseowners, tenants, owners of dwellings, authorised builders • In some cases local authorities, legal persons or non-profit associations for residential homes and employee housing
Competent authority	Industrial and commercial buildings: • Settlement agency: Kommunalkredit Public Consulting GmbH (KPC) Residential buildings: • The support of RE measures lies in the competence of the respective local authorities
Further information	
Obligation on regional level	Yes

Support of RES-H infrastructure

Abbreviated form of legal source(s)	• WKLG
Description	The support of RES-H infrastructure in Austria is mainly based on the Heating and Cooling Network Expansion Act (WKLG), which provides a framework for increasing the district heating (and cooling) infrastructure in the country. According to this act, there are investment incentives for the integration of renewable energy sources in order to reinforce the small-scale regional heat supply in rural areas as well as the expansion of district heating in urban centers. (§ 1 par. 1 no 6 and 7 WKLG) Support may be granted if the following criteria are met: • The implementation of the investment was initiated after 1 January 2008 (§ 2 par. 1 WKLG) • The financial feasibility of the district heating project is secured (§ 4 par. 1 WKLG) • The project will supply district heating or cooling for at least one final consumer (§ 4 par. 2 no. 1 WKLG) • The heat generation plants meet the criteria for energy-efficient district heating plants or use waste heat (§ 4 par. 2 no. 3 WKLG) Funding: • The funding comes through a payment in form of a one-time capital grant and is usually carried out after completion of the funded project. (§ 5 par. 1 WKLG) • The promotion shall not exceed 35 % in terms of total investment costs and 50 % of the environment related additional charges. (§ 5 par. 2 WKLG) • The amount of support shall not exceed € 200,000 per megawatt. (§ 6 par. 2 WKLG) • Annually, 60 million euro are provided for funding from federal funds. If the budget is not exhausted within a calendar year, these means shall be applied for funding in the following year (§ 7 WKLG).

	Procedure: • **Application:** Complete applications are to be submitted to the BMWFJ • **Examination through AWISTA:** Integrity control, legal analysis, economic and technical testing, development of funding proposal • **Decision-making:** Recommendation by advisory council and decision by BMWFJ • **Processing by AWISTA:** Final funding agreement, review of final accounts, control of the use of funds, payment of subsidies
Addressees	
Competent authority	The Federal Ministry of Economy, Family and Youth (BMWFJ) appointed the company AWISTA GmbH as settlement agency for the execution and disbursement of the grants according to the WKLG.
Further information	http://www.awista.at/ http://www.gaswaerme.at/de/pdf/10-1/rauscher_enzinger.pdf