II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DIRECTIVE

of 13 February 1975

on the restriction of the use of natural gas in power sations

(75/404/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 103 (4) thereof ;

Having regard to the proposal from the Commission ;

Having regard to the Opinion of the European Parliament (1) ;

Having regard to the Opinion of the Economic and Social Committee (2) ;

Whereas the implementation of a Community energy policy is one of the objectives that the Communities have set themselves ;

Whereas the security of Community energy supplies requires the development of all its sources of energy ;

Whereas natural gas is one such Community source of energy, but quantities available are limited ;

Whereas natural gas should be reserved in the first instance for those applications for which it can be most profitably used ;

Whereas natural gas has great advantages for certain specific uses ;

Whereas natural gas should consequently be converted into electricity only when it cannot be used for other purposes, or in cases of technical or economic necessity ;

Whereas special reasons relating to the protection of the environment can, in certain cases, likewise necessitate the use of natural gas in power stations ;

Whereas the main economic and technical reasons for the use of natural gas in power stations are the following :

— the quantities of natural gas available cannot for the moment be disposed of in any other way owing to the absence of a suitable transport and distribution network ;

— the quantities of natural gas available cannot be disposed of on the premium market with the necessary regularity on account of seasonal variations in sales which necessitate the conclusion of contracts providing for the possibility of interrupting deliveries ;

— the available means of transport cannot be exclusively used for supplying the premium market while a natural gas distribution network is being constructed ;

— no fuels other than natural gas are available ;

Whereas the conclusion of contracts for the supply of natural gas to power stations and the construction of new power stations using natural gas should for those reasons be subject to government authorization ;

Whereas it is necessary in the interests of optimum allocation of resources and security of supplies to

(1) OJ No C 93, 7. 8. 1974, p. 79.
(2) OJ No C 125, 16. 10. 1974, p. 58.