

Questions regarding Programme Support Action on "Data collection related to recharging/refuelling points for alternative fuels and the unique identification codes related to e-Mobility actors"

Date: 11 May 2018

To: European Commission – Directorate-General for Mobility and Transport

From: Ministry of Infrastructure and Water Management, the Netherlands

Responses published on DG MOVE website and sent by e-mail to the Members of the Alternative Fuels Committee, copy to CEF Transport Committee Members.

1. Can an affiliated entity act as sole beneficiary/applicant on behalf of a member state or is the ministry on member state level also required to participate as beneficiary/applicant? In the first case, is signed approval from the ministry required and is there a template available for this approval?

No. For this Programme Support Action, the beneficiary must be the MS. Member State must designate a "national" coordinator- in activity 4.1, responsible for national coordination.

Member State can designate an entity as an Affiliated Entity (ex. a regional authority) for specific tasks.

In the application form II, - if there is a need to identify an Affiliated Entity, the administrative parts "1.1, 1.2 and 3 (profile)" – need to be copied (in word version of the document) and filled in respectively.

"

1.1 IDENTITY OF THE Affiliated Entity- designated by the Member State
Official name in full:
Acronym: (if applicable)
Official legal form: (Not applicable if the applicant is a natural person)
Legal capacity: (Applicant's capacity to take part - to constitute a party in court proceedings - under the applicable national legislation: reply by yes or no) (For entities with no legal status under national law please indicate the representative empowered to take part in court proceedings on their behalf)
Company registration number: (Not applicable if the applicant is a public-sector body. For natural persons, the applicant should indicate the number of his/her identity card or, failing that, of his passport or equivalent)
VAT number: (If the applicant is not subject to VAT, this must be justified in the light of the applicable national legislation)

The legal details are to be attached to the application using the Legal Entity Form available at: http://ec.europa.eu/budget/contracts_grants/info_contracts/legal_entities/legal_entities_en.cfm

1.2 CONTACT DETAILS	
Street address:	
Postcode:	
City:	
Region (if applicable):	
Country:	
Telephone:	Mobile:
Fax:	
E-mail address:	
Website:	

3 PROFILE OF THE APPLICANT- Affiliated Entity

PROFILE OF THE APPLICANT – GENERAL AIMS AND ACTIVITIES

Applicant's category:

Public Authority

Others

The applicant should provide a short description of the organisation, with respect to the eligibility criteria indicated in the specific action.

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The BAF form will not be requested from the Affiliated Entity, as all transactions from the Commission will be done to the Ministry- beneficiary.

2. In some member states different regional authorities are responsible for implementation of parts of the call. Are these regions to be considered affiliated entities and can they act as beneficiary/applicant on behalf of the member state; or is the ministry on member state level also required to participate in the application as beneficiary/applicant? In the first case, is signed approval from the ministry required and is there a template available for this approval?

See answer to question 1.

The purpose of this Programme Support Action, is, inter alia, to provide a common solution across the countries. It would contradict the purpose of this Programme Support Action, if, in a given country, a solution was found for part of the territory, or one region, and the data collection and other required activities would stop at the border of that region.

Hence, the beneficiary is the Member State. The Member State fills in the data required in the application form II and budget form III.

3. In the template for the budget a distinction is made between 1. Beneficiary (member state) and 2. Affiliated entity/implementing body, whereas in the application form this distinction is not

made. How do the details of an affiliated entity need to be processed in the application form and which forms need to be signed by the affiliated entity (LEF, BAF, declaration)?

In the application form II, - if there is a need to identify an Affiliated Entity, the administrative parts 1.1, 1.2 and 3 (profile) – need to be copied (in word version of the document) and filled in respectively.

All financial transactions throughout the duration of the Grant Agreement will be made with the Member State.

The BAF form will not be requested from the Affiliated Entity, as all transactions from the Commission will be done to the Ministry- beneficiary.

4. If multiple organizations apply on behalf of one member state (such as multiple affiliated entities) is funding provided by the EC directly to these organizations or via the member state?

The application is submitted by the coordinating MS on behalf of the 9 beneficiaries, which must be (again) the EU MS.

MS are allowed to have Affiliated Entities (e.g. a regional authority) or an Implementing Body (e.g. agency or authority) which will perform part of the action.

All financial transactions from the Commission will be done to 9 beneficiaries.

5. Parts of the project implementation will be done by private parties through subcontracting. Do these private parties already need to be mentioned in the application as implementing bodies or can this be done at a later stage?

Please note the following:

- **For subcontracts- for limited parts of the action**, in case beneficiaries plan to subcontract tasks forming part of the action, this must respect the principles and rules as per draft model Grant Agreement (Article II.10.2). Contractors shall not be mentioned in the application.
- If a more complex situation of an Implementing Body, designated by the Member State, is foreseen, which can be a public or private undertaking, then the Commission will need more information to in the application form, so as to assess its role and its legal status, for the performance of the tasks.

In all cases, the Member State remains responsible for the coordination, including of the contractors, Implementing Bodies/ or Affiliated Entities, for the activities in this Programme Support Action.

6. The call is focussed on data collection and ID issuing. Are member states allowed to participate in only one of these activities?

Member States are required to participate in the activities 1,2,3 and 4.

Annex I- "conditions for awarding grants", under point 6.2 specifies the eligible activities and Annex II "Application form" lists in details all mandatory activities.

Only activities:

"(optional) Activity 2.1.3 Data collection on the physical LNG filling stations

(optional) Activity 2.1.4 Data collection on the physical CNG filling stations

(optional) Activity 2.1.5 Data collection on the physical LPG filling stations

(optional) Activity 2.1.6 data collection on the high blended biofuels"

are defined as "optional" ones. Hence, it is NOT possible to participate in an activity on data collection and NOT in the activity on ID registration- both aim at a harmonized and common approach.

7. Does the original application need to consist of all signed documents in original form from all participating member states?

Since this Programme Support Action is addressed as a grant to the Member States, it is possible, to facilitate the administrative management of the consortium, to submit the application to the European Commission, by the coordinator, with scanned stamps and scanned signatures, acting in *bona fide*.

Originals may be asked by the Commission at a later stage.

The coordinator should however ensure that all required documents shall bare the signature/ stamp of the legal representative of the Member State, who is authorised to sign the Grant Agreement, as per section 1.4 of Annex II (application form).

8. Can you confirm the correct deadline of the call? (the transmission letter mentions 15 June 16:00 pm, while Annex I mentions 15 June 5 pm).

Thank you for spotting this.

More favourable condition should apply- i.e. 15 June 5 p.m.

9. There is no observer status in regular CEF applications, but applicants can participate in proposals without requesting any CEF funding. Does this also apply to this call? If yes, what practical or legal arrangements need to be completed for these parties in the application?

There is no observer status for this Programme Support Action.

If a third country wishes to participate fully (i.e. implementing all mandatory activities) without requesting an EU grant in this Programme Support Action, it should fill –in all parts of Annex II (application form) and in Annex III (budget form) and it should NOT claim any costs.

Hence, this third country will be bound, along all other Member States, to perform the activities of this Programme Support Action.

Third country cannot count as one of at least 9 EU Member States required to participate in this action.

10. Are countries from the European Economic Area, such as Norway, eligible for funding in this call? If not, can these countries participate in proposals without requesting any CEF funding, such as mentioned above? What practical or legal arrangements need to be completed for these parties in the application?

The Multi Annual Work Programme, C(2018)146 of 17 January 2018 does NOT foresee an EU grant for this Programme Support Action to third countries.

11. In the Grant Agreement specific milestones are mentioned in articles 1.4. and 1.5. However, in the application form milestones are not mentioned. Can you explain to what level activities and results need to be specified into tasks, deliverables, milestones etc. in the application form?

The draft model Grant Agreement – attached as Annex IV to the grant procedure, is attached FOR INFORMATION only-it will be prepared by the European Commission after the evaluation and the award decision.

Annex II, section III, part 1- the technical part - should provide a detailed description details of how the different activities will be carried out by the consortium, including on important outputs.

This information will be assessed against the award criteria and then used for the preparation of the Grant Agreement.

12. Articles II.24.1.1 and II.24.1.2, II.25.2, II.25.3 and II.25.4 are mentioned twice in the draft Grant Agreement.

Thank you for spotting this, we will correct the final document.

As per question above, the draft model GA – attached as Annex IV to the grant procedure- is just a draft for information purposes, to see which obligations will be put on the beneficiaries.

13. According to the Grant Agreement, payments will be made by the EC directly to each beneficiary. Does this mean the coordinator is not required to receive and forward any funds to the consortium members?

Exactly.

14. Are public bodies required to submit a certificate on the financial statements together with a request for the balance payment? If a certificate is required, are subcontracting costs for auditing eligible?

By way of derogation from Article II.23.2 of the model Grant Agreement, the beneficiaries that are public bodies or international organisations shall NOT submit a certificate on the financial statements together with a request for the balance payment

This is reflected in Article 16 of the model GA.

If a situation arises that an audit certificate is requested, for example, from a private entity, auditing costs, if needed, can be claimed by the beneficiary Member State, as eligible cost of the action.

15. If countries set up a shared database - or even one central EU database - with data on alternative fuels infrastructure and use that shared database as their 'national access point', would they still comply with EU regulation and the conditions of this PSA about data to be accessible through 'national access points' in that case? In other words: could a shared/central database also function for one or more countries as their national access point(s)?

Please note that this Programme Support Action, as a supporting measure, DOES NOT replace the obligations by the Member States to fulfill all mandatory requirements under the Directive 2010/40/EU on Intelligent Transport Systems (ITS Directive) and the Commission Delegated Regulations.

For operational purposes, a "database with alternative fuels infrastructure", can be linked/ interfaced with the National Access Points, once they are operational.

Annex I (conditions for awarding grants), make it explicit that data format must be in DATEX II standard.

16. If a member state mentions a certain affiliated entity in the application forms, but after the application process, another entity actually appears to be the right partner, could the affiliated entity then be changed to another legal entity at a later stage if the proposal is recommended for funding?

After the signature of the Grant Agreement, any modification must follow an amendment procedure defined in the model Grant Agreement, which will require an agreement of all parties (i.e- at least 9 Member States and the Commission).

The amendment cannot call in question the purpose for which the grant has been initially awarded.

Date: 14 May 2018

To: European Commission – Directorate-General for Mobility and Transport

From: MINISTRY OF THE SEA, TRANSPORT AND INFRASTRUCTURE DIRECTORATE FOR ROAD AND RAIL INFRASTRUCTURE- Republic of Croatia

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17. All countries have some kind of national registers. It is questionable whether they are official one and whether all public charging stations are included or displayed on them?

The objective of this Programme Support Action is to provide Technical Assistance (through grant to the EU Member States) to work on proposal for an EU-wide coordinated approach on the assignment and registration of Identification Codes of e-Mobility actors, and to avoid, in the near future, that potentially the same ID codes are allocated to different e-Mobility actors.

18. The precise legal basis must be highlighted under which all providers of public charging services should make available static and dynamic data in real-time (ITS or other delegated regulation)

As mentioned in the text of the Programme Support Action, the Directive of 2010/40/EU on Intelligent Transport Systems (ITS Directive) and the Commission Delegated Regulations are establishing a legal basis for static and dynamic data.

In particular, the Commission Delegated Regulation (EU) 2015/962 of 18 December 2014 supplementing Directive 2010/40/EU of the European Parliament and of the Council with regard to the provision of EU-wide real-time traffic information services (Text with EEA relevance)

(<http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32015R0962>)

- in Annex- point 1 (j) refers to static and in point (2)(o) refers to dynamic data for electric charging points.

19. Format data - Whether DATEX II is the appropriate format for collecting and distributing data over a national access point

The data collected in this Programme Support Action must be made accessible through the National Access Point described in the 2010/40/EU on Intelligent Transport Systems (ITS Directive) and the Commission Delegated Regulations in the **format of DATEX II (CEN/TS 16157 and subsequently upgraded versions) or any machine-readable format fully compatible and interoperable with DATEX II.**

The data categories need to be harmonised across the participating Member States. A description of the data categories related to e-mobility charging infrastructure can be found in a Deliverable attached as Annex VI.2 (developed by the Sustainable Transport Forum sub-group on electro-mobility services (SGEMS).

The quality of the data is very important. To ensure that the provision of the referenced data categories is both reliable and worthwhile, a minimum level of quality should be achieved. Member States should agree to set up a definition of the relevant quality criteria, the methods of quality measurement and monitoring, ensuring that the data is accurate. End-users should be enabled to notify any discrepancies and propose modifications or up-dates, via an easy-to-use system (e.g. via a web interface).

It is expected that third parties would develop services – once the data provided through the National Access Point has proven to be a viable source of information.

The consortium should therefore indicate how third party service developers will be facilitated to access and/or re-use the data, made available through the different National Access Points. The consortium of Member States is encouraged to coordinate with other relevant activities that contribute to the harmonisation of the data categories, namely with the Programme Support Action (PSA) for Intelligent Transport Services for Road (ITS)¹, specifically under the profiling of the standard for electro-mobility services.

20. National access point operator's register should be established

Currently, only few Member States have established National Access Points, which are listed

<https://ec.europa.eu/transport/sites/transport/files/its-national-access-points.pdf>

Annex I- (conditions for awarding grants) specify that data must be available THROUGH the **National Access Points- i.e. there needs to be an interface to the National Access Point.**

21. Open street map format should be applied (to be available in Google maps)

As above, it is expected that third parties would develop services – once the data provided through the National Access Point has proven to be a viable source of information.

The consortium should therefore indicate how third party service developers will be facilitated to access and/or re-use the data, made available through the different National Access Points. The consortium of Member States is encouraged to coordinate with other relevant activities that contribute to the harmonisation of the data categories, namely with the Programme Support Action

¹ <https://ec.europa.eu/transport/sites/transport/files/facts-fundings/grants/doc/2015-06-04/2015-06-04-move-c3-2015-invitation.pdf>

(PSA) for Intelligent Transport Services for Road (ITS)², specifically under the profiling of the standard for electro-mobility services.

22. The data should be posted on the TENTec portal

This Programme Support Action aims at supporting, inter alia, data collection, and accessibility of data.

TENTec portal has aimed at gathering EU funded projects data for Trans-European Transport projects.

After the results of this Programme Support Action are achieved, the Commission may consider to develop/ or use the existing databases, in cooperation with the Member States.

23. A common EU platform (established through the PSA) should enable to be used also as a national database. We assume that this could be done through additional functionality of the platform that gives possibility for data input by alternative fuel infrastructure operator. Administration of the system will be hold under nominated national coordinator. Through this additional functionality, we would fulfil all obligations under the Directive and significantly reduce administrative and operational costs.

In Annex I- under section 6.2- activity 1.3- refers to **a "common ID Registration Repository" allowing for exchanging with national ID Registration Organisations (national IDROs)** should be presented.

The common ID Registration Repository should have the functions of:

- Search existing ID-codes & find contact-details related to the ID-code (care should be taken to respect the provisions of the General Data Protection Regulation)
- Allocate new ID-codes via national IDRO's
- Upload new ID-codes and the relevant metadata that have been assigned after the validation check
- For those Member States which have not yet established their own IT-system for managing their national (5 digit) ID-codes; the functionality of the system should allow those Member States to allocate & manage the issuing of new 5-digit ID codes (e.g. via a web-interface).

24. Information on all types of alternative fuels and opportunities to add new one should be included in the PSA project.

Please note that in Annex I- under section 6.2- activity 2.1- there is a very exhaustive list of data that are mandatory, and that are optional.

The purpose of this Programme Support Action is to coordinate the uptake of Alternative Fuels through accessibility of static and dynamic data.

Below, there reference to functionalities under activity 2.1 are listed:

"Activity 2.1 – Data collection

Activity 2.1.1 Data Collection on the physical electric charging points

² <https://ec.europa.eu/transport/sites/transport/files/facts-fundings/grants/doc/2015-06-04/2015-06-04-move-c3-2015-invitation.pdf>

Data that must be collected:

- Static data:
 - Location
 - GNSS coordinates
 - Address (street name, zip code, city,...)
 - List of available charge-solutions (Power, Modes)
 - List of available connectors (plugs, sockets, induction plate...)
 - Opening hours, identification and payment methods,
 - Contact info for owner/operator
 - Full e-mobility code of the charging point
- Dynamic data: (note: this requires charging points to be digitally connected to a central system)
 - Availability (if the station is operational/ non-operational) and
 - Occupation status (free, occupied)
 - Price for ad-hoc charging

Activity 2.1.2 data collection on the hydrogen stations**Data that must be collected:**

- Static data:
 - Location (GNSS coordinates/ street name)
 - Opening hours, identification and payment methods,
 - Contact info for owner/operator
 - Dynamic data:
 - Operational Status (if the station is operational/ non-operational)
-

Activity 2.1.3 Data collection on the physical LNG filling stations**Optional data- that may be collected:**

- Static data:
 - Location (GNSS coordinates/ street name)
 - Opening hours, identification and payment methods,
 - Contact info for owner/operator
- Dynamic data:
 - Operational Status (if the station is operational/ non-operational)

Activity 2.1.4 data collection on the physical CNG filling stations**Optional data- that may be collected:**

- Static data:
 - Location (GNSS coordinates/ street name)
 - Opening hours, identification and payment methods,
 - Contact info for owner/operator
- Dynamic data:
 - Operational Status (if the station is operational/ non-operational)

Activity 2.1.5 data collection on the LPG stations

Optional data- that may be collected:

- Static data:
 - Location (GNSS coordinates/ street name)
 - Opening hours, identification and payment methods,
 - Contact info for owner/operator
- Dynamic data:
 - Operational Status (if the station is operational/ non-operational)

Activity 2.1.6 data collection on the high blended biofuels**Optional data- that may be collected:**

- Static data:
 - Location (GNSS coordinates/ street name)
 - Opening hours, identification and payment methods,
 - Contact info for owner/operator
- Dynamic data:
 - Operational Status (if the station is operational/ non-operational)"