



Ineligible investments that started the investment process before 25 June 2009

Directive 2009/29/EC and the Guidance document state that the investments in the national plan are eligible for the purposes of the Directive if they were started from 25 June 2009 onwards. This is the date of entry into force of the Directive. Therefore, it is evident, that Article 10c of Directive is intended to encourage investments in new projects that are planned with the knowledge of the existence of Article 10c. A member state's decision to apply Article 10c should actually be an investment incentive to invest in upgrading infrastructure and clean technologies. Another interpretation would lead to financial support for investments that would be undertaken regardless of the existence of Article 10c and the member state's derogation. Such a procedure would actually be a mere reimbursement for planned projects without any additional value for the reduction of GHG emissions and pursuing the aim of the EU ETS Directive.

Article 10c of the EU ETS Directive sets out in para. 1 "Investment undertaken from 25 June 2009 may be counted for this purpose". The Guidance document in para. 28 states "In view of the title and overall context of Article 10c of Directive 2003/87/EC, investments eligible under this provision should concern the electricity sector and are to be undertaken from 25 June 2009".

The aforementioned provisions clearly lay down that the investment process must not have been started before 25 June 2009. The question is how to define the start of the investment process. On the basis of the interpretation of the objective of Article 10c, we are convinced that the investment is already started at the moment of the announcement of the project under the EIA Directive (85/337/EEC). In the opposite case, Article 10c would allow reimbursement for the projects planned before the entry into force of Directive 2009/29/EC, and that is certainly not the purpose of this provision.

The Czech Act No.695/2004 Coll., in its Article 10a clearly states that investments must be launched from 25 June 2009 onwards, while other paragraph states that the physical initiation of the investment process means the notification of the intention pursuant to Act No. 100/2001 Coll. on Environmental Impact Assessment¹.

Our analysis of the NIP has shown that several investment projects were started between 1 and 4 years before 25 June 2009. Below, we present the list of ineligible investments together with background information about them.²

To comply with the EU ETS Directive's provisions and the guidance given by the Commission, it is not possible to accept these investments due to their ineligibility, and these investments should be excluded from the NIP.

¹ Act No.695/2004 Coll., Article 10a,para 3(a): "fyzickým zahájením investičního procesu se rozumí předložení oznámení záměru podle zákona č. 100/2001 Sb., o posuzování vlivů na životní prostředí a o změně některých souvisejících zákonů (zákon o posuzování vlivů na životní prostředí)".

² In this context it is important to note, that the information on the planned investments in the Czech Republic is very limited and our research on the NIP is not exhaustive.

- **Investment CZ-Š-0002, New plant in Počerady, Operator ČEZ, Value: CZK 19 455 700 000**

Documentation for the Environmental Impact Assessment was prepared by SCES-Group in December 2008³ and published on the website of the Regional Office on 15 January 2009. According to available data, the Czech company Energoprůzkum Praha compiled the final report on the engineering-geological and hydrogeological survey (EIA documentation, p. 25) for the investment project already in June 2008.

More information is available at: http://tomcat.cenia.cz/eia/detail.jsp?view=eia_cr&id=MZP247.

ČEZ informed about this investment in its half-year report from 2009⁴. On page 8, among most significant events in the first 6 months of 2009, is the following information: “Contracts for the gas supplies for 15 years for a new plant in Počerady. Start of the investment is expected in October 2010.” On page 20, the report mentions that “the works continue on various projects, among others also on the Počerady plant”. On page 25, “in June the contracts were signed for Počerady 841 MW for the main equipment and in August the public EIA hearing will take place”.

The press release from June 25 2009 “ČEZ is building its first large gas-steam power plant in the Czech Republic”⁵ informs that “the ČEZ energy company has signed a gas supply contract for its planned 841MW gas-steam power plant in Počerady with the RWE Group; the general contractor of the investment amounting to approx. CZK 20 billion should be ŠKODA PRAHA Invest.”

- **Investments CZ-Š-0004 and CZ-Š-0005, New 660 MW source in coal-fired power plant Ledvice, Operator ČEZ, Value: CZK 18 892 000 000**

The EIA process for this new source in Ledvice was finished in 2007.

See: http://tomcat.cenia.cz/eia/detail.jsp?view=eia_cr&id=MZP135.

The Application for an IPPC permit was submitted on September 27 2007, the permit was issued in April 2008.

See information on the IPPC website: <http://www.mzp.cz/ippc>, code: MZPXXFMA0V3S.

Additionally, an article in Construction Magazine titled “The recovery of coal sources in ČEZ” provides us with an information on Power Plant Ledvice: „In 2006 the intention of building new power source of 660 MW in Power Plant Ledvice was approved.”

See: <http://www.casopisstavebnictvi.cz/clanek.php?detail=182>.

- **Investment CZ-Š-0017, “Nápojení teplárny Holešovice na PTS, rekonstrukce kotlů a chemické úpravný vody”, Operator Chvaletice, Value: CZK 770 000 000**

According to the NIP, this investment is to be realised in 2019. However, on the basis of the available information, one part of this investment is the reconstruction of chemical water treatment plant (“rekonstrukce chemické úpravný vody”), for which the EIA was completed in 2005⁶.

See: http://tomcat.cenia.cz/eia/detail.jsp?view=eia_cr&id=PHA153.

³ Pdf document available at: http://tomcat.cenia.cz/eia/detail.jsp?view=eia_cr&id=MZP247, “Text dokumentace: MZP247__dokumentace.pdf (5005 kB) - 15.01.2009 12:34”

⁴ <http://www.cez.cz/cs/pro-investory/informacni-povinnost/1251.html>,
http://www.cez.cz/eede/content/file/investori/informacni-povinnost-emitenta/2009-08/vnitri_informace_cez-085-2009.pdf.

⁵ <http://www.cez.cz/en/investors/inside-information/1234.html>.

⁶ The Microsoft Word document available at: http://tomcat.cenia.cz/eia/detail.jsp?view=eia_cr&id=PHA153, “Text oznámení záměru: PHA153__oznameni.doc (2954 kB) - 20.07.2005 16:57”.

**• Investment CZ-Š-048, Construction of new power unit, Operator: United Energy,
Value: CZK 8 356 800 000**

The description of this investment in the NIP is very vague. It does not even provide a type of fuel for a new power unit (coal, gas, biomass). The company announced a plan to build a new coal power unit in Komořany – K3; the plan was announced in 2007⁷. However, after the publication of the conclusions of the screening process by the Ministry of Environment, the operator withdrew the announcement of its plan.

See: http://tomcat.cenia.cz/eia/detail.jsp?view=eia_cr&id=OV4054.

Today, the company is planning the construction of incinerators.

See: http://tomcat.cenia.cz/eia/detail.jsp?view=eia_cr&id=ULK627.

We consider it necessary to supplement the information on this investment for assessment of its eligibility. The available data does not clearly show whether the investment is an above-mentioned new coal-fired power unit, waste-to-energy plant or a totally different project.

**• Investment CZ-Š-0063, New block in Kladno, Operator: Alpiq Generation,
Value: CZK 7 500 000 000**

The EIA announcement was made in April 2008⁸. The submitted documentation was prepared in February 2008. The EIA for this project was finished in March 2009. The Ministry of Environment in the final EIA statement⁹ summarizes the whole process, e.g. that the affected areas were informed and received the documentation in June 2008 or that the public hearing was held in January 2009.

See: http://tomcat.cenia.cz/eia/detail.jsp?view=eia_cr&id=OV1084.

The new 135-megawatt block (“K7”) will replace the existing one (“K3”) that will not be able to comply with the new emission limits from January 1 2016.

**• Investment CZ-Š-0139, New technology – turbine TG 11, Operator: Plzeňská energetika,
Value: CZK 1 200 000 000**

Plzeňská energetika announced a tender for the supply and installation of a turbine approximately at a cost of CZK 600 million in October 2008.

See: <http://www.b2bpoptavka.cz/vystavba-turbosoustroji-tg-11-v-plzenske-energetice-as/verejna-zakazka-84173/>.

Call for tenders for the building works was also announced on TED in February 2009.

See: <http://ted.europa.eu/udl?uri=TED:NOTICE:61718-2009:TEXT:CS:HTML>.

Additionally, press release is available on the Plzeňská energetika website: <http://www.pe.cz/tiskove-zpravy/medialni-informace.htm>, „13.10.2008 Nových 100 MW výkonu“.

The excerpt and translation of the press release: „New 100 MW output. Plzeňská energetika has announced tender for new turbine with 100 MW output of estimated costs between CZK 600 – 800 mil. New equipment will replace the existing one. New turbine is to start operation in autumn 2012.“

⁷ The Pdf document is available at: http://tomcat.cenia.cz/eia/detail.jsp?view=eia_cr&id=OV4054, „Text oznámení záměru: OV4054__oznameni.pdf (2982 kB) - 16.01.2007 14:13“.

⁸ The Pdf document is available at: http://tomcat.cenia.cz/eia/detail.jsp?view=eia_cr&id=OV1084, „Text oznámení záměru: OV1084__oznameni.pdf (902 kB) - 18.04.2008 11:10“.

⁹ The Microsoft Word document available at: http://tomcat.cenia.cz/eia/detail.jsp?view=eia_cr&id=OV1084, „Text stanoviska: OV1084__zaveryStan.doc (132 kB) - 11.03.2009 14:48“.

• **Investment CZ-Š-0140, “Točivé redukce a modernizace rozvoden na VS II”, Operator: Sokolovská uhelná, Value: CZK 120 000 000**

From the available information, it can be assumed that the investment (according to NIP it was planned for the year 2011) was realised in years 2008 – 2009. We draw this conclusion from the reference list on the: <http://www.montazecakovice.cz/cs/reference/>, where the description of the investment is given and the name/identification of the works realised is identical to that in the NIP.

Description in the NIP: “Točivé redukce a modernizace rozvoden na VS¹⁰ II”

Description given by Montáže Čakovice, a.s.: “Točivé redukce a modernizace rozvoden na VSII”. (2008-9), client/investor – Sokolovská uhelná.

The annual report from 2008 mentions this investment as well, http://www.suas.cz/uploads/8146396854a31285fc7c73_SU_zprava_o_hospodareni_2008.pdf, on page 32, “Among important investments started are “Točivé redukce a modernizace rozvoden na výměňkové stanici II”.

• **Investment CZ-Š-0141, Reconstruction of the heat supply for N.Sedlo, Operator Sokolovská uhelná, Value: CZK 8 950 000**

According to the NIP (“Rekonstrukce zásobování N. Sedla teplem”), an anticipated date of this investment was 2009. However, the official newsletter of Sokolovská uhelná from the January 2008 describes this investment on page 2: http://www.suas.cz/uploads/Zpravodaj_1_2008.pdf. “The biggest works include exchange of ca. 800 meters of heat duct from Vřesová to Nové Sedlo”.

In addition, during the city council of Nové Sedlo held on 30.12.2008 the council has approved the planned works of Sokolovská uhelná “Rekonstrukce zásobování Nového Sedla teplem”(the report from the city council is available on the internet as a Microsoft Word document)¹¹.

• **Investment CZ-Š-0146, “Rekonstrukce chladicích radu ČS 4”, Operator Sokolovská uhelná, Value: CZK 50 000 000**

According to the NIP, an anticipated date of this investment was 2011. According to the reference list on the SES BOHEMIA ENGINEERING website, it was realised in 2008 already.

See: „2008 Sokolovská uhelná, a.s. - rekonstrukce chladicích radů ČS IV“.

<http://sesbohemia.cz/Reference.aspx>.

• **Investment CZ-Š-0149, “Modernizace technologie generátorovny II”, Operator Sokolovská uhelná, Value: CZK 145 000 000**

According to the NIP, an anticipated date of this investment was 2010. According to the reference list on the ZPA-RP, a.s. website, it was realised in 2008 already.

¹⁰ VS = výměňková stanice = exchange station.

¹¹Decision of a city council: „U s n e s e n í z 20. Jednání RM, která se konala dne 30.12.2008 od 13.00 hodin v malé zasedací síni MěÚ Nové Sedlo 531/2008 : “RM souhlasí s tím, aby Město Nové Sedlo dalo souhlas Sokolovské uhelné, právní nástupce, a.s. Sokolov o právu provedení stavby „Rekonstrukce zásobování Nového Sedla teplem“.

See: ZPA-RP, a.s.: "Modernizace technologie Generátorovny II, CZK 143 000 000, Modernizace technologie Generátorovny II, CZK 29 849 000, Investor Sokolovská uhelná, <http://www.zpa-rp.cz/suas.html>.

The annual report from 2008 mentions this investment as well, http://www.suas.cz/uploads/8146396854a31285fc7c73_SU_zprava_o_hospodareni_2008.pdf, on page 32, "Among new important investments started are "Modernizace technologie generátorovny II".

Press release from October 2010: "Generátorovna ve Vřesové získá moderní řídicí system" <http://www.suas.cz/article/show/id/297>. "The modern technique will control Generátorovna II in Sokolovská uhelná in Vřesová. As a supplier for this investment ZPA – RP was chosen." Further: "First works have started during spring 2009. The end is planned after 31 October."

• **Investment CZ-Š-0150, "Modernizace technologie generátorovny I", Operator Sokolovská uhelná, Value: CZK 147 000 000**

According to the NIP, an anticipated date of this investment is 2012. However, the official newsletter of Sokolovská uhelná from summer 2008 announces this investment (together with Investment CZ-Š-0149, see above): http://www.suas.cz/uploads/205075056848f30bbcdf700_SU_2008-07-08_8stran.pdf.

On page 3: "Generátorovna in Vřesová will get a modern operating system in one year" (Generátorovna ve Vřesové dostane už za rok moderní řídicí system). An article read as follows: "..., first works will start in spring 2009 and the end is anticipated approximately one year later".

Press release from September 2008: "Generátorovna will get a new operation system" (Generátorovna dostane nový řídicí systém) <http://www.suas.cz/article/show/id/114>. "New technology will increase the safety. Start of the new system is planned for 2010".

• **Investment CZ-Š-0153, Intensification of Rectisol, Operator Sokolovská uhelná, Value: CZK 125 000 000**

According to the NIP ("Intenzifikace Rectisolu"), an anticipated date of this investment was 2011. However, from the Annual report from 2006 available at: http://www.suas.cz/uploads/194826013447b5627468f07_Vyrocní_zprava_06_CJ.pdf, page 47: „Works have started on "Inovation of gas cooling" (Inovace chlazení plynu) and on "Intensification of Rectisol" (Intenzifikace Rectisolu), these will be finished in 2009."

From the annual report from 2008, available at: http://www.suas.cz/uploads/8146396854a31285fc7c73_SU_zprava_o_hospodareni_2008.pdf, page 32, the additional information about the second phase of intensification of Rectisol is given that it was realised in 2008 and the last phase will end in 2010.

Information from media about financial situation of the Sokolovska uhelna, article from May 23 2010 (see: <http://www.finance.cz/zpravy/finance/265292-sokolovske-uhelne-klesl-ioni-zisk-o-347-mil-na-1-9-miliardy-kc/>), "Last year (2009) the Company has finished the third phase of intensification of Rectisol with aim to increase a production of gas. The last phase of this project will end in 2011".

According to the reference list on the FNTC Group website, the third phase of Intensification of Rectisol was realised in 2008-2009, see: <http://www.fntc.cz/reference> "2008-2009 Intenzifikace Rectisolu - III. etapa Sokolovská uhelná, Vřesová".

- **Investment CZ-Š-0154, "Inovace chlazení plynu, RS Tankovište vc.přípravy paliv pro VVKP, Destilace HGD", Operator Sokolovská uhelná, Value: CZK 866 000 000**

According to the NIP, an anticipated date of this investment (or at least its part "Inovace chlazení plynu") was 2010. The Annual report from 2006 available at:

http://www.suas.cz/uploads/194826013447b5627468f07_Vyrocní_zpráva_06_CJ.pdf, on page 47 informs: „Works have started on "Innovation of gas cooling" (Inovace chlazení plynu) and on "Intensification of Rectisol" (Intenzifikace Rectisolu), these will be finished in 2009."

According to the reference list on the website of ZPA-RP, it was realised in 2009. See: <http://www.zpa-rp.cz/suas.html> "Inovace chlazení plynu, 2009". Further, similar information is stated on the reference list on FNTC Group, <http://www.fntc.cz/reference>: "2008-2009 Inovace chlazení plynu - V. stavba Sokolovská uhelná, Vřesová".

Information from the newsletter from 2008 http://www.suas.cz/uploads/79570027847d5794d531bd_SU_2008-02_6stran.pdf

On page 2 "The investments in this year will almost reach one billion of CZK. "Innovation of gas cooling" (Inovace chlazení plynu) will secure safety in Vřesová. The end of works is planned for 2010".

- **Investment CZ-Š-0160, "Náhrada ventilátoru K 231 C, D na odsíření sekce Rectisol, Napojení rozvodny biologie 6 a a 10 kV na RS", Operator Sokolovská uhelná, Value: CZK 70 000 000**

According to the NIP, an anticipated date of this investment was 2015, according to the reference list on FNTC Group website, it was already realised in 2009. See: <http://www.fntc.cz/reference>: „2009 Náhrada ventilátorů K 231 C,D na odsíření sekce Rectisol Sokolovská uhelná, Vřesová“.

- **Investment CZ-Š-0166, "Modernizace rozvodny Lipnice", Operator Sokolovská uhelná, Value: CZK 12 500 000, Investment CZ-Š-0180, "Modernizace rozvodny Lipnice 22kV a 6kV včetně ŘS", Operator Sokolovská uhelná, Value: CZK 12 500 000**

From the NIP it is not clear whether these two investments are identical (anticipated year 2010 is same for both and the estimated cost as well). However, from the reference list on SOMA – ES website, the modernisation was realised in 2008, see: <http://www.soma-es.cz/main.php?page=references&lng=eng>: "Modernizace rozvodny Lipnice Reconstruction of substation 110 kV, during operation 2008, Sokolovská uhelná".

- **Investment CZ-Š-0167, "Modernizace elektrických ochran na rozvodně Pískovec a Marie", Operator Sokolovská uhelná, Value: CZK 11 200 000**

According to the NIP this project was supposed to be realised in 2010, however from the references on the following websites it can be assumed that it was realised in 2009 (unfortunately no exact date is available, therefore more information is needed for conclusion whether this investment is eligible).

MC Projekt, s.r.o.: „Projekt modernizace elektro ochran na rozvodně Pískovec a Marie – 2009“ investor Sokolovská uhelná, <http://www.mcprojekt.cz/reference.html>.

Montáže Čakovice, a.s.: „Rozvodny Pískovec a Marie Modernizace elektro ochran na rozvodnách Pískovec a Marie, stavba č. K80“, 2009, Investor Sokolovská uhelná <http://www.montazecakovice.cz/cs/reference/>.

- **Investment CZ-Š-0202, Installation of a peak load power plant in Brno, Operator Teplárny Brno, Value: CZK 1 550 000 000**

Teplárny Brno announced this investment in January 2009 and the EIA process has begun. The documentation submitted was prepared in December 2008 by ENERGETIS, s.r.o.¹²
See: http://tomcat.cenia.cz/eia/detail.jsp?view=eia_cr&id=OV7080.

The final EIA statement issued by the Ministry of Environment also confirms that the announcement was made in January 2009. In February 2009, the Ministry informed the affected areas and provided them with the announcement and the documentation.¹³

- **Investment CZ-Š-0226, Conversion of coal boiler to biomass boiler in heating plant Domoradice, Operator Carthamus, Value: CZK 498 700 000**

Carthamus announced this investment in December 2007. The EIA was started in February 2009.
See: http://tomcat.cenia.cz/eia/detail.jsp?view=eia_cr&id=JHC338.

In December 2007 Carthamus published in the Information System on Public Contracts a public tender for reconstruction of a heat source in the heating plant Domoradice.
See: <http://www.isvzus.cz/Views/Form/Display/6639>.

- **Investment CZ-Š-0255, “KVET z obnovitelných zdrojů jako náhrada stávajícího kotle”, Operator KA Contracting ČR, Value: CZK 498 000 000**

Operator announced this investment on 11 June 2009.
See: http://tomcat.cenia.cz/eia/detail.jsp?view=eia_podlimitni&id=HKK250P.
The letter from the regional authority Krajský úřad Královéhradeckého kraje informs that they have received the announcement of the plan on 11 June 2009.¹⁴

- **Investment CZ-Š-0266, Construction of new power unit for biomass combustion, Operator Elektrárny Opatovice, Value: CZK 1 400 000 000**

The EIA for this project was completed in April 2007 when the affirmative statement was given¹⁵.
See: http://tomcat.cenia.cz/eia/detail.jsp?view=eia_cr&id=MZP139.

¹² The Pdf document is available at: http://tomcat.cenia.cz/eia/detail.jsp?view=eia_cr&id=OV7080, „Text oznámení záměru: OV7080__oznameni.pdf (5348 kB) - 12.02.2009 13:24“.

¹³ The Pdf document is available at: http://tomcat.cenia.cz/eia/detail.jsp?view=eia_cr&id=OV7080, „Text stanoviska: OV7080__zaveryStan.pdf (135 kB) - 15.04.2010 12:57“.

¹⁴ The letter is available at: http://tomcat.cenia.cz/eia/detail.jsp?view=eia_podlimitni&id=HKK250P. „Text sdělení: HKK250P__textSdeleni.pdf (182 kB) - 22.06.2009 10:55“.

¹⁵ Pdf document is available at: http://tomcat.cenia.cz/eia/detail.jsp?view=eia_cr&id=MZP139, „Text stanoviska: MZP139__zaveryStan.pdf (1137 kB) - 25.04.2007 09:33“.

Additionally, an article reported about the intention of Elektrarny Opatovice to build a new biomass power unit in October 2007. The operator planned to start the new biomass boiler and steam turbine in 2010.

See: http://rychnovsky.denik.cz/podnikani/optaovice_rd_20071031.html.

- **Investment CZ-Š-0283 “Nahrazení stávající turbíny a její zachování jako zálohy”, CZ-Š-0284 “Zajištění tepla pro MO Střekov”, CZ-Š-0360 “Rekonstrukce CHÚV, elektro technologie, chladicí stanice, stavební práce, vyvedení výkonů”, Operator ENERGY Ústí nad Labem, Value: CZK 864 000 000**

These plans were announced by the operator in June 2008, material presented as the basis for the announcement dates from May 2008.

See: http://tomcat.cenia.cz/eia/detail.jsp?view=eia_cr&id=MZP222.

The announced plan Reconstruction of the ENERGY Ústí nad Labem, a. s. (“Rekonstrukce energetiky ENERGY Ústí nad Labem, a. s.”), covers all three investments listed in the NIP. The planned reconstruction includes exchange of a turbine („Nahrazení stávající turbíny“) and the plan aim to secure the heat supply for Střekov („Zajištění tepla pro MO Střekov“). The reconstruction of the chemical water treatment plant (“Rekonstrukce CHÚV“) is also part of the announced plan.¹⁶

- **Investment CZ-Š-0289, “Dokončení výstavby vynucené změny palivové základny a uhrazení pohledávek z investiční výstavby”, Operator Teplárna Tábor, Value: CZK 86 400 000**

According to information in the NIP, the anticipated date of this investment was 2011. However, this plan was announced by the operator in 2005¹⁷.

See: http://tomcat.cenia.cz/eia/detail.jsp?view=eia_cr&id=OV2006, Name: Forced change of fuel in Teplárna Tábor (“Vynucená změna palivové základny - Teplárna Tábor a.s.”).

CENIA, Czech Environmental Information Agency in its statement on the application for the IPPC permit of the Teplárna Tábor states that “the project of installation of the boiler K7 is referred to as a forced change of fuel in Teplárna Tábor.

See:

[http://www.mzp.cz/www/ippc.nsf/EFD808B4D9C80872412572EC00284026/\\$file/TEPL%C3%81RNA%20T%C3%81BOR.pdf](http://www.mzp.cz/www/ippc.nsf/EFD808B4D9C80872412572EC00284026/$file/TEPL%C3%81RNA%20T%C3%81BOR.pdf), page 4 („Projekt instalace kotle K7 má název „Vynucená změna palivové základny v TTA.““)

In addition, the installation of a new boiler (K7) that is part of this investment was realised by Kepák, spol. s r.o. in 2007 as indicated on the reference list on the company's website, see: <http://www.kepak.cz/?bcoid=70>.

Teplárna Tábor also informed about the installation of this boiler on their website, see: http://www.tta.cz/informace_7.htm. Information is also from 2007.

¹⁶ Pdf document „EIA_Energy_final“ is available at: http://tomcat.cenia.cz/eia/detail.jsp?view=eia_cr&id=MZP222, “Text oznámení záměru: MZP222__oznameni.zip (60536 kB) - 24.06.2008 10:47”.

¹⁷ The Microsoft Word document available at: http://tomcat.cenia.cz/eia/detail.jsp?view=eia_cr&id=OV2006, “Text oznámení záměru: OV2006__oznameni.doc (1362 kB) - 07.07.2005 08:50”.

- Investment CZ-Š-0361, “Samostatné soustrojí spalovací turbíny spojené s generátorem k výrobě elektrické energie”, CZ-Š-0362, “Dvojice plynových spalovacích turbín se spalinovými kotli a jedna parní turbína pro celoroční KVET”, Teplárna Prostějov, Operator Gama Investment, Value: CZK 2 650 000 000

These investments were announced by the operator on 16 June 2009¹⁸, material presented as the basis for the announcement dates from May 2009.

See: http://tomcat.cenia.cz/eia/detail.jsp?view=eia_cr&id=OV8099.

Investor of this project has changed several times. But the original one intended this project already in 2008 - an article says: „The works will start next year, stated Bohuslav Bernatek from Moravia Energo in June 2008“.

See: http://prostejovsky.denik.cz/zpravy_region/paroplynka-v-prostejove-nebude-investor-se-stahl.html.

- Investment CZ-Š-0330, “Financial resources used from 25.6.2009 to 31.3.2010”, Operator Plzeňská teplárenská, Value: CZK 652 049 229

The description of this investment is rather limited and does not allow for an identification of the real works that were carried out. Wording in the Czech language: „Proinvestované prostředky od 25.6.2009 do 31.3.2010“. The exact date 25 June 2009 raises doubts about the potential eligibility of this investment and raises a question whether these resources were not used for the construction of a new block that started in 2008 and finished in spring 2010.

In this time, Plzeňská teplárenská has realised the important investment of the new „green“ block - http://www.pltep.cz/index.php?goto=text&sekce=en_Ar5bXRIQ&tid=en_V8TSTGNc&lng=en.

According to information on the website: „The construction of the ecological source was initiated in autumn of 2008 and the operation initiation is planned for spring 2010.“

From the annual report from 2010, „as of April 2010, the new “green” production unit with the K7 boiler for biomass and turbine generator is in operation, see: http://www.pltep.cz/upload/File/VZ_2010/VZ2010%20zprava%20o%20cinnosti.pdf, page 42.

The decision about this investment was taken in 2005 and it is without any doubt one of the most important investments realised in the period set in the description given in the NIP. Therefore, we conclude that it is necessary to verify for what investments these resources were used and in case the costs of the new „green“ block are included, they have to be banned as it is clear that this investment started prior to 25.6.2009 thus is not eligible under Article 10c.

¹⁸ Pdf document is available at: http://tomcat.cenia.cz/eia/detail.jsp?view=eia_cr&id=OV8099, „Text oznámení záměru: OV8099__oznameni.pdf (14389 kB) - 16.06.2009 13:50“.