

# POLICY REPORT



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## Scanning Macedonia's performance under the European Commission's Progress Report's Chapter 21: A race with obstacles? – Part II



**Abbreviations**

CEB = Council of Europe Development Bank

CIP = Competitiveness and Innovation Framework Programme

EBRD = European Bank for Reconstruction and Development

EC = European Commission

EE = energy efficiency

EIB = European Investment Bank

ENTSO-E = European Network of Transmission System Operators for Electricity

eTEN = Trans-European Telecommunications Networks

EU = European Union

ICT = Information and Communication Technologies

ICT PSP = Information and Communication Technologies Policy Support Programme

IFI= International financial institution

KfW = Kreditanstalt für Wiederaufbau (German Development Bank)

kV = kilovolt

LNG = Liquefied natural gas

NPAA = National Programme for Adoption of the Acquis Communautaire

RES = renewable sources of energy

TEN = Trans-European Networks

TEN-E = Trans-European Energy Networks

TEN-T = Trans-European Transport Networks

WB = World Bank

WBIF = West Balkan Infrastructure Facilities

## 1. Introduction

As stated in the previous policy paper “Scanning Macedonia’s performance under the European Commission’s progress report’s chapter 21: A race with obstacles? – Part I” Macedonia has achieved less overall progress under this chapter in 2010 than in the previous three years. The general assessment analysis of Macedonia’s progress under chapter 21 has shown that Macedonia was not able to achieve steady and stable progress and that it faces the biggest challenge in the field of the Trans-European Transport Networks (TEN-T). Regarding the Trans-European Energy Networks (TEN-E) there has been a steady progress since 2007 while in the field of the Trans-European Telecommunication Networks (eTEN) there has been an improvement in 2010 after a two year period of stagnation<sup>1</sup>.

The EC’s progress report’s chapter 21 deals with the Trans-European Networks (TEN). The goal of chapter 21 is to enable the future member states to be connected to the EU’s Single market via the three modal networks (TEN-T, TEN-E and eTEN) and as a result of which it would be contributed to economic growth, job creation and poverty reduction. Therefore, inspecting Macedonia’s progress under this chapter and presenting possible better performance scenarios is of great importance both for Macedonia’s EU integration and its economic development.

**This policy report aims at presenting and clarifying Macedonia’s performance under chapter 21 in 2010 and at inspecting the quality and the sustainability of the progress achieved in order to define the future challenges and to offer the relevant institutions research based recommendations for further progress under the chapter. Having covered the TEN-T part of chapter 21 in a previous publication, this policy paper will cover only the TEN-E and the eTEN part of chapter 21.**

For the purpose of presenting profound and detailed analysis of the chapter, the methodology will be based on an analysis of the relevant original documents including the chapter’s basic legal documents, information provided from the relevant actors by utilizing the Law on free access to public information and on interviews with experts in the field. The documents taken as an initial assessment point are the EC’s progress reports on Macedonia for 2010.

## 2. TEN-E

### 2.1 Analysis of the key actors and documents

The contracting parties of the Energy Community Treaty - Albania, Bulgaria, Bosnia and Herzegovina, Croatia, Macedonia, Montenegro, Romania, Serbia and Kosovo on one hand and

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<sup>1</sup> Analytica, *Scanning Macedonia’s performance under the European Commission’s progress report’s chapter 21: A race with obstacles? – Part I*, (Skopje, 2011), p.3.

the EU on the other by signing<sup>2</sup> the Treaty have established among themselves an Energy Community. The Energy Community Treaty has the obligation to create a legal and economic framework relating the electricity and gas sectors in order to create a stable regulatory and market framework capable for attracting investment in gas networks, power generation and transmission and distribution networks with the overall aim of achieving continuous energy supply; enhancing the security of supply; improving the environmental situation in relation to the electricity and gas networks; improving energy efficiency (EE); fostering the use of renewable sources of energy (RES); and developing electricity and gas market competition<sup>3</sup>. In so doing the contracting parties will be implementing selected parts of the EU's *acquis communautaire* on electricity, gas, RES, EE, competition, environment and security of supply<sup>4</sup>. This Treaty created *inter alia* the basis for the TEN-E.

Since the Energy Community Treaty is mainly targeting the electricity and gas sectors, i.e. the electricity and gas networks as part of TEN-E, only these two energy networks will be the subject of analysis in this paper and will be tackled separately. By analyzing chapter 21 TEN-E's obligation for Macedonia it is important to mention the regional dimension of the electricity and gas network planning. In fact the single permanent body of Energy Community<sup>5</sup>, the Secretariat, reviews the proper implementation by the parties of the obligations under the Treaty<sup>6</sup>. There is one other institution of great regional importance which paves the way for Europe-wide planning and operations of the transmission system operators in the EU and others connected to their networks - the European Network of Transmission System Operators for Electricity (ENTSO-E)<sup>7</sup>. The ENTSO-E's System Development Committee prepares a Ten Year Network Development Plan<sup>8</sup>. MEPSO, the electricity transmission system operator of Macedonia, is a member of ENTSO-E<sup>9</sup>.

The Ministry of Economy, Department for Energy is the policy creator in the energy sector including the TEN-E and therefore the key actor in implementing TEN-E part of chapter 21. Other important actors are the Energy Agency and the Energy Regulatory Commission. The

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<sup>2</sup> The Energy Community Treaty was signed in 2005 and entered into force in 2006. Macedonia ratified the Treaty in 2006.

<sup>3</sup> Treaty Establishing the Energy Community/ Internet page of the Energy Community (2011): [http://www.energy-community.org/portal/page/portal/ENC\\_HOME/ENERGY\\_COMMUNITY/Legal/Treaty](http://www.energy-community.org/portal/page/portal/ENC_HOME/ENERGY_COMMUNITY/Legal/Treaty) last accessed on 16.03.2011.

<sup>4</sup> Energy Community Secretariat, "Annual Report on the Implementation of the Acquis under the Treaty establishing the Energy Community", (2010), p.9.

<sup>5</sup> Ibid.

<sup>6</sup> Treaty Establishing the Energy Community/ Internet page of the Energy Community (2011): [http://www.energy-community.org/portal/page/portal/ENC\\_HOME/ENERGY\\_COMMUNITY/Legal/Treaty](http://www.energy-community.org/portal/page/portal/ENC_HOME/ENERGY_COMMUNITY/Legal/Treaty) last accessed on 16.03.2011.

<sup>7</sup> Internet page of ENTSO-E/ the Association: <https://www.entsoe.eu/the-association/> last accessed on 16.03.2011.

<sup>8</sup> Internet page of ENTDO-E/ System development: <https://www.entsoe.eu/system-development/> last accessed on 16.03.2011.

<sup>9</sup> Internet page of ENTSO-E/ the Association/Members: <https://www.entsoe.eu/the-association/members/> last accessed on 16.03.2011.

Energy Agency was founded for the purpose of support of the energy policy implementation in Macedonia and is to be involved and has to initiate short, medium and long term energy strategies, projects about EE and RES, to implement investment projects etc.<sup>10</sup>. The Energy Regulatory Commission, also an important actor in the Macedonian energy policy, was created with the Law amending the Law of Energy from 2002<sup>11</sup> with the purpose of enabling safe energy supply, environment protection and protection of the competition in the energy market.<sup>12</sup> Since chapter 21 is about networks and in the case of TEN-E about the electricity and gas networks, it is important to mention two other actors – MEPSO and GA-MA. MEPSO is the state-owned electricity transmission system operator of Macedonia established in 2005<sup>13</sup>. GA-MA is a joint stock company between the Government of the Republic of Macedonia and the private company Makpetrol<sup>14</sup> and is responsible both for natural gas transmission and natural gas pipeline system management in Macedonia<sup>15</sup>. The obligation to prepare the procedure for the completion of the feasibility study for gasification as well as manage the gasification project was given to the Ministry of Transport and Communications<sup>16</sup>. It is not to be forgotten the importance of the Government in this area because the Government is defining and shaping the policies of the country.

The most important Macedonian documents dealing inter alia with the TEN-E are the Strategy for Energy Development of Republic of Macedonia until 2030 (in the following text referred as the Energy Strategy); the Study on the development of the transmission network of the Republic of Macedonia for the period 2010-2020 (in the following text referred as MEPSO's Study) and the Energy law<sup>17</sup>. MEPSO's Study envisages that the transmission network will be focused on 400 kV interconnections<sup>18</sup>. The Energy Strategy determines the energy policy and is being enacted by the Government on a proposal of the Ministry of Economy<sup>19</sup>. The Energy Strategy is a first strategy paving the way for continuous development of the energy sector in Macedonia.

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<sup>10</sup> Zakon za osnovanje na Agencija za energetika na Republika Makedonija, Official Gazette of the Republic of Macedonia 62/05, p. 78-79.

<sup>11</sup> The following energy laws strengthened the Commission's position.

<sup>12</sup> Zakon za izmenuvanje i dopolnuvanje na Zakonot za energetika, Official Gazette of the Republic of Macedonia 94/02, p.1.

<sup>13</sup> Internet page of MEPSO/ Home (2010): <http://www.mepso.com.mk/en-us/Default.aspx> last accessed on 01.04.2011.

<sup>14</sup> Makpetrol is a fully private owned company and the largest distributor of oil and oil products in Macedonia: Internet page of Makpetrol/ History (2007): [http://www.makpetrol.com.mk/istorijat\\_en.asp](http://www.makpetrol.com.mk/istorijat_en.asp) last accessed on 01.04.2011.

<sup>15</sup> Internet page of GA-MA: <http://www.gama.com.mk/Default.aspx?id=9248301d-630d-4e97-8832-3fd681bf9d27> last accessed on 15.03.2011; Internet page of the Energy Regulatory Commission (2011): <http://www.erc.org.mk/NovostiDetal.asp?novID=306> last accessed on 01.04.2011.

<sup>16</sup> Government of the Republic of Macedonia, *Nacionalna programa za usvojuvanje na pravoto na Evropskata unija – revizija 2011*, (Skopje, 2010), p.242.

<sup>17</sup> The new Energy law was enacted in February 2011.

<sup>18</sup> MEPSO, *Studija za razvoj na prenosnata mreza na Republika Makedonija vo periodot 2010-2020 godina, draft version*, (2010), p.292.

<sup>19</sup> Zakon za energetika, Art. 9, 10 Official Gazette of the Republic of Macedonia 16/11, p.14-15.

After a long period of absence of strategic planning, the Energy Strategy by analyzing the energy developments in Macedonia and Macedonia's obligation towards the EU, defines the long term development of the energy sector and suggests means for satisfying the increasing energy demand as well as recommends institutional, economic and legal improvements in the sector. Macedonia got in February 2011 a new Energy law. Its predecessors were subject of criticism by the EC and the expert community. The Secretariat of the Energy Community announced that the new Energy law has made a huge step towards the *acquis* approximation and that what is left to be completed is the secondary legislation defining inter alia the questions of the tariff system, the ownership issues and the grid regulations<sup>20</sup>. The interviewed expert Prof. Taleski who took part in the drafting of the new Energy law stated that this law is the best so far because in clear and precise manner regulates the gas and electricity market and incorporated the relevant EU legal acts and the obligations towards the Energy Community Treaty<sup>21</sup>.

## 2.2 The electricity network

Following strictly the subject of analysis as part of TEN-E in the EC's progress reports on Macedonia only the 400 kV transmission electricity networks connecting Macedonia with its neighbors will be inspected<sup>22</sup>. Moreover, the important documents and actors dealing with TEN-E as well as the related issues and challenges will be discussed.

Macedonia is connected with one 400 kV transmission line with Bulgaria, one 400 kV transmission line with Kosovo and two 400 kV transmission lines with Greece<sup>23</sup>. The power system map of Macedonia presented in picture 1 clearly shows the transmission lines with its neighboring countries, of which the red colored lines are the 400 kV transmission lines<sup>24</sup>. The electricity transmission lines connecting Macedonia with its neighbors are part of the Pan-European Corridors<sup>25</sup>: Corridor X in Macedonia has the direction north-south, while Corridor

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<sup>20</sup> Internet page of the Ministry of Economy (2011): <http://www.economy.gov.mk/?article=ef50d836-8f48-46b6-9126-c877350b175c&lang=3> last accessed on 01.04.2011.

<sup>21</sup> Interview with Prof. PhD Rubin Taleski, Head of the Institute of Power Systems, FEIT Skopje, conducted on 17.03.2011.

<sup>22</sup> The broader aspect of the TEN-T as stated in the NPAA for 2011 includes not only constructing, but also revitalizing the existent energy network; furthermore it tackles the energy networks within the country's territory; and the lower voltage transmission networks as 220 kV and 110 kV.

<sup>23</sup> MEPSO, *Studija za razvoj na prenosnata mreza na Republika Makedonija vo periodot 2010-2020 godina, draft version*, (2010), p.12.

<sup>24</sup> Internet page of MEPSO/ Electro energetic map (2010): <http://www.mepso.com.mk/en-us/Details.aspx?categoryID=122> last accessed on 01.04.2011.

<sup>25</sup> From the transmission interconnection lines which are to be built, the 400 kV interconnection line between Macedonia and Serbia is part of Corridor X, while the 400 kV interconnection line between Macedonia and Albania; and Macedonia and Kosovo are part of Corridor VIII: Government of the Republic of Macedonia, *Nacionalna programa za usvojuvanje na pravoto na Evropskata unija – revizija 2011*, (Skopje, 2010), p.243-244.



According to the Energy law, the electricity transmission system operator, meaning MEPSO, has the obligation among other things to enable connection to the electricity transmission systems in the neighboring countries; to build new transmission capacities and to plan the development of the electricity transmission system in the long term<sup>31</sup>. MEPSO is preparing at the moment the construction activities for the 400 kV interconnection line with Serbia and the studies for the interconnection with Albania<sup>32</sup>. MEPSO together with the Albanian transmission operator will invest each of them in the transmission in its own country's territory regarding the mentioned 400 kV transmission line between Macedonia and Albania<sup>33</sup>. Besides using own finances for investments in the transmission network, MEPSO utilizes the credit lines from the international financial institutions (IFIs) for example from the World Bank (WB), the European Investment Bank (EIB), the European Bank for Reconstruction and Development (EBRD) as well as funds from the investment framework financed by the EC and the IFIs, called the West Balkan Infrastructure Facilities<sup>34</sup> (WBIF)<sup>35</sup>.

Prof. Taleski assessed Macedonia's electricity transmission network connecting the country with its neighbors as relatively well<sup>36</sup>. Prof. Taleski and Prof. Borozan agreed that the finances from the development component of the state budget may also be used for preparing TEN-E projects<sup>37</sup>. These transmission interconnections are in fact one of the preconditions for liberalization of the electricity market in Macedonia and the region<sup>38</sup>. Beside the fact that Macedonia's commitment under international law obliges the country to connect regionally, it is important to emphasize the fact that there are many advantages coming from such regionally integrated electricity market. For example, the benefits from the new interconnections can be seen inter alia as gains from the reduction of electricity loss, increasing the cross-border capacity and increasing the security of supply<sup>39</sup>. Security of supply is undoubtedly one of the core bases

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<sup>31</sup> Zakon za energetika, Art. 67, Official Gazette of the Republic of Macedonia 16/11, p.43-44.

<sup>32</sup> MEPSO, obtained by the Law on free access to public information in March 2011.

<sup>33</sup> MEPSO, *Studija za razvoj na prenosnata mreza na Republika Makedonija vo periodot 2010-2020 godina, draft version*, (2010), p.198.

<sup>34</sup> The WBIF is a regional tool for EU Enlargement, which streamlines resources from the EC, the partner IFIs (the Council of Europe Development Bank (CEB), EBRD, EIB and bilateral donors for investments in key sectors of the Western Balkan economies including energy, environment, transport, social infrastructure and private sector development: Internet page of the WBIF: <http://www.wbif.eu/Western+Balkans+Investment+Framework/> last accessed on 30.03.2011.

<sup>35</sup> MEPSO, *Studija za razvoj na prenosnata mreza na Republika Makedonija vo periodot 2010-2020 godina, draft version*, (2010), p.269-270.

<sup>36</sup> Interview with Prof. PhD Rubin Taleski, Head of the Institute of Power Systems, FEIT Skopje, conducted on 17.03.2011.

<sup>37</sup> E-mail interview with PhD Vesna Borozan, Associate Professor at FEIT Skopje, conducted in March 2011; Interview with Prof. PhD Rubin Taleski, Head of the Institute of Power Systems, FEIT Skopje, conducted on 17.03.2011.

<sup>38</sup> Interview with Prof. PhD Rubin Taleski, Head of the Institute of Power Systems, FEIT Skopje, conducted on 17.03.2011.

<sup>39</sup> MEPSO, *Studija za razvoj na prenosnata mreza na Republika Makedonija vo periodot 2010-2020 godina, draft version*, (2010), p.289.



for economic growth and prosperity. Prof. Taleski highlights the fact that the infrastructure connection is important for the security of supply<sup>40</sup>.

### 2.3 The gas network

While Macedonia's electricity network is in the right way to become fully regionally interconnected, the gas network is a complete different story. The gas network is still in its study preparation phase. The EC's progress report on Macedonia for 2010 stated that the country has finalized the feasibility study for priority gas interconnections in relation to the Gas Ring concept<sup>41</sup>. The subject of analysis here after presenting the obligations under this subsection of gas network and the existing gas network in Macedonia, will be the planned projects and activities, the finances for these projects as well as the ownership structure.

A distribution gas network in Macedonia is non-existent and the gas consumers are directly connected to the transmission gas pipeline which runs through Ukraine, Moldova, Romania and Bulgaria and enters Macedonia's territory at the border crossing with Bulgaria Deve Bair<sup>42</sup>. Macedonia is in fact connected to a single gas pipeline importing gas from Russia which represents the gas transmission network in the country. For reminder, natural gas is environmentally friendly source of energy and can be used both for electricity generation and for heating. It is also one of the main sources of energy in Western Europe. Prof. Borozan highlights that the development of the gas network in Macedonia will enable diversification of the energy sources in different parts of the country. Connecting Macedonia to pipelines which bring natural gas from other countries and regions would even contribute to the security of supply<sup>43</sup>.

The regional study on gasification, the Energy Community Ring, is to connect the seven contracting parties via a ring<sup>44</sup>. This Regional Gasification Study on the Gas Ring is being financed by the WB and the German bank KfW with the aim to connect ungasified regions with gas markets, to facilitate the supply diversity as well as to provide security of supply<sup>45</sup>. There are many advantages from the Gas Ring including increased economic diversity, gasification of the participating parties, fostering cooperation in regional energy economy, link to the gas markets

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<sup>40</sup> Interview with Prof. PhD Rubin Taleski, Head of the Institute of Power Systems, FEIT Skopje, conducted on 17.03.2011.

<sup>41</sup> European Commission, *The former Yugoslav Republic of Macedonia 2010 Progress report accompanying the Communication from the Commission to the European Parliament and the Council Enlargement Strategy and Main Challenges 2010-2011*, COM (2010) 660, (Brussels, 2010), p.55.

<sup>42</sup> Ministry of Economy of the Republic of Macedonia, *Strategija za razvoj na energetikata vo Republika Makedonija do 2030 godina*, (Skopje, 2010), p.43-44.

<sup>43</sup> E-mail interview with PhD Vesna Borozan, Associate Professor at FEIT Skopje, conducted in March 2011.

<sup>44</sup> Internet page of the Energy Community/ Gas Ring Concept (2011): [http://www.energy-community.org/portal/page/portal/ENC\\_HOME/AREAS\\_OF\\_WORK/GAS/Regional\\_Market/Gas\\_Ring\\_Concept](http://www.energy-community.org/portal/page/portal/ENC_HOME/AREAS_OF_WORK/GAS/Regional_Market/Gas_Ring_Concept) last accessed on 03.04.2011.

<sup>45</sup> Energy Community Secretariat, *Annual Report on the Implementation of the Acquis under the Treaty establishing the Energy Community*, (2010), p.34.

of the EU neighbors Greece, Hungary, Romania and Bulgaria and realizing economies of scale in the long term<sup>46</sup>.

**Picture 2: The Energy Community Gas Ring Concept**



Source: Internet page of the Energy Community

The Ministry of Transport and Communications implemented the procedure for selection of the team responsible for the preparation of the feasibility study for the gas system in Macedonia and defined the five priority intersections for the gas infrastructure at an inter-ministerial meeting<sup>47</sup>. At the moment the Ministry manages the next step – the project preparation for the 5 priority intersections<sup>48</sup>. The project documentation will be prepared by the end of 2011<sup>49</sup>. The Government has decided that the finances for the gas project will be provided by the Russia's clearing debt towards Macedonia as well as by funds from the EIB and the EBRD<sup>50</sup>. In the current Public Investment Programme 2011-2013 it is mentioned that the finances for the gasification project (the project preparation and the construction of the priority sections) have not been provided yet<sup>51</sup>.

<sup>46</sup> Internet page of the Energy Community/ Gas Ring Concept (2011): [http://www.energy-community.org/portal/page/portal/ENC\\_HOME/AREAS\\_OF\\_WORK/GAS/Regional\\_Market/Gas\\_Ring\\_Concept](http://www.energy-community.org/portal/page/portal/ENC_HOME/AREAS_OF_WORK/GAS/Regional_Market/Gas_Ring_Concept) last accessed on 03.04.2011.

<sup>47</sup> Internet page of the Ministry of Transport and Communications/ Interview with the Minister of Transport and Communications for the magazine Kapital from 03.05.2010: [http://www.mtc.gov.mk/new\\_site/mk/storija.asp?id=2500](http://www.mtc.gov.mk/new_site/mk/storija.asp?id=2500) last accessed on 01.04.2011.

<sup>48</sup> Government of the Republic of Macedonia, *Nacionalna programa za usvojivanje na pravoto na Evropskata unija – revizija 2011*, (Skopje, 2010), p.242.

<sup>49</sup> Ibid, p.244.

<sup>50</sup> Ministry of Economy, obtained by the Law on free access to public information in March 2011.

<sup>51</sup> Government of the Republic of Macedonia, *Public Investment Programme of the Republic of Macedonia 2011-2013*, (Skopje, 2011).

The Energy Strategy presents possible sources of supply for natural gas for Macedonia<sup>52</sup>:

- The existing transmission line carrying Russian gas;
- The South Stream carrying Russian and Caspian gas<sup>53</sup> via two possible branches;
- The Blue Stream carrying Russian gas via Bulgaria;
- The White Stream carrying Caspian gas via Romania;
- Nabucco carrying Caspian gas via Romania;
- Liquefied natural gas (LNG) transported via Greece, Albania, Montenegro or Croatia;
- LNG from Algeria and the Arab world.

All these different sources of gas supply for Macedonia and the region do not only support the thesis of the good geographical position of the country, but send very promising message for a secure supply of gas in the next few decades. However, it's up to the responsible institutions to decide which pipeline from which gas supplier will be used for supplying the country with natural gas<sup>54</sup>.

The ownership over the existing gas transmission network is a subject of a still ongoing legal dispute between the state and Makpetrol, which influenced the functioning and the development of the gas market<sup>55</sup>. Although the Expert Testimony Institute has stated that the state owns around 54% of the gas transmission network, up until today there is no final judgment about who is the dominant owner over the existing transmission network. In the meantime, the Government and Makpetrol founded GA-MA for a joint managing of the transmission network.

Moreover, the Government founded in 2010 a new state owned joint stock company for transmission of natural gas called MACEDONIAGAS Skopje<sup>56</sup>. The Government has informed that this new company will take over all activities together with Russian Gazprom<sup>57</sup> regarding the South Stream project<sup>58</sup>. The Government will share the ownership with Makpetrol over the existing gas transmission network, but the new activities with Gazprom and the South Stream will be the sole responsibility of MACEDONIAGAS<sup>59</sup>. Makpetrol has made a significant

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<sup>52</sup> Ministry of Economy of the Republic of Macedonia, *Strategija za razvoj na energetikata vo Republika Makedonija do 2030 godina*, (Skopje, 2010), p.133-134.

<sup>53</sup> The Caspian gas comes from Turkmenistan, Azerbaijan and Kazakhstan: Ministry of Economy of the Republic of Macedonia, *Strategija za razvoj na energetikata vo Republika Makedonija do 2030 godina*, (Skopje, 2010), p.134.

<sup>54</sup> Ministry of Economy of the Republic of Macedonia, *Strategija za razvoj na energetikata vo Republika Makedonija do 2030 godina*, (Skopje, 2010), p.133-134.

<sup>55</sup> Energy Community Secretariat, "Annual Report on the Implementation of the Acquis under the Treaty establishing the Energy Community", (2010), p.69.

<sup>56</sup> Statut na akcionerskoto drushtvo za vrshenje na energetska dejnost prenos na prirodan gas "MAKEDONIAGAS" Skopje, p.22.

<sup>57</sup> Gazprom is a Russian joint stock company and one of the world's largest energy companies.

<sup>58</sup> Internet page of Nova Makedonija/ On-line issue from 13.11.2010:

<http://www.novamakedonija.com.mk/NewsDetal.asp?vest=11131010889&id=10&setIzdanie=22132> last accessed on 01.04.2011.

<sup>59</sup> Internet page of Vreme:

contribution to the development of the gas market by being the first company to use the natural gas as a source of energy and by investing in the gas system<sup>60</sup>. Therefore, Makpetrol's role in the development of the gas transmission network in Macedonia is of utter importance. However, it is well known that the unsolved legal dispute over the existing gas transmission network hampers the gasification process and therefore GA-MA which is considered to be an “unhappy marriage between the Government and Makpetrol” is left out from the upcoming gasification project activities.

Prof. Borozan emphasized that the main problem which is dragging through when talking about the gas network in Macedonia is the fact that the completion of the energy projects takes time and political will of several governments in continuity. The topic of the development of the gas network in Macedonia is a subject of discussion for about 20 years in which period several studies have been made. So far there has been no substantial progress made due to the long term nature of such projects. The governments are always more interested to invest their resources in projects which results can be seen within 3 to 4 years<sup>61</sup>. Zorica Meskova also highlights the importance of the role of the government for the dynamic of the gasification process<sup>62</sup>. There are few other obstacles to the gasification process - the not cost-effective price of electricity used for heating which makes the investment in the gas distribution infrastructure also not cost-effective<sup>63</sup>. One other aspect that needs to be mentioned is the fact that both the gas transmission and distribution network need to be built. The experts claim that entering South Stream will not mean anything if the gas distribution network is non-existent<sup>64</sup>.

Having identified the large amount of finances to be invested in the transmission network both for gas and electricity, the Energy Strategy also suggests that the Government should invest directly from the development programme of the state budget or indirectly by giving state guaranties to the companies in state ownership; by issuing concessions; the companies responsible to invest own resources in the transmission network; establishing public-private partnerships; as well as utilizing funds from the IFIs. It is also necessary to increase the share of the private sector and to attract foreign investments. Furthermore, it is important to emphasize that the investments need to be cost-effective, meaning that a shift from a regulated electricity

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<http://www.vreme.com.mk/DesktopDefault.aspx?tabindex=1&tabid=1&EditionID=2151&ArticleID=150540> last accessed on 01.04.2011.

<sup>60</sup> Internet page of Makpetrol/Natural gas (2007): [http://www.makpetrol.com.mk/priodengas\\_mk.asp](http://www.makpetrol.com.mk/priodengas_mk.asp) last accessed on 01.04.2011.

<sup>61</sup> E-mail interview with PhD Vesna Borozan, Associate Professor at FEIT Skopje, conducted in March 2011.

<sup>62</sup> Interview with Zorica Meskova, Independent Consultant, Association of Power Supply Industry and Ferrous and Non-ferrous Metallurgy, Economic Chamber of the Republic of Macedonia, conducted on 15.03.2011.

<sup>63</sup> E-mail interview with PhD Vesna Borozan, Associate Professor at FEIT Skopje, conducted in March 2011.

<sup>64</sup> Internet page of Nova Makedonija/ On-line issue from 06.10.2010: <http://www.novamakedonija.com.mk/NewsDetal.asp?vest=106101016227&id=9&setIzdanie=22101> last accessed on 01.04.2011.

price into cost plus regulation principle<sup>65</sup> is highly important. The Energy Strategy after having analyzed the energy development in Macedonia recommends investing more in the energy sector, intensifying the construction of the complete gas transmission and distribution network as well as connecting the Macedonian gas network with the regional networks and taking part in the construction of a regional Gas Ring<sup>66</sup>.

Due to the fact that the Macedonia as a small country has very low geopolitical power in the global energy policy, which is dominated by Russia as a major gas supplier and as well as by the EU which strives to escape its dependence on Russian gas, the only tool that Macedonia has is to get involved in the international gas debate by lobbying and bilateral meetings with the potential gas suppliers as Russia. The visit of Russian Gazprom in October 2010 in Macedonia indeed steered things up. Recent events have shown however that the building of South Stream can be even more complicated since also Turkey is a major actor. In fact Turkey has not agreed yet to the idea the gas pipeline to pass Turkey's territory, which could slow the project down<sup>67</sup>. One related subject of discussion is whether Macedonia will be only a branch line of the gas pipeline or a transit route supplying further Albania and Kosovo. The Macedonian Minister of Finance mentioned that the second option seems less likely<sup>68</sup> and this option also depends on Kosovo and Albania<sup>69</sup>. However, Macedonia has to utilize the Parliamentary groups for cooperation with Russia, Kosovo, Albania and Turkey and Government for nurturing good relations with these key countries. Although the decision to be a transit route its not for Macedonia to make, it is important emphasizing the benefit from the transit taxes which Macedonian will have for supplying Kosovo and Albania. Having in mind the fact that these two countries have no gas markets<sup>70</sup>, being a transit route is not an impossible solution and Macedonia should lobby for this position.

### 3. eTEN

Since 2008 the European Commission started assessing the candidate and potential candidate countries in the area of the telecommunication networks, abbreviated as eTEN. The telecommunications networks are connected with the participation in the Information and Communication Technologies Policy Support Programme (ICT PSP) of the Competitiveness and

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<sup>65</sup> The cost plus regulation principle means that the price should cover the costs and be cost-effective: Ministry of Economy of the Republic of Macedonia, *Strategija za razvoj na energetikata vo Republika Makedonija do 2030 godina*, (Skopje, 2010), p. 185.

<sup>66</sup> Ministry of Economy of the Republic of Macedonia, *Strategija za razvoj na energetikata vo Republika Makedonija do 2030 godina*, (Skopje, 2010), p.184, 185, 186, 192, 193.

<sup>67</sup> Internet page of Nova Makedonija/ On-line issue from 18.03.2011: <http://www.novamakedonija.com.mk/NewsDetal.asp?vest=31811931503&id=10&setIzdanie=22234> last accessed on 20.04.2011.

<sup>68</sup> Internet page of Kanal5/ On-line issue from 01.10.2010: <http://www.kanal5.com.mk/default.aspx?eventId=65443&mId=44&egId=14> last accessed on 20.04.2011.

<sup>69</sup> Internet page of the Ministry of Finance: <http://www.finance.gov.mk/node/1637> last accessed on 20.04.2011.

<sup>70</sup> Energy Community Secretariat, "Annual Report on the Implementation of the Acquis under the Treaty establishing the Energy Community", (2010), p.40, 103.

Innovation Framework Programme (CIP), which tends to contribute to a better environment for developing ICT based services and to help dealing with issues such as the lack of interoperability and market fragmentation.<sup>71</sup>

The first two years in this area Macedonia has achieved no progress<sup>72</sup> due to the fact that the country was not participating in the programme. In 2010 it has signed up to the information and communication technologies component of the CIP and on the basis of that was evaluated to have achieved some progress<sup>73</sup>. The Memorandum of Understanding on the Component for Information and Communication Technologies was scheduled to be enacted on the 31. March 2011<sup>74</sup> and is to be implemented by the Ministry of Economy<sup>75</sup>. The responsible Ministry has already planned in its Strategic Plan, which is complementary with the Work Programme of the Government of the Republic of Macedonia 2008-2012, the introduction of the information and communication technologies as one of the means of energy development with the aim of enabling economic growth, competition stimulation, increasing the employment rate, enhancing the living standard and the quality of life<sup>76</sup>. For the purpose of fulfilling the obligations as part of eTEN, the Ministry of Economy cooperates with the Ministry of Information Society and Administration, the Ministry of Transport and Communications and the Agency for Electronic Communications<sup>77</sup>.

This Information and Communication Technologies Policy Support Programme as an EU programme is being implemented by the EC, meaning that the EC drafts the annual work programme, publishes the calls for applications, evaluates the submitted projects etc. Macedonia will be part of this programme by signing the Memorandum and paying the entry ticket<sup>78</sup>. After becoming part of this programme, the Ministry of Economy and the Ministry of Information Society and Administration will be undertaking presentation activities for informing the wider

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<sup>71</sup> Internet page of the European Commission/ Competitiveness and Innovation Framework Programme: [http://ec.europa.eu/cip/ict-psp/index\\_en.htm](http://ec.europa.eu/cip/ict-psp/index_en.htm) last accessed on 03. 04. 2011.

<sup>72</sup> European Commission, *The former Yugoslav Republic of Macedonia 2008 Progress report accompanying the Communication from the Commission to the European Parliament and the Council Enlargement Strategy and Main Challenges 2008-2009*, COM (2008) 674, (Brussels, 2008), p.54; European Commission, *The former Yugoslav Republic of Macedonia 2009 Progress report accompanying the Communication from the Commission to the European Parliament and the Council Enlargement Strategy and Main Challenges 2009-2010*, COM (2009) 533, (Brussels, 2009), p.56.

<sup>73</sup> European Commission, *The former Yugoslav Republic of Macedonia 2010 Progress report accompanying the Communication from the Commission to the European Parliament and the Council Enlargement Strategy and Main Challenges 2010-2011*, COM (2010) 660, (Brussels, 2010), p.55.

<sup>74</sup> In the time of the preparation of this paper the discussion when to hold early parliamentary elections is taking place, which affects the respective institutions' envisaged activities.

<sup>75</sup> Internet page of the Secretariat for European Affairs, Government of the Republic of Macedonia/ NPAA: [http://npaa.sep.gov.mk/npaa/vNLpodredeni.aspx?x\\_Poglavje=21&z\\_Poglavje=%3d..&vNLpodredeni\\_psearchtyp\\_e=&vNLpodredeni\\_psearch=](http://npaa.sep.gov.mk/npaa/vNLpodredeni.aspx?x_Poglavje=21&z_Poglavje=%3d..&vNLpodredeni_psearchtyp_e=&vNLpodredeni_psearch=) last accessed on 01.04.2011.

<sup>76</sup> Ministry of Economy of the Republic of Macedonia, *Strateshki plan za rabota na Ministerstvoto za periodot 2010-2010 godina (tekstualen del)*, (2009), p.115.

<sup>77</sup> Ministry of Economy, obtained by the Law on free access to public information in March 2011.

<sup>78</sup> Entry ticket is an annual financial contribution for taking part in EU programmes.

public for the opportunities offered by it. This programme has the goal to stimulate innovative ICT services by the citizens, the governments and the private sector and especially by the small and medium enterprises. The focus is set on economies with low level of CO<sub>2</sub> and dealing with the aging societies. Among the ICT services there are ICT projects for health, aging, digital libraries, improvement of the public services, for EE etc<sup>79</sup>. After completing the obligations regarding the payment of the entry ticket by the Ministry of Economy, the Ministry in the field of information society will take over the obligations, a programme coordinator will be named and the programme will be presented to the wider public<sup>80</sup>.

It must be mentioned that Macedonia is joining this programme quite late. The programme has begun 2007 and will last until 2013. Croatia's Parliament has ratified the respective memorandum for participation of Croatia in 2008<sup>81</sup>. Despite a previously scheduled date for ratification of the Memorandum by the Macedonian Parliament, this has not been done yet<sup>82</sup>.

#### 4. Conclusions and recommendations

This policy report focused on presenting and assessing Macedonia's performance under chapter 21 – TEN-E and eTEN for 2010 with the overall aim of presenting recommendations and offering sustainable solutions for future better performance in the area. Due to the diversity of each of the two presented constituent parts of chapter 21, the conclusion and recommendations will be presented separately for each of the parts.

##### ❖ TEN-E

Macedonia has achieved a steady and continuous progress in implementing the TEN-E part of chapter 21, and therefore has to continue implementing its obligations under TEN-E. The presented analysis of both the electricity and gas networks has shown different situations: an approximately fully regionally integrated electricity network and a gas network which is at the beginning of its planning. Completing the energy infrastructure projects especially the gas network projects require lot of finances, strategic planning and continuous political will.

In order Macedonia to achieve further progress under chapter 21 TEN-E, this report recommends:

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<sup>79</sup> Ministry of Economy, obtained by the Law on free access to public information in March 2011.

<sup>80</sup> Government of the Republic of Macedonia, *Nacionalna programa za usvojuvanje na pravoto na Evropskata unija – revizija 2011*, (Skopje, 2010), p.243-245.

<sup>81</sup> European Commission, *Croatia 2008 Progress report accompanying the Communication from the Commission to the European Parliament and the Council Enlargement Strategy and Main Challenges 2008-2009, COM (2008) 674 final*, (Brussels, 2008), p.49.

<sup>82</sup> Internet page of the European Commission/ About ICT PSP: [http://ec.europa.eu/information\\_society/activities/ict\\_psp/about/who\\_can\\_participate/index\\_en.htm](http://ec.europa.eu/information_society/activities/ict_psp/about/who_can_participate/index_en.htm) last accessed on 04.04.2011; Internet page of the Secretariat for European Affairs, Government of the Republic of Macedonia / CIP (2008): <http://www.sep.gov.mk/default.aspx?ContentID=48> last accessed on 24.04.2011.

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| ✓ Continue to invest in and build the 400 kV electricity interconnections with the neighboring countries with priority to the planned interconnection with Albania;  |
| ✓ Continue the implementation of the Gas Ring concept in its territory;  |
| ✓ Focus both on development of the gas transmission and distribution network in the country;   |
| ✓ Establish a broad consensus among all relevant stakeholders especially among all political parties, the Government, the Parliament, the energy institutions and the Ministry of Transport and Communications for a long term investment in the establishment and the development of both the gas transmission and distribution network in Macedonia; |
| ✓ Continue investing in the TEN-E by utilizing state budget funds, public-private partnerships, concessions as well as loans from the IFIs;  |
| ✓ Nurture good relations to Russia, Turkey, Albania and Kosovo at governmental meetings and via the parliamentary group for cooperation with the respective countries and lobby for Macedonia to be a gas transit country connecting Albania and Kosovo to the South Stream;   |
| ✓ Improve the investment climate in the energy sector by introducing step by step cost-effective electricity price, improve the relations with the private sector (for example with Makpetrol) and allow more private sector involvement in the energy area especially in the gas market;  |
| ✓ The responsible court to pass the final judgment about the ownership dispute between Makpetrol and the Government;   |
| ✓ Complete the set of secondary legislation necessary for implementation of the new Energy law as the tariff system, the ownership issues, the grid regulations etc.   |

#### ❖ eTEN

Since this part of chapter 21 is new and is being tackled recently by the respective Macedonian institutions and the Memorandum implementing the eTEN is yet to follow, it can be concluded that Macedonia has to implement the envisaged activities after enactment of the Memorandum in an most efficient and effective way having in mind the belated decision to join the programme.

Some overall recommendations to the respective institutions for better progress under eTEN are:

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| ✓ The Parliament to ratify the Memorandum of Understanding on the Component for Information and Communication Technologies as soon as possible enabling the country to participate in this programme ICT PSP; |
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- ✓ **Inform the potential beneficiaries via information updates on the institutions' website responsible for their implementation plus on the websites of the Secretariat for European Affairs, the local administration units, the Economic Chamber of Macedonia, the Small Business Chamber, the Office for cooperation with the civil society at the General Secretariat of the Government, publish the information material, press-releases and present all of it at events.**

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# POLICY REPORT

## Energy and Infrastructure

“Scanning Macedonia’s performance under the European Commission’s Progress Report’s Chapter 21: A race with obstacles? – Part II”

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