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To the Federal Ministry for
Economy and Energy
Mr. Peter Altmaier, Federal Minister

To the Vice Chairmen of the Parliamentary
Groups
Hr. Dr. Carsten Linnemann, MdB,
Hr. Andreas Jung, MdB,
Hr. Dr. Matthias Miersch, MdB
Hr. Achim Post, MdB (Minden)



Queries to
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by mail to ministerbuero@bmwi.bund.de

Berlin, April 23th 2021

Open letter | **Local municipalities to participate financially in the revenues from open-space photovoltaic systems**

Dear Minister Peter Altmaier, Dear Deputy Chairmen of the Parliamentary Groups
Mr. Andreas Jung, Dr. Carsten Linnemann, Dr. Matthias Miersch, Mr. Achim Post,

Ground-mounted photovoltaic systems have become one of the most affordable forms of electricity generation in recent years. Costs continue to fall. The interest of the economy in the supply from large solar power plants is steadily increasing. At the same time, ground-mounted photovoltaic systems are needed on a large scale to meet energy and climate goals.

From the point of view of the undersigned companies, free-standing photovoltaic systems offer great economic opportunities in addition to the ecological benefits for municipalities and rural regions. It is very important to us that these opportunities can be exploited. The coalition agreement provides a good basis for this with the following statement:

"through a uniform federal regulation in the further expansion of renewable energies, the communities more strongly in the value creation of renewable energy plants and improve the opportunities for citizens to participate in projects, without that this leads to overall cost increases in RE expansion."

This gives municipalities more leeway for important investments, be it in kindergartens, schools or the fire department, or compensation for pandemic-related shortfalls.

In this context, we are currently only able to create effective financial benefits for municipalities to a very limited extent. The current design of the trade tax too often results in local municipalities going away empty-handed or receiving payments only very late. Voluntary payments to municipalities in turn run into legal problems. The current changes to trade tax apportionment do not solve the problem either.

The undersigned companies therefore call on policymakers to shape the legal framework in such a way that payments from that payments from ground-mounted photovoltaic systems may or must be made to municipalities in the future in a transparent and legally secure manner.

This is also not outlandish or completely new. After all, the newly created regulation of the EEG 2021 on municipal participation already provides for this for wind energy. For other renewable energies, the EEG 2021 issued a regulation authorization, which must now be implemented urgently. Because decisions on outdoor photovoltaic systems are now being made locally in the municipalities, municipal participation must be regulated promptly. A postponement until after the Bundestag elections would foreseeably result in attentism.

We would further like to point out that a good regulation must also be applicable to PPA plants built without subsidies and we explicitly do not want any financial compensation analogous to the regulation as it is granted for wind energy. The municipal participation should be financed from the projects. There would thus be no financial burden on the EEG account.

We therefore urgently request that you implement the coalition agreement directly in the EEG or by enacting the ordinance provided for in the EEG 2021 also with regard to photovoltaic free-range systems and thus enable revenue for communities where solar parks are located. This would also be a positive contribution to rural development. Without a clear and timely legal regulation, both politicians and local companies would have to explain why the communities where solar parks are located should not receive any revenue from them. This would hardly be presentable, especially since there is rightly an expectation there due to the factual situation described.

We rely on your personal support and will be happy to answer any questions you may have.

With best regards,

*ASG Engineering GmbH
Management*

*BayWar.e. renewable energy
GmbH
Benedikt Ortmann*

*EWS Elektrizitätswerke Schönau
Management*

*EnBW Solar GmbH
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*Energiekontor AG
Frederik Pertschy*

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This corporate initiative is supported by the Bundesverband Neue Energiewirtschaft e.V. (German Association of the New Energy Industry).

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