



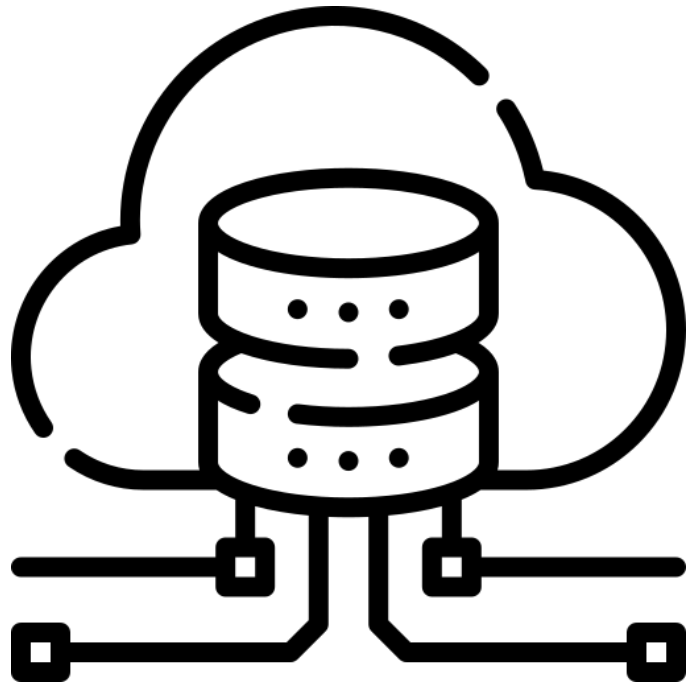
# Fit for 55

## Energy Efficiency Directive & Reporting scheme for data centres

*Nikolaos Kontinakis, European Commission, DG.ENER.B2  
CA EED plenary meeting, 21/03/2024*

# Article 12(1) on data centres

Owners and operators of data centres on EU territory with an installed IT power demand of at least 500kW to *make publicly available*:



Name of the data centre, owner and operators  
date of entry into operation and the municipality where  
the data centre is based



Floor area of data centre, installed power, annual  
incoming and outgoing data traffic, amount of data  
stored and processed

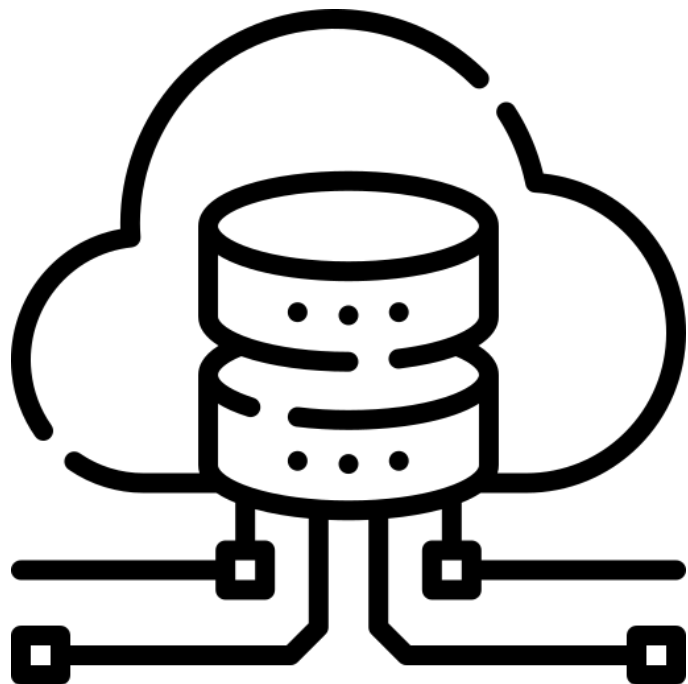


The performance of the data centre during the last full  
calendar year (energy consumption, power utilisation,  
temperature set points, waste heat utilisation, water  
usage and use of renewable energy)

(except information subject to national and EU laws protecting  
trade and business secrets and confidentiality)

# Delegated Act on data centres

Operators of data centres on EU territory with an installed IT power demand of at least 500kW to *communicate to the European database*:



Information in Annex I



Key performance indicator in Annex II

The Commission will:

- Calculate the data centre sustainability indicators of Annex III
- Make public only the data described in Annex IV

# Article 12(2)-12(4)

- Article 12(2)
  - It applies to *whole* data centres when they are *exclusively* used for defence or civil protection
  - In any case, no information about clients and their business will be reported, thus, data centres are treated as black boxes
- Article 12(4)
  - The provision is optional, but we encourage Member States to think of ways of possible application as the Code of Conduct is mentioned in the Taxonomy and could also be used for EED Article 7 (public procurement)

# Delegated Act on data centres – the present

- The Delegated Act was adopted on 14 March 2024
- There is a 2-month scrutiny period before its publication in the OJ
- *The Council and the Parliament could agree to shorten this period and allow for more time for the transposition*
- The European database is being developed for the first reporting in September

# Delegated Act on data centres – the Act

- Article 3
  - Direct obligation to data centre operators
  - A number of phase-in clauses to facilitate data centres adaptation
- Article 5
  - Clear rules on who accesses what data and what is visible to the public
  - Clear responsibility for Member States and the Commission to safeguard and keep confidential the reported data

# Delegated Act on data centres – Annexes

- Annex I
  - Some reporting requirements were removed compared to the last draft
- Annex II
  - Two indicators were removed compared to the last draft
  - Many definitions were corrected, changed, streamlined
- Annex IV
  - Better protection for sensitive data by requiring a minimum sample of 3 for certain presented data

# Delegated Act on data centres – expectations

- Member States need to transpose Article 12(1) and subsequently Annex VII
- In the next month(s) the Commission will work with Member States and data centre operators for the release of the database
- We understand that Member States will align the two reporting instances to include the same data and indicators
- Data centres should have everything in place to respect the 15/09/24 deadline



# Delegated Act on data centres – the future

- The Delegated Act is... *the first phase of the establishment of a common Union rating scheme for data centres*
- The Commission will prepare a report by May 2025 and, if necessary, propose ways forward:
  - Rating / labelling scheme
  - A proposal for minimum performance standards
  - (Changes to the reporting scheme)

Thank you!