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Business support mechanisms to combat rising energy prices - Updated March 6, 2023 - Special SME

To support companies affected by the rise in energy prices various aid schemes have been put in place. These aids and their modalities differ according to the size of the companies and the difficulties they encounter. In view of the changing situation, the State has once again amended its measures by the decrees n°2023-61 and n°2023-62.

The decrees n°2023-61 and 2023-62 have amended the already existing measures in terms of aid to companies to fight against the rise in energy prices, particularly concerning SMEs.

The electricity damper

What is it ?

The electricity damper is a scheme that introduces an increased unit aid ceiling from January 1, 2023 for companies that have signed higher energy contracts.

This ceiling is defined by an indicator, present on the invoices and estimates applied by the energy suppliers.

If the unit price is 350 €/MWh (0,35 0.35/kWh), the electricity damper allows about 20% of your total electricity bill. The aid is then integrated directly on your electricity bill.

The electricity buffer is to remain in effect for one year, until December 31, 2023.

Who can benefit ?

The conditions of eligibility are the following:

- Be an SME with less than 250 employees
- A turnover of less than 50 M€ or a balance sheet of less than 43 M€,
- Not be eligible for the tariff shield
- The electric meter used is of a power higher than 36 kVA

These criteria are assessed within the meaning of Annex I of Regulation No 651/2014 of 17 June 2014.

The FAQ, in its Answer No. 2 updated to February 6, 2023 states that "A company belonging to the SME category or having an equivalent size, which is a subsidiary of a group of companies whose size also belongs to the SME category, can complete the attestation by checking the box dedicated to the SME category"

How to benefit from it ?

The only step is to complete and send to the electricity supplier , a certificate of eligibility for the scheme which is available at the following address : legifrance.gouv.fr.

The payment assistance of gas and electricity bills

What is it ?

It is an aid whose objective is to mitigate the effects of the energy crisis , to support the competitiveness of companies and to avoid production stoppages at the sites that consume the most gas and electricity particularly those providing essential production.

Who can benefit ?

As of January 1, 2023, it is possible to apply for assistance at the Electricity and and gas bills help, if despite the benefit of the electricity damper, a SME still meets the following eligibility criteria:

- Energy expenses represent 3 % of the company's revenues in 2021 after taking into account the electricity damper. For example, if the company applies for assistance for the period of September/October 2022, its energy expenses over that period must represent more than 3% of its September/October 2021 revenue.
- The electricity bill, before the reduction received via the electricity damper, must have increased by more than 50% compared to the average price paid in 2021.

What are the limits for this assistance?

There is a total annual amount cap and a unit price cap.

Concerning the ceiling in annual amount

The aid received for the electricity buffer cannot exceed €2 million for the year 2023 for all consumers, except for local authorities and their groupings. For the latter, there is no ceiling.

Concerning the ceiling in unit price

On the 50% of the electricity volume covered by the buffer, the amount of buffer paid may not exceed 320 €/MWh (i.e. 0.32 €/kWh), the ceiling aid. In concrete terms, this means that the amount of the buffer paid becomes constant when the average electricity price exceeds a ceiling of €500/MWh (€0.5/kWh).

The unit amount of aid, which will be proportional to the total volumes of electricity consumed, will therefore be equal to at least 0.5 * (average cost of energy in the contract - 180 €/MWh, i.e. 0.18 €/kWh) and 160 €/MWh (i.e. 0.16 €/kWh)

How to benefit from it ?

To apply for this assistance, you must complete a simplified file including :

- The energy bills for the period in question and the bills for 2021,
- The bank details of the company (RIB),
- The aid calculation file available on the tax website, at the following address : impots.gouv.fr/aide-gaz-electricite
- A declaration on your honor attesting that your company meets the conditions and the accuracy of the information available at the following address legifrance.gouv.fr.

The deferred payment of taxes and social security contributions

What is it ?

Prime Minister Elisabeth Borne indicated , on January 4, that SMEs could ask for the deferred payment of their taxes and social contributions to protect their cash flow.

These deferrals do not apply to VAT, Miscellaneous taxes and the repayment of the withholding tax.

Concerning social security contributions, the request to URSSAF can be made for current contributions and on a rescheduling of the current Covid payment plan.

How to benefit from it ?

This one-time measure requires the company wishing to benefit from it request to the relevant services (SIE and/or URSSAF depending on the nature of the requested deferral).

Spread the payment of energy bills

What is it ?

Energy suppliers have agreed to offer payment facilities to SMEs that have cash flow difficulties.

Energy suppliers can offer to spread the first bills of 2023 over several months.

This measure is possible for the moment until the summer.

How to benefit from it ?

To benefit from it, the company must contact its energy supplier.

Recourse in case of disputes

When the dialogue with the energy supplier has broken down, it is possible to call upon a mediator in order to find a solution acceptable to both parties: for SMEs, the National Energy Ombudsman can be reached at the following address : economie.gouv.fr/mediateur-des-entreprises



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CONTACT

Anne-Gaelle Gérard // Partner
Mail : Ag.gerard@crowe-rsa.fr

RSA 11-13 avenue de Friedland, 75008 Paris
+33(0)1 53 83 90 00 - www.crowe-rsa.fr

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