

Brussels, 18 February 2026

Dear President von der Leyen,
Dear Executive Vice-President Ribera,
Dear Executive Vice-President Séjourné,
Dear Commissioner Jørgensen,
Dear Commissioner Hoekstra,

2025 marked an important milestone for EU hydrogen policy: with the entry into force of the Delegated Regulation (EU) 2025/2359 ('Low-Carbon fuel Delegated Act'), the EU hydrogen regulatory framework, which has been in the making for several years, is now complete. The completion of this framework provides much needed regulatory certainty to producers, offtakers and investors, and it is considered crucial for a successful market rollout.

We are writing to express our concerns about recent calls from some industrial and political stakeholders to bring forward the review of the requirements on additionality, and temporal and geographical correlation ahead of the foreseen 2028 deadline. In this context, we urge the European Commission to refrain from reopening or accelerating the review of these requirements before that date.

From the outset, including in the [2020 European Hydrogen Strategy](#), priority has rightly been given to renewable hydrogen, as it delivers the highest climate benefits. The rules set out in the Delegated Regulation (EU) 2023/1184 ('RFNBO Delegated Act') for the production of renewable hydrogen, also referred to as RFNBO hydrogen, establish essential guardrails in this regard by ensuring that the production of hydrogen and hydrogen-based fuels do not jeopardise the decarbonisation of the electricity grid. This is achieved by preventing renewable electricity from being diverted from the grid and avoiding increased fossil generation ([Zeyen et al., 2024](#)).

Renewable hydrogen and e-fuel projects are being developed in regions where additional electricity demand places significant strain on already constrained grids, while grid expansion timelines remain long and difficult to synchronise with rapid project deployment. Given that electrolyzers can introduce very large loads, the additionality requirement is essential to ensure hydrogen production delivers genuine system-wide greenhouse gas reductions rather than exacerbating grid constraints.

These RFNBO rules form part of a wider framework encompassing a range of financial and non-financial incentives intended to facilitate green hydrogen market development.

The claim that RFNBO rules slow hydrogen rollout is unproven and overlooks the largest cost drivers, which are not linked to the current rules. While there should be openness to implementing necessary changes after a solid evaluation, this evaluation has not yet happened. As noted by the European Court of Auditors in [their report](#), estimates of the cost impacts vary widely and are highly sensitive to modeling choices and underlying assumptions. Claims that current RFNBO rules are primarily responsible for a slower than expected market rollout therefore warrant careful scrutiny and should currently not be taken as a sufficient basis for revising the regulatory framework.

Importantly, the relevance of other, potentially more significant, cost drivers affecting the renewable hydrogen market should be assessed, including high electricity prices, electrolyser

capital costs, network tariffs, infrastructure and permitting constraints, and regulatory stability for investment decisions.

An early revision would adversely affect early adopters and undermine legal certainty.

Policy certainty has been repeatedly identified by [companies](#) and [partner countries](#) alike as a prerequisite for investment. Experience with the prolonged adoption of the RFNBO Delegated Act back in 2023, as well as the slow transposition of the REDIII targets demonstrated how delays in the policymaking process can erode the trust and investment appetite of market participants, potentially delaying Final Investment Decisions (FIDs) and raising the cost of capital for genuinely green projects. Reopening the RFNBO Delegated Act would materially increase legal uncertainty for projects already planned or financed under the current rules, and may raise issues under the EU principles of legal certainty and protection of legitimate expectations, consistently upheld in EU jurisprudence. It could also distort national policies and State aid measures already in place or under development.

We therefore call on the European Commission to adhere to a strict evidence-based policymaking approach, as the only way to limit uncertainty and strike an appropriate balance between environmental integrity and market considerations. We understand that an ongoing study is collecting evidence to assess the effectiveness of the RFNBO rules and identify possible barriers to the upscaling of renewable hydrogen in the EU. The findings of this study should provide the much-needed empirical basis for any future review of the legislation.

In this context, we urge the European Commission to refrain from reopening the RFNBO Delegated Act until the study is concluded and unless robust evidence challenging the current requirements is made available.

Next steps should be guided by the following considerations:

1. The Delegated Act must remain focused on its core objective: **defining a methodology for RFNBOs production in the EU and setting out robust requirements to safeguard genuine climate benefits.**
2. The RFNBO rules, adopted within the EU's 2030 climate and energy framework, will influence the production of renewable hydrogen well beyond 2030. **Policymakers must take a long-term perspective to ensure the Delegated Act delivers its objectives and provides long-term policy certainty.**
3. Any amendment to the Delegated Act should be envisaged only where **robust empirical evidence from independent sources demonstrates a clear contribution to market rollout, without adverse effects on its environmental integrity.** At the same time, other relevant cost drivers with equivalent potential impacts should be addressed.
4. If amendments are deemed necessary, they **must ensure that early movers, who have already acted to comply with existing rules and deliver high environmental integrity projects, are not placed at a competitive disadvantage.** Any consideration of using more flexible requirements, such as extending the transitional period or keeping the monthly correlation over a longer period of time, should be accompanied by a thorough assessment of alternative measures that could achieve the same objectives, without weakening the core safeguards of the framework.

We remain committed to supporting a stable, credible, and effective regulatory framework that enables the development of a hydrogen market that simultaneously advances EU climate and competitiveness goals and reinforces the EU's credibility as a global standard-setter for sustainable hydrogen.

Yours sincerely,

Bellona Europa
CAN Europe
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Germanwatch
Norsk e-fuel
SkyNRG
Transport & Environment
Verso Energy

