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**ACER OPINION n° 03/2011**

**ON THE ENTSO-E WORK PROGRAMME FOR 2011 THROUGH  
DECEMBER 2012**

THE AGENCY FOR THE COOPERATION OF ENERGY REGULATORS,

HAVING REGARD to Regulation (EC) No 713/2009 of the European Parliament and of the Council of 13 July 2009, establishing a European Agency for the Cooperation of Energy Regulators (hereafter referred to as the "ACER Regulation" and "Agency"), and, in particular, Articles 6(3)(b), 15(1) and 17(3) thereof;

HAVING REGARD to Regulation (EC) No 714/2009 of the European Parliament and of the Council of 13 July 2009, on conditions for access to the network for cross-border exchanges in electricity (hereafter referred to as "Regulation 714/2009), and, in particular, Articles 8(3)(d), 8(5) and 9(2) thereof;

WHEREAS the European Network of Transmission System Operators for Electricity (hereafter referred to as "ENTSO-E") submitted on 6 October 2011 the draft annual work programme, including the information regarding the consultation process, to the Agency for its opinion;

WHEREAS, pursuant to Articles 6(3)(b) of the ACER Regulation and Article 9(2) of Regulation 714/2009, the Agency has to provide an opinion on the draft annual work programme, taking into account the objectives of non-discrimination, effective competition and the efficient and secure functioning of the internal electricity market;

WHEREAS the draft annual work programme is consistent with ENTSO-E tasks, as described in Article (8) of Regulation 714/2009, the 2012 work programme of the Agency and the joint Commission/ACER/ENTSOs three-year plan;

WHEREAS the draft annual work programme is ambitious and its priorities are in line with the targets for the Internal Energy Market;

WHEREAS the Board of Regulators gave its favourable opinion on 1 December 2011;

HAS ADOPTED a favourable Opinion on the ENTSO-E Work Programme for 2011 through December 2012, with the following comments and guidance:


1. With respect to the four cross-regional roadmaps aiming to implement the target models for capacity allocation and congestion management (hereafter referred to as "CACM") across Europe by 2014, the Agency draws ENTSO-E's attention to the

work load this process will imply. As highlighted by ENTSO-E, these cross-regional roadmaps shall constitute an important tool in the market integration process complementing the CACM network codes under preparation. The continued support and involvement of the transmission system operators, under the tight coordination of ENTSO-E, in this parallel process will be instrumental to the completion of the Internal Electricity Market by 2014.

2. The Agency welcomes, supports and encourages ENTSO-E's intention to improve the involvement of stakeholders in the processes of drafting the network codes and developing the Ten Year Development Plan (hereafter referred to as "TYNDP") and notes that appropriate practices shall be adopted for this purpose. Furthermore, the Agency encourages ENTSO-E to involve distribution system operators in the process of drafting the network codes, in particular, for the network codes that address their role as a network operator. As the network codes are developed, ENTSO-E should raise any critical issues with the Agency and the European Commission at an early stage.
3. With respect to the issues of impact assessment and cost-benefit analysis<sup>1</sup>, the Agency encourages ENTSO-E to develop the relevant knowledge base (by collecting data and information from the transmission system operators) with the aim of establishing a transparent and common reference for the stakeholders. The Agency acknowledges the difficulties and the considerable work load of this task.
4. With respect to the Energy Infrastructure Package, the Agency notes that ENTSO-E is expected to play a key role. Although, according to the Proposal on guidelines for trans-European energy infrastructure and repealing Decision No.1364/2006/EC, the deliverables are expected in 2013, most of the work load will have to be carried out in 2012. These deliverables include in particular the TYNDP and its interaction with PCI identification, and the development of the harmonised cost-benefit analysis methodology. Therefore, ENTSO-E's capability to respond to upcoming challenges by reallocating resources and priorities will be critical.

Done at Ljubljana on 2 December 2011.

For the Agency:

  
Alberto Pototschnig  
Director

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<sup>1</sup> The Framework Guidelines on Electricity Grid Connections require from ENTSO-E that "where the minimum standards and requirements, introduced by the network code(s), deviate significantly from the current standards and requirements, there should be a cost-benefit analysis performed by ENTSO-E that justifies this deviation and demonstrates additional benefits from requiring the higher standard."



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