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**OPINION OF THE AGENCY FOR THE COOPERATION OF ENERGY
REGULATORS No 02/2016**

of 17 March 2016

ON THE ENTSO-E NETWORK OPERATION TOOLS REPORT

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 an Agency for the Cooperation of Energy Regulators¹, and, in particular, Articles 6(3)(b) 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 and repealing Regulation (EC) No 1228/2003², and, in particular, Article 8(3)(a) and Article 9(2) thereof,

HAVING REGARD to the favourable opinion of the Agency's Board of Regulators of 16 March 2016, delivered pursuant to Article 15(1) of Regulation (EC) No 713/2009,

WHEREAS:

- (1) On 15 May 2015, the European Network of Transmission System Operators for Electricity ('ENTSO-E') submitted the Common Network Operation Tools Report to ensure coordination of network operation in normal and emergency conditions ('the ENTSO-E Network Operation Tools Report'), adopted pursuant to Article 8(3)(a) of Regulation (EC) 714/2009, to the Agency for the Cooperation of Energy Regulators ('the Agency') for its opinion. The ENTSO-E Network Operation Tools Report outlines the specifications pursuant to Article 8(3)(i)-(iv) ('the specifications').
- (2) Pursuant to Article 8(3)(a) of Regulation (EC) 714/2009, as amended by Regulation (EU) No 347/2013 of the European Parliament and of the Council³, the Agency shall, within 12 months from the adoption of the specifications, issue an opinion, in which it considers whether the specifications sufficiently contribute to the promotion of cross-border trade and to the optimal management, coordinated operation, efficient use and sound technical evolution of the European electricity transmission network.

¹ OJ L 211, 14.8.2009, p. 1.

² OJ L 211, 14.8.2009, p.15.

³ Regulation (EU) No 347/2013 of the European Parliament and of the Council of 17 April 2013 on guidelines for trans-European energy infrastructure and repealing Decision No 1364/2006/EC and amending Regulations (EC) No 713/2009, (EC) No 714/2009 and (EC) No 715/2009 (OJ L 115, 25.4.2013, p. 39).

- (3) The specifications relate to the methodology and the process for building the common grid model. They are therefore strongly linked to the guidelines, developed pursuant to Article 18(3) of Regulation (EC) 714/2009, on transmission system operation and on forward capacity allocation which have yet to be adopted ('the draft Guidelines on transmission system operation and on forward capacity allocation'), as well as to Commission Regulation (EU) 2015/1222⁴. Consequently, for this Opinion, the Agency also considered the requirements in Commission Regulation (EU) 2015/1222 and the four opinions and the four recommendations which it issued with regards to the draft Guidelines on transmission system operation and on forward capacity allocation.

HAS ADOPTED THIS OPINION:

The Agency considers that the reported specifications may sufficiently contribute to the promotion of cross-border trade and to ensuring the optimal management, coordinated operation, efficient use and sound technical evolution of the European electricity transmission network.

According to the ENTSO-E Network Operation Tools Report, to date, only the specifications referred to in Article 8(3)(a)(ii)⁵ and (iv)⁶ of Regulation (EC) 714/2009 are in place. The specifications referred to in Article 8(3)(a)(i)⁷ and (iii)⁸ of Regulation (EC) 714/2009 are still being developed in the framework of a project entitled the Common Grid Model ('CGM') programme and may be significantly impacted by the forthcoming implementation of the Guidelines developed pursuant to Article 18(3) of Regulation (EC) 714/2009. For instance, the generation and load data provisions methodology, as well as the CGM, as specified in Articles 16(1) and 17(1) of Commission Regulation (EU) 2015/1222, which shall be submitted for approval to the competent regulatory authorities by 15 June 2016, will impact the input information for improving operational coordination and the optimal frequency for the collection and sharing of such information, pursuant to Article 8(3)(a)(i) of Regulation (EC) 714/2009. As such, it will impact the way in which transmission system operators make operational information available pursuant to Article 8(3)(a)(iii) of Regulation (EC) 714/2009.

⁴ Commission Regulation (EU) 2015/1222 of 24 July 2015 establishing a Guideline on capacity allocation and congestion management (OJ L197, 25.7.2015, p. 24).

⁵ *'the technological platform for the exchange of information in real time and where appropriate, the technological platforms for the collection, processing and transmission of the other information referred to in point (i), as well as for the implementation of the procedures capable of increasing operational coordination between transmission system operators with a view to such coordination becoming Union-wide'*.

⁶ *'that transmission system operators designate a contact point in charge of answering inquiries from other transmission system operators or from any entity duly mandated as referred to in point (iii), or from the Agency concerning such information'*.

⁷ *'the information, including appropriate day ahead, intra-day and real-time information, useful for improving operational coordination, as well as the optimal frequency for the collection and sharing of such information'*.

⁸ *'how transmission system operators make available the operational information to other transmission system operators or any entity duly mandated to support them to achieve operational coordination, and to the Agency'*.

Therefore, the Agency:

1. reserves the right to issue a further opinion on the specifications following:
 - the adoption of Union legislation concerning transmission system operation and forward capacity allocation;
 - the approval by all regulatory authorities of the proposal for generation and load data provision methodology and the proposal for the CGM methodology, pursuant to Articles 16(1) and 17(1) of Commission Regulation (EU) 2015/1222; and
2. requests ENTSO-E to:
 - re-submit the adopted ENTSO-E Network Operation Tools Report and in particular, the specifications pursuant to Article 8(3)(a)(i) and (iii) of Regulation (EC) 714/2009, following the implementation of the approved generation and load data provisions methodology and CGM methodology under Commission Regulation (EU) 2015/1222;
 - publish on their website an update on the progress of the CGM programme, including specific planning and implementation milestones.

Done at Ljubljana on 17 March 2016.

For the Agency:


Alberto Pototschnig
Director



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