

Karlsruhe, 23 January 2015

**EnBW view on the ACER and ENTSO-E consultation document on the role of stakeholders in the implementation of network codes and related guidelines**

ACER and ENTSO-E have initiated a public consultation, with the object of finding the best way to involve stakeholders in the process of implementing the network codes. In addition to the present involvement of the stakeholders, ACER and ENTSO-E are considering creating three permanent European Stakeholder Committees, one per family of codes (Market codes, Operational codes and Connection codes).

EnBW welcomes the effort to establish the European Network Code Stakeholder Committees. This would give us as a stakeholder a good possibility to attend the further introduction of the network codes in a positive way.

We would like to thank you for the opportunity to contribute in this consultation process, and draw attention to the following concerns that we have on the process.

The fact that ENTSO-E will chair the Connection and Operational codes Stakeholder Committees will not be sensible. Only the European Commission or at least ACER is entitled to chair the committees.

In our point of view ENTSO-E has the same status and competence than all other stakeholders and should not be favored in this process.

Not until then an objective and equal discussion is possible and leads to non-discriminating results. Otherwise it would lead to the same suboptimal processes and results as in the development of the current network codes. Here, too, a stakeholder (namely ENTSO-E) has lead the process.

Furthermore, the goal of minimizing double reporting is not met by different institutions (ACER and ENTSO-E) chairing the committees.

We also consider that the selection of the members is not clear. In particular, it raises the question whether it is a mere association committee without other participants (e.g. companies). Moreover, it is not clear if the attendees are chosen by the chairing organization or it is voluntary to join.

As a utility it is essential to us to have our industry association VGB known as a participant of at least the Connection and Operational codes committees.

We remain at your disposal to discuss any of the raised issues in greater detail.

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