



The definition of capacity calculation regions

Consultation document

**PC_2016_E_02
22 June 2016**

This consultation document is issued to invite comments with regard to the common proposal for capacity calculation regions which all TSOs have jointly developed pursuant to Article 15(1) of Commission Regulation (EU) 2015/1222 of 24 July 2015 establishing a Guideline on Capacity Allocation and Congestion Management.

The consultation document lists five questions, by which the Agency seeks comments on particular issues as well as general comments.

All interested stakeholders are invited to send their comments by:

20 July 2016, 23.59 hrs (CET)

to the following address: consultation2016E02@acer.europa.eu

To allow identification of the responses, stakeholders are asked to include at the top of their submission the following: name, company, address, contact email, phone and country.

The Agency will make public the number of responses received, the names of the respondents (except those with a valid reason for not having their identity disclosed), and all non-confidential responses. Stakeholders should indicate clearly in their response any part they consider as confidential and do not wish to be publicly disclosed. A standard confidentiality statement in an email message will not be treated as a confidentiality claim for the relevant response. In case of confidentiality, a non-confidential version of the answer should also be submitted. Stakeholders should also consider that confidential answers will be used in a limited way.

The Agency will consult the NRAs and the TSOs concerned pursuant to Article 8(1) of Regulation (EC) No 713/2009 separately.

Related documents

- 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 Regulators;
<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2009:211:0001:0014:EN:PDF>
- 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;
<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2009:211:0015:0035:EN:PDF>
- Commission Regulation (EU) 2015/1222 of 24 July 2015 establishing a Guideline on Capacity Allocation and Congestion Management;
http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L_.2015.197.01.0024.01.ENG
- All TSOs' proposal for Capacity Calculation Regions (CCRs) in accordance with Article 15(1) of the Commission Regulation (EU) 2015/1222;
https://www.entsoe.eu/Documents/Network%20codes%20documents/Implementation/ccr/15_1103_CCRs%20Proposal_approved_updated_clean_and_final_for_submission.pdf
- Explanatory document to all TSOs' proposal for Capacity Calculation Regions (CCRs);
https://www.entsoe.eu/Documents/Network%20codes%20documents/Implementation/ccr/15_1103_CCRs_explanatory_document_approved_final_and_clean_for_submission.pdf
- Memorandum of Understanding on the development of a common CWE and CEE CCR's day-ahead flow-based capacity calculation methodology and the merger of the CEE and CWE CCR;
[https://www.entsoe.eu/Documents/MC%20documents/20160215_MoU_CWE_CEE%20TSOs%20\(final%20version%20signed\).pdf](https://www.entsoe.eu/Documents/MC%20documents/20160215_MoU_CWE_CEE%20TSOs%20(final%20version%20signed).pdf)

1 Background

Article 15(1) of Regulation (EU) 2015/1222 ('CACM Regulation') requires that all TSOs jointly develop a common proposal regarding the determination of capacity calculation regions ('CCRs') and that this proposal is subject to consultation in accordance with Article 12 of the CACM Regulation. This proposal must then be submitted, within three months after the entry into force of the CACM Regulation, to all national regulatory authorities ('NRAs') for approval and to the Agency for information, pursuant to Article 9(6)(b) and (9) of the CACM Regulation, respectively.

With regard to these requirements, TSOs published an 'All TSOs' draft proposal for Capacity Calculation Regions' on 24 August 2015 ('draft CCRs Proposal') for public consultation. Following the public consultation, which lasted from 24 August until 25 September 2015, the TSOs updated the draft CCRs Proposal.

On 13 November 2015, the TSOs submitted an 'All TSOs' proposal for Capacity Calculation Regions (CCRs) in accordance with Article 15(1) of the Commission Regulation (EU) 2015/1222 of 24 July 2015 establishing a Guideline on Capacity Allocation and Congestion Management' dated 29 October 2015 ('CCRs Proposal'), to all NRAs and to the Agency. The CCRs Proposal was accompanied by an Explanatory document. The last NRA received the CCRs Proposal on 17 November 2015.

On 3 March 2016, the TSOs of the Central Western Europe (CWE) and Central Eastern Europe (CEE) regions signed a 'Memorandum of Understanding on the development of a common CWE and CEE CCR's day-ahead flow-based capacity calculation methodology and the merger of the CEE and CWE CCR' ('MoU').

On 17 May 2016, the Agency has been informed by the NRAs that NRAs, despite their best endeavours, could not reach a unanimous decision on the CCRs Proposal and that therefore, in accordance with Article 9(11) of the CACM Regulation, the Agency should adopt a decision concerning this Proposal within six months, in accordance with Article 8(1) of Regulation (EC) No 713/2009.

2 Subject of consultation

In order to take an informed decision on the CCRs Proposal, the Agency invites interested stakeholders to express their views on the elements of the CCRs Proposal, which were introduced after the public consultation held by ENTSO-E from 24 August to 25 September 2015. These elements are:

- the inclusion, in the CEE region, of the bidding zone borders between Croatia and Slovenia, between Croatia and Hungary, and between Romania and Hungary from the beginning (Article 8(1)(j), (k), (l) of the CCRs Proposal) and of a bidding zone border between Germany/Luxembourg and Austria (Article 8(1)(n) of the CCRs Proposal);

- the commitment from the CWE and the CEE TSOs to cooperate towards a merger of those two CCRs, on the basis of existing solutions on the flow-based day-ahead and intraday capacity calculation methodology (Article 9 of the CCRs Proposal);
- the description of the geographical evolution of the CCRs over time (see Annex 3 of the Explanatory document to the CCRs Proposal).

Since its submission, the CCRs Proposal has been complemented by the MoU of 3 March 2016. This MoU indicates the willingness of all TSOs from the CWE and CEE regions to develop a common flow-based capacity calculation methodology for the day-ahead timeframe within the deadline provided for in the CACM Regulation and to implement it at the latest by Q1 of 2019.

3 Consultation questions

The Agency invites interested stakeholders to express their views on the five questions below and to provide reasons for their comments. When doing so, stakeholders are asked to take into account that, according to the Agency, the CCRs Proposal should be compliant with the requirements of the CACM Regulation, as well as of Regulation (EC) No 714/2009 and, in particular, point 3.1 of its Annex I.

1. Do you consider both the commitment from the CWE and the CEE TSOs to cooperate towards a merger of the CWE and CEE CCRs and the MoU signed on 3 March 2016 as sufficient to ensure that the CWE and CEE regions will develop and implement a common congestion management procedure compliant with the requirements of the CACM Regulation, as well as of Regulation (EC) No 714/2009? Or should the definition of the CCRs provide for a CCR already merging the proposed CWE and CEE regions to ensure compliance with the required common congestion management procedure?
2. Do you have comments on the description of the geographical evolution of the CCRs over time, as proposed by all TSOs in Annex 3 to the Explanatory document to the CCRs Proposal?
3. Should the CEE region (or a merged region) include the bidding zone borders between Croatia and Slovenia, between Croatia and Hungary, and between Romania and Hungary?
4. Should the CEE region (or a merged region) include a bidding zone border between Germany/Luxembourg and Austria?
5. Do you have comments on any other new element or development concerning the CCRs Proposal which occurred after the public consultation held by ENTSO-E from 24 August to 24 September 2015?