

**DECISION No 01/2019**  
**OF THE AGENCY FOR THE COOPERATION OF**  
**ENERGY REGULATORS**

**of 24 January 2019**

**ESTABLISHING A SINGLE METHODOLOGY FOR PRICING INTRADAY CROSS-  
ZONAL CAPACITY**

THE AGENCY FOR THE COOPERATION OF ENERGY REGULATORS,

Having regard to the Treaty on the Functioning of the European Union,

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 Regulators<sup>1</sup>, and, in particular, Article 8(1) thereof,

Having regard to Commission Regulation (EU) 2015/1222 of 24 July 2015 establishing a guideline on capacity allocation and congestion management<sup>2</sup>, and, in particular, Article 9(11) thereof,

Having regard to the outcome of the consultation with the concerned regulatory authorities and transmission system operators,

Having regard to the favourable opinion of the Board of Regulators of 23 January 2019, delivered pursuant to Article 15(1) of Regulation (EC) No 713/2009,

Whereas:

**1. INTRODUCTION**

- (1) Commission Regulation (EU) 2015/1222 of 24 July 2015 establishing a guideline on capacity allocation and congestion management (the ‘CACM Regulation’) laid down a range of requirements for cross-zonal capacity allocation and congestion management in the day-ahead and intraday markets in electricity. Chapter 6 of the CACM Regulation

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<sup>1</sup> OJ L211, 14.8.2009, p. 1.

<sup>2</sup> OJ L 197, 25.7.2015, p. 24.

specifies requirements for the single intraday coupling ('SIDC'), including a single methodology for pricing intraday cross-zonal capacity ('IDCZCP').

- (2) Pursuant to Articles 9(1), 9(6)(j) and 55(3) of the CACM Regulation, transmission system operators ('TSOs') are responsible for proposing the IDCZCP methodology. The proposal for the IDCZCP methodology shall be subject to consultation in accordance with Article 12 of the CACM Regulation and all TSOs shall submit it to all regulatory authorities for approval. Then, according to Article 9(10) of the CACM Regulation, the regulatory authorities receiving the proposal for the IDCZCP methodology should reach an agreement and take a decision on that proposal, in principle, within six months after the receipt of the proposal by the last regulatory authority. Where all regulatory authorities are not able to reach an agreement, or upon their joint request, the Agency becomes responsible for adopting a decision concerning the all TSOs' proposal.
- (3) The present Decision of the Agency follows from the regulatory authorities' joint request that the Agency adopts a decision on the proposal for the IDCZCP methodology, which the TSOs submitted to the regulatory authorities for approval. Annex I to this Decision sets out the IDCZCP methodology, as decided by the Agency, pursuant to Article 55(3) of the CACM Regulation.

## **2. PROCEDURE**

### **2.1. Proceedings before regulatory authorities**

- (4) On 11 April 2017, the European Network of Transmission System Operators for Electricity, representing all TSOs responsible under Article 55(3) of the CACM Regulation, launched a public consultation<sup>3</sup> on the proposal for the IDCZCP methodology, accompanied by an explanatory document. On 19 April 2017, a 'Stakeholder workshop on the CZIDCP proposal' took place and enabled interested stakeholders and various organisations impacted by the IDCZCPs to raise questions and ask TSOs for clarifications. The consultation was closed on 12 May 2017.
- (5) By 28 August 2017, all regulatory authorities received from all TSOs the 'All TSOs' proposal for the single methodology for pricing intraday cross-zonal capacity in accordance with Article 55 of Commission Regulation (EU) 2015/1222 of 24 July 2015 establishing a guideline on capacity allocation and congestion management', dated 10 August 2017 (the 'Proposal').

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<sup>3</sup> <https://consultations.entsoe.eu/markets/czidcp/>

- (6) In a letter dated 5 February 2018, the chair of the Energy Regulators' Forum ('ERF')<sup>4</sup> submitted, on behalf of all regulatory authorities, a joint request to grant a six-month extension for the regulatory authorities' decision-making on the Proposal, in accordance with Article 8(1) of Regulation (EC) No 713/2009.
- (7) The Agency's decision No 02/2018 of 23 February 2018 granted the six-month extension, thus giving the regulatory authorities the time to decide on the Proposal until 23 August 2018.

## 2.2. Proceedings before the Agency

- (8) In a letter dated 23 July 2018 and received by the Agency on 24 July 2018, the Chair of the ERF, on behalf of all regulatory authorities, informed the Agency that they jointly agreed to request the Agency to adopt a decision on the Proposal pursuant to Article 9(12) of the CACM Regulation. The letter was accompanied by a document titled 'Non-paper of all regulatory authorities agreed at the Energy Regulators' Forum'<sup>5</sup> and dated 23 July 2018, which presented in more detail the regulatory authorities' positions.
- (9) According to the letter, the main reasons why the regulatory authorities were not able to reach a unanimous position on the Proposal were related to the number of the intraday capacity pricing auctions ('IDAs'), their timings and the necessity to recalculate cross-zonal capacity before each IDA. Particularly, some regulatory authorities were in favour of having up to three IDAs, while others would prefer only one. One regulatory authority expressed concerns that the design chosen by all TSOs for pricing capacity (i.e. the IDAs) could not be compatible with the target model for intraday market coupling, which under the CACM Regulation would be continuous trading.
- (10) Moreover, the letter presented several points on which all regulatory authorities could reach consensus and which were in detail explained in the accompanying 'Non-paper'. The points of agreement were: (i) every time the cross-zonal capacities are recalculated, they should be priced first in an IDA; (ii) each IDA should always enable auctioning of all remaining market time units of the delivery day D; (iii) the length of the interruption of continuous trading should be justified by all TSOs; (iv) relevant algorithm and products should be chosen in order to minimise the interruption (intraday products are already set out and approved under Article 53 of the CACM Regulation); (v) TSOs should present the envisaged cost implications connected to the introduction of IDAs and should enable the flow-based capacity calculation within the IDA procedure; and (vi)

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<sup>4</sup> The regulatory authorities' platform to consult and cooperate for reaching a unanimous agreement on NEMO's and TSOs' proposals.

<sup>5</sup> <https://www.ceer.eu/documents/104400/-/-/f8706c75-77fc-2e0c-d91d-cb2c442ad07c>

TSOs should enable all bidding zone borders and Member States not currently participating in the SIDC via XBID<sup>6</sup> to participate in the IDAs.

- (11) On 10 October 2018, the Agency launched a public consultation on the Proposal, inviting all market participants to submit their comments by 30 October 2018. The consultation document asked stakeholders to provide views on topics which were deemed the most relevant for them: (i) the connection between the IDAs and the recalculation of cross-zonal capacities; (ii) the number of auctions to be performed during D-1 and the delivery day D and whether the number should increase in the future; and (iii) the maximum length of the interruptions of continuous trading. The summary and the evaluation of the responses received are presented in Annex II to this Decision.
- (12) Moreover, the Agency closely cooperated with all NEMOs, all regulatory authorities and all TSOs and further consulted on the amendments to the proposed methodology during numerous teleconferences and meetings and through written exchanges. In particular, the following procedural steps were taken:
- (i) 7 November 2018: Discussion with regulatory authorities during the CACM Task Force meeting<sup>7</sup>;
  - (ii) 13 November 2018: Teleconference with all regulatory authorities, the European Commission, all NEMOs and all TSOs;
  - (iii) 20 November 2018: Teleconference with all regulatory authorities, all NEMOs and all TSOs;
  - (iv) 26 November 2018: Dissemination of proposed amendments to the algorithm methodology to all regulatory authorities, all NEMOs and all TSOs;
  - (v) 3 December 2018: Teleconference with all regulatory authorities, all NEMOs and all TSOs;
  - (vi) 10 December 2018: Dissemination of proposed amendments to the algorithm methodology to all regulatory authorities, all NEMOs and all TSOs;
  - (vii) 18 December 2018: Discussion with regulatory authorities during the CACM Task Force meeting.

### **3. THE AGENCY'S COMPETENCE TO DECIDE ON THE PROPOSAL**

- (13) Pursuant to Article 9(11) of the CACM Regulation, where the regulatory authorities have not been able to reach an agreement or upon their joint request, the Agency shall adopt a

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<sup>6</sup> XBID is a single intraday coupling IT solution, which enables continuous cross-border trading across Europe.

<sup>7</sup> The Agency's and regulatory authorities' platform for discussing issues connected to the CACM Regulation.

decision concerning the submitted terms and conditions or methodologies within six months, in accordance with Article 8(1) of Regulation (EC) No 713/2009.

- (14) According to the letter of the Chair of the Energy Regulators' Forum dated 23 July 2018 and received by the Agency the next day, all regulatory authorities agreed jointly to request the Agency to adopt a decision on the Proposal pursuant to Article 9(12) of the CACM Regulation.
- (15) As regards the regulatory authorities' reference to an Agency's decision pursuant to Article 9(12) of the CACM Regulation, it is to note that this provision refers to an Agency's decision in a situation where the regulatory authorities requested the TSOs to amend their proposal and the TSOs submitted an amended proposal. In the present case, there is, however, no such situation as the regulatory authorities did not request any amendments from the TSOs, nor did the TSOs submit the Proposal in an amended form. By contrast, the Agency's decision-making competence in the event of the regulatory authorities' disagreement or joint request under Article 9(11) of the CACM Regulation does not refer to a proposal which, following a request by the regulatory authorities, has been amended by the TSOs. Accordingly, the Agency considers that, given the substance of the regulatory authorities' request and the fact that no amendment of the Proposal was requested by the regulatory authorities and therefore proposed by the TSOs, its decision on the Proposal should be based on Article 9(11) of the CACM Regulation.
- (16) Therefore, under the provisions of Article 9(11) of the CACM Regulation, the Agency became responsible to adopt a decision concerning the submitted Proposal by the referral received on 24 July 2018.

#### **4. SUMMARY OF THE PROPOSAL**

- (17) The Proposal includes the following elements:
- (i) A 'Whereas' section;
  - (ii) Articles 1 and 2 concerning general provisions, the scope of application and the definitions;
  - (iii) Articles 3 to 6 concerning provisions on the intraday cross-zonal capacity pricing methodology, timings of intraday auctions and regional settings; and
  - (iv) Articles 7 to 8 concerning provisions on publication, implementation timeline and language.

#### **5. ASSESSMENT OF THE PROPOSAL**

##### **5.1. Legal framework**



- (18) Article 9(6)(j) of the CACM Regulation requires that the all TSOs' intraday capacity pricing methodology developed in accordance with Article 55(1) be approved by all regulatory authorities.
- (19) Article 9(9) of the CACM Regulation requires that a proposal for terms and conditions or methodologies include a proposed timescale for their implementation and a description of their expected impact on the objectives of this Regulation.
- (20) According to Article 55(1) of the CACM Regulation, the single methodology for pricing intraday cross-zonal capacity developed in accordance with Article 55(3) thereof, once applied, shall reflect market congestion and shall be based on actual orders.
- (21) According to Article 55(2) of the CACM Regulation, prior to the approval of the single methodology for pricing intraday cross-zonal capacity set out in paragraph 3 of the same article, TSOs may propose an intraday cross-zonal capacity allocation mechanism with reliable pricing consistent with the requirements of paragraph 1 of the same article for approval by the regulatory authorities of the relevant Member States. This mechanism shall ensure that the price of intraday cross-zonal capacity is available to the market participants at the time of matching the orders.
- (22) According to Article 55(3) of the CACM Regulation, by 24 months after the entry into force of the CACM Regulation, all TSOs shall develop a proposal for a single methodology for pricing intraday cross-zonal capacity. The proposal shall be subject to consultation in accordance with Article 12 of the CACM Regulation.
- (23) According to Article 55(4) of the CACM Regulation, no charges, such as imbalance fees or additional fees, shall be applied to intraday cross-zonal capacity except for the pricing in accordance with paragraphs 1, 2 and 3 of the same article.

## **5.2. Requirements of Articles 9 and 55 of the CACM Regulation**

- (24) The Proposal fulfils the requirements of Article 9(6)(j) and Articles 55(2) and (3) of the CACM Regulation concerning the development of the Proposal, because all TSOs developed the Proposal by 24 months after the entry into force of the CACM Regulation and consulted on it in accordance with Article 12 of the CACM Regulation.
- (25) The Proposal partly fulfils the criteria of Article 9(9) of the CACM Regulation. On the one hand, the Proposal describes in detail the proposed implementation timescale in its Article 7 and, in that respect, complies with the requirements of Article 9(9) of the CACM Regulation; see Section 2.1 above. On the other hand, the description of the expected impact on the objectives of the CACM Regulation is not sufficient, as explained in more detail in section 5.3 below. In that regard, the Proposal fails to comply with the requirements of Article 9(9) of the CACM Regulation.
- (26) The Proposal fulfils the requirements of Article 55(1) of the CACM Regulation because the proposed methodology reflects market congestion and is based on actual orders.

- (27) The Proposal fulfils the requirements of Article 55(4) of the CACM Regulation, because no charges or additional fees are applied to intraday cross-zonal capacity except for the pricing in accordance with Articles 55(1) to (3) of the CACM Regulation.

### **5.3. Expected impact on the objectives of the CACM Regulation**

- (28) Recitals (7) to (11) of the Proposal describe the expected impact of the proposed methodology on the objectives of the CACM Regulation. They explicitly mention the objectives referred to in Article (3)(a), (b), (e), (g), (h) and (j) of the CACM Regulation. However, the Proposal fails to explain how exactly the proposed methodology impacts the objectives referred to in Article 3(e) and (j) of the CACM Regulation. Furthermore, the impact on the objectives referred to in Article (3)(c), (d), (f) and (i) of the CACM Regulation is missing.
- (29) Therefore, the Agency has amended the Proposal by adding a description of the expected impact of the IDCZCP methodology on the objectives referred to in Article (3)(c), (d), (f) and (i) of the CACM Regulation, and by clarifying and more precisely describing the expected impact on the objectives referred to in Article (3)(e) and (j) of the CACM Regulation.

### **5.4. Specific issues of the IDCZCP methodology**

#### **5.4.1. Recitals**

- (30) The ‘Whereas’ section contains 11 recitals, which describe the general aim of the Proposal, including the expected impact of the proposed methodology on the objectives of the CACM Regulation.
- (31) The Agency deleted the third paragraph of recital 5 of the Proposal because it provides a definition of the market time, which is already set by the CACM Regulation.
- (32) The Agency amended recitals 7 to 10 of the Proposal to complete the information regarding the expected impact of the Proposal on the objectives of the CACM Regulation (as already indicated in Section 5.3 above).
- (33) The Agency added a recital explaining the procedure for amending the already approved terms and conditions or methodologies given the impact that the adoption of the IDCZCP methodology should or could have on those terms and conditions or methodologies.
- (34) In the Agency’s view, such an impact is to be expected particularly for the ‘Methodology for the price coupling algorithm and for the continuous trading matching algorithm, also incorporating TSOs’ and NEMOs’ proposals for a common set of requirements’ (the ‘algorithm methodology’), which will have to be amended in order to take into account the updated TSOs’ common set of requirements for an efficient capacity allocation in the intraday timeframe. Although the CACM Regulation does not explicitly specify the governance of such an amendment process, the Agency considers that the same

procedure as for the initial proposal, set out by Article 37 of the CACM Regulation, should be followed. This means that all TSOs need to amend the common set of requirements for an efficient capacity allocation referred to in Article 37(1)(a) of the CACM Regulation and that all NEMOs need to amend the common set of requirements for efficient matching, based on the TSOs' input, in accordance with Article 37(1)(b) of the CACM Regulation. Then, all NEMOs should incorporate those updated requirements and submit an amended proposal for the algorithm methodology for the approval of all regulatory authorities. In this proposal, all NEMOs should also propose the timeline for implementation of intraday auctions and, if relevant, the conditions for their implementation.

#### 5.4.2. Subject matter and scope

- (35) Article 1 of the Proposal defines the scope of the IDCZCP methodology and states that any relations of the IDCZCP methodology with Articles 20, 63 and 73 of the CACM Regulation are out of the scope of the methodology.
- (36) The Agency deleted the provision of Article 1 that the intraday trading within a bidding zone is outside the scope of the IDCZCP methodology, as the IDCZCP methodology allows for both internal and cross-zonal trading. Furthermore, the Agency deems it important not to exclude intra-zonal trading from the scope of this methodology in order to ensure meeting the objective of Article 3(h) of the CACM Regulation, i.e. respecting the need for a fair and orderly market and fair and orderly price formation, and to limit the impact of IDAs on the continuous SIDC, as explained in paragraph (45) below.

#### 5.4.3. Definitions and interpretation

- (37) Article 2 of the Proposal provides a general interpretation and understanding of the Proposal's terminology and sets out two definitions: the first auction hour and the intraday auction.
- (38) The Agency added two more definitions in Article 2 to provide clarity on the scope of the SIDC. These two definitions clarify that there is only one SIDC, which consists of two parts: (i) the continuous trading and (ii) the IDAs.
- (39) Moreover, the Agency amended the definition of the first auction hour and renamed it into 'first auction MTU' with an explanation that 'MTU' stands for market time unit. The reason for the amendment is that the products introduced for the SIDC should include different time frames than just one hour, e.g. 15 or 30 minutes.

#### 5.4.4. Change of structure of the Proposal

- (40) The original structure of the Proposal, containing the specific issues of the IDCZCP methodology, consisted of four articles: (i) Article 3, on fundamentals of cross-zonal intraday capacity pricing methodology; (ii) Article 4, on specifics of cross-zonal intraday



capacity pricing methodology; (iii) Article 5, on timing specification of the IDAs and of continuous trading; and (iv) Article 6, on regional cross-zonal intraday capacity pricing.

- (41) To improve readability, causality and succession of the text, the Agency amended partly the structure of the Proposal. The new structure consists of three articles, i.e. Articles 3 to 5 on the IDCZCP methodology as set out in Annex I to this Decision: (i) Article 3, on fundamentals of intraday cross-zonal capacity pricing; (ii) Article 4, on design of the IDAs; and (iii) Article 5, on timing of the IDAs. Article 6 of the Proposal has been deleted for the reasons explained below in Section 5.4.8.

#### 5.4.5. Fundamentals of cross-zonal intraday capacity pricing methodology

- (42) Article 3 of the Proposal determines the main features and principles of the IDCZCP methodology based on the principles of the CACM Regulation and also takes into account general issues concerning possible double allocation of capacities in the continuous trading and the IDAs and the back-up procedures in case the IDA failed.
- (43) The Agency deleted paragraph 3 of Article 3, which specifies that the IDAs shall be facilitated by NEMOs. As the Decision on the IDCZCP methodology is addressed to all TSOs, the Agency cannot impose specific obligations on NEMOs within the present IDCZCP methodology. Nevertheless, the Agency understands that once all TSOs update the common set of requirements for an efficient capacity allocation as referred to in Article 37(1)(a) of the CACM Regulation, the NEMOs' obligation to develop, implement and operate intraday auctions is implicit and automatic as explained in recital 14 of the IDCZCP methodology as set out in Annex I to this Decision.
- (44) The Agency relocated and rephrased paragraphs 6 to 10 of Article 3, as their content is more appropriate for the new title of Article 4 of the IDCZCP methodology as set out in Annex I to this Decision: 'Design of the IDAs'. The redrafting of paragraph 6 carries one substantial difference because it has been combined with paragraph 4 of Article 6 of the Proposal on the ground that both provisions attempt to prevent double (simultaneous) allocation of capacities to the continuous trading and to an IDA.
- (45) For this purpose, the cross-zonal trade and cross-zonal capacity allocation within the continuous SIDC has to be temporarily suspended and during this suspension all the available cross-zonal capacity has to be allocated through the IDA. Nevertheless, the Agency considers important, in order to limit the impact of the IDAs on the continuous SIDC and to facilitate NEMOs' competition, that, during the running of the IDAs, intra-zonal trade within the continuous SIDC is maintained at least in those bidding zones where more than one NEMO operates.

#### 5.4.6. Specifics of cross-zonal intraday capacity pricing methodology

- (46) Article 4 of the Proposal determines the specific issues of the IDCZCP, e.g. which hours should be traded in the IDAs.

- (47) The Agency merged paragraphs 1 and 2 of Article 4 with paragraphs 1 and 2 of Article 5 of the Proposal and placed them in Article 5 of the IDCZCP methodology as set out in Annex I to this Decision: ‘Timing of the IDAs’, because both of these provisions are closely related and provide more concise and better understanding of the timing of the IDAs when being linked.
- (48) To provide clarity and to keep consistency of the content of the text, the Agency slightly rephrased paragraphs 3 and 4 of Article 4 of the Proposal and moved them to Article 4 of the IDCZCP methodology as set out in Annex I to this Decision: ‘Design of the IDAs’.
- (49) The Agency deleted paragraph 5 of Article 4 of the Proposal about the automatic transfer of bids from the auction SIDC into the continuous SIDC, because such service can be optionally provided by NEMOs, if market participants request it.

5.4.7. Timing specifications for the IDAs and continuous trading

- (50) Article 5 of the Proposal determines the time when the IDA should take place.
- (51) The Agency added two more IDAs. One to be held in the day D-1 with a deadline for bid submission at 15:00 market time and one on the delivery day D with a deadline for bid submission at 10:00 market time.
- (52) The Agency acknowledges the different points of view and interests of the NEMOs, TSOs and market participants and the difficulty to integrate the IDAs in a fully functional and operational continuous SIDC, as well as the uncertainties concerning the availability of cross-zonal capacities both at the intraday gate opening time and at the different points of capacity re-calculation after the day-ahead timeframe. However, with regard to the objective to promote an effective competition pursuant to Article 3(a) of the CACM Regulation and to optimise the allocation of cross-zonal capacity pursuant to Article 3(d) of the CACM Regulation, the Agency deems it important to establish a longer-term vision and policy on the development of the SIDC, the interaction between intraday auctions and continuous SIDC, as well as the underlying timeframes for intraday capacity re-calculation. In that respect, the Agency provides for the pricing of the intraday capacity at least at three different moments: (i) at the intraday cross-zonal gate-opening time (i.e. 15:00 D-1) using the cross-zonal capacity remaining from the day-ahead timeframe to take advantage of shared order books and more efficient cross-zonal capacity allocation through an auction; moreover, such intraday capacity would remain unpriced, (ii) at 22:00 D-1, when the first intraday capacity re-calculation is – at least as a first step - expected to be finished and (iii) at 10:00 of the delivery day when the second intraday capacity re-calculation is – at least as a first step - expected to be finished. Such a solution provides a clear policy and targets for both the intraday auctions as well as for the intraday capacity re-calculation. While the latter is generally out of scope of this methodology, the clarity on the number of auctions and their timing provides a clear harmonisation signal for intraday capacity re-calculations within the different capacity calculation regions; the absence of such signal could lead to completely non-harmonised

timings of the intraday capacity re-calculations and possibly also of the intraday auctions. Nevertheless, such an ambitious long-term target necessitates to provide some flexibility to the concerned parties in the (most likely progressive) implementation of each of those IDAs. Consequently, a dedicated implementation timeline for each of those IDAs and, if deemed necessary, the conditions for their implementation (e.g. in relation to the offered cross-zonal capacity) will have to be developed in the framework of the amended algorithm methodology.

- (53) The Agency moved the provision of paragraph 2 of Article 5 of the Proposal to Article 4 of the IDCZCP methodology as set out in Annex I to this Decision: ‘Design of the IDAs’ to provide consistency of the content of the article.

5.4.8. Regional cross-zonal intraday capacity pricing

- (54) Article 6 of the Proposal sets out special rules and exceptions for some regions.
- (55) The Agency deleted Article 6 of the Proposal as it proposes exceptions for some of the capacity calculation regions, although the IDCZCP methodology is, based on Article 9(6)(j) of the CACM Regulation, subject to approval by all regulatory authorities and as such constitutes an EU-wide methodology, which sets out equal and non-discriminatory rules for all TSOs and does not allow for regional exceptions. Only paragraph 4 of this Article 6 was integrated into paragraph 4 of Article 4 of the IDCZCP methodology as set out in Annex I to this Decision, as already explained in Section 5.4.5 above.

5.4.9. Publication and implementation

- (56) Article 7 of the Proposal sets out its publication and implementation provisions.
- (57) For a better readability of the document, the Agency split Article 7 into two parts: one determining solely the publication (Article 7 of the IDCZCP methodology as set out in Annex I to this Decision) and one setting out the implementation timeline (Article 6 of the IDCZCP methodology as set out in Annex I to this Decision).
- (58) The content of the publication part of the article remained unchanged, but the Agency needed to change the wording to ensure the enforceability of its Decision.
- (59) The implementation timeline was deleted and redrafted by the Agency, as in the Agency’s view there is no legal basis for obliging, in the framework of the present IDCZCP methodology, the NEMOs to amend any other terms and conditions or methodologies developed by them under the CACM Regulation.
- (60) Therefore, the Agency retained only the TSOs’ obligation to update and complement the common set of requirements for efficient capacity allocation in accordance with Article 37(1)(a) of the CACM Regulation, to enable the development of the algorithm for the IDAs and to provide those requirements to all NEMOs. Moreover, the Agency sets out a general requirement that the IDAs should be implemented by amending and

complementing the methodologies related to the development of the SIDC, i.e. the algorithm methodology.

- (61) Nevertheless, the Agency addressed the expected NEMOs' role in the needed amendments of already approved terms and conditions or methodologies (i.e. the algorithm methodology and if necessary the products that can be taken into account in the single intraday coupling) in the recitals of the present IDCZCP methodology as set out in Annex I to this Decision, as already indicated in Section 5.4.1.

#### **5.5. Assessment of other points of the Proposal**

- (62) The Agency has introduced also several editorial amendments. The most significant one relates to the transformation of the document into a format which enables its enforceability. Further, the wording and ordering of some chapters has been changed in order to improve readability and clarity.

#### **6. CONCLUSION**

- (63) For all the above reasons, the Agency considers the Proposal in line with the requirements of the CACM Regulation, provided that the amendments described in this Decision are integrated in the Proposal, as set out in Annex I to this Decision.
- (64) Therefore, the Agency approves the Proposal subject to the necessary amendments and editorial amendments. To provide clarity, Annex I to this Decision sets out the Proposal as amended and approved by the Agency,



**HAS ADOPTED THIS DECISION:**

*Article 1*

The methodology for pricing intraday cross-zonal capacity, developed pursuant to Article 55 of Regulation (EU) 2015/1222, is adopted as set out in Annex I to this Decision.

*Article 2*

This Decision is addressed to:

50Hertz Transmission GmbH,  
Amprion GmbH,  
AS Augstsprieguma tīkls,  
Austrian Power Grid AG,  
BritNed Development Limited (NL),  
BritNed Development Limited (UK),  
C.N.T.E.E. Transelectrica S.A.,  
ČEPS a.s.,  
Creos Luxembourg S.A.,  
EirGrid Interconnector DAC,  
EirGrid plc,  
Elektroenergien Systemen Operator EAD,  
Elering AS,  
ELES, d.o.o.,  
Elia System Operator SA,  
Elia System Operator NV/SA,  
Energinet.dk,  
Fingrid Oyj,  
HOPS d.o.o., Hrvatski operator prijenosnog sustava,  
Independent Power Transmission Operator S.A.,  
Kraftnät Åland Ab,  
Litgrid AB,  
MAVIR ZRt,  
Moyle Interconnector Limited,  
National Grid Electricity Interconnector Limited,  
National Grid Electricity Transmission plc,  
Nemo Link Limited,  
Polskie Sieci Elektroenergetyczne,  
Red Eléctrica de España S.A.,

Rede Eléctrica Nacional, S.A.,  
Réseau de Transport d'Electricité,  
Slovenská elektrizačná prenosová sústava, a.s.,  
Statnett,  
Svenska kraftnät,  
System Operator for Northern Ireland Ltd,  
TenneT TSO B.V.,  
TenneT TSO GmbH,  
Terna Rete Elettrica Nazionale S.p.A.,  
TransnetBW GmbH and  
VÜEN-Vorarlberger Übertragungsnetz GmbH.

Done at Ljubljana on 24 January 2019.

*For the Agency  
Director ad interim*

  
Alberto POTOTSCHNIG

Annexes:

Annex I – Methodology for pricing intraday cross-zonal capacity

Annex Ia - Methodology for pricing intraday cross-zonal capacity (track-change version, for information only)

Annex II – Evaluation of responses to the public consultation on the proposal for pricing intraday cross-zonal capacity

*In accordance with Article 19 of Regulation (EC) No 713/2009, the addressees may appeal against this Decision by filing an appeal, together with the statement of grounds, in writing at the Board of Appeal of the Agency within two months of the day of notification of this Decision.*