

# COUPRY

## Annex III

Summary of notice of appeal

Op alle rechtsbetrekkingen met Coupry BV, gevestigd te Den Haag, met KvK 67442293, Is Nederlands recht en zijn de algemene voorwaarden van Coupry BV van toepassing, die onder meer een beperking van aansprakelijkheid en een aanwijzing van de bevoegde rechter bevatten. De algemene voorwaarden zijn te raadplegen op <http://www.coupry.nl/nl/algemene-voorwaarden>.

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# COUPRY

## Summary of Appeal

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Date: 24 maart 2020 Our reference: 15533  
Subject: Summary Appeal against Decision No. 01/2020  
According article 8 paragraph 3 of Decision BoA No1-2011 Your reference:

### ***Name, address of the appellant***

Energie-Nederland: Lange Houtstraat 2, (2511) CW The Hague, the Netherlands

### ***Related disputed decision***

Decision No. 01/2020 on the methodology to determine prices for the balancing energy that results from the activation of balancing energy bids

### ***Particulars of the remedy sought by the appellant***

- Energie-Nederland asks the Board of Appeal to remit the Decision to the competent body of ACER taking into account everything Energie-Nederland has argued in its notice of appeal. Energie-Nederland especially asks to take into account to set the aFRR MTU to ISP at 15 minutes like the MTU in Articles 4 and 5 and in line with the several European Regulations as mentioned above.

### ***Summary of the principal grounds relied on***

- Violation of the general principles and goals of several European Regulations as effective competition, transparency, well-functioning wholesale markets, stimulation of optimisation between the highest overall efficiency and lowest total costs for all parties involved and accessibility of all kind of market parties;
- Violation of several European principles as proportionality, subsidiarity and non-discrimination.