**IV. ANNOUNCEMENT OF APPEAL**

**Case:** A-008-2021

**Appellant:** vp Energieportfolio UG (haftungsbeschränkt)

**Appeal received on:**

**Subject matter:** REMIT fees for RRM B00039142.DE - DEBIT note 4440210106 - objection

**Keywords:** REMIT fees

**Contested decision**

**Number:** DEBIT note 4440210106

**Language of the case:** English

**Remedy sought by the Appellant (including procedural requests)**

The Appellant requests the Board of Appeal to:
- nullify DEBIT note 4440210106 in its entirety

The Appellant includes the following procedural requests:

**Pleas in law and main arguments**

The contested decision was adopted on 28.01.2021

The Appellant contests the Agency’s decision. The Appellant’s claims and arguments can be summarised as follows:

The COMMISSION DECISION (EU) 2020/2152 of 17 December 2020

1. is not based on the Treaty on the Functioning of the European Union,
2. is not based on Article 32(2) of Regulation (EU) 2019/942 of the European Parliament and of the Council of 5 June 2019,
3. is subject to erroneous discretion.

Therefore DEBIT note 4440210106 being an individual decision of ACER is invalid.

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1 Announcement published in accordance with Article 9 of Decision BoA No1-2011 Laying down the rules of organisation and procedure of the Board of Appeal of the Agency for the Cooperation of the Energy Regulators.
Further information

More information on the appeal procedure can be found on the ‘Appeals’ section of the Agency’s website: