

Public consultation on ACER's Framework Guidelines on the joint scenarios for electricity and gas network development plans ("Scenarios Guidelines")

Fields marked with * are mandatory.

Introduction

This consultation of the European Union Agency for the Cooperation of Energy Regulators ('ACER') is addressed to all interested stakeholders.

The purpose of this survey is to collect specific and concrete views from the public on the draft Scenarios Guidelines and inform ACER's decision-making process for adopting the Guidelines by 24 January 2023.

The draft Guidelines are available [here](#). The consultation questions directly refer to this document. Replies to this consultation should be submitted by Monday **14 November 2022, 23:59 hrs (CET)**

Data Protection and Confidentiality

ACER will process personal data of the respondents in accordance with [Regulation \(EU\) 2018/1725](#), taking into account that this processing is necessary for performing ACER's consultation tasks.

More information on data protection is available on [ACER's website](#).

ACER will not publish personal data.

Following this consultation, ACER will make public:

- the number of responses received;
- organisation names, except those with a valid reason for not having their organisation name disclosed;
- all non-confidential responses;
- and ACER's evaluation of responses.

You may request that (1) the name of the organisation you are representing and/or (2) information provided in your response is treated as confidential. To this aim, you need to explicitly indicate whether your answers contain confidential information, and also provide a valid reason if you want that the name of your

organisation remains confidential.

You will be asked these questions at the end of the survey.

1. Respondent's Data

* 1. Name and surname

* 2. Email

* 3. Organisation

* 4. Country of your organisation

- [xx] - All EU Member States
- AT - Austria
- BE - Belgium
- BG - Bulgaria
- HR - Croatia
- CY - Cyprus
- CZ - Czechia
- DK - Denmark
- EE - Estonia
- FI - Finland
- FR - France
- DE - Germany
- GR - Greece
- HU - Hungary
- IE - Ireland
- IT - Italy
- LV - Latvia
- LT - Lithuania
- LU - Luxembourg
- MT - Malta
- NL - Netherlands
- [xx] - Other
- PL - Poland
- PT - Portugal
- RO - Romania
- SK - Slovak Republic
- SI - Slovenia

ES - Spain
SE - Sweden

* 6. Activity

Transmission System Operator (or association)
Distribution System Operator (or association)
Other market participant
End-user (or association)
Energy supplier (or association)
Generator (or association)
Utility (or association)
Civil society organisation
Other

Confirmation

I accept that ACER processes my data in line with its data protection rules

2. Consultation questions

To help the Agency understand your concrete and specific input, we recommend that you connect your feedback as much as possible to the recital numbers in the draft Guidelines.

8. Please write here your specific and concrete feedback on the criteria proposed to ensure a timely scenario preparation process (Section 2 of the draft Guidelines).

Avoiding delays in the very strict, two-year timetables of the TYNDP processes have been difficult at times, given the complexity of the tasks and the additional rounds of scrutiny by the European Commission and ACER. In our opinion, involving additional stakeholders (such as the Stakeholder Reference Group to be set up) may lead to further delays in the schedule of the process.

9. Please write here your specific and concrete feedback on the proposed criteria to ensure robust objective-driven scenario development (Section 3 of the draft Guidelines).

Ensuring the dual goals of stability and agility of the energy sector as specified in the draft Framework Guideline document is a very delicate task of the rapidly changing energy sectors. If the scenarios, pathways and regulatory framework that infrastructure operators have to follow are too rigid, there won't be sufficient 'agility' to adapt to vis maior events – as we have seen with the war in Ukraine and COVID-19. On the other hand, if the EU policy framework is too flexible (just in recent years going from the European Green Deal to Fit for 55 to REPowerEU), and doesn't provide a stable framework, infrastructure operators will be unable and unwilling to invest in long-term energy security of supply projects. There must be a fine line between the sometimes-incompatible goals of the EU's long-term thinking and ad hoc system modifications.

10a. Please write here your specific and concrete feedback on the proposed criteria to ensure a transparent, inclusive and streamlined development process, focusing on the stakeholder engagement requirements (Section 4 of the draft Guidelines, recitals (42)-(48)).

We think that interested stakeholders already had sufficient opportunities to take part in the TYNDP processes as conducted by the ENTSOs, and, as such, fail to see the added value of the Stakeholder Reference Group (SRG). However, to get a clearer picture, we would like to see the exact list of members of the SRG group and estimates on the extra tasks and work to be done by the ENTSOs and their member TSOs as a result of the establishment of the SRG.

10b. Please write here your specific and concrete feedback on the proposed criteria to ensure a transparent, inclusive and streamlined development process, focusing on the information and publication requirements (Section 4 of the draft Guidelines, recitals (49)-(52)).

Similarly to the previous answer, we deem it important to see how does ACER estimate the extra tasks necessary to adhere to the tasks set by the Framework Guidelines. Could the new tasks necessitate new FTEs working at the ENTSOs?

11. Please write here your specific and concrete feedback on the process for ensuring independent scrutiny of inputs, assumptions and methodologies (Section 5 of the draft Guidelines).

In case differences of opinion arise between the ENTSOs and SRG, who will have the final say on a given point? What or who will supervise the work of the SRG? If the SRG is to be set up, such an organization would need to have much more detailed organizational and operational rules.

12. Please write here your specific and concrete feedback on the proposed quick-review process to enable updating a scenario in case key assumptions change (Section 6 of the draft Guidelines).

In our opinion the fact that in case of a quick-review process, a decision can be made in one month regarding the proposed changes, questions the other parts of the process. May other parts of the TYNDP process involving ACER and EC decisions also be shortened for quicker decision-making?

13. Please write here your specific and concrete feedback on the proposed compliance reporting (Section 7 of the draft Guidelines).

As both the SRG and ACER will assess the ENTSOs' scenarios against the criteria set in the Framework Guideline, we deem the compliance reporting to be further done by the ENTSOs time-consuming and superfluous.

14. Would you like to share anything else with us regarding the draft Scenarios Guidelines?

* 15. Your response would be published on the Agency's public consultation web page. Please confirm that:

- My response and name of my organisation can be published
- My response can be published without my organisation's name (You are asked to give a justification below)
- My response contains confidential information; a redacted version may be published (Please ensure you marked the specific text by preceding and closing it with [CONFIDENTIAL]. In addition, you are asked to give a justification below)

* 16. Please provide a justification for your request to treat specific information in your response as confidential

A large rectangular area of the form is completely redacted with a solid black fill, obscuring any text that might have been present.

Thank you!

Background Documents

[Scenarios Guidelines DRAFT](#)

Contact

[Contact Form](#)