

# ACER draft amendments to the Network Code on Demand Connection

Fields marked with \* are mandatory.

## Introduction

This consultation aims at presenting ACER's draft amendments to the **Commission Regulation (EU) 2016 /1388 of 17 August 2016 establishing a Network Code on Demand Connection ('NC DC')**.

For draft amendments concerning Network Code on Requirements for Generators ('NC RfG'), please go to the respective form: [NC RfG](#).

**Responses to this consultation should be submitted by 25 September 2023.**

## Background

Important developments in the policies of decarbonisation of the European Union (EU) energy and transport sectors have taken place since the inception of the development of the first European Grid Connection Network Codes (GC NCs) in 2012.

In the framework of the Grid Connection European Stakeholder Committee (GC ESC), the European Commission proposed for ACER to initiate the process towards the amendment of the existing GC NCs in September 2022. The amendment process, as presented to the GC ESC is outlined in the Figure below:



Following the scoping phase, ACER published the Policy Paper on the revision of the network code on requirements for grid connection of generators and the network code on demand connection in September 2022. The Policy Paper aimed to transparently indicate to stakeholders the key policy areas in which amendments were to be expected.

[Access the ACER Policy Paper on the revision of the NC RfG and NC DC.](#)

As a next step, ACER launched the Public Consultation to gather stakeholders' views and concrete amendment proposals regarding the GC NCs. The stakeholders could submit their inputs by 21 November 2022.

[Access the results of the Public Consultation on the amendments to the grid connection network codes.](#)

Additionally, in the preparation of the draft amendment proposals, ACER organised three dedicated public workshops, namely:

- [electromobility, power-to-gas demand units and heat-pumps](#) (held on 17 April 2023);
- [rate of change of frequency and grid forming capabilities](#) (held on 10 May 2023); and
- [electricity storage](#) (held on 11 May 2023).

After the evaluation of stakeholders' inputs, ACER has formulated its own proposal for the amendments of the GC NCs which is subject to this public consultation.

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## Stakeholder's details

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ACER is highly committed in processing personal data in a lawful way.

Find out more how we process your data: <https://www.acer.europa.eu/the-agency/about-acer/data-protection>

\* Name of the stakeholder:

EFAC

\* Contact person:

[REDACTED]

\* Contact person's email address:

[REDACTED]

\* Country of the stakeholder's headquarters or main country of operation:

Germany

\* Type of the stakeholder:

- ☐ Generator (including association)
- ☐ Consumer (including association)
- ☐ Transmission system operator (including association)
- ☐ Distribution system operator (including association)
- ☐ Manufacturers (including association)
- ☐ Academia/research institution
- ☐ Regulatory authority
- ☒ Other (please, elaborate)

Please, elaborate on your answer above, if necessary:

Certification Bodies

\* Do you consent to the publication of the stakeholder's name?

- ☒ Yes
- ☐ No

\* Do you consent to the publication of provided answers?

- ☒ Yes
- ☐ No (please, note that your answer, without your name and organization, may be shared with the EU institutions and national authorities)

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## Instructions

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Stakeholders are invited to submit their comments to the NC DC articles amended by ACER in three mandatory steps:

1. by downloading the ACER draft amendments in the Word file provided below. The file could also be accessed on the right panel of the consultation form under the Background Documents;
2. by commenting on the ACER's draft amendments through this online consultation form and adding their alternative text proposals to the table, if any; and
3. by uploading the alternative amendment proposals to the **entire NC DC** using the Track Changes mode in the ACER draft amendments file downloaded from Step 1.

Where the stakeholder does not have any comments regarding the amendments, the relevant cells in the consultation form can be left blank.

The mandatory steps for submitting the comments are listed below.

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Step 1

Please see ACER's draft amendments in the Word file provided below. The file could also be accessed on the right panel of the consultation form under the Background Documents.

[Download ACER draft amendments to the NC DC here](#)

Step 2

Kindly note that this consultation form follows the structure of the NC DC amended legal text provided by ACER in Step 1.

The paragraph numbering in the form reflects paragraph numbers in the amended legal text. Nevertheless, stakeholders can comment on the deleted paragraphs/articles/titles, which are marked as [deleted]. New articles and titles are marked as [new].

Please use this form to comment on ACER draft amendments and/or to provide an alternative text proposal. The instructions are the following:

Please write your comments on the ACER draft amendments and your alternative text proposals, if any, in the table below.

 Includes new articles

	Comment on the ACER draft amendments	Alternative text amendment proposal (if applicable)
Article 1	1	2
Article 3		
Article 4		
Article 4a [new]		
Article 5		
Article 6		
Article 7		
Article 8		
Article 9		
Article 10		
Article 11		
Article 12		

Please write your amendment proposals, if any, in the table below.

	Text amendment proposal (if applicable)
New article	

3

Please upload figures or tables if necessary

 The maximum file size is 1 MB

Select file to upload

4

1. Leave comments on the ACER draft amendment proposals.
  2. Propose (if any) alternative wording of the relevant provision, as you provided in the Word file.
  3. Provide (if any) your proposals for adding new provisions to the relevant section of the NC DC, as you provided in the Word file.
  4. Upload figures or tables if necessary; text inputs should be provided directly in the consultation form.
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### ***Step 3***

Where the stakeholder would like to propose an alternative amendment to the **entire NC DC**, please upload the Word file (**downloaded from Step 1**) containing all your alternative amendment proposals in the Track Changes mode to the next **FILE UPLOAD** section and rename it with your stakeholder's name ("ACER\_draft\_DC\_stakeholder\_name"). You can also upload your justification documents, where applicable.

To facilitate the process, please, make sure that the **alternative text proposals provided in this consultation form are consistent**, to the extent possible, **with those in the Word file** you are uploading, taking into account the character limitations of each cell (max 5000 characters).

## **FILE UPLOAD**

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Please upload your file here

The maximum file size is 1 MB

Only files of the type pdf,doc,docx,odt,txt,rtf are allowed

**e443dac9-322b-42eb-b9d9-3cf95848ab72/ACER\_draft\_DC\_EFAC.docx**

Please also upload any other document (i.e. **justifications**) below, if relevant.

Please upload your file

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Due to the significant length of this survey:

- you have the possibility to edit your answer after submission. When clicking on "Submit" button, you will be given a Contribution ID which you can then use to access your answers and edit them, if necessary.
- we kindly suggest that you download the entire survey as .pdf (link on the right), prepare your answers and then upload them at once in the EU Survey Tool, to avoid a session timeout on submission.

The maximum length of each cell is 5000 characters. This is the maximum technical limit set by the EUsurvey tool, which cannot be increased.

## Whereas Section

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Please write your comments on the ACER draft amendments and your alternative text proposals, if any, in the table below

Numbers in the first column correspond to the recitals of the amended version of NC DC Whereas section, including new recitals

	Comment on the ACER draft amendments	Alternative text amendment proposal (if applicable)
(1)		
(2)		
(3)		
(4)		
(5)		
(6)		
(7)		
(**)		
(8)		
(9)		
(10)		
(11)		
(12)		
(13)		
(14)		
(15)		
(16)		
(17)	Enhanced to motivate the proposed provisions on compliance schemes	Appropriate and proportionate compliance testing should be introduced so that system operators can ensure operational security. In accordance with Article 37(1)(b) of Directive 2009/72/EC, regulatory authorities are responsible for ensuring that system operators are compliant with this Regulation. .Setting up procedures for operational notification and compliance schemes including tests, simulations

		and the application of certificates will promote standardised grid connection and non-discriminatory access to the European market for manufacturers and project developers.
(18)		
(19)		
(20)		
(21)		
(22)		
(23)		
(24)		



Please write your amendment proposals, if any, in the table below

	Text amendment proposal (if applicable)
New recital	

## Definitions (Article 2)

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Please write your comments on the ACER draft amendments and your alternative text proposals, if any, in the table below

Includes new definitions

	Comment on the ACER draft amendments	Alternative text amendment proposal (if applicable)
Article 2(1)		
Article 2(2)		
Article 2(3)		
Article 2(4)		
Article 2(5)		
Article 2(6)		
Article 2(7)		
Article 2(8)		
Article 2(9)		
Article 2(10)		
Article 2(11)		
Article 2(12)		
Article 2(13)		
Article 2(14)		
Article 2(15)		
Article 2(16)		
Article 2(17)		
Article 2(18)		
Article 2(19)		
Article 2(20)		
Article 2(21)		
Article 2(22)		
Article 2(*)		
Article 2(**)		
Article 2(***)		



Please write your amendment proposals, if any, in the table below

	Text amendment proposal (if applicable)
New definition	

Please upload figures or tables if necessary

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## TITLE I - General provisions

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Please write your comments on the ACER draft amendments and your alternative text proposals, if any, in the table below

Includes new articles

	Comment on the ACER draft amendments	Alternative text amendment proposal (if applicable)
Article 1		
Article 3		
Article 4		
Article 4a [new]		
Article 5		
Article 6	<p>NEW paragraph 10 to set up a scheme for the provision of compliance schemes on national level – equivalent to the provisions on requirements of general application in paragraph (4). The missing provision of a time frame for the definition of compliance schemes in the RfG: 2016 has led to much uncertainty for project developers and manufacturers in the past 7 years, as schemes are still not available in many Member States by now.</p>	<p>[NEW paragraph 10] 10. The relevant system operator or TSO shall submit a proposal for a detailed compliance scheme updated including the use of equipment certificate, for approval by the designated entity within 18 months from the entry into force of this Regulation. The Member State may provide for a shorter time. In this case, the Member State shall communicate the shorter time period to the European Union Agency for the Cooperation of Energy Regulators (ACER). The RSO and TSO shall coordinate the details of the compliance scheme with relevant stakeholders including manufacturers.</p>
Article 7		
Article 8		
Article 9		
Article 10		
Article 11		

Please write your amendment proposals, if any, in the table below

	Text amendment proposal (if applicable)
New article	

Please upload figures or tables if necessary

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## **TITLE II - Connection of transmission-connected demand facilities, transmission-connected distribution facilities and distribution systems**

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Please write your comments on the ACER draft amendments and your alternative text proposals, if any, in the table below

	Comment on the ACER draft amendments	Alternative text amendment proposal (if applicable)
Article 12		
Article 13		
Article 14		
Article 15		
Article 16		
Article 17		
Article 18		
Article 19		
Article 20		
Article 21		
Article 22		
Article 23		
Article 24		
Article 25		
Article 26		

Please write your amendment proposals, if any, in the table below

	Text amendment proposal (if applicable)
New article	

Please upload figures or tables if necessary

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### TITLE III - Connection of demand units used by a demand facility or a closed distribution system to provide demand response services to system operators

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Please write your comments on the ACER draft amendments and your alternative text proposals, if any, in the table below

	Comment on the ACER draft amendments	Alternative text amendment proposal (if applicable)
Article 27		
Article 28		
Article 29		
Article 30		
Article 31	With reference to the policy paper's key area Compliance and following the EG HCF final report. To embed the compliance scheme into the operational notification process.	4. The relevant system operator shall specify and make publicly available further details concerning the operational notification procedure which shall include the compliance scheme. The compliance scheme shall address the use of equipment certificates of PGU and component.
Article 32		
Article 33		

Please write your amendment proposals, if any, in the table below

	Text amendment proposal (if applicable)
New article	

Please upload figures or tables if necessary

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**[NEW] TITLE XXX - Connection of V1G electric vehicles and associated V1G electric vehicle supply equipment, power-to-gas demand units and heat-pumps**

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Please write your comments on the ACER draft amendments and your alternative text proposals, if any, in the table below

	Comment on the ACER draft amendments	Alternative text amendment proposal (if applicable)
Article XX		
Article XX+1		
Article XX+2		
Article XX+3		

Please write your amendment proposals, if any, in the table below

	Text amendment proposal (if applicable)
New article	

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## TITLE IV - Compliance

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Please write your comments on the ACER draft amendments and your alternative text proposals, if any, in the table below

	Comment on the ACER draft amendments	Alternative text amendment proposal (if applicable)
Article 34		
Article 35	As an option to raise the quality of service in critical aspects of compliance monitoring	5. The relevant system operator may totally or partially delegate the performance of its compliance monitoring to third parties including authorised certifiers. In such cases, the relevant system operator shall continue ensuring compliance with Article 11, including entering into confidentiality commitments with the assignee.
Article 36		
Article 37		
Article 38		
Article 39		
Article 40		
Article 41		
Article 42		
Article 43		
Article 44		
Article 45		
Article 46		
Article 47		

Please write your amendment proposals, if any, in the table below

	Text amendment proposal (if applicable)
New article	<p>Article ZZ</p> <p>Common Provisions on Equipment Certificates</p> <p>1. In the case that the compliance scheme specified by the RSO provides for the use of equipment certificates issued by an authorised certifier in the context of Title III and/or Title IV, the equipment certificates shall comply with the following provisions:</p> <p>a) Any equipment certificate shall be based on the certification scheme as specified in the compliance scheme.</p> <p>b) The equipment certificates are classified into demand unit certificates, V1G electric vehicle supply equipment certificates, component certificates and PGM certificates. The equipment certificates shall demonstrate the conformity with the specified requirements as defined in the compliance scheme by applying the respective evaluation and assessment measures according to the certification scheme</p> <p>c) Specified requirements referred to within equipment certificates may be defined by the requirements as set out in Title II, provided by a national implementation under this Regulation, by relevant internationally recognized European standards and/or alternative schemes that may also be applicable.</p> <p>2. RSOs shall accept equipment certificates issued by authorized certifiers of any Member States whose accreditation is given by the respective national affiliate of the European cooperation for Accreditation ('EA').</p> <p>3. RSOs may accept equipment certificates that provide a statement of conformity with respect to specified requirements others than the requirements at national level implemented under this Regulation according to the provisions of Article 7 (1), i.e. the RSOs' national grid codes. In such case, the RSO shall specify the acceptance conditions within the compliance scheme, as well as which additional information needs to be provided in order to demonstrate the compliance of the equipment with the established requirements at national level implemented under</p>

	<p>this Regulation.</p> <p>4. The compliance scheme defined by the RSO may define as eligible those equipment certificates where the statement of conformity covers only selected specified requirements (e.g. FRT, LFSM, etc.). These will be used within the compliance scheme required by the RSO.</p>
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Please upload figures or tables if necessary

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## TITLE V - Applications and derogations

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Please write your comments on the ACER draft amendments and your alternative text proposals, if any, in the table below

	Comment on the ACER draft amendments	Alternative text amendment proposal (if applicable)
Article 48		
Article 49		
Article 50		
Article 51		
Article 52		
Article 53		
Article 54		
Article 55		



Please write your amendment proposals, if any, in the table below

	Text amendment proposal (if applicable)
New article	

Please upload figures or tables if necessary

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## TITLE VI - Non-binding guidance and monitoring of implementation

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Please write your comments on the ACER draft amendments and your alternative text proposals, if any, in the table below

	Comment on the ACER draft amendments	Alternative text amendment proposal (if applicable)
Article 56		
Article 57		

Please write your amendment proposals, if any, in the table below

	Text amendment proposal (if applicable)
New article	

Please upload figures or tables if necessary

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## TITLE VII - Final provisions

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Please write your comments on the ACER draft amendments and your alternative text proposals, if any, in the table below

	Comment on the ACER draft amendments	Alternative text amendment proposal (if applicable)
Article 58		
Article 59		

Please write your amendment proposals, if any, in the table below

	Text amendment proposal (if applicable)
New article	

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## ANNEX I

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Please write your comments on the ACER draft amendments and your alternative text proposals, if any, in the table below

	Comment on the ACER draft amendments	Alternative text amendment proposal (if applicable)
Annex I		

Please upload figures or tables if necessary

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## ANNEX II

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Please write your comments on the ACER draft amendments and your alternative text proposals, if any, in the table below

	Comment on the ACER draft amendments	Alternative text amendment proposal (if applicable)
Annex II		



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## Other additional provisions

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Please write your amendment proposals, if any, in the table below

	Text amendment proposal (if applicable)
Other new provisions	

Please upload figures or tables if necessary

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## Background Documents

[NC DC ACER draft amendments for PC 2023 E 07.docx](#)

## Contact

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