

**OPINION No 01/2024
OF THE EUROPEAN UNION AGENCY
FOR THE COOPERATION OF ENERGY REGULATORS**

of 8 April 2024

**on the amended third update of the manual of procedures for the
ENTSO-E central information transparency platform**

THE EUROPEAN UNION AGENCY FOR THE COOPERATION OF ENERGY REGULATORS,

Having regard to Commission Regulation (EU) No 543/2013 of 14 June 2013 on submission and publication of data in electricity markets and amending Annex I to Regulation (EC) No 714/2009 of the European Parliament and of the Council¹ (Transparency Regulation), and, in particular, Article 5 thereof,

Having regard to Commission Regulation (EU) 2017/2195 of 23 November 2017 establishing a guideline on electricity balancing² (EB Regulation), and, in particular, Article 12(5) thereof,

Whereas:

1. INTRODUCTION

- (1) On 8 February 2024, ENTSO-E submitted to ACER an amended version 3.4, dated 10 November 2023, of the Manual of Procedures for the ENTSO-E Central Information Transparency Platform (MoP), as required by Article 5 of the Transparency Regulation, including an update of separate documents referenced in the MoP. The referenced documents included a Detailed Data Descriptions ('DDD') document and a Business Requirements Specification ('BRS') document. Prior to the submission of the amended third update of the MoP, in accordance with the Transparency Regulation, ENTSO-E had conducted a public consultation with stakeholders and organised dedicated workshops with the ENTSO-E Transparency User Group (ETUG) to facilitate users' feedback. ACER considers the Transparency Platform a key element for the energy transition in its role of providing accurate, complete, and timely data on electricity fundamentals to market participants, and

¹ OJ L163, 15.6.2013, p. 1.

² OJ L312, 28.11.2017, p. 6.

ENTSO-E's MoP as the best means to ensure the appropriate quality of the published data sets.

2. ASSESSMENT OF THE UPDATED MANUAL OF PROCEDURES

2.1. Legal framework

- (2) According to Article 5 of the Transparency Regulation, the MoP for the central information transparency platform has to specify: the details and format of the submission of data laid down in Article 4(1) of the same Regulation; standardised ways and formats of data communication and exchange between primary owners of data, transmission system operators ('TSOs'), data providers and ENTSO-E; the technical and operational criteria which data providers need to fulfil when providing data to the central information transparency platform; and an appropriate classification of production types referred to in Articles 14(1), 15(1) and 16(1) of the same Regulation.
- (3) Moreover, according to Article 5 of the Transparency Regulation, ENTSO-E has to update the MoP when necessary and, before updating it, to submit a draft to ACER for an opinion, which is to be provided within two months. While Regulation (EU) No 543/2013 does not define specific criteria to be taken into account for ACER's opinion, points (a) to (d) of the first paragraph of Article 5 of the same specify the aspects which the draft MoP should address. Therefore, ACER, in the present opinion, regarded those requirements as the main criteria for the assessment of the changes included in the draft update of the MoP (compared to its previous version).
- (4) According to Article 12(5) of the EB Regulation, each TSO has to publish certain balancing-related pieces of information, as defined in paragraph 3 of the same Article, in a commonly agreed harmonized format, at least through the central information transparency platform, and ENTSO-E has to update the MoP referred to in Article 5 of the Transparency Regulation accordingly and submit it to ACER for an opinion. To that end, ENTSO-E submitted to ACER three versions of the MoP: version 3.0 of 20 March 2018, version 3.1 of 29 October 2018, and version 3.3 of 5 October 2021, on which ACER issued three opinions: [Opinion No 04/2018](#) of 13 June 2018, [Opinion No 08/2019](#) of 30 January 2019 and [Opinion No 10/2021](#) of 2 December 2021, respectively.

2.2. General comments

- (5) The update of the MoP is required to include the details of new publications to be implemented on the Transparency Platform, i.e. flow based parameters for day-ahead capacity allocation publications according to Article 11(1)(b), energy storage publications, including the addition of batteries as a production type in publications on installed generation capacity according to Article 14(1)(a), on aggregated generation output according to Article 16(1)(b) and information on total load according to Article 6(1)(a) of the Transparency Regulation. A distinction between continuous trading, implicit allocation and explicit allocation was introduced, while amendments were introduced for the details of publications on forecasted and offered

cross-zonal capacity according to Article 11(1)(a), the day-ahead prices according to Article 12(1)(d), the net positions per bidding zone in case of implicit allocations according to Article 12(1)(e), and the sum of scheduled commercial exchanges in aggregated form between bidding zones 12(1)(f), and physical flows between bidding zones according to Article 12(1)(g) of the Transparency Regulation.

- (6) As in previous versions of the MoP, the draft of version 3.4 consists of a concise ‘basic document’ that refers to more detailed documents (referenced documents), such as the DDD document and the BRS document. Since these three documents are the basis used for the elaboration of the other implementation guides, which are mainly relevant for data providers, this Opinion focuses on the ‘basic document’, the DDD and the BRS documents.
- (7) In its Opinion No 10/2021 of 2 December 2021, ACER concluded that, subject to the implementation of a number of proposed changes, the updated MoP met the fundamental objective of the Transparency Regulation to ensure the provision of clear and timely information about balancing markets in a comparable format across borders. In the present opinion, ACER assesses the extent to which its opinion was implemented.

2.3. Comments on definitions

- (8) In the DDD, ENTSO-E has introduced definitions relating to the use of cross-zonal capacities, including definitions of ‘auction revenue’, ‘congestion income’, ‘explicit allocation’, ‘implicit allocation’, ‘net position’, ‘nomination of transfer capacity’, and ‘scheduled commercial exchanges’. ACER acknowledges updates on definitions and endorses them insofar as they are aligned with legal requirements, physical reality and other publications on the same topic and considers that the addition of definitions contributes to the consistent publication of data.
- (9) Regarding the updated definition of ‘continuous allocation’, ACER considers that the detailed description of the publications on implicit allocations - the net positions & congestion income, as well as the detailed description and the publication deadline of the intraday offered cross-zonal capacity publications set the basis for future publications on the upcoming implementation of intraday auctions as part of the Single Intraday Coupling.
- (10) ACER advocates that in the introduced definitions of explicit, implicit and continuous allocations, a distinction is made between implicit and explicit allocation as one allocation type, and continuous and auction-based allocation as another allocation type. This distinction is particularly pertinent for the filtering and sorting criteria described in the BRS that would require users to make a single choice between explicit, implicit, and continuous allocation types. ACER advocates that some clarification is added on the different options that exist in reality or that the filtering is based on the two separate allocation type categories, i.e. being able to filter separately for implicit or explicit allocation results, and continuous or auction-based allocation results.

2.4. Comments on the updates concerning cross-zonal capacities data items

- (11) The scope of the existing publications of data under Article 11(1)(b) of the Transparency Regulation has been enlarged in the DDD in order to include data items to better reflect the relevant flow-based parameters.
- (12) ACER acknowledges the updates on publications in scope. ACER considers that the addition of data items and definitions contributes to the consistency and transparency of the publication of data.
- (13) ACER suggest to fully align the flow-based parameters definitions with the underlying concepts and other documents on flow-based parameters. In this view, *F_uaf* should refer to ‘margin from non-coordinated capacity calculation’; *minRAM_target* should refer to ‘the minimum target for the margin from coordinated capacity calculation’; *Ramr* should refer to ‘the percentage of Fmax that needs to be available as minimum margin available for cross-zonal trade (MACZT)’

2.5. Comments on opinion on balancing data items from ACER’s Opinion No 10/2021

- (14) ACER re-iterates its positions expressed in its Opinion No 10/2021 regarding the terminology used in the definitions, as well as throughout the MoP documents. ACER considers it advisable that terminology follows as closely as possible the same terminology used in the EB Regulation, in the Implementation Frameworks of the European Platforms pursuant to Articles 20 to 22 of the EB Regulation, and in approved methodologies from the EB Regulation. In particular, ACER acknowledges that, in version 3.4 of the MoP, the definitions of the terms ‘upward regulation’ and ‘downward regulation’ include a reference to the terms ‘positive balancing energy’ and ‘negative balancing energy’ respectively, however, ACER advocates that the former terms are replaced with the latter throughout the MoP documents.
- (15) ACER advised that ENTSO-E provided a clear publication timeline for data items foreseen to be published at a later stage (e.g. information about TSOs requesting particular data items, inclusion of additional reasons whenever the adjustment to the balancing border capacity limit has been applied). ACER acknowledges the updates given by TSOs to market participants at the last Electricity Balancing Stakeholder Group and encourages them to keep interacting with market participants on the topic. This is important for regulatory authorities to oversee the implementation of all the data publication requirements envisaged in the EB Regulation and for market participants to be able to anticipate changes in the Transparency Platform.
- (16) ACER recalls the comment expressed in its Opinion No 10/2021 on specific requirements to publish balancing border capacity limits in accordance with Articles 4(3) and 4(4) of [ACER Decision No 13/2020](#) on the Implementation framework for the European platform for the imbalance netting process (IN IF), Articles 4(3) and 4(4) of [ACER Decision No 02/2020](#) on the Implementation framework for the European platform for the exchange of balancing energy from frequency restoration reserves with automatic activation (‘aFRR IF’), and Article 4(3) and 4(4) of [ACER Decision No 03/2020](#) on the Implementation framework for the European platform

for the exchange of balancing energy from frequency restoration reserves with manual activation ('mFRR IF'). ACER advises ENTSO-E to redraft the category text, so that it follows the requirements from the above-mentioned IFs, especially with respect to the timing of the publication of the specific data items. In addition, ACER advises ENTSO-E to update the category text to ensure that the requirement to publish balancing border capacity limits is per market time unit and not per imbalance settlement period. This becomes particularly relevant for aFRR service as the market time unit is smaller than the imbalance settlement period. Thus, data should be published after the end of relevant market time unit.

- (17) ACER re-iterates its opinion on the structure of the DDD. In particular, ACER restates that the European platforms' implementation frameworks (IF) extension document has not been referenced in the DDD and therefore risks hindering future consistency and coordination between all data items which are split between different documents. Thus, to increase consistency of data and remove ambiguity, ACER considers it appropriate to merge the IF extension document with the DDD into a single document where data is organised per category rather than per point in time when the updates of the MoP are realised.

2.6. Comments related to other aspects of the Transparency Platform

- (18) ACER reiterates the concerns, expressed in its Opinions No 04/2018 and No 10/2021 regarding the lack of clear procedures described in the DDD document to address data quality issues. Concerns on the quality and completeness of data of the Transparency Platform for ACER's monitoring of Commission implementing regulations (network codes and guidelines) were highlighted by the European Court of Auditors' Special Report 03/2023: Internal electricity market integration³. Quality issues include in particular when TSOs or other data providers deviate from the requirements prescribed in the applicable version of the MoP, as it can be often observed. While ENTSO-E is not explicitly obliged to ensure compliance of the data providers with the Transparency Regulation, it is best placed to facilitate data completeness, homogeneous data formats and data quality, and it should strive to do so as much as possible. ENTSO-E can further highlight data impacted by identified data quality or completeness issues. Furthermore, when users report issues with published data, ACER expects ENTSO-E to investigate the reported issues, reply to the user(s) with the outcome of the investigation and correct the published data if need be, within a reasonable amount of time. ACER invites ENTSO-E to report regularly about the rate of resolution of such reported issues on published data. As was indicated to ENTSO-E by a stakeholder during the public consultation on version 3.4 of the MoP, completeness and accuracy of data can also be verified against publications by TSOs on their own websites. ACER acknowledges as a positive step the foreseen establishment of a "Co-creation User Group", as introduced at the ETUG meeting in

³ ECA special report 03/2023, paragraph 158, https://www.eca.europa.eu/en/publications/SR23_03.

November 2023, and the plan to task it with identification and resolution of data quality issues.

- (19) ACER also acknowledges and supports the efforts ENTSO-E and TSOs are undertaking with regards to addressing data quality issues reported by stakeholders and ACER.
- (20) ACER welcomes the further classification of production types so that the use of production type “Other” in publications on installed generation capacity according to Article 14(1)(a), on aggregated generation output according to Article 16(1)(b) and information on total load according to Article 6(1)(a) of the transparency regulation is minimised. ACER has observed that publications according to Article 16(1)(b) using the production type “Other” are heavily used by some data providers, which might hinder their transparency.
- (21) ACER notes that not enough visibility is provided over all exception and clarification messages per particular areas which are often placed at the bottom of published data items, e.g. the clarification on the Day-ahead prices published for the German-Austrian bidding zone. Currently, these messages are visible only upon filtering the relevant data items and only at the bottom of the relevant pages of the Transparency Platform. In ACER’s view, a dedicated sub-page with a consolidated exhaustive list of the exceptions and clarifications would enhance transparency.

3. CONCLUSION

- (22) ACER finds that, subject to the implementation of the points included below, the updated Manual of Procedures reflects improvements in several aspects of the Transparency Platform and consequently better achieves the objectives of Regulation (EU) No 543/2013.
- (23) ACER notes that certain of the points for improvement given in previous opinions have not been fully onboarded yet. ACER therefore believes that there is still room for improvement on the Manual of Procedures,

HAS ADOPTED THIS OPINION:

1. ACER has assessed ENTSO-E’s updated Manual of Procedures and welcomes that the submitted draft includes improvements, following exchanges between ACER and ENTSO-E.
2. ACER finds that, subject to the implementation of the points included below, the updated Manual of Procedures reflects improvements in several aspects of the Transparency Platform and consequently better achieves the objectives of Regulation (EU) No 543/2013.
3. With regard to the documents of the Manual of Procedures, ACER calls ENTSO-E to implement the following:

- a. To remain vigilant as to aligning descriptions and definitions with the appropriate legal basis and other internal or external publications. The latter is important in order to ensure consistency between documents with similar goals. ACER particularly encourages ENTSO-E to merge the European platforms' Implementation Framework extension document with the DDD into a single document and to use consistent flow-based definitions, as highlighted in paragraph (13).
- b. To keep interacting with market participants on the topic of publication of data items regarding balancing.
- c. To follow the requirements from the different Implementation Frameworks related to balancing, especially with respect to the timing of the publication of the specific data items. Moreover, ENTSO-E is called to ensure that the requirement to publish balancing border capacity limits is per market time unit and not per imbalance settlement period.
- d. To further enhance in the Manual of Procedures the description of procedures to address data quality issues within the scope of ENTSO-E's competences.

This Opinion is addressed to ENTSO-E.

Done at Ljubljana, on 8 April 2024.

- SIGNED -

*For the Agency
The Director*

C. ZINGLERSEN