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Joint Public Consultation ACER / ENTSO-E on the establishment of European Network Code Stakeholder Committees (PC_2014_E_08)

Dear Sir or Madam

The Axpo Group, comprising Axpo Power AG, Axpo Trading AG and Centralschweizerische Kraftwerke AG (CKW AG), is a Swiss energy firm with a strong local base and a European presence ("Axpo"). Axpo is wholly owned by the cantons of Northeastern Switzerland and, together with its partners, supplies electricity to around three million people. Axpo is active along the value chain from electricity production to distribution and sales, and is also involved in international energy trading. In addition, Axpo offers innovative energy services to customers in Switzerland and Europe.

Axpo Holding AG is a registered organization with EU Transparency Register under number 08171556938-65 and agrees with its contributions to be published on the Internet.





Axpo welcomes the opportunity to contribute to this consultation since the implementation of EN- TSO-E Network Codes and related guidelines will play a central role in the development of a competitive, single Internal Energy Market.

Axpo's activities and assets both within and outside the EU are impacted by the role ACER and ENTSO-E play in the development of EU-wide market rules which do also have an impact on the Swiss market due to its high degree of interconnection with neighbouring EU Member States and the contribution of Swiss based market participants to the functioning and creation of the Internal Energy Market.

Being a market participant from a non-EU country Axpo considers the establishment of European Stakeholder Committees for Network Code implementation a good opportunity to bring forward the views and feedback of the stakeholders in order to efficiently implement the ENTSO-E Network Codes.

With view to the organizational structure of the Stakeholder Committees Axpo considers that these committees should be set up and chaired by independent parties. TSO's are stakeholders for most of the codes with clear commercial interests that could be conflicting with the interests of other stakeholders. With the proposed structure, it might be very difficult if not impossible for ENTSO-E to act independently of the TSO's interests and remain objective and impartially. The efficiency of these Stakeholder Committees does not primarily depend on the chair of the committees as argued in the third bullet point in Chapter 3 of the consultation document, but on a fair and well-balanced consideration of all interests. Therefore, Axpo suggests that ACER should set up and chair all three Stakeholder Committees in order to prevent from being taken hostage by one group of stakeholders.

Please do not hesitate to contact Martin Koller or our Brussels Representative Eberhard Röhm-Malcotti (eberhard.roehm-malcotti@axpo.com, +32 2 234 77 22) if you have any questions.

Yours sincerely

Head of Corporate Public Affairs

Head of Corporate Regulatory and Legal Grid

