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Mr Alberto Pototschnig
Director ACER

Cc: Mr Klaus-Dieter Borchardt
Director Internal Energy Market
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European Commission

Cc: Mr Laurent Schmitt
Secretary-General ENTSO-E

Code: O-75836

Athens, 11 February 2019

Subject: Referral of the decision on the SEE CCR TSOs CTRD proposal to the Agency

Dear Mr. Pototschnig,

We are writing to you on behalf of the Regulatory Authorities of the SEE CCR, with regard to the respective Transmission System Operators (TSOs) proposal for the Coordinated Redispatching and Countertrading Methodology (CTRD proposal), submitted in accordance with Article 35 of Commission Regulation 2015/1222 of 24 July 2015 establishing a Guideline on Capacity Allocation and Congestion Management.

After a first submission of the CTRD proposal and a request for amendments by the Regulatory Authorities of the SEE CCR, the TSOs submitted an amended proposal in accordance with Article 9(7)(c) of Regulation 2015/1222; this was received by the last Regulatory Authority on 13 December 2018.

Article 9(10) of Regulation 2015/1222 requires the competent regulatory authorities to consult and closely cooperate and coordinate with each other to reach an agreement. In the event of requesting for an amendment to approve the terms and conditions or methodologies, Article 9(12) of Regulation 2015/1222 requires the competent regulatory authorities to come to a decision within two months following receipt of submissions to the last NRA, which is 13 February 2019.

In particular, Regulatory Authorities of the SEE CCR consider that the TSOs have not sufficiently and properly taken into account the Regulatory Authorities' request for amendment of 26 October 2018. In particular, TSOs did not address/addressed poorly the requests for amendment to:

- Include the definition of "redispatching" and "countertrading" in article 2 "Definitions and interpretation".
- Clarify which congestions are cross-border relevant and thereby need to be solved in a coordinated manner;
- Elaborate on the process for defining all available countertrading and redispatching actions, the process for the coordination of countertrading and redispatching focusing on economic optimisation to solve congestions, the process of activation of countertrading and redispatching and the way to identify the causes of congestions (i.e. polluters).
- Explain how the determination of available resources for each time-frame will be taken place and include two different articles on the issues of redispatching and countertrading, as they may be applied for different scopes.
- Include some information concerning timing issues, such as the time that is needed by the Regional Security Coordinator (RSC) to provide for Remedial Actions and the deadline for the Regional Security Coordinator to trigger the fast activation process.
- Define with more clarity the communication channels between generation units and loads, TSOs and the Regional Security Coordinator.
- Explain the 12-month requirement for the implementation of the proposed CTRD methodology and how this affects the overall market coupling requirement for the countries.

Given the situation at hand, where TSOs did not fully incorporate the feedback and comments by the Regulatory Authorities of the SEE CCR and the apparent risk of TSOs not implementing the requested amendments (if the option of a second Request for Amendment was pursued) and in order to facilitate a swift implementation of Regulation 2015/1222, CTRD methodology should be referred to the Agency for a decision, in accordance with Article 8(1) of Regulation (EC) No 713/2009, upon a joint request of the Regulatory Authorities of the SEE CCR pursuant to Article 9(12) of Regulation 2015/1222.

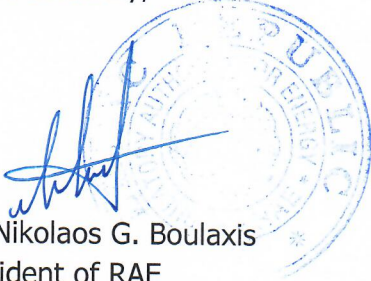
The Regulatory Authorities of SEE CCR would like to stress out that a referral to the Agency is considered as a result of a unanimous agreement that the likelihood that the TSOs would fully incorporate the requested amendments into CTRD proposal is deemed small. Thus, a referral to the Agency is a measure to mitigate the risk of prolonging the implementation of CTRD methodology (and any process triggered by its approval) and, consequently, of Regulation 2015/1222 as a whole.

Therefore, on 11 February 2019 the Regulatory Authorities of the SEE CCR unanimously agreed to request the Agency to adopt a decision on the TSOs CTRD proposal, pursuant to Article 9(12) of Regulation 2015/1222.

Please be advised that we are ready to assist the Agency to develop and adopt its decision the soonest possible within the period provided by the Regulation.

We remain at your disposal for any further information or clarification.

Yours sincerely,



Dr. Nikolaos G. Boulaxis
President of RAE

Attached Documents:

- (i) Transmission System Operators (TSOs) proposal on the Coordinated Redispatching and Countertrading Methodology, submitted in accordance with Article 35 of Commission Regulation 2015/1222 of 24 July 2015 establishing a Guideline on Capacity Allocation and Congestion Management

