

# REGULATION (EU) 2019/941

## Risk-preparedness in the electricity sector

As adapted and adopted by Ministerial Council  
Decision No 2021/13/MC-EnC

EnC Security of Supply CG SG Electricity Meeting  
14 December 2021

## Risk-preparedness Regulation in the Energy Community

- ✓ **Regulation (EU) 2019/941 on risk-preparedness in the electricity sector adopted in EnC**
  - Ministerial Council adopted Decision incorporating Regulation (EU) 2019/941 in the Energy Community acquis communautaire
  - Decision entered into force on the day of its adoption -> **30 November 2021**
- ✓ **Transposition and implementation deadlines**
  - CPs shall bring into force the laws, regulations and administrative provisions necessary to comply with Risk-preparedness Regulation by **31 December 2023**
- ✓ **Scope**
  - Cooperation **between Contracting Parties** with a view to prevent, prepare for, manage, evaluate and monitor electricity crisis
  - **Derogation for Georgia** from Articles 6, 12 and para 2 to 9 of Article 15 until directly connected with another CPs
- ✓ **Region - synchronous area used as a criterion**
  - Region means a group of Contracting Parties whose transmission system operators share the same synchronous area
- ✓ **Common methodologies, developed by ENTSO-E and approved by ACER, for:**
  - identifying regional electricity crisis scenarios (Art. 5 of Regulation (EU) 2019/941)
  - Annual electricity crisis preparedness reports (Art. 6 of Regulation (EU) 2019/941)

- ✓ **MC adopted amendments to the Procedural act on the establishment of a SoS CG**
- MSs may, under the coordination of the EC, participate in the SoS CG with regard to all matters with which they are concerned
  - SoS CG shall be chaired by the EC in cooperation with the ECS
  - Each Party shall nominate its representatives and inform the ECS
  - The list of representative bodies of the industry concerned and of relevant consumers shall be established and updated by the Permanent High Level Group upon a joint proposal by both the EC and the ECS
  - The agenda and the draft conclusions of each meeting of the SoS CG shall be agreed by the EC and the ECS prior to circulating
  - In the event of an existing or imminent threat to security of supply or in the event of a supply disruption affecting a Party and involving another Party or a third country, the SoS CG shall, where appropriate, coordinate measures taken at national levels
  - The Security of Supply Coordination Group, or its subgroups, shall meet regularly and at least once per year
  - Upon agreement of the EC and ECS, the SoS CG may hold additional ad hoc joint sessions with the EnC Gas CG to discuss issues of common interest

## Article 3 - Designation of Competent Authority

- ✓ **Each Contracting Party shall designate Competent Authority**
  - Who?  
National governmental or regulatory authority shall be designated as competent authority
  - What?  
Competent authority shall be responsible for, and shall cooperate with each other for the purpose of, carrying out tasks provided for in this Regulation
  - When?  
**As soon as possible and in any event by 5 January 2023**
  - Transitional period?  
Until competent authority is designated, national authorities responsible for the security of electricity supply shall carry out tasks of the competent authority

## Chapter II and Chapter III - Risk assessment and risk-preparedness plan

Identification of regional  
electricity crisis  
scenarios

By end June 2022

Identification of national  
electricity crisis  
scenarios and  
ownership risks

By end October 2022

Draft risk preparedness  
plans submitted

By 5 April 2024

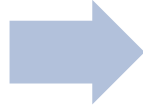
Risk-preparedness  
plans adopted and  
published

By 5 January 2025

## Chapter II and Chapter III - Risk assessment and risk-preparedness plan

### Chapter II – Art 6 Identification of regional electricity crisis scenarios

- Within 6 months as of MC Decision, the ENTSO-E shall identify the most relevant scenarios for each region
- Based on the methodology for identification of regional electricity crisis scenarios adopted pursuant to Article 5 of Regulation (EU) 2019/941
- and
- In close cooperation with the SoS CG, competent authorities and regulatory authorities
- ENTSO-E shall submit the regional electricity crisis scenarios to the relevant TSOs, regional coordination centers, competent authorities and regulatory authorities of CPs and SoS CG



### Chapter II – Art 7 Identification of national electricity crisis scenarios

- Within 4 months of the identification of the regional electricity crisis scenarios, the competent authorities shall identify the most relevant national electricity crisis scenarios
- In identification of national electricity crisis scenarios, the competent authority shall consult TSOs, DSOs, relevant producers or their trade bodies, and NRA where it is not competent authority
- Within 4 months of identification of the regional electricity crisis scenarios, CPs shall inform SoS CG and ECS of their assessment of the risks in relation to the ownership of infrastructure relevant for SoS



### Chapter III – Art 10, 11, 12,13 Establishment of risk-preparedness plans

- On the basis of the regional and national electricity crisis the competent authorities establish risk-preparedness plans
- Plans shall consist of national measures, regional and, where applicable, bilateral measures to prevent, prepare for and mitigate electricity crisis
- Draft plans shall be submitted for consultation to CPs and the SoS CG, who may issue recommendations within 6 months
- Within 9 months of submitting their plans, the competent authorities shall adopt and publish their plans and notify them to the ECS
- First risk-preparedness plans shall be adopted and published by 5 January 2025
- ECS shall assess and issue opinions on the plans

## Main principles of crisis management

### Information sharing and transparency (Art. 14)

- ✓ **Early warning**
  - When seasonal adequacy assessment or other qualified source provides information that electricity crisis may occur
- ✓ **Declaration of electricity crisis**
  - When confronted with an electricity crisis
- ❖ The competent authority informs, without undue delay, CPs in the region or directly connected, ECS and SoS CG
- ❖ Information on the causes, on measures planned or taken and on possible need for assistance, possible impact on neighbouring electricity markets to be provided
- ❖ The measures set in the risk-preparedness plan to be followed to the fullest extent possible

### Cooperation and assistance in a spirit of solidarity (Art. 15)

- ✓ **Regional or bilateral measures**
  - CPs shall act and cooperate in a spirit of solidarity in order to prevent or manage electricity crisis
  - CPs to offer each other where they have the necessary technical ability
  - CPs to agree on the necessary technical, legal and financial arrangements before assistance is offered
  - Assistance shall be subject to a prior agreement between the CPs concerned with regard to fair compensation
  - CP requesting assistance shall promptly pay, or ensure the prompt payment of fair compensation
  - Ad hoc measures possible if regional/bilateral measures not yet agreed
- ❖ The Commission Regulation 2020/775 applied as non-binding guidance on the technical, legal

### Market comes first (Art. 16)

- ✓ **Market-based measures**
  - Measures to comply with the rules governing internal electricity market and system operation
- ✓ **Non-market-based measures**
  - To be activated only as a last resort if all market-based options have been exhausted or where it is evident that they are alone not sufficient
  - Shall not distort competition and the effective market functioning
  - Shall be necessary, proportionate, non-discriminatory and temporary
  - The competent authority to inform CPs of the application of any non-market-based measures
  - Curtailments and limitations in line with Regulation (EC) 714/2009

## Chapter V – Evaluation and monitoring

- ✓ **Ex post evaluation report (Art. 17)**
  - To be provided by the competent authority of CP that declared the electricity crisis to SoS CG and ECS as soon as possible and max three months after crisis
  - SoS CG and ECS may request additional information
- ✓ **Monitoring (Art. 18)**
  - Roles of SoS CG, ECRB (regular monitoring and reporting to SoS CG), ECS (report on application of Regulation to MC by 1 September 2028)
- ✓ **Confidential information (Art. 19)**
  - Confidentiality of sensitive information to be ensured by all relevant stakeholders

## Chapter VI – Final provisions

- ✓ **Cooperation between CPs and MSs on security of supply (Art. 20)**
  - Cooperation may include defining an electricity crisis, identification of crisis scenarios and establishment of risk-preparedness scenarios so that no measures are taken that endanger the security of supply of the CPs, MSs, EnC or EU
  - EC and MSs may participate in the SoS CG with regard to all matters with which they are concerned






**THANK YOU**  
**FOR YOUR ATTENTION**

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