



Update on ongoing EWG activities:

October – December 2016

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35th ECRB Meeting

Athens, 6 December 2016

Round Table on 3rd Package implementation (1)



- MNE:** Law on cross-border activities was adopted (implementing Regulation 714/2009). Bylaws are under development and a whole set was adopted already. Competencies of NRA were expanded to also regulate water
- BiH:** No progress on adoption of primary legislation for both gas and electricity has been achieved but may be close, however
- MD:** New law on electricity passed the Parliament and was published and enforced in July. It will cover, amongst others issues, functioning of ANRE. ANRE will have to develop many secondary acts according to a work plan. The law passed the Parliamentary Committee, adoption of draft law was proposed, adoption in first reading was proposed, and is also expected to be discussed in second reading. Action plan was developed in cooperation with ECS, targeting improving of the draft law in second reading
- GE:** Working group was created to analyse EnC primary law, aiming to have new primary law in place soon. Secondary acts will have to follow through Georgian NCs. New procedure for transmission connection and renewable installation was developed and adopted
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Round Table on 3rd Package implementation (2)



- AM:** Regulatory Commission is preparing new grid code that is to be established until July. First step towards creating the category of eligible customers were taken and other step towards Third Package implementation
- AL:** New primary law was adopted in 2015. Secondary acts are in development. In July a new Market Model was adopted in accordance with the new law
- RS:** Development of secondary acts is underway. TSO and NRA are working on transposing the Transparency Regulation and a new Market Code, both of which are expected to be adopted in 2016
- UA:** New law on regulatory authority was adopted. The new law on electricity market is in adoption procedure. The development of all secondary legislation is underway and adoption will go swift after the adoption of the electricity market law

Transparency and REMIT

- **EWG welcomed the Draft Report on Transparency** presented by ECRB Section: As regards compliance monitoring, **this exercise is however only relevant for the EnC CPs**
- EWG's intention is to also **include additional EU NRAs in the data collection report for 2017** in order to **cover** the entirety of **SEE Region**
- **New process** for related data collection **covering more countries** will have to reemphasise necessity to submit data
- **Disclaimer** should be introduced on **discrepancy** of the underlying time of data collected what could cause **incorrect comparisons between published CPs results** and it should be highlighted that the overall scoring is zero where no responses were received
- **ERCB Section was tasked to submit updated report** for another review by EWG, **propose for ECRB adoption in December**

TF2 - Balancing

- TF2 Co-Leaders reported that the **missing responses** to the survey were **submitted**, with **no need for additional clarifications**
- **TF2 presented Draft Balancing Report** and asked EWG members for **feedback** through the given **template**
- At least 5 comments per participant were expected until 25 November 2016 – **deadline** for collecting comments is **postponed till 15 December 2016**
- **Next steps:**
 - TF2 will **redraft Balancing Report** after reviewing **EWG comments** and send it to EWG members for approval
 - **Final Draft Balancing Report** will be **approved** at **next EWG meeting** in February 2017
- **SERC** presented **BiH Balancing market** and experience in moving towards market structures
- **High-level results** of **Austrian Balancing market** development and opening were presented

TF3 – SEE Market Monitoring (1): Workstream 1 - SEEAMMS



- **Template for 2016 SEEAMMS Report** was presented by TF3 Leader and Consultant, covering the findings towards clarifications and detections of deviations in respective reporting period, SEE TSOs answers, NRAs reaction, and if NRA has not accepted the explanation, what steps were taken next
- **EWG invited Consultant to set-up a schedule for bi-monthly Monitoring duty** for the future and agreed to continue to exchange notifications, explanations and deviations through e-mail (Consultant will check possibility to solve it via software redesign)
- **Comments to Draft SEEAMMS Monitoring Report** were discussed and agreed on for incorporation
- **EWG tasked TF3 Leader to develop a paper highlighting which approaches should be used in order to harmonise methods and procedures for calculating TRM, BCE in order to harmonise the capacity calculation procedures** for the cross-border capacities for all CPs, resulting in **EWG proposal for an ECRB Recommendation**
- **SEEAMMS platform has been successfully migrated to the ECS servers**

TF3 – SEE Market Monitoring (2): Workstream 2 - MM Report / ACER MM



- TF3 Leader presented the **state of play** on the following-up of **ACER data collection** for **Market Monitoring Report (MMR)**
- In order to define **which data** is **available** in **EnC CPs** and in which format, a **Questionnaire was developed** and presented
- As there is **no time left** for such **EWG activity** due to ACER decision that it will include EnC CPs in **ACER Market Monitoring Report for 2016**, **EWG concluded to abort this activity**, but to **keep monitoring CPs compliance to ACER data requests**
- ECRB Section informed that **Data collection of ACER for the MMR 2017 will start in 2016** and allow **three months for replying** – **PROPOSAL: issue ECRB official invitation!**
- Data requests by ACER will be coming through ECS CP NRAs

TF1- Wholesale Market Opening (1): CACM Implementation – ERF participation



- TF1 Leader provided **information** of the **state of play of CACM implementation**, and possible **impacts on EnC CPs**
- **Potential involvement of CP NRAs in Energy Regulators' Forum (ERF)** within ACER was **discussed** at the EWG meeting
- **ERF** is expected to **approve all TSO and/or all NEMO proposals**, based on all NRA WGs' position papers, in order to **facilitate and coordinate "all NRA" approval process**
- Possibility to **present unique official counterpart for EnC CP representation in ERF** was **discussed** at the EWG meeting
- EWG proposed to ECRB Section to **propose ECRB President to draft a letter to ERF Chair Lord John Mogg about the possibility for a nominee to represent EnC CPs in ERF – PROPOSAL: for ECRB approval !**
- Future **modalities of CP NRAs representation in ERF** were discussed at the meeting with the conclusion that **this issue will be proposed to be discussed in the upcoming ECRB Meeting – PROPOSAL: for ECRB discussion and approval !**

TF1- Wholesale Market Opening (2): WB6 DA MI and Balancing Steering Committees



- EWG discussed inviting future/existing PXs in EnC CPs to consider **approaching All NEMO Committee for participation** in order to **start discussing** possible future **adhesion to “All NEMO Cooperation Agreement” (ANCA)**
- It was **proposed** that **EWG** (via TF1 task) **contributes to the meetings of the WB6 DA MI and Balancing Steering Committees meetings** in order to make **best use of findings on regulatory barriers** already identified, to **present harmonized regulatory position of all EnC NRAs** at these meetings, and to **avoid double structures – PROPOSAL: for ECRB discussion and approval !**

TF1- Wholesale Market Opening (3): WB6 DA MI and Balancing Steering Committees



- TF1 Leader proposed that **EWG TF1 proposes open issues** to be **tackled** in **WB6 DA MI and Balancing Steering Committees meetings**:
- **Starting point** could be the **missing extension of CACM to EnC CPs**, especially, where it is identified as **legal obstacle**
- **EWG proposed involvement of ECRB (EWG) to coordinate the position of EnC NRAs in WB6 DA MI and Balancing Steering Committees** in order **not to have conflicting position** and incoherencies that could create problems, also to stakeholders, that should not receive conflicting signals - **PROPOSAL: for ECRB discussion and approval !**

TF1- Wholesale Market Opening (4): SEE RAP Roadmap



- After Athens Forum, the **EWG draft document on SEE RAP concept paper** was sent to **ENTSO-E RG SEE RAP coordinator (D.Međimorec)** for comments
- **His response was discussed** and it was concluded that **SEE TSOs proposal for the next steps** remained unclear
- **EWG discussed NRAs responsibility in setting, discussing and agreeing the way forward** regarding **Market Integration** and **target model** implementation targets
- **EWG agreed that SEE RAP Coordinator for NRAs (N.Stefanović)** will **contact TSO SEE RAP Coordinator** again to **clarify next steps** upon reviewing the concept paper of the EWG submitted earlier
- **Both co-chairs will propose to TSO SEE RAP Coordinator to organise a telco** with him

Other

- ECRB Section informed about the **state of play** of **Memorandum of Understanding** between **ECS** and **ACER**
- **WB6 2nd DAMI SC** and **WS Balancing** meetings were held on 15-16 November 2016 in Tirana
- **EWG members** were **invited** to submit **ideas** for the **2017 ECRB Work Programme** until 11 November 2016 to ECRB Section (N.Grall)
- **EWG Meetings dates in 2017** were proposed and defined:
 - 8 February 2017
 - 30 May 2017 - back to back with Athens Forum
 - 24 October 2017

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