

**DECISION No 2015/01/PHLG-EnC OF THE PERMANENT HIGH LEVEL GROUP OF THE ENERGY COMMUNITY of 24 June 2015**

**on the implementation of the Commission Regulation (EU) No 543/2013 of 14 June 2013 amending Annex I to Regulation (EC) No 714/2009 of the European Parliament and of the Council**

THE PERMANENT HIGH LEVEL GROUP OF THE ENERGY COMMUNITY,

Having regard to the Treaty establishing the Energy Community ('the Treaty'), and in particular Articles 11, 24, 25, 79 and 81 thereof,

Having regard to Energy Community Ministerial Council Decision D/2011/02/MC-EnC on the implementation of the Directive 2009/72/EC, Directive 2009/73/EC, Regulation (EC) No 714/2009 and Regulation (EC) No 715/2009 and amending Articles 11 and 59 of the Energy Community Treaty and in particular Articles 27 and 28 thereof,

Having regard to Regulation (EC) No 714/2009, as adapted by Decision 2011/02/MC-EnC and in particular Article 18 thereof,

Having regard to the Procedural Act No 2012/01/PHLG-EnC on laying down the rules governing the adoption of Guidelines and Network Codes in Energy Community,

Recognising the importance of transparency for the integrity, functioning and development of the Internal Market for Electricity, especially the access of market participants to data relating to availability of electricity networks, capacities of cross-border interconnectors and generation, load and network outages,

Having regard to the proposal from the European Commission,

Whereas:

1. the Energy Community should adapt its *acquis* on energy to the recent changes in the European Union law, taking into account its own institutional framework and the specific situation of each of its Contracting Parties.
2. it is noted that the ENTSO for Electricity will be encouraged to publish, in accordance with the Regulation, on the central information transparency platform all data which TSOs and data providers are required to submit to the ENTSO for Electricity.
3. at its meeting on 17 December 2013, 19 March 2014, 17 December 2014 and 26 March 2015, the Permanent High Level Group discussed the present proposal,

HAS ADOPTED THIS DECISION:

*Article 1*

**Implementation of the energy *acquis***

1. Each Contracting Party shall transpose and implement Commission Regulation (EU) No 543/2013 of 14 June 2013 amending Annex I to Regulation (EC) No 714/2009 of the European Parliament and of the Council by six months after the adoption of this Decision.

They shall forthwith inform the Energy Community Secretariat thereof.

2. Transposition shall be made without changes to the structure and text of Commission Regulation (EU) No 543/2013 other than translation.

#### *Article 2*

#### **General adaptations under Article 24 of the Energy Community Treaty**

1. Save where otherwise stated in this Decision, the text of the acts referred to in Article 1 shall be adapted to the Energy Community as follows:

(a) the term 'Member States' shall be replaced by 'Contracting Parties';

(b) references to the Official Journal of the European Union shall be replaced by the expression 'a dedicated section of the website of the Energy Community';

(c) references to the obligations of the ENTSO for Electricity are applicable upon the agreement of ENTSO for Electricity;

2. The adaptations referred to in Article 3 of this Decision shall apply in addition to the adaptations referred to in paragraph 1 of this Article.

#### *Article 3*

#### **Ad hoc adaptations concerning the tasks of the European Network of Transmission System Operators for Electricity**

1. Paragraphs two and three of Article 3 shall not be applicable;

2. The last five sentences of Article 5 shall not be applicable;

3. Article 20 shall be replaced by: "Article 4(1) shall apply 18 months after entry into force of this Decision".

#### *Article 4*

This Decision enters into force upon its adoption and is addressed to the Contracting Parties.

Done at Vienna, 24 June 2015

For the Permanent High Level Group

The President

