

**APPROVAL BY ALL REGULATORY AUTHORITIES
AGREED AT THE ENERGY REGULATORS' FORUM**

OF

**THE ALL TSO PROPOSAL FOR
GENERATION AND LOAD DATA PROVISION
METHODOLOGY**

28 October 2016

I. Introduction and legal context

This document elaborates an agreement of All Regulatory Authorities, made by the Energy Regulators' Forum on 28 October 2016, on the All TSO Proposal for the Generation and Load Data Provision Methodology (GLDPM) submitted in accordance with Article 9.6(c) of the Commission Regulation (EU) 2015/1222 of 24 July 2015 establishing a Guideline on Capacity Allocation and Congestion Management (Regulation 2015/1222).

This agreement of All Regulatory Authorities shall provide evidence that a decision on the GLDPM does not, at this stage, need to be adopted by ACER pursuant to Article 9.11 of the Regulation 2015/1222. It is intended to constitute the basis on which All Regulatory Authorities will each subsequently make national decisions pursuant to Article 9.10 to approve the GLDPM, submitted by TSOs in line with Article 9.6(c) of Regulation 2015/1222.

The legal provisions relevant to the submission and approval of the GLDPM, and this All Regulatory Authority agreement on the GLDPM, can be found in Articles 3, 8, 9, and 16 of Regulation 2015/1222. They are set out here for reference.

Article 3 of Regulation 2015/1222:

This Regulation aims at:

- (a) Promoting effective competition in the generation, trading and supply of electricity;
- (b) Ensuring optimal use of the transmission infrastructure;
- (c) Ensuring operational security;
- (d) Optimising the calculation and allocation of cross-zonal capacity;
- (e) Ensuring fair and non-discriminatory treatment of TSOs, NEMOs, the Agency, regulatory authorities and market participants;
- (f) Ensuring and enhancing the transparency and reliability of information;
- (g) Contributing to the efficient long-term operation and development of the electricity transmission system and electricity sector in the Union;
- (h) Respecting the need for a fair and orderly market and fair and orderly price formation;
- (i) Creating a level playing field for NEMOs;
- (j) Providing non-discriminatory access to cross-zonal capacity

Article 8 of Regulation 2015/1222 about the TSOs' tasks related to single day-ahead and intraday coupling:

1. In Member States electrically connected to another Member State all TSOs shall participate in the single day-ahead and intraday coupling.
2. TSOs shall:
 - (a) (...)
 - (b) (...)
 - (c) establish and perform capacity calculation in accordance with Articles 14 to 30;
 - (d) (...)
 - (e) (...)
 - (f) (...)
 - (g) (...)

- (h) (...)
- (i) (...)
- (j) (...)
- (k) (...)
- (l) (...)

Article 9 of Regulation 2015/1222:

1. TSOs and NEMOs shall develop the terms and conditions or methodologies required by this Regulation and submit them for approval to the competent regulatory authorities within the respective deadlines set out in this Regulation. Where a proposal for terms and conditions or methodologies pursuant to this Regulation needs to be developed and agreed by more than one TSO or NEMO, the participating TSOs and NEMOs shall closely cooperate. TSOs, with the assistance of ENTSO for Electricity, and all NEMOs shall regularly inform the competent regulatory authorities and the Agency about the progress of developing these terms and conditions or methodologies.
2. (...)
3. (...)
4. (...)
5. Each regulatory authority shall approve the terms and conditions or methodologies used to calculate or set out the single day-ahead and intraday coupling developed by TSOs and NEMOs. They shall be responsible for approving the terms and conditions or methodologies referred to in paragraphs 6, 7 and 8.
6. The proposals for the following terms and conditions or methodologies shall be subject to approval by all regulatory authorities:
 - (a) (...)
 - (b) (...)
 - (c) the generation and load data provision methodology in accordance with Article 16(1);
 - (d) (...)
 - (e) (...)
 - (f) (...)
 - (g) (...)
 - (h) (...)
 - (i) (...)
 - (j) (...)
 - (k) (...)
 - (l) (...)
 - (m) (...)
7. (...)
8. (...)

9. The proposal for terms and conditions or methodologies shall include a proposed timescale for their implementation and a description of their expected impact on the objectives of this Regulation. Proposals on terms and conditions or methodologies subject to the approval by several or all regulatory authorities shall be submitted to the Agency at the same time that they are submitted to regulatory authorities. Upon request by the competent regulatory authorities, the Agency shall issue an opinion within three months on the proposals for terms and conditions or methodologies.
10. Where the approval of the terms and conditions or methodologies requires a decision by more than one regulatory authority, the competent regulatory authorities shall consult and closely cooperate and coordinate with each other in order to reach an agreement. Where applicable, the competent regulatory authorities shall take into account the opinion of the Agency. Regulatory authorities shall take decisions concerning the submitted terms and conditions or methodologies in accordance with paragraphs 6, 7 and 8, within six months following the receipt of the terms and conditions or methodologies by the regulatory authority or, where applicable, by the last regulatory authority concerned.
11. (...)
12. (...)
13. (...)
14. TSOs and NEMOs responsible for establishing the terms and conditions or methodologies in accordance with this Regulation shall publish them on the internet after approval by the competent regulatory authorities or, if no such approval is required, after their establishment, except where such information is considered as confidential in accordance with Article 13.

Article 16 of Regulation 2015/1222 about the generation and load data provision methodology:

1. By 10 months after the entry into force of this Regulation all TSOs shall jointly develop a proposal for a single methodology for the delivery of the generation and load data required to establish the common grid model, which shall be subject to consultation in accordance with Article 12. The proposal shall include a justification based on the objectives of this Regulation for requiring the information.
2. The proposal for the generation and load data provision methodology shall specify which generation units and loads are required to provide information to their respective TSOs for the purposes of capacity calculation.
3. The proposal for a generation and load data provision methodology shall specify the information to be provided by generation units and loads to TSOs. The information shall at least include the following:
 - (a) information related to their technical characteristics;
 - (b) information related to the availability of generation units and loads;
 - (c) information related to the schedules of generation units;
 - (d) relevant available information relating to how generation units will be dispatched.
4. The methodology shall specify the deadlines applicable to generation units and loads for providing the information referred to in paragraph 3.
5. Each TSO shall use and share with other TSOs the information referred to in paragraph 3. The information referred to in paragraph 3(d) shall be used for capacity calculation purposes only.
6. No later than two months after the approval of the generation and load data provision methodology by all regulatory authorities, ENTSO for Electricity shall publish:

- (a) a list of the entities required to provide information to the TSOs;
- (b) a list of the information referred to in paragraph 3 to be provided;
- (c) deadlines for providing information.

II. The All TSO proposal

The GLDPM was consulted on by All TSOs through ENTSO-e for one month from 4 February 2016 to 4 March 2016, with a workshop held 18 February 2016, in line with Article 16.1 and Article 12 of Regulation 2015/1222.¹ The final All TSO GLDPM proposal, dated 13 May 2016, was received by the last Regulatory Authority on 11 July 2016, together with a separate document providing a clear and robust justification for including or not the views resulting from the consultation. Both of these documents are publically available on the ENTSO-e website.² The proposal includes proposed timescales for its implementation and a description of its expected impact on the objectives of Regulation 2015/1222, in line with Article 9.9 of Regulation 2015/1222.

Article 9.10 of the Regulation 2015/1222, requires All Regulatory Authorities to consult and closely cooperate and coordinate with each other in order to reach agreement, and make decisions within six months following receipt of submissions of the last Regulatory Authority concerned. A decision is therefore required by each Regulatory Authority by 11 January 2017.

The main elements of the GLDPM as understood by All Regulatory Authorities are summarised here for reference.

- It sets out the generation and load data which may be required by TSOs in order to establish the common grid model (CGM). The CGM is defined by Regulation 2015/1222 as: a Union-wide data set agreed between various TSOs describing the main characteristic of the power system (generation, loads and grid topology) and rules for changing these characteristics during the capacity calculation process. In particular, the GLDPM sets out structural, infrequently changing variable data, and variable data from specific types of Generation, Load, Distribution and Closed Distribution System Operators, and HVDC links, together with default deadlines for data provision, in line with Article 16.2, 16.3, and 16.4 of Regulation 2015/1222.
- It provides each TSO the right but not the obligation to obtain these data from the owner of the corresponding network element or the party responsible for providing the information, as the case may be, if: the data is the minimum required by the TSO to build its individual grid model, or essential to establish the CGM, and if the data is not already available to the TSO through legislation or regulation, on a contractual basis, or based upon some other kind of legally binding mechanism or publically available through the requirements of Regulation 1227/2011 (REMIT).
- It only relates to the provision of data and deadlines associated with the CGM, and does not affect wider existing or future obligations to provide data or deadlines related to any other system operation process if those obligations to provide data or those deadlines are based on national legislation or regulation, contractual arrangements, or some other kind of legally binding mechanism.

¹ The public consultation held 4 February to 4 March 2016 is available on the ENTSO-e website: <https://consultations.entsoe.eu/system-operations/common-grid-model>

² The GLDPM and the separate document providing a clear and robust justification for including or not the views resulting from the consultation are publically available on the ENTSO-e website: <https://www.entsoe.eu/major-projects/network-code-implementation/cacm/Pages/default.aspx>

- It requires by one month after the approval of the GLDPM each TSO to inform entities required to provide data about the information they are required to provide as well as the deadlines for providing the information, forward this information to ENTSO-E, and prepare draft implementation rules on the practicalities of data provision. The data provisions that are required to implement the GLDPM must be operational by twelve months after approval or 14 December 2017, whichever is later.

III. All Regulatory Authority position

Regulatory Authorities did have significant concerns with the version of the GLDPM that was consulted on by TSOs in February and March of 2016. In particular, Regulatory Authorities were concerned that this version may have set disproportionate and unclear data requirements on market parties, and that it included provisions and terms which may have conflicted with existing or future legislation.

However, the All TSO GLDPM proposal submitted to All Regulatory Authorities in June 2016 has been significantly improved upon. In particular, by providing TSOs the right - not the obligation - to request data, by requiring only the minimum, essential, and not otherwise already available data to be requested, and by requiring each TSO to consult on and establish implementation rules, All Regulatory Authorities consider the GLDPM provides appropriate checks and balances, which can be managed at a national level, and are therefore confident that the necessary data can be requested in an efficient and proportionate way to deliver the requirements of Regulation 2015/1222. All Regulatory Authorities therefore consider that the GLDPM meets the requirements of Regulation 2015/1222.

Conclusions

All Regulatory Authorities welcome the GLDPM proposal and the significant improvements adopted by All TSOs. All Regulatory Authorities have assessed, consulted and closely cooperated and coordinated to reach agreement that the GLDPM meets the requirements of the Regulation 2015/1222 and as such can be approved by All Regulatory Authorities.

All Regulatory Authorities must therefore make their decisions, to approve the GLDPM submitted by their relevant TSOs to them, reflecting the terms of this agreement, by 11 January 2017.

Following national decisions taken by each Regulatory Authority, All TSOs will be required to publish the GLDPM on the internet in line with Article 9.14 of Regulation 2015/1222, and must meet the implementation deadlines required by Article 18 of the GLDPM.