

## Public consultation on **CACM 2.0**

Fields marked with \* are mandatory.

This consultation aims to gather views, feedback and input from all stakeholders on proposed reasoned amendments for the ACER recommendation to the European Commission for the amendments of the Regulation (EU) 2015/1222 establishing a guideline on capacity allocation and congestion management ('CACM Regulation').

This consultation is addressed to all interested stakeholders including market participants, transmission system operators, nominated electricity market operators, consumers, end-users and, where relevant, competition authorities. The feedback to the consultation will inform ACER in preparing the final recommendation to the European Commission.

**Replies to this consultation should be submitted by 10 June 2021 23:59 hrs (CET).**

## General terms of the consultation

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### Objective

This consultation aims to gather views and information from stakeholders on proposed reasoned amendments to the the Commission for the amendments of the Regulation (EU) 2015/1222 establishing a guideline on capacity allocation and congestion management ('CACM Regulation').

On 22 January 2020 ACER has been requested by the European Commission to provide a recommendation on reasoned amendments to the CACM Regulation in accordance with Article 60(3) of the Regulation (EU) 2019/943 on the internal market for electricity ('Electricity Regulation').

The objective of this consultation is to gather views and information from all stakeholders. The feedback to the consultation will inform ACER in preparing the final recommendation to the European Commission.

As the survey is long,

1. you have the possibility to edit your answer after submission. When clicking on "submit", you will be given a contribution ID, which you can then use to access your contribution [here](#). This allows you to proceed in steps.
2. we kindly suggest that you download questions as .pdf (link on the right), prepare your answers then upload them at once, to avoid a session timeout on submission. Thank you for your kind understanding.

The maximum length of each cell is 5000 characters. This is the maximum technical limit set by the EUsurvey tool, which cannot be increased.

## Background

At the Florence Forum on 7 December 2020 the European Commission has invited ACER to prepare reasoned proposals for amendments to the CACM Regulation. Prior to that, the preparation for drafting of CACM Regulation amendments had been largely informal in nature and several topics were discussed.

The preparation on the topics of MCO governance, cost recovery and single day-ahead and intraday coupling started with the establishment of the MCO Governance Group in 2018. The group is chaired by the European Commission and consists also of ACERs', NRAs', NEMOs' and TSOs' representatives. The objective of the group was to discuss possible improvements of the CACM Regulation with respect to the subjects outlined. It also builds on the European Commission's Report on the development of single day-ahead and intraday coupling in the Member States and the development of competition between NEMOs in accordance with Article 5(3) of the CACM Regulation. Following that report, the NRAs presented in the course of 2019 the three papers on "Efficient MCO governance" developing recommendations, further elaborating the virtual single entity and providing proposals for enhanced amendments of the CACM Regulation. In early March 2020, the European Commission published a report on "Cost sharing and cost recovery arrangements in the European Union in accordance with the CACM Regulation. On the 12th of November 2020, the European Commission organised the latest MCO governance group to gather input from stakeholders on the subject and to announce the next steps towards the CACM amendment.

On the topics related to capacity calculation and remedial actions, the input to the scoping phase has mainly been gathered by ACER and NRAs during the development and implementation of the determination of capacity calculation regions, common grid model methodology, the regional day-ahead and intraday capacity calculation methodologies, and the regional methodologies on coordinated redispatching and countertrading and related cost sharing pursuant to the CACM Regulation.

On the topics related to the bidding zone review, the input to this scoping phase is twofold. First, it aims to align the CACM Regulation with the principles and governance envisaged in the Electricity Regulation regarding the bidding zone review process. Second, taking stock of the lessons learnt during the development and adoption of the bidding zone review methodology and configurations, the proposed scope for amendments of the CACM Regulation aims to seek ways to streamline the requirements envisaged for the bidding zone review methodology, while ensuring consistency with the Electricity Regulation.

Based on the results of the preparations described above, and confirmed by a feedback received from stakeholders in the Market European Stakeholders Committee's meeting on 14 December 2020, ACER proposed the general improvements to the CACM Regulation and different scoping areas for amending the CACM Regulation (references to existing CACM regulation):

- General improvements
- MCO Governance (Title I Art 7-10, Title II, Ch7)
- Single day-ahead and intraday coupling (Title II, Ch4-6)
- Costs & Congestion Income distribution (Title II, Ch8, Title III ex. Art 74)
- Capacity Calculation (Title II, CH1 (Art 14-31))

- Remedial Actions (Title II, Ch3 (Art 35, 74))
- Bidding Zone Review (Title II, Ch2 (Art 32-34))

On 20 January the European Commission has acknowledged the outcome of the scoping phase and asked ACER to prepare reasoned recommendations for amendments to the CACM Regulation in line with Article 60(3) of the Regulation (EU) 2019/943. Delivery of this recommendation to the European Commission is expected by autumn 2021.

In this letter the Commission also confirmed that limited changes to the Commission Regulation (EU) 2017/1485 establishing a guideline on electricity transmission system operation and the Commission Regulation (EU) 2017/2195 establishing a guideline on electricity balancing could be considered as far as intrinsically linked to the changes under discussion for the CACM Regulation.

## Legal Framework

Pursuant to Article 60(1) of the Electricity Regulation the Commission is empowered to amend the network codes within the areas listed in Article 59(1) and (2) in accordance with the relevant procedure set out in that Article. In addition, this article states that ACER may also propose amendments to the networks codes in accordance with Article 60(2) and (3) of the Electricity Regulation.

Pursuant to Article 60(3), the first sentence states that ACER may make reasoned proposals to the Commission for amendments, explaining how such proposals are consistent with the objectives of the network codes set out in Article 59(4) of this Regulation. Pursuant to this article, these amendments shall be assessed whether they contribute to market integration, non-discrimination, effective competition, and the efficient functioning of the market.

Article 1 of the current CACM Regulation describes these objectives in more details:

- promoting effective competition in the generation, trading and supply of electricity;
- ensuring optimal use of the transmission infrastructure; ensuring operational security;
- optimising the calculation and allocation of cross-zonal capacity;
- ensuring fair and non-discriminatory treatment of TSOs, NEMOs, the Agency, regulatory authorities and market participants;
- ensuring and enhancing the transparency and reliability of information;
- contributing to the efficient long-term operation and development of the electricity transmission system and electricity sector in the Union;
- respecting the need for a fair and orderly market and fair and orderly price formation; creating a level playing field for NEMOs;
- providing non-discriminatory access to cross-zonal capacity.

Pursuant to Article 60(3), the second sentence states that where ACER considers an amendment proposal to be admissible and where it proposes amendments on its own initiative, it shall consult all stakeholders in accordance with Article 14 of Regulation (EU) 2019/942.

Pursuant to Article 14(1) ACER shall [...] in the process of proposing amendments of network codes under Article 60 of Regulation (EU) 2019/943 [...] extensively consult at an early stage market participants,

transmission system operators, consumers, end-users and, where relevant, competition authorities, without prejudice to their respective competence, in an open and transparent manner, in particular when its tasks concern transmission system operators.

This public consultation is performed with the objective of providing input to a recommendation on reasoned amendments on the CACM Regulation in accordance with Article 60(3) of the Electricity Regulation, in accordance with Article 2(c) of the ACER Regulation and which was requested by the European Commission.

## Related documents

Legislation and guidances note:

- [Regulation \(EU\) 2019/942 of the European Parliament and of the Council of 5 July 2019 establishing a European Union Agency for the Cooperation of Energy Regulators \(recast\)](#)
- [Regulation \(EU\) 2019/943 of the European Parliament and of the Council of 5 June 2019 on the internal market for electricity \(recast\)](#)
- [Commission Regulation \(EU\) 2015/1222 of 24 July 2015 establishing a Guideline on Capacity Allocation and Congestion Management \(CACM Regulation\)](#)
- [ACER Guidance Note on Consultations](#)
- [EC Report on the development of single day-ahead and intraday coupling in the Member States and the development of competition between NEMOs \(5\(3\) CACM\)](#)

ACER scoping letter to EC and EC letter to ACER

[Letter to EC 201223 CACM 2.0 amendment scoping phase.pdf](#)  
[20210120 Letter to ACER CACM amendments.pdf](#)

## Introduction to the consultation

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### Consultation approach

The starting premise for this consultation is that it consults all stakeholders on proposed amendments. These amendments are provided in separate files linked to in each section of the consultation. These amendments are the result of the drafting phase conducted by ACER and EU NRAs together in the first quarter of 2021 and based on the interactions with TSOs and NEMOs in the preceding years during the implementation of the CACM Regulation.

Each amendment file includes two columns showing current CACM Regulation text on the left and the proposed new text with amendments and deletions in track change (bold for insertions and #/hidden for deletions) on the right. The amendment files also include the reasoning(s) for the amendments provided. The source word-files are provided separately for your convenience under the download section below.

The consultation itself requests stakeholders to provide feedback in two ways for each section of the (new) CACM regulation:

- Obligatory input on

- general opinion on the proposed amendments per article ranging from strong disagreement to strong agreement or no opinion;
- whether the reasoning is considered sufficient;
- how the proposed amendments contribute to the achievement of the objectives pursuant to Article 59(4) [market integration, non-discrimination, effective competition, and the efficient functioning of the market]; and
- Under the 'summary' tab, stakeholders are requested to signal the importance of each of the new sections in the (new) CACM regulation;
- Optional input to
  - Provide additional consideration on the reasoning provided;
  - Provide additional proposals for amendments including reasoning for each article.

Although this approach requires stakeholders to provide their position on all amendments and in a more closed manner we hope that this approach provides a lower entry barrier to participation while at the same time allowing other stakeholders to make detailed suggestions. In the obligatory section stakeholders always have the choice of 'no opinion' if they have none. ACER also considers that this approach allows it to quickly process the input to the consultation, providing publicly at an aggregate level, the direction coming from this consultation.

**ACER welcomes all stakeholders to take part in this consultation and provide their feedback in order to be able to provide a well-balanced recommendation on a new CACM regulation taking into account the stakeholders views.**

## Proposed structure of the new CACM regulation

For the purpose of this consultation - and in the process of drafting amendment - ACER and NRAs have elaborated a new and improved structure of the CACM regulation whereby the different elements of the regulation would be structured into a number of new titles, chapters and sections. The picture below provides a visual overview of the new structure and provides detailed correlation tables from old to new and vice versa.

The new CACM regulation would be structured in seven titles and a separate section for new SO regulation amendments:

- TITLE I - GENERAL PROVISIONS
- TITLE II – ORGANISATION OF MARKET COUPLING & OF CAPACITY CALCULATION
- TITLE III – CAPACITY CALCULATION
- TITLE IV – MARKET COUPLING
- TITLE V – BIDDING ZONE REVIEW PROCESS
- TITLE VI - REPORTING & IMPLEMENTATION MONITORING
- TITLE VII - TRANSITIONAL AND FINAL PROVISIONS
- SO REGULATION amendments

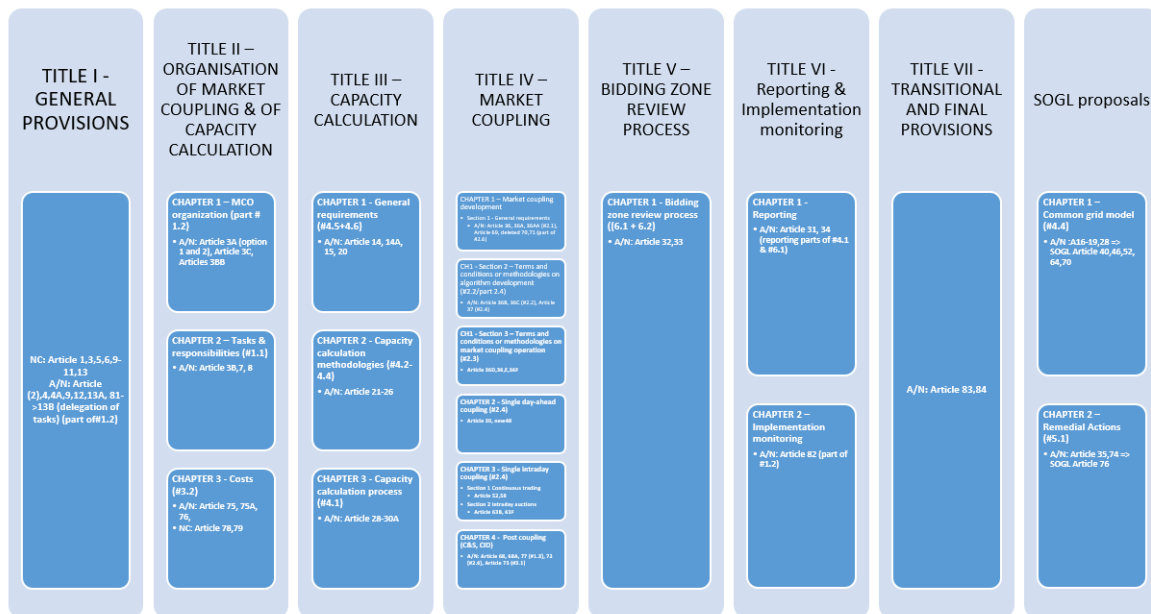
Note: the proposed amendments to SOGL result directly from the CACM amendment changes where those

provisions seem more suitable to be included in the already existing and corresponding framework in that Regulation. The EC letter requesting ACER to draft a recommendation provides explicitly for this possibility. [see under related documents]

Under the links below you will find two correlation tables showing the link between the existing (old) CACM regulation and the proposed (new) CACM regulation ordered each way:

[210415 correlation table v2.0 new to old.pdf](#)

[210415 correlation table v2.0 old to new.pdf](#)



Would you like to provide any comments on the proposed structure?

## Options in the draft amendments

In the the proces of drafting the amendments by ACER and NRAs, there were areas where there are two different proposed amendments (options). Because these optional amendments are sometimes interrelated or only deal with a specific paragraph they are listed below for clarity. Questions on these options are included as separate questions under each respective section.

### *Title II MCO & Title IV Market coupling (Decentralized vs Centralized)*

- II.1 MCO organisation (Article 3A)
  - O1: multiple entities performing MCO tasks
  - O2: Legal Single Entity as MCO
- II.2 Tasks and responsibilities (Article 3B)
  - O1: clear allocation of tasks to MCO + some tasks to TSOs and NEMOs
  - O2: all tasks on the MCO
- II.3 Costs (Article 75A)
  - O1: decentralized cost recovery
  - O2: centralized cost recovery

- IV.4 post coupling (Article 68/68A)
  - O1: clearing and settlement BRP on each NEMO/ / Congestion income distribution on each TSO
  - O2: clearing and settlement /BRP(XB) Congestion income distribution done by MCO

### ***Title III Capacity Calculation***

- III.2 Capacity calculation inputs on reliability margins (Article 22(5)):
  - O1:FRM per CNEC for both CNTC and FB
  - O2:TRM for CNTC vs FRM for FB
- III.3 Capacity Calculation process (Article 28(6)&(7)):
  - O1: ACER proposal including minRAM/70% as in Core CCM & CTNC built on FB
  - O2: only general 70% requirement

### ***Title VI Bidding Zone Review***

- Content of technical report (Article 34.2)
  - O1: include threshold for reporting on physical congestion
  - O2: no explicit threshold

### ***SOGL proposals***

- SOGL.1 CGM - Best forecast (Article 67(3) & 70(3)):
  - O1 Keep current CACM text in SOGL
  - O2 Inclusion of best forecast of RAs in CGM
- SOGL.2 RDCT cost sharing (article 76.4)
  - O1: Keep current CACM text in SOGL
  - O2: adapted text in line with ACER decisions on RDCT cost sharing

## **Amendment files for download**

Please find below for download the full amendment files in word track change format for your convenience.  
The pdf documents in the survey are created from these word-files

[Title I II.zip](#)

[Title III.zip](#)

[Title IV.zip](#)

[Title V VI VII.zip](#)

[Title X SOGL.zip](#)

## **Contact details**

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\* Should the following answers to this public consultation be treated as confidential?

Yes

No

ACER will publish all non-confidential responses. It will process personal data of the respondents in accordance with Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data, taking into account that this processing is necessary for performing ACER's consultation task. For more details on how the contributions and the personal data of the respondents will be dealt with, please see [ACER's Guidance Note on Consultations](#) and the specific privacy statement referred to this consultation.

Countries where your company is active



Austria  
Belgium  
Bulgaria  
Croatia  
Czech Republic  
Denmark  
Estonia  
Finland  
France  
Germany  
Greece  
Hungary  
Ireland  
Italy  
Latvia  
Lithuania  
Luxembourg  
Netherlands  
Poland  
Portugal  
Romania  
Slovak Republic  
  
Slovenia  
Spain  
Sweden  
United Kingdom  
Switzerland  
Norway

\* Activity

Trader (or association)

## TITLE I - General provisions

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Download

[210413\\_PC\\_AM\\_I\\_General\\_provisions\\_final.pdf](#)

Amended/New articles:

- Article 1 Subject matter and scope
- Article 2 Definitions
- Article 4 NEMOs designation and revocation of the designation
- Article 4A Last resort NEMOs service provider (options in this article depend on options under II.1)
- Article 5 NEMOs designation in case of a national legal monopoly for trading services

- Article 9 Adoption of terms and conditions or methodologies
- Article 12 Consultation
- Article 13A Publication of information
- Article 13B Delegation of tasks

No changes to articles:

- Article 3 Objectives of capacity allocation and congestion management cooperation
- Article 6 NEMO designation criteria
- Article 10 Day-to-day management of the single day-ahead and intraday coupling
- Article 11 Stakeholder involvement
- Article 13 Confidentiality obligations

I What is your opinion on the proposed amendments?

	Strongly disagree	Disagree	Neutral	Agree	Strongly agree	No opinion
* Article 1	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Article 2	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Article 4	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Article 4A	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Article 5	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Article 9	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Article 12	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Article 13A	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Article 13B	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

\* I Do you consider the reasoning for the amendment sufficient?

- No
- Neutral
- Yes
- No opinion

I Please provide your (additional) consideration on the reasoning if necessary.

I How do the proposed amendments contribute to the achievement of the objectives pursuant the article [59\(4\) of the Electricity Regulation](#)?

	Strong negative contribution	Negative contribution	No change	Positive contribution	High positive contribution	No opinion
* Market integration	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Non-discrimination	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Effective competition	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Efficient functioning of the market	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

\* I Do you want to provide a different proposal?

Yes

No

I Please write your amendment proposal and the reasoning in the table below. You can also provide amendments for articles for which no amendments are proposed.  
Please note that you won't be able to see the full size of your response in the Survey Tool but once you download the PDF of your response, a full table with your input will be shown.

	Amendment	Reasoning
Article 1		<p>We are against the deletion of congestion management from CACM. CACM is not just a Guideline about SDAC and SIDC, but day-ahead and intraday markets – and whatever impacts them. Making sure that capacity calculation, capacity allocation and congestion management sit in the same Guideline should ensure that the intricacies of these processes are not overlooked.</p> <p>Moreover, approaching redispatching, remedial actions and countertrading solely based on the SOGL, which is about network system security operation and not about market operations, does seem wrong and may lead to inconsistencies between the regulations.</p> <p>If ACER wants to avoid repetition, then at least art. 35 should remain, with a simple reference to the SO GL.</p>
	<p>.15A market time unit”: means the shortest time interval for which the market price is established, which shall be at least as short as imbalance settlement period by December 2024 at the latest;</p> <p>.21A ‘portfolio bidding’ means the possibility for market participants to place orders without specifying or linking them to individual units;</p> <p>.22 ‘matched orders’ means all buy and sell orders matched by the SDAC or intraday auction algorithm or the continuous trading algorithm;</p> <p>.26 ‘single day-ahead coupling (SDAC)’ means a market mechanism in the day-ahead timeframe based on an implicit auction with shared order books within and across bidding zones;</p>	<p>Further amend art.2.15 A to ensure compatibility with Regulation EU 2017 /2195 on ISP harmonisation by December 2024.</p> <p>Insert art. 2.21 A. In our view, the opportunity to submit bids/offers on a</p>

Article 2

.27 'single intraday coupling (SIDC)' means a market mechanism in the intraday timeframe based on continuous trading and complemented by a number of intraday auctions based on an implicit auction, both with shared order books within and across bidding zones;

.28 'implicit auction' means the auctioning process, which simultaneously matches orders from NEMO trading hubs and allocates cross-zonal capacities, with shared order books within and across bidding zones;

.29 'continuous trading' means a continuous process of simultaneous matching of orders from NEMO trading hubs and allocation of available cross-zonal capacity in the SIDC, with shared order books within and across bidding zones;

.34 'day-ahead time-frame' in the context of SDAC means the time-frame of the electricity market from the SDAC gate opening time until the SDAC gate closure time, where, for each market time unit, products are traded the day prior to delivery; (or: 'SDAC timeframe' means the time-frame of the electricity market from the SDAC gate opening time until the SDAC gate closure time where, for each market time unit, products are traded the day prior to delivery);

.36 'SDAC market gate closure time' means the point in time from when market participants can no longer submit orders for the SDAC

.37 intraday time-frame' in the context of SIDC means the time-frame of the electricity market after continuous trading opening time and before continuous trading closure time, where for each market time unit, products are traded prior to the delivery of the traded products; (or: 'SIDC time-frame' means the time-frame of the electricity market after continuous trading opening time and before continuous trading closure time, where for each market time unit, products are traded prior to the delivery of the traded products);

portfolio basis ('portfolio bidding') is a precondition for the development of efficient day-ahead and intraday power trading, and a better fit for growing RES-E share. Portfolio bidding also allows market participants to establish a more flexible bidding strategy as, for instance, it grants producers the flexibility to nominate the quantities bought/sold in the intraday market in any of their units. Portfolio bidding also helps combine different technologies (various generation units, demand response, storage).

Further amendment art. 2.22: orders can be matched in each of these processes independently, hence the alternative "or" should be used between each of these processes.

Further amend art 2.26-29 to include shared order books with and across bidding zones. NEMOs should apply the basic requirements of CACM and share order books from XB ID GOT, without regard whether XB capacity is available.

Amend art 2.34. The new definition is not OK, unless it defines "SDAC time-frame" or stating that the new definition is in the context of SDAC only. The proposed definition of 'day-ahead timeframe' otherwise obliterates OTC transactions in day-ahead.

Amend art. 2.36. amend further by using the term 'SDAC gate closure time' instead of 'day-ahead gate closure time'. This also ensures consistency with the new definition 35A.

Amend art. 2.37. The new definition is not OK, unless it defines "SIDC time-frame" or stating that the new definition is in the context of SIDC only. The proposed definition of 'intraday timeframe' otherwise obliterates OTC transactions in intraday.

Amend further 2.38 and 2.39 by using the term 'SIDC gate opening/closure time' instead of 'intraday gate opening/closure time'. This also ensures consistency with the new definition 35A.

	<p>.38 'SIDC cross-zonal gate opening time' means the earliest point in time when cross-zonal capacity between bidding zones starts being available for capacity allocation in the SIDC for a given market time unit and a given bidding zone border;</p> <p>.39 'SIDC cross-zonal gate closure time' means the final point in time when cross-zonal capacity between bidding zones stops being available for capacity allocation in the SIDC for a given market time unit and a given bidding zone border;</p> <p>.47 'Offshore hybrid project' means offshore assets, including power generation, network connection, storage and power-to-X facilities, connected to cross-zonal interconnectors</p>	<p>Insert art. 2.47 for offshore hybrid project. We need a legal definition also to use it in art. 33 on the BZR criteria</p>
Article 3		

Article 4	<p>.2 Each NEMO can act as market operator in the markets where it is designated or granted a passport.</p> <p>.3 The competent authority of a Member State shall allow applications for designation and passporting at least annually. If not indicated differently by the relevant competent authority, the designation is not subject to expiration.</p> <p>Delete full art 4.9 and renumber afterwards</p>	<p>Amend art. 4.2 There should never be an obligation on NEMOs to offer services anywhere. Hence replace “shall” by “can”.</p> <p>Amend art. 4.3 and remove reference to the article 5 on monopoly NEMOs (see justification below).</p> <p>Delete 4.9 and any other provision foreseeing the possibility for monopoly NEMOs. We fail to understand why such an exception exists. This goes against the principle of fair competition between private undertakings as laid out in the Treaty, and of NEMO competition in particular, as laid out in the CACM GL. Hence, we propose that this exemption is removed from the CACM Guideline unless Member States can demonstrate that it provides welfare benefits.</p> <p>In its May 2018 report on NEMO competition, the European Commission notes: "Where monopolies are established, trading opportunities in terms of platforms, innovative products and close to real time trading to allow further integration of renewable sources appear to be more limited." The report does not identify any reason why 9 Member States apply the monopoly NEMO model. Hence, we understand that the monopoly model does not have any proper justification, nor is it beneficial for social welfare. However, no recommendation is included in the report on the future of this model. Article 5.3 CACM GL states that " if the Commission deems that there is no justification for the continuation of national legal monopolies or for the continued refusal of a Member State to allow cross-border trading by a NEMO designated in another Member State, the Commission may consider appropriate legislative or other appropriate measures to further increase competition and trade between and within Member States." We believe it is time to act accordingly.</p>
Article 4A		
Article 5	Delete full art.5	Delete full art.5 and see our justification on monopoly NEMOs as in art. 4.9.
Article 6		



Article 9	<p>2. Where TSOs or NEMOs deciding on proposals for terms and conditions or methodologies listed in paragraph 6 are not able to reach an agreement, they shall decide by qualified majority voting. A qualified majority for proposals listed in paragraph 6 shall require the following majority:</p> <p>(a) TSOs or NEMOs active in at least 55 % of the Member States; and</p> <p>(b) TSOs or NEMOs active in Member States comprising at least 65 % of the population of the Union.</p> <p>A blocking minority for decisions on proposals for terms and conditions or methodologies listed in paragraph 6 shall include TSOs or NEMOs active in representing at least four Member States, failing of which the qualified majority shall be deemed attained.</p> <p>9a. The entity or entities jointly responsible for the implementation shall provide to the regulatory authorities, market participants and ACER the following information regarding the implementation</p>	<p>Amend art. 9.2 because inconsistent with the new 4th paragraph of art. 9.2: the qualified majority should be reached across the board, not in each of the respective categories of TSOs and NEMOs, respectively.</p> <p>Also, change the sub-bullet points a) and b) with the wording “active in” to make it more legal-proof, as TSOs and NEMOs do not “represent” Member States.</p> <p>Amend art. 9.9a to include information disclosure towards market participants. Transparency towards market participants could be improved by including them in the regular updates on the implementation plan.</p>
Article 10		
Article 11		
Article 12		

<p>Article 13A</p>	<p>.4 The methodology referred to in paragraph 1 shall include at least the requirements to publish the following information:</p> <p>a. by All NEMOs and all TSOs as soon as it becomes available the most up-to-date version of the following documents, related to all algorithms used to fulfil the requirements of Chapters 4 to 6, to the public:</p> <p>i. A full up-to-date description of the algorithms, detailing the functionalities that are currently in use,</p> <p>ii. market coupling procedures to perform the MCO functions in accordance with Article 7,</p> <p>iii. fallback procedures set out in Article 44,</p> <p>iv. backup procedures set out in Article 36(3),</p> <p>v. requirements set out in Article 37(1)(a).</p> <p>vi. a description of future foreseen amendments of points (a) to (d), including a timescale for implementation.</p> <p>vii. all capacity calculation parameters, inputs and methodologies to enable market participants to reproduce and analyse the results of the capacity calculation process.</p>	<p>We welcome the improved transparency requirements. Insert in art.13A.4 for further improvements with the publication of all capacity calculation parameters, inputs and methodologies to enable market participants to reproduce and analyse the results of the capacity calculation process.</p>
<p>Article 13B</p>		

# TITLE II - Organisation of market coupling and of capacity calculation

## Chapter 1 - MCO organisation

Download

[210413\\_PC\\_AM\\_II.1\\_MCO\\_Organisation\\_final.pdf](#)

Amended/New articles:

- Article 3A MCO governance principles
  - Option 1 - Multiple entities performing MCO tasks
  - Option 2 - Legal Single Entity as MCO
- Article 3C MCO plan
- Article 3BB Assignment of MCO operational tasks

II.1 What is your opinion on the proposed amendment?

	Strongly disagree	Disagree	Neutral	Agree	Strongly agree	No opinion
* Article 3A Option 1	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Article 3A Option 2	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Article 3C	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Article 3BB	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

\* II.1 Do you consider the reasoning for the amendment sufficient?

- No
- Neutral
- Yes
- No opinion

II.1 Please provide your (additional) consideration on the reasoning if necessary.

MCO governance and functioning are not the primary focus of EFET for a reform of CACM. Considering the massive changes that ACER proposes, we are nonetheless commenting on the subject.

The proposed changes come without an assessment of what potential problems with MCO governance and functioning are, their magnitude, and where they lie. In addition, those changes do not come with an assessment of their risks - including that of being stuck in governance discussion and contract renegotiations for years to come - and benefits.

From an EFET standpoint, though we have indeed observed some blocking points in decision making and delays in implementation, we can observe that most of them have been overcome. And above all, we have market coupling up and running in day-ahead and intraday. The drastic changes that ACER proposes to implement in MCO governance and functioning seem absolutely disproportionate to the problems that would need to be solved.

In addition, we fear that a massive debate on MCO governance and functioning detracts all involved parties from focusing on the changes and improvements that are really needed in CACM. While market coupling is in place, capacity calculation and redispatch and countertrading methodologies are still either to be fully approved or implemented, to take just one example.

The two options presented by ACER would also lead to the involvement of TSOs in processes in which they should absolutely not take part. Many of the proposals to share MCO responsibilities between TSOs and NEMOs in 3A and 3B violate the principle of unbundling of TSOs.

In conclusion, while we believe that MCO governance can be improved - notably thanks to qualified majority voting - we reject the drastic changes proposed by ACER in both options they have presented to us. We will suggest further light touch changes to MCO governance and functioning once a full assessment of the perceived problems is made as well as an assessment of the proposed measures.

(For the sake of making sure our fundamental comments are taken on board, we have commented on option 1 - though this should not be understood as an endorsement.)

II.1 How do the proposed amendments contribute to the achievement of the objectives pursuant the article 59(4) of the Electricity Regulation?

	Strong negative contribution	Negative contribution	No change	Positive contribution	High positive contribution	No opinion
* Market integration	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Non-discrimination	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Effective competition	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Efficient functioning of the market	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

\* II.1 Do you want to provide a different proposal?

Yes

No

II.1 Please write your amendment proposal and the reasoning in the table below.

Please note that you won't be able to see the full size of your response in the Survey Tool but once you download the PDF of your response, a full table with your input will be shown.

	Amendment	Reasoning
Article 3A Option 1	<p>.1 All NEMOs, or all NEMOs and all TSOs are jointly responsible for the MCO tasks referred to in Article 3B (1).</p> <p>.2 For the tasks they perform jointly, all NEMOs and all TSOs shall establish a joint decision-making body for decisions concerning</p> <ul style="list-style-type: none"> <li>a. the MCO tasks referred to in Article 3B (1) letters (a) and (b),</li> <li>b. the assignment of the MCO task referred to in Article 3B(1) letter (l) to a single entity in accordance with the methodology referred to in Article 73,</li> </ul> <p>.3 The joint NEMO-TSO decision-making body shall</p> <ul style="list-style-type: none"> <li>a) decide with qualified majority in accordance with Article 9(2),</li> <li>b) apply accounting unbundling to the activities needed to perform the MCO tasks referred to in Article 3B(1) letters (a) and (b) in accordance with the methodology referred to in Article 75A(2);</li> <li>c) include representatives of market participants as observers.</li> </ul>	<p>Amend art. 3A.1 and refer to our comment in 3B(1): a number of tasks should remain NEMOs only.</p> <p>Amend art 3A.2 because these should be NEMOs tasks only.</p> <p>Amend art. 3A.3 to increase transparency towards market participants as observers.</p>
Article 3A Option 2		Our members do not support option 2 with full centralisation and it must be ruled out completely.
Article 3C		
Article 3BB		

## Chapter 2 - Tasks and responsibilities

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Amended/New articles:

- Article 3B MCO tasks (options in this article depend on options under II.1)
- Article 7 NEMO tasks
- Article 8 TSOs' and RCCs' tasks related to single day-ahead and intraday coupling

II.2 What is your opinion on the proposed amendment?

	Strongly disagree	Disagree	Neutral	Agree	Strongly agree	No opinion
* Article 3B	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Article 7	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Article 8	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

\* II.2 Do you consider the reasoning for the amendment sufficient?

- No
- Neutral
- Yes
- No opinion

II.2 Please provide your (additional) consideration on the reasoning if necessary.



II.2 How do the proposed amendments contribute to the achievement of the objectives pursuant the article 59(4) of the Electricity Regulation?

	Strong negative contribution	Negative contribution	No change	Positive contribution	High positive contribution	No opinion
* Market integration	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Non-discrimination	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Effective competition	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Efficient functioning of the market	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

\* II.2 Do you want to provide a different proposal?

Yes

No

II.2 Please make the amendment proposal and the reasoning in the table below.

Please note that you won't be able to see the full size of your response in the Survey Tool but once you download the PDF of your response, a full table with your input will be shown.

	Amendment	Reasoning
Article 3B	<p>1. All NEMOs and TSOs shall be responsible for the following tasks:</p> <p>a. Developing and maintaining the algorithms, systems and procedures for single day-ahead and intraday coupling in accordance with Title IV, Chapter 1;</p> <p>b. Assessing the impact of products and algorithm functionalities on the algorithms' performance in accordance with the methodology referred to in Article 37;</p> <p>c. Performing the fallback procedures in the event that the single day-ahead coupling process is unable to produce results in accordance with Article 44;</p> <p>d. Sharing the congestion income in accordance with the methodology in accordance with Article 73.</p> <p>1A. All NEMOs shall be responsible for the following tasks</p> <p>a. Receiving, validating and processing input data on cross zonal capacity calculation outputs provided by RCCs in accordance with Articles 39, 58, 63B and ;</p> <p>b. Receiving, validating and processing input data on orders provided by each NEMO in accordance with Article 47(4);</p> <p>c. Operating the single day-ahead and single intraday coupling by using the respective algorithms referred to in Articles 37(1);</p> <p>d. Validating and sending single day-ahead and intraday coupling results to NEMOs and TSOs in accordance with Articles 48 and 60;</p> <p>e. Publishing the single day-ahead and intraday coupling results in accordance with Articles 39 and 52;</p> <p>f. Calculating scheduled exchanges between NEMO trading hubs for each market time unit resulting from single day-ahead coupling and single intraday coupling in accordance with Article 43 and 56 and notifying relevant NEMOs and TSOs of the agreed scheduled exchanges;</p> <p>g. Performing the co-optimised allocation process pursuant to Article</p>	<p>See above, option 2 to rule out because of excessive centralisation.</p> <p>In option 1, amend art. 3B.1 since many of these functions should remain NEMOs only, TSOs have no place in managing this. NEMOs-only tasked have been moved down in paragraph 1A.</p> <p>In 1A (i) All NEMOs active in a bidding zone should publish common aggregated (and anonymised) bid/offer curves based on orders of all participants in the day-ahead market. Indeed, without aggregated bid/offer curves taking account of all orders submitted to all the NEMOs of each BZ, market participants cannot properly understand market fundamentals</p>

	<p>40 of Regulation (EU) 2017/2195;</p> <p>h. Performing the backup procedures in the event of incidents in the single day-ahead coupling process or in the single intraday coupling process in accordance with Article 36;</p> <p>i. Publish aggregated bid/offer curves, including block bids and actual acceptance of orders per bidding zone by all NEMOs active in each bidding zone</p> <p>1. Each NEMO shall be responsible for the following tasks:</p> <p>a) Receiving orders from market participants via portfolio bidding;</p>	
Article 7	<p>1. Each NEMO shall be responsible for the following tasks:</p> <p>a) Receiving orders from market participants via portfolio bidding;</p>	See amendment and justification for portfolio bidding in art. 2.21 A
Article 8		

## Chapter 3 - Costs

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Amended/New articles:

- Article 75 TSO costs
- Article 75A MCO costs (options in this article depend on options under II.1)
- Article 76 Costs of establishing, amending and operating single day-ahead and intraday coupling (proposed to be deleted)

No changes to articles:

- Article 78 Costs of establishing and operating the coordinated capacity calculation process
- Article 79 Costs of ensuring firmness

II.3 What is your opinion on the proposed amendment?

	Strongly disagree	Disagree	Neutral	Agree	Strongly agree	No opinion
* Article 75	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Article 75A	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Article 76	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

\* II.3 Do you consider the reasoning for the amendment sufficient?

- No
- Neutral
- Yes
- No opinion

II.3 Please provide your (additional) consideration on the reasoning if necessary.

II.3 How do the proposed amendments contribute to the achievement of the objectives pursuant the article [59\(4\) of the Electricity Regulation](#)?

	Strong negative contribution	Negative contribution	No change	Positive contribution	High positive contribution	No opinion
* Market integration	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Non-discrimination	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Effective competition	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Efficient functioning of the market	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

\* II.3 Do you want to provide a different proposal?

- Yes
- No

## TITLE III - Capacity calculation

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### Chapter 1 - General requirements

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Amended/New articles:

- Article 15 Capacity calculation regions
- Article 15A General capacity calculation provisions
- Article 20 Capacity calculation approach

III.1 What is your opinion on the proposed amendment?

	Strongly disagree	Disagree	Neutral	Agree	Strongly agree	No opinion
* Article 15	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Article 15A	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Article 20	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

\* III.1 Do you consider the reasoning for the amendment sufficient?

- No
- Neutral
- Yes
- No opinion

III.1 Please provide your (additional) consideration on the reasoning if necessary.



III.1 How do the proposed amendments contribute to the achievement of the objectives pursuant the article [59\(4\) of the Electricity Regulation](#)?

	Strong negative contribution	Negative contribution	No change	Positive contribution	High positive contribution	No opinion
* Market integration	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Non-discrimination	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Effective competition	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Efficient functioning of the market	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

\* III.1 Do you want to provide a different proposal?

Yes

No

III.1 Please write your amendment proposal and the reasoning in the table below.

Please note that you won't be able to see the full size of your response in the Survey Tool but once you download the PDF of your response, a full table with your input will be shown.

	Amendment	Reasoning
Article 15	<p>2. The determination referred to in paragraph 1 shall define the bidding zone borders attributed to TSOs who are members of each capacity calculation region. The following requirements shall be met:</p> <p>(a) capacity calculation regions shall be determined in a way to maximise the overall economic efficiency of capacity calculation, capacity allocation and regional operational security coordination in all time frames;</p> <p>(b) each bidding zone border, or two separate bidding zone borders if applicable, through which interconnection between two bidding zones exists, shall be assigned to one capacity calculation region,</p> <p>(c) each capacity calculation region shall include at least those TSOs which operate interconnectors and those TSOs operating the networks with connected end consumers on both sides of the interconnectors on the bidding zone borders attributed to the respective capacity calculation region and are responsible pursuant to Article 1(3).</p> <p>(d) each capacity calculation region should consider third countries in the coordinated capacity calculation process and operational security assessment:</p> <p>Option 1: include third countries in CCRs;</p> <p>Option 2: CCMs to consider third countries CNECs.</p>	<p>Amend art. 15.2 (b) and (c) as we do not understand how this can work, as capacity on the BZ border will be calculated twice according to different CCMs that may not give the same result.</p> <p>Add art. 15.2 (d). We would remind ACER of the importance of safeguarding the electricity market and system in synchronous grid of Continental Europe and other synchronously interconnected EEA and non-3 EU countries. To improve system security and ensure smooth and efficient electricity trading, it is therefore important that limitations in the networks of non-EU TSOs are considered in the capacity calculation and related coordination activities for the development of methodologies.</p>
Article 15A		

Article 20	<p>2. All TSOs in each capacity calculation region may jointly request the competent regulatory authorities, as part of the proposal pursuant to Article 21(2), to apply the coordinated net transmission capacity approach in the concerned capacity calculation region if the TSOs concerned are able to demonstrate that the application of the capacity calculation methodology using the flow-based approach would not yet be more efficient compared to the coordinated net transmission capacity approach and assuming the same level of operational security in the concerned region.</p>	<p>Amend art 20.2 : revert back to the old wording that mentioned "efficiency". This new wording proposed would mean that TSOs will only look at flows, "efficiency" meant that a comprehensive assessment (flows + market) should be performed.</p>
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## Chapter 2 - Capacity calculation methodologies

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Amended/New articles:

- Article 21 Capacity calculation methodology
- Article 22 Reliability margin methodology
  - Option 1 FRM per CNEC for both CNTC and FB
  - Option 2 TRM/NTC vs FRM/FB
- Article 23 Methodologies for critical network elements, contingencies and operational security limits
- Article 24 Allocation constraints
- Article 25 Generation and load shift keys methodology
- Article 26 Methodology for remedial actions in capacity calculation

III.2 What is your opinion on the proposed amendment?

	Strongly disagree	Disagree	Neutral	Agree	Strongly agree	No opinion
* Article 21	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Article 22 Option 1	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Article 22 Option 2	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Article 23	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Article 24	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Article 25	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Article 26	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

\* III.2 Do you consider the reasoning for the amendment sufficient?

- No
- Neutral
- Yes
- No opinion

III.2 Please provide your (additional) consideration on the reasoning if necessary.

III.2 How do the proposed amendments contribute to the achievement of the objectives pursuant the article [59\(4\) of the Electricity Regulation](#)?

	Strong negative contribution	Negative contribution	No change	Positive contribution	High positive contribution	No opinion
* Market integration	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Non-discrimination	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Effective competition	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Efficient functioning of the market	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

\* III.2 Do you want to provide a different proposal?

Yes

No

III.2 Please write your amendment proposal and the reasoning in the table below.

Please note that you won't be able to see the full size of your response in the Survey Tool but once you download the PDF of your response, a full table with your input will be shown.

	Amendment	Reasoning



Article 21

2 The methodology determined in accordance with paragraph 1 shall include at least the following items for each capacity calculation time-frame:

- (a) methodologies for the calculation of the inputs to capacity calculation, which shall include the following :
- (i) a methodology for determining the reliability margin in accordance with Article 22;
  - (ii) the methodologies for determining critical network elements, operational security limits and contingencies relevant for capacity calculation in accordance with Article 23;
  - (iii) the methodology for determining the allocation constraints that may be applied in accordance with Article 24
  - (iv) the methodology for determining the generation and load shift keys in accordance with Article 25;
  - (v) the methodology for determining remedial actions to be considered in capacity calculation in accordance with Article 26.
  - (vi) A framework for transparency in accordance with Article 13A

3 The capacity calculation methodology shall include the principles to comply with the minimum capacity target set at the minimum level of available capacity for cross-zonal trade in DA pursuant to Article 16(8) of Regulation 2019/943 as modified according to the action plans pursuant to Article 15 of Regulation 2019/943 or the derogations granted by the regulatory authorities pursuant to Article 16(9) of Regulation 2019/943.

9. By 31 December 2025 2023 all TSOs shall develop and submit to the Agency a proposal for a harmonised capacity calculation methodology which shall in particular provide one harmonised capacity calculation methodology for the flow-based approach and one for the coordinated net transmission capacity approach. No later than one year after approval of the proposal for a harmonised capacity calculation methodology all TSOs in each capacity calculation region shall submit a proposal in accordance with paragraph 1 that is in line with the harmonised capacity calculation methodology. The proposal in accordance with paragraph 1 may allow for specific solutions subject to an efficiency assessment

Regarding the 70% constraint, CACM should not introduce any additional measure that is more stringent than what is in the Electricity Regulation. Generally, CACM should refer to the Electricity Regulation and not repeat / amend.

Amend art 21.2 to include a framework for transparency according to the new article 13A proposed by ACER.

Amend art 21.3 CACM should enhance clarity as to the applicability of the 70% rule by specifying it's applicability to the day-ahead timeframe only.

Amend 21.9 so that the methodology for CCM harmonisation is drafted by the end of 2023 instead of 2025 – so that harmonisation of CCMs actually happens by 2025.

Article 22 Option 1		Our preference for option 1 because it provides more transparency on internal network management.
Article 22 Option 2		See justification above.
Article 23		
Article 24		<p>As in our comments to the the original CACM NC draft for comitology in 2013, we remain of the view that the concept of "Allocation Constraints" (article 24 and all articles in which the concept is used) should be removed from the Guideline unless strictly limited in scope. The current approach still grants TSOs large flexibility to withdraw capacity from the market well ahead of real time, with limited regulatory oversight and without coordination or consultation.</p> <p>We would propose by default that no allocation constraints should be allowed, and that all requests for exemption should be subject to full transparency, as well as to market consultation at a regional level, based on technical justifications supported by ex-ante arguments but also factual ex-post statistical data. Alternative solutions that do not impede cross-zonal market transactions should be evaluated first by TSOs and NRAs, with the aim of precluding a presumed need for any "allocation constraints".</p> <p>The way cross-zonal relevant constraints are foreseen in the CCMs proposals is very problematic. We believe that a global paradigm shift is necessary, in order to comply with Article 16(3) of Regulation No 714/2009 ("TSOs shall not limit interconnection capacity in order to solve congestion inside their own control area") and with the ACER Recommendation 02 /2016 of 11th November 2016.</p> <p>The starting point of CCMs should be that no internal constraint is considered. The regulatory framework (as well as the ACER Recommendation) however foresees that derogation to this principle is possible where economically justified, as explained in article 1.7 of Regulation No 714/2009:</p> <p>When defining appropriate network areas in and between which congestion</p>

	<p>2..Each TSO shall:</p> <p>. a. ex-ante, when expecting allocation constraints and insofar it is possible, notify market participants of the constraints pursuant to paragraph 1(a) or (b), the underlying reasons and the impending impact as early as possible before the expected constraint is expected to occur. Such a notification will seek to increase transparency and to allow market parties to mitigate damage, potentially strengthening the public cost-benefit analysis pursuant to paragraph 2(b);</p> <p>b.. ex-post, when proposing to use allocation constraints pursuant to paragraph 1(a) or (b), justify their necessity within the common capacity calculation methodology, by complementing it with a public cost-benefit analysis. Such an analysis shall prove that allocation constraints are the economically most efficient measure among all alternatives to address related operational security issues. This analysis shall be repeated every three years and submitted to regulatory authorities of the concerned capacity calculation region which shall decide whether allocation constraints can continue to apply.</p>	<p>management is to apply, TSOs shall be guided by the principles of cost-effectiveness and minimisation of negative impacts on the internal market in electricity. Specifically, TSOs shall not limit interconnection capacity in order to solve congestion inside their own control area, save for the abovementioned reasons and reasons of operational security. If such a situation occurs, this shall be described and transparently presented by the TSOs to all the system users. Such a situation shall be tolerated only until a long-term solution is found. The methodology and projects for achieving the long-term solution shall be described and transparently presented by the TSOs to all the system users.</p> <p>As a minimum, amend art. 24.2 to include an ex-ante notification and justification to market participants and include an ex-post public CBA on allocation constraints, for both types (a and b) of allocation constraints. We must increase transparency and justifications in the way TSOs apply and use allocation constraints on their borders. And ensure that the CBA is performed for all types of allocation constraints.</p>
Article 25		
Article 26	<p>1 Each TSO within each capacity calculation region shall individually define all available remedial actions, costly and non-costly, that are expected to be available in real time and to be taken into account in capacity calculation to meet the objectives of this Regulation. Load shedding shall not be taken into account in the capacity calculation pursuant to Article 16(3) of Regulation 2019/943.</p>	<p>Amend art 26.1 as all RAs (costly and non-costly) should be systematically considered in the capacity calculation process.</p>

## Chapter 3 - Capacity calculation process

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Amended/New articles:

- Article 28 Regional calculation of cross-zonal capacity
  - Option 1 Proposal including minRAM/70%+CTNC built on FB
  - Option 2 Only general 70% requirement
- Article 29 Coordinated validation of cross-zonal capacity
- Article 30 Individual validation of cross-zonal capacity
- Article 30A Delivery of cross-zonal capacity
- Article 30B Reports about validation

III.3 What is your opinion on the proposed amendment?

	Strongly disagree	Disagree	Neutral	Agree	Strongly agree	No opinion
* Article 28 Option 1	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Article 28 Option 2	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Article 29	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Article 30	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Article 30A	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Article 30B	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

\* III.3 Do you consider the reasoning for the amendment sufficient?

- No
- Neutral
- Yes
- No opinion

III.3 Please provide your (additional) consideration on the reasoning if necessary.

III.3 How do the proposed amendments contribute to the achievement of the objectives pursuant the article [59\(4\) of the Electricity Regulation](#)?

	Strong negative contribution	Negative contribution	No change	Positive contribution	High positive contribution	No opinion
* Market integration	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Non-discrimination	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Effective competition	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Efficient functioning of the market	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

\* III.3 Do you want to provide a different proposal?

Yes

No

III.3 Please write your amendment proposal and the reasoning in the table below.

Please note that you won't be able to see the full size of your response in the Survey Tool but once you download the PDF of your response, a full table with your input will be shown.

	Amendment	Reasoning
Article 28 Option 1		See justification below.
Article 28 Option 2		Our members support is for option 2 in order for capacity calculation to remain adapted to regional specifics. However, we should keep in mind the objective of a harmonised framework for capacity calculation at EU level (see article 21.9), as regional CCMs were only introduced in the original CACM as a first step towards harmonisation.
Article 29	1. During the coordinated validation of cross zonal capacity, the regional coordination centre and each TSO of the respective CCR shall analyse in a coordinated manner whether the usage in the allocation process of the capacity calculation outputs computed pursuant to Article 28 could violate operational security limits, and whether there are sufficient available remedial actions, costly or non-costly, to avoid such violations.	Amend 29.1 as all RAs (costly and non-costly) should be systematically considered in the validation process.
Article 30		
Article 30A		
	5. Each regional coordination centre shall, every three months, report all reductions made during the coordinated and individual validation of cross-zonal capacity in accordance with Articles 29 and 30 to all regulatory authorities of the capacity calculation region and to the Agency. The report shall be published, shall include the location and amount of any reduction in cross-zonal capacity outputs, the economic efficiency of any reduction and the plan to remedy situations in which the decision was necessary but economically inefficient. The report shall specify whether the reduction comes from coordinated or individual validation (in the latter case specifying the TSOs requesting the validation) and shall give reasons for	



Article 30B

the reductions.

#### Article 35

##### Coordinated redispatching and countertrading

1. Within 16 months after the regulatory approval on capacity calculation regions referred to in Article 15, all the TSOs in each capacity calculation region shall develop a proposal for a common methodology for coordinated redispatching and countertrading. The proposal shall be subject to consultation in accordance with Article 12.

2. The methodology for coordinated redispatching and countertrading shall include actions of cross-border relevance and shall enable all TSOs in each capacity calculation region to effectively relieve physical congestion irrespective of whether the reasons for the physical congestion fall mainly outside their control area or not. The methodology for coordinated redispatching and countertrading shall address the fact that its application may significantly influence flows outside the TSO's control area.

3. Each TSO may redispatch all available generation units and loads in accordance with the appropriate mechanisms and agreements applicable to its control area in accordance with Article 13 of Regulation 2019/943, including interconnectors.

By 26 months after the regulatory approval of capacity calculation regions, all TSOs in each capacity calculation region shall develop a report, subject to consultation in accordance with Article 12, assessing the progressive coordination and harmonisation of those mechanisms and agreements and including proposals. The report shall be submitted to their respective regulatory authorities for their assessment and subsequently be made public. The proposals in the report shall prevent these mechanisms and agreements from distorting the market.

4. Each TSO shall abstain from unilateral or uncoordinated redispatching and countertrading measures of cross-border relevance. Each TSO shall coordinate the use of redispatching and countertrading resources taking into account their impact on operational security and economic efficiency.

5. The relevant generation units and loads shall give TSOs the prices of

Further amend art 30B. Cross-zonal capacity reductions during the validation process deviate from the standard capacity calculation methodology, which itself is expected to provide an optimum between capacity made available to the market and operational security. Making the economic assessment of the reductions during the validation process would allow all involved parties to assess whether these reductions were the right tools, or whether amendments to the capacity calculation method itself are necessary.

NOTE: art.35 is not tackled by this consultation but it needs 1) to be kept in CACM; and 2) further amendments to make it legal proof, alignment with article 13 Regulation 2019/943 may be needed.

35.2 and 35.4 need further amendments as in an interconnected internal electricity market and system, all RDCT actions have cross-border relevance.

35.5 price-based redispatching can also be based on stand-alone merit orders outside of the energy market.

redispatching and countertrading before redispatching and countertrading resources are committed.

Pricing of redispatching and countertrading shall be based on:

(a) prices in the relevant electricity markets for the relevant time-frame;  
or

(a1) prices of dedicated bids; or

(b) the cost of redispatching and countertrading resources calculated transparently on the basis of incurred costs.

6. Where the pricing of redispatching and countertrading is based on costs according to paragraph 5 (b), Generation units and loads shall ex-ante provide all information necessary for calculating the redispatching and countertrading cost to the relevant TSOs. This information shall be shared between the relevant TSOs for redispatching and countertrading purposes only

## TITLE IV Part 1 - Market coupling

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### Chapter 1 - Market coupling development

#### Section 1 - General requirements

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Amended/New articles:

- Article 36 General provisions
- Article 36A Pricing of cross-zonal capacity
- Article 36AA Algorithm objectives
- Article 36AAA Firmness of day-ahead and intraday capacity

IV.1.1 What is your opinion on the proposed amendment?

	Strongly disagree	Disagree	Neutral	Agree	Strongly agree	No opinion
* Article 36	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Article 36A	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Article 36AA	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Article 36AAA	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

\* IV.1.1 Do you consider the reasoning for the amendment sufficient?

- No
- Neutral
- Yes

No opinion

IV.1.1 Please provide your (additional) consideration on the reasoning if necessary.

IV.1.1 How do the proposed amendments contribute to the achievement of the objectives pursuant the article [59\(4\) of the Electricity Regulation](#)?

	Strong negative contribution	Negative contribution	No change	Positive contribution	High positive contribution	No opinion
* Market integration	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Non-discrimination	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Effective competition	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Efficient functioning of the market	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

\* IV.1.1 Do you want to provide a different proposal?

Yes

No

IV.1.1 Please write your amendment proposal and the reasoning in the table below.

Please note that you won't be able to see the full size of your response in the Survey Tool but once you download the PDF of your response, a full table with your input will be shown.

	Amendment	Reasoning
Article 36		<p>Amend art. 36.1 We should include a limitation on the number of intraday auctions to three at the maximum. Furthermore, CACM should state that the number of ID auctions is to be reduced if the annual report under (new) Article 36.2 shows limited improvements in congestion management, capacity allocation or their detrimental impact on the liquidity on the liquidity of continuous markets, following their introduction. We hence disagree with changing the number IDAs depending on the amount of cross-border capacity</p> <p>Add art 36.2 We acknowledge that ID auctions will be introduced for SIDC, while continuous trading is currently taking place at the same time. However, we still consider continuous trading to be the main solution for intraday trade. Therefore, we requests that no step back is made with respect to the existing continuous market for the SIDC. In this regard we want to remind ACER of Article 16 (5) of the Electricity Regulation which explicitly states that for intraday trade, continuous trading shall be used and may be complemented by auctions, not replaced.</p> <p>We have consistently questioned the practical interest of IDAs as a solution to improve the efficiency of capacity allocation and congestion management. In particular, in bidding zones with low liquidity, the co-existence of two mechanisms (continuous market and auctions) will have detrimental effects.</p> <p>We thus remind ACER that the design of IDAs must preserve ID market liquidity, typically by shortening the interruptions of the continuous market as much as possible. We consider that interruptions in continuous trading should be limited to no more than 10 minutes for IDA (as already in force</p>

	<p>1. All TSOs and all NEMOs shall jointly develop, maintain and operate the integrated day-ahead and intraday markets in accordance with Articles 7, 8, 10, 16 and 17 of Regulation (EU) 943/2019. These markets shall be operated through:</p> <ul style="list-style-type: none"> <li>(a) SDAC for the day-ahead timeframe; and</li> <li>(b) SIDC for the intraday timeframe, consisting of: <ul style="list-style-type: none"> <li>i) intraday continuous trading,</li> <li>ii) maximum of three intraday auctions.</li> </ul> </li> </ul> <p>2 The Agency should provide a regular monitoring report on the assessment of the implementation of intraday auctions. Such a review should analyse the effects of intraday auctions in terms of efficiency, cross-zonal capacity allocated, and impact on the liquidity of the continuous SIDC. The assessment should result in the publication of an annual report based on relevant indicators to demonstrate improvements in congestion management and capacity allocation, as well as to challenge the number of intraday auctions.</p> <p>Based on this monitoring report, the Agency must be able to decide to reduce the number of intraday auctions and revise the timings of the intraday auctions.</p>	<p>for regional auctions according to the CACM GL).</p> <p>We call for the introduction of a regular review/assessment of the implementation of ID auctions. Such a review should analyse the effects of IDAs in terms of efficiency, cross-zonal capacity allocated, and impact on the liquidity of the continuous SIDC. The assessment should result in the publication of an annual report based on relevant indicators to demonstrate improvements in congestion management and capacity allocation; as well as to challenge the number of auctions.</p>
Article 36A		
Article 36AA	<p>36AA.3 The Intraday auction algorithm shall:</p> <ul style="list-style-type: none"> <li>(a) reach the objective of an optimum solution in terms of maximization of the economic surplus while complying at least with the following constraints and requirements;</li> <li>(b) respect the following constraints: <ul style="list-style-type: none"> <li>(i) cross-zonal capacity calculation outputs; and</li> <li>(ii) constraints on orders in accordance with SIDC products</li> </ul> </li> </ul>	<p>Amend 36AA.3 because there is a typo.</p> <p>We have not commented on the proposal to introduce uplifts and reserve our opinion on this matter for discussions at a later stage.</p>



Article 36AAA

36AAA.1 The cross-zonal capacity calculation outputs provided by the RCCs to the MCO for allocation via implicit auctions, in accordance with Article 39 and 63B, shall be firm at the time of their publication to the market participants and no later than 30 minutes before the SDAC gate opening time.

Amend 36AAA.1 to to make sure that the deletion of article 69 does not leave a legal void.

## Section 2 - Terms and conditions or methodologies on algorithm development

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Amended/New articles:

- Article 36B Products accommodated
- Article 36C Harmonised technical price limits
- Article 37 Algorithm methodology

IV.1.2 What is your opinion on the proposed amendment?

	Strongly disagree	Disagree	Neutral	Agree	Strongly agree	No opinion
* Article 36B	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Article 36C	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Article 37	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

\* IV.1.2 Do you consider the reasoning for the amendment sufficient?

- No
- Neutral
- Yes
- No opinion

IV.1.2 Please provide your (additional) consideration on the reasoning if necessary.

IV.1.2 How do the proposed amendments contribute to the achievement of the objectives pursuant the article [59\(4\) of the Electricity Regulation](#)?

	Strong negative contribution	Negative contribution	No change	Positive contribution	High positive contribution	No opinion
* Market integration	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Non-discrimination	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Effective competition	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Efficient functioning of the market	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

\* IV.1.2 Do you want to provide a different proposal?

Yes

No

IV.1.3 Please write your amendment proposal and the reasoning in the table below.

Please note that you won't be able to see the full size of your response in the Survey Tool but once you download the PDF of your response, a full table with your input will be shown.

	Amendment	Reasoning
Article 36B	<p>36B.1 All NEMOs shall develop, review and, where necessary, amend, proposals for products that can be accommodated by the SDAC algorithm, the continuous trading algorithm and the intraday auction algorithm. The products accommodated shall be:</p> <ol style="list-style-type: none"> <li>a. aligned with the objectives of this Regulation as defined in Article 3;</li> <li>b. efficient and based on economic principles; and</li> <li>c. covering one market time unit and multiple market time units.</li> </ol>	<p>Amend art. 36B.1 and delete “and all TSOs” because there is no justification for TSOs playing a role in the development of DA and ID products</p>
Article 36C	<ol style="list-style-type: none"> <li>1. All NEMOs shall jointly develop, review and, where necessary, amend the harmonised technical price limits on maximum and minimum clearing and bidding prices to be applied in all bidding zones which participate in the SDAC and the SIDC.</li> <li>2. The harmonised technical price limits shall: <ol style="list-style-type: none"> <li>a) not restrict free price formation in accordance with Article 3 (a) and (b) and Article 10 of Regulation 943/2019; and</li> <li>b) take into account the maximum value of lost load in the EU.</li> </ol> </li> <li>3. The methodology shall include a transparent mechanism to adjust automatically the harmonised technical price limits in day-ahead and intraday to bidding and clearing prices in the event that the set limits are insufficient to guarantee the provisions of paragraph 2. The adjusted higher harmonised technical price limits shall remain applicable until further increases under that mechanism are required.</li> </ol>	<p>Amend art 36C.1 1 and delete “and all TSOs” because there is no justification for TSOs to have any role to play in setting price limits linked to the operation of SDAC and SIDC – with which they should not be involved as per our modifications of article 3B.</p> <p>Amend art. 36C.2 considering the maximum value of lost load in the EU would increase harmonisation and set the technical price limits at the highest common denominator.</p> <p>Amend art 36C.3 because an automatic adjustment mechanism is missing in intraday at the moment.</p>
Article 37		

### Section 3 - Terms and conditions or methodologies on market coupling operation

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Amended/New articles:

- Article 36E Day-ahead timings and procedures
- Article 36F Intraday timings and procedures

IV.1.3 What is your opinion on the proposed amendment?

	Strongly disagree	Disagree	Neutral	Agree	Strongly agree	No opinion
* Article 36E	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Article 36F	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

\* IV.1.3 Do you consider the reasoning for the amendment sufficient?

- No
- Neutral
- Yes
- No opinion

IV.1.3 Please provide your (additional) consideration on the reasoning if necessary.

IV.1.3 How do the proposed amendments contribute to the achievement of the objectives pursuant the article [59\(4\) of the Electricity Regulation](#)?

	Strong negative contribution	Negative contribution	No change	Positive contribution	High positive contribution	No opinion
* Market integration	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Non-discrimination	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Effective competition	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Efficient functioning of the market	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

\* IV.1.3 Do you want to provide a different proposal?

Yes

No



IV.1.3 Please write your amendment proposal and the reasoning in the table below.

Please note that you won't be able to see the full size of your response in the Survey Tool but once you download the PDF of your response, a full table with your input will be shown.

	Amendment	Reasoning
Article 36E	<p>1. All NEMOs and all TSOs shall jointly develop, review and, where necessary, amend the intraday timings and procedures, after consultation of market participants.</p> <p>2. The intraday timings and procedures referred to in paragraph 1 shall include at least the following timings:</p> <ul style="list-style-type: none"> <li>(a) continuous trading opening times;</li> <li>(b) continuous trading closure times;</li> <li>(c) intraday auction gate opening times;</li> <li>(d) intraday auction deadlines for delivery of cross-zonal capacity calculation outputs to the MCO;</li> <li>(e) intraday auction gate closure times;</li> <li>(f) intraday cross-zonal gate opening times;</li> <li>(g) intraday cross-zonal gate closure times;</li> <li>(h) timings for delivery of results from intraday auctions and continuous trading;</li> <li>(i) SIDC deadlines for delivery of scheduled exchanges calculation results; and</li> <li>(j) Other timings needed for the determination of receiving input data and for providing results and for the determination of the processes in accordance with paragraph 3.</li> </ul> <p>3. The intraday timings and procedures referred to in paragraph 1 shall include at least the following procedures:</p> <ul style="list-style-type: none"> <li>(a) operational procedures determining the functioning and co-existence of the continuous trading and the intraday auctions, including their interactions;</li> <li>(b) back-up procedures for auctions; and</li> <li>(c) non-discriminatory rules that allow for transition from intraday</li> </ul>	

Article 36F

auctions to continuous trading.

4. The continuous trading closure time and the intraday cross-zonal gate closure time shall be, at the earliest, one hour before the start of the relevant intraday market time unit. It shall be set in such a way that they:

- (a) maximise market participants' opportunities for adjusting their balances by trading in the intraday market time-frame as close as possible to real time;
- (b) provide TSOs and market participants with sufficient time for their scheduling and balancing processes in relation to network and operational security; and
- (c) ensure fair and effective competition between NEMOs, in particular those operating in the same bidding zone.
- (d) Ensure that intraday trading shall be based on shared order books as of intraday cross zonal gate opening time.
- (e) Extend the sharing of order books by NEMOs after intraday cross zonal gate closure time, until local intraday gate closure time.

5. The proposal pursuant to paragraph 1 shall establish:

- (a) for each bidding zone, the continuous trading opening time and the continuous trading closure time relative to each intraday market time unit.
- (b) for each bidding zone border, the intraday cross-zonal gate opening time and the intraday cross-zonal gate closure time relative to each intraday market time unit.

6. The intraday auction gate opening time shall provide the market participants with sufficient time for orders submission to the NEMOs and shall be set at least 30 minutes before the intraday auction gate closure time.

7. In order to accommodate intraday auctions, the cross-zonal capacity allocation within the continuous trading for a given market time unit shall be suspended for a limited time period maximum 10 minutes to prevent parallel cross-zonal capacity allocation in the continuous trading and intraday auctions.

Amend 36F.1 because it should require stakeholder involvement.

Amend 36F.4. To improve liquidity on the market, we request the sharing of order books by all NEMOs from the official CZ GOT set by ACER at 15:00, in line with the requirement that order books should be shared for the whole duration of SIDC. Local technical or regulatory hurdles to this should be removed to ensure full compliance with the ACER Decision.

Amend 36F.7-8. the interruption time that the pan-European auctions would cause to continuous trading needs to be reduced to 10 minutes maximum. This will ensure that the market design truly respects the letter and spirit of CACM, where intraday capacity pricing is a complement to continuous trading, not the contrary. ACER Decision 04/2020 on art. 55 introduced a temporary measure, which allows the NEMOs and TSOs to extend the suspension time to the originally proposed length of 30 minutes before the deadline for bid submission and 30 minutes after, if they identify the need in the testing phase of the preparation of IDAs. This should end by January 2023.

Amend 36F.9 Although ACER has set the cross-zonal intraday GOT to 15:00 (CET) D-1 for the whole of Europe, many TSOs in Continental Europe do not offer capacity until much later – e.g. up to 22:00. We oppose this reading of the CACM GL and the ACER Decision, resulting in a CZ GOT in name only and circumventing the ACER Decision.

Amend 36F.13 to include portfolio bidding. See amendment and justification for portfolio bidding in art. 2.21 A

8. The timings of intraday auctions shall minimise, to the degree possible 10 minutes, the suspension of continuous trading, as referred to in paragraph 7.

9. The continuous trading for a given market time unit and a given bidding zone shall start at the latest at the continuous trading opening time of the relevant bidding zone and shall be allowed until the continuous trading closure time of that bidding zone, with the exception of the continuous trading suspension, pursuant to paragraph 7. Cross-border capacity shall be made available to the market as of the intraday cross zonal gate opening time.

10. The continuous trading for a given market time unit across a given bidding zone border shall start at the latest at the intraday cross-zonal gate opening time of the relevant bidding zone borders and shall be allowed a until the intraday cross-zonal gate closure time of that bidding zone border with the exception of the interruptions pursuant to paragraph 7.

11. Between the continuous trading opening time and continuous trading closure time, each NEMOs shall submit all orders received from the market participants for a given market time unit immediately to the shared order book for matching.

12. During the SIDC, the NEMOs shall not organise trading with intraday products outside of the SIDC.

13. Orders via portfolio bidding matched in continuous trading and intraday auctions shall be considered firm.

## TITLE IV Part 2 - Market coupling

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### Chapter 2 - Single day-ahead coupling

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Amended/New articles:

- Article 39 Inputs in the SDAC algorithm
- Article 39A Results of the price coupling algorithm

IV.2 What is your opinion on the proposed amendment?

	Strongly disagree	Disagree	Neutral	Agree	Strongly agree	No opinion
* Article 39	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Article 39A	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

\* IV.2 Do you consider the reasoning for the amendment sufficient?

- No
- Neutral
- Yes
- No opinion

IV.2 Please provide your (additional) consideration on the reasoning if necessary.

Article 47 is not under consultation. In the context of the current discussion on future trading arrangements between the EU and the UK, the question of SDAC timings and their inscription in CACM came up. With the realisation that the implementation of a future trading arrangement (in between explicit capacity allocation and full price coupling), once proven beneficial for markets in the EU and the UK, may need an adaptation of the timings of SDAC, we advise ACER to look into possibilities to ensure that SDAC timings can be modified, if necessary and justified, without modifying CACM itself.

IV.2 How do the proposed amendments contribute to the achievement of the objectives pursuant the article [59\(4\) of the Electricity Regulation](#)?

	Strong negative contribution	Negative contribution	No change	Positive contribution	High positive contribution	No opinion
* Market integration	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Non-discrimination	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Effective competition	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Efficient functioning of the market	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

\* IV.2 Do you want to provide a different proposal?

- Yes
- No

## Chapter 3 - Single intraday coupling

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Amended/New articles:

- Article 58 Provision of input data
- Article 58A Results of the continuous trading matching algorithm
- Article 63B Provision of input data
- Article 63F Results of the intraday auction algorithm

IV.3 What is your opinion on the proposed amendment?

	Strongly disagree	Disagree	Neutral	Agree	Strongly agree	No opinion
* Article 58	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Article 58A	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Article 63B	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Article 63F	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

\* IV.3 Do you consider the reasoning for the amendment sufficient?

- No
- Neutral
- Yes
- No opinion

IV.3 Please provide your (additional) consideration on the reasoning if necessary.

IV.3 How do the proposed amendments contribute to the achievement of the objectives pursuant the article [59\(4\) of the Electricity Regulation](#)?

	Strong negative contribution	Negative contribution	No change	Positive contribution	High positive contribution	No opinion
* Market integration	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Non-discrimination	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Effective competition	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Efficient functioning of the market	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>



\* IV.3 Do you want to provide a different proposal?

Yes

No

IV.3 Please write your amendment proposal and the reasoning in the table below.

Please note that you won't be able to see the full size of your response in the Survey Tool but once you download the PDF of your response, a full table with your input will be shown.

	Amendment	Reasoning
Article 58		
Article 58A	<p>1. The MCO shall use the inputs provided in accordance with Article 58 and ensure that the continuous trading matching algorithm produces at least the following results:</p> <p>a) the execution status of orders and prices per trade;</p> <p>b) a net position for each bidding zone, and NEMO trading hub for each market time unit.</p> <p>3. All TSOs shall verify that the results of the continuous trading matching algorithm are consistent with the cross-zonal capacity calculation outputs in accordance with Article 58(2).</p>	<p>Amend art.58A.1 to delete 'scheduling area". The intraday market is zonal, the net position should be calculated per BZ only, not control area</p> <p>Shouldn't art 58A.3.be a task for RCCs?</p>
Article 63B		<p>There should be a limitation on the number of intraday auctions to three at the maximum. Furthermore, CACM should state that the number of ID auctions is to be reduced if the annual report under (new) Article 36.2 shows limited improvements in congestion management, capacity allocation or their detrimental impact on the liquidity on the liquidity of continuous markets, following their introduction. We hence disagree with changing the number IDAs depending on the amount of cross-border capacity</p>

<p>Article 63F</p>	<p>1. The intraday auction algorithm shall use the inputs provided in accordance with Article 63B and produce at least the following results simultaneously for each market time unit:</p> <ul style="list-style-type: none"> <li>a) a clearing price for each bidding zone and market time unit in EUR /MWh, in accordance with Article 36AA(1)(b);</li> <li>b) a net position for each bidding zone and NEMO trading hub for each market time unit;</li> <li>c) the information which enables the execution status of orders to be determined; and</li> <li>d) flows on bidding zone borders or interconnectors which are modelled as optimisation variables in the intraday auction algorithm.</li> </ul>	<p>Amend art 63FB (b) and delete 'scheduling area'. The intraday market is zonal, the net position should be calculated per BZ only, not control area</p> <p>NOTE: we welcome the deletion of the CRIDAs but we do not share the deletion of art.64 on the removal of explicit allocation for the following reasons.</p> <ul style="list-style-type: none"> <li>• The explicit access on the top of the implicit (XBID) works very well and allow a full optimised use of the XB capacity: actors in France and Germany can do "non-standard products" OTC deals and then book explicit capacity</li> <li>• The explicit access allows RTE to access upwards/downwards offers from MPs for balancing. Removing it will prevent RTE to access this liquidity of offers and will result with higher imbalances prices for the French system.</li> </ul>
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## Chapter 4 - Post-coupling activities

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Amended/New articles:

- Article 67A Methodology for calculating scheduled exchanges resulting from single day-ahead coupling and single intraday coupling
- Article 68 Clearing and settlement
  - Option 1 Clearing and settlement on each NEMO
  - Option 2 Clearing and settlement on MCO
- Article 68A NEMO balance responsibility
  - Option 1 Balance responsibility on each NEMO
  - Option 2 Balance responsibility (cross-border) on MCO
- Article 72 Firmness in the event of force majeure or emergency situations
- Article 73 Congestion income distribution
  - Option 1 CID on each TSO
  - Option 2 CID on MCO
- Article 77 (proposed to be deleted)

IV.4 What is your opinion on the proposed amendment?

	Strongly disagree	Disagree	Neutral	Agree	Strongly agree	No opinion	Answer 7
* Article 67A	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* Article 68 Option 1	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Article 68 Option 2	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Article 68A Option 1	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Article 68A Option 2	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Article 72	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* Article 73 Option 1	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Article 73 Option 2	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Article 77	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>

\* IV.4 Do you consider the reasoning for the amendment sufficient?

No

- Neutral
- Yes
- No opinion

IV.4 Please provide your (additional) consideration on the reasoning if necessary.

IV.4 How do the proposed amendments contribute to the achievement of the objectives pursuant the article [59\(4\) of the Electricity Regulation](#)?

	Strong negative contribution	Negative contribution	No change	Positive contribution	High positive contribution	No opinion
* Market integration	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Non-discrimination	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Effective competition	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Efficient functioning of the market	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

\* IV.4 Do you want to provide a different proposal?

Yes

No

IV.4 Please write your amendment proposal and the reasoning in the table below.

Please note that you won't be able to see the full size of your response in the Survey Tool but once you download the PDF of your response, a full table with your input will be shown.

	Amendment	Reasoning
Article 67A		
Article 68 Option 1		
Article 68 Option 2		Option 2 refers to the centralised model for MCO and should be rejected.
Article 68A Option 1		
Article 68A Option 2		Option 2 refers to the centralised model for MCO and should be rejected.
Article 72		
Article 73 Option 1		
Article 73 Option 2		Option 2 refers to the centralised model for MCO and should be rejected.
Article 77		



# TITLE V - Bidding zone review process

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## Chapter 1 - Bidding zone review process

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Amended/New articles:

- Article 32 Reviewing existing bidding zone configurations
- Article 33 Criteria for reviewing bidding zone configurations

V.1 What is your opinion on the proposed amendment?

	Strongly disagree	Disagree	Neutral	Agree	Strongly agree	No opinion
* Article 32	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Article 33	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

\* V.1 Do you consider the reasoning for the amendment sufficient?

- No
- Neutral
- Yes
- No opinion

V.1 Please provide your (additional) consideration on the reasoning if necessary.

V.1 How do the proposed amendments contribute to the achievement of the objectives pursuant the article [59\(4\) of the Electricity Regulation](#)?

	Strong negative contribution	Negative contribution	No change	Positive contribution	High positive contribution	No opinion
* Market integration	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Non-discrimination	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Effective competition	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Efficient functioning of the market	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

\* V.1 Do you want to provide a different proposal?

Yes

No

V.1 Please write your amendment proposal and the reasoning in the table below.

Please note that you won't be able to see the full size of your response in the Survey Tool but once you download the PDF of your response, a full table with your input will be shown.

	Amendment	Reasoning
Article 32	<p>3. If a review is launched in accordance with paragraph 1(a), (b), or (d), the following conditions shall apply:            (a) the entity launching the review shall specify the geographic area consisting of bidding zones and bidding zones borders in which the bidding zone configuration shall be assessed and the neighbouring geographic areas for which impacts shall be taken into account ;</p> <p>7. The rules and process for those Member States that have opted to amend the bidding zone configuration pursuant to paragraph 2 are detailed in Regulation 2019/943. The decision to change bidding zone configurations by the EU Commission is limited to the cases mentioned in that Regulation accordingly.</p>	<p>We wonder why CACM has to rewrite the entire process when it is described in Article 14 of the Electricity Regulation. In order to be consistent and maintain consistency going forward this should only be addressed in the Electricity Regulation and CACM should refer only. Art 14 gives preference over CACM (where further bidding zone reviews are launched under CACM, Art. 14 of the Electricity Regulation shall apply).</p> <p>Amend art.32.7 and delete art.14(8). As before, we disagree with copying parts of Art 14(8) of the Electricity Regulation into Article 32 Nr 7. Instead, reference should be made to the Electricity Regulation only in order to avoid confusion and conflicting regulations.</p> <p>Amend art. 32.3 to reinsert the deleted reference to neighbouring geographic areas.</p>
Article 33	<p>2. The principles for bidding zone reviews and assessments are defined and shall apply as set out in Article 14(3) of Regulation EU 2019/943.</p>	<p>This is additional wording to the text provided by Article 14 Electricity Regulation. No reason is provided why the configuration of the bidding zones shall be assessed on the ability of securing long-term security of investments in generation in addition to network infrastructure. “In generation” is not an assessment criteria used in the Electricity Regulation. We therefore propose deletion of Art 33 (2) and replacement a reference to Article 14(3) of Regulation EU 2019/943.</p> <p>We ask ACER to at least trigger a discussion of how Offshore Bidding Zones will be handled when it comes to Bidding Zone Reviews in the future and to possibly amend art 33.2 to include offshore hybrid project according to the EU offshore strategy. Inserted a definition in the general provisions too.</p>

# TITLE VI - Reporting and implementation monitoring

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## Chapter 1 - Reporting

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Amended/New articles:

- Article 31 Biennial report on capacity calculation and allocation
- Article 34 Regular reporting on current bidding zone configuration by ENTSO for Electricity
  - Option 1 Includes threshold for reporting on physical congestion
  - Option 2 No explicit threshold

VI.1 What is your opinion on the proposed amendment?

	Strongly disagree	Disagree	Neutral	Agree	Strongly agree	No opinion
* Article 31	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Article 34 Option 1	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Article 34 Option 2	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

\* VI.1 Do you consider the reasoning for the amendment sufficient?

- No
- Neutral
- Yes
- No opinion

VI.1 Please provide your (additional) consideration on the reasoning if necessary.

VI.1 How do the proposed amendments contribute to the achievement of the objectives pursuant the article [59\(4\) of the Electricity Regulation](#)?

	Strong negative contribution	Negative contribution	No change	Positive contribution	High positive contribution	No opinion
* Market integration	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Non-discrimination	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Effective competition	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Efficient functioning of the market	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

\* VI.1 Do you want to provide a different proposal?

Yes

No

VI.1 Please write your amendment proposal and the reasoning in the table below.

Please note that you won't be able to see the full size of your response in the Survey Tool but once you download the PDF of your response, a full table with your input will be shown.

	Amendment	Reasoning
Article 31		
Article 34 Option 1	<p>1. Every three years, the ENTSO for Electricity shall issue a technical report on the structural congestions and other major physical congestions between and within bidding zones observed in the current bidding zone configuration, pursuant to Article 14(2) of Regulation (EU) 2019/943. Based on the technical report of ENTSO-E, the scenarios set out in the TYNDP and the report on the results of the monitoring the wholesale markets in electricity, pursuant to Article 15(1) of Regulation (EU) 2019 /942, ACER shall assess the efficiency of current bidding zone configuration.</p>	<p>Amend art 34.1 to include the TYNDP scenarios. The time horizon is reduced from 10 to 3 year scenarios (in line with the Electricity Regulation). Nonetheless should the review consider the scenarios set out in the TYNDP.</p>
Article 34 Option 2		



## Chapter 2 - Implementation monitoring

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Amended/New articles:

- Article 82 Monitoring of the implementation of single day-ahead and intraday coupling

VI.2 What is your opinion on the proposed amendment?

	Strongly disagree	Disagree	Neutral	Agree	Strongly agree	No opinion
* Article 82	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

\* VI.2 Do you consider the reasoning for the amendment sufficient?

- No
- Neutral
- Yes
- No opinion

VI.2 Please provide your (additional) consideration on the reasoning if necessary.

How do the proposed amendments contribute to the achievement of the objectives pursuant the article [59\(4\) of the Electricity Regulation](#)?

	Strong negative contribution	Negative contribution	No change	Positive contribution	High positive contribution	No opinion
* Market integration	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Non-discrimination	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Effective competition	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Efficient functioning of the market	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

\* Do you want to provide a different proposal?

- Yes
- No

## TITLE VII - Transitional and final provisions

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Amended/New articles:

- Article 83 Transitional provisions
- Article 84 Entry into force

VII What is your opinion on the proposed amendment?

	Strongly disagree	Disagree	Neutral	Agree	Strongly agree	No opinion
* Article 83	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Article 84	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

\* VII Do you consider the reasoning for the amendment sufficient?

- No
- Neutral
- Yes
- No opinion

VII. Please provide your (additional) consideration on the reasoning if necessary.

VII. How do the proposed amendments contribute to the achievement of the objectives pursuant the article [59\(4\) of the Electricity Regulation](#)?

	Strong negative contribution	Negative contribution	No change	Positive contribution	High positive contribution	No opinion
* Market integration	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Non-discrimination	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Effective competition	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Efficient functioning of the market	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

\* VII Do you want to provide a different proposal?

Yes

No

VII Please write your amendment proposal and the reasoning in the table below.

Please note that you won't be able to see the full size of your response in the Survey Tool but once you download the PDF of your response, a full table with your input will be shown.

	Amendment	Reasoning
Article 83		
Article 84		It is too early to comment on this as the final changes are unknown at the moment. However, new requirements of CACM should not postpone the implementation of the existing CACM provisions.

# SOGL amendments

## Chapter 1 - Common grid model

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Article 16, Article 17, Article 18, Article 19 and Article 28 of CACM Regulation are proposed to be deleted from CACM Regulation and below articles from the SOGL Regulation amended.

Amended SOGL articles:

- Article 40 Organisation, roles, responsibilities and quality of data exchange
- Article 46 Scheduled data exchange
- Article 52 Data exchange between TSOs and transmission-connected demand facilities
- Article 64 General provisions regarding individual and common grid models
- Article 67 Year-ahead and month-ahead individual and common grid models
  - Option 1 Not to include the best forecast of remedial actions in IGM
  - Option 2 Include the best forecast of remedial actions in IGM
- Article 69 Week-ahead individual and common grid models
- Article 70 Methodology for building two-days ahead, day-ahead and intraday common grid models (options in this article depend on options under X.1 Article 67)

X.1 What is your opinion on the proposed amendment?

	Strongly disagree	Disagree	Neutral	Agree	Strongly agree	No opinion
* Article 40 SOGL	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Article 46 SOGL	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Article 52 SOGL	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Article 64 SOGL	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Article 67 SOGL Option 1	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Article 67 SOGL Option 2	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Article 69 SOGL	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Article 70 SOGL	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

\* X.1 Do you consider the reasoning for the amendment sufficient?

- No
- Neutral
- Yes

No opinion

X.1 Please provide your (additional) consideration on the reasoning if necessary.



X.1 How do the proposed amendments contribute to the achievement of the objectives pursuant the article [59\(4\) of the Electricity Regulation](#)?

	Strong negative contribution	Negative contribution	No change	Positive contribution	High positive contribution	No opinion
* Market integration	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Non-discrimination	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Effective competition	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Efficient functioning of the market	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

\* X.1 Do you want to provide a different proposal?

- Yes
- No

## Chapter 2 - Remedial actions

Download

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Article 35 and Article 74 are proposed to be deleted from CACM Regulation and Article 76 from the SOGL Regulation is proposed to be amended.

- Article 76 Proposal for regional operational security coordination
  - Option 1 Keeping the existing text from CACM Regulation and move to SO Regulation
  - Option 2 Improved text in line with ACER Decisions

X.2 What is your opinion on the proposed amendment?

	Strongly disagree	Disagree	Neutral	Agree	Strongly agree	No opinion
* Article 76 SOGL Option 1	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Article 76 SOGL Option 2	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

\* X.2 Do you consider the reasoning for the amendment sufficient?

- No
- Neutral
- Yes
- No opinion

X.2 Please provide your (additional) consideration on the reasoning if necessary.

X.2 How do the proposed amendments contribute to the achievement of the objectives pursuant the article [59\(4\) of the Electricity Regulation](#)?

	Strong negative contribution	Negative contribution	No change	Positive contribution	High positive contribution	No opinion
* Market integration	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Non-discrimination	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Effective competition	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Efficient functioning of the market	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

\* X.2 Do you want to provide a different proposal?

Yes

No

## Summary

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Please rate the importance of the following topics:

	Not at all important	Slightly important	Important	Fairly important	Very important	No opinion
* TITLE I - General Provisions	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* TITLE II, Chapter 1 - MCO organisation	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* TITLE II, Chapter 2 - Tasks and responsibilities	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* TITLE II, Chapter 3 - Costs	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* TITLE III, Chapter 1 - General requirements	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* TITLE III, Chapter 2 - Capacity calculation methodologies	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* TITLE III, Chapter 3 - Capacity calculation process	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* TITLE IV, Chapter 1 - Market coupling development, Section 1 - General Requirements	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* TITLE IV, Chapter 1 - Market coupling development, Section 2 - TCMs on algorithm development	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* TITLE IV, Chapter 1 - Market coupling development, Section 3 - TCMs on market coupling operation	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* TITLE V, Chapter 1 - Bidding zone review process	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* TITLE VI, Chapter 1 - Reporting	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* TITLE VI, Chapter 2 - Implementation monitoring	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* TITLE VII - Transitional and final provisions	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* SOGL proposals, Chapter 1 - Common grid model	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* SOGL proposals, Chapter 2 - Remedial actions	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

## Download

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Please find below for download the full amendment files in word track change format for your convenience.

The pdf documents in the survey are created from these word-files

[Title I II.zip](#)

[Title III.zip](#)

[Title IV.zip](#)

[Title V VI VII.zip](#)

[Title X SOGL.zip](#)

### Useful links

[ACER regulation \(https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32019R0942&from=EN\)](https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32019R0942&from=EN)

[Electricity Regulation \(https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32019R0943&from=EN\)](https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32019R0943&from=EN)

[CACM Regulation \(https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:02015R1222-20210315&from=EN#tocl22\)](https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:02015R1222-20210315&from=EN#tocl22)

[ACER Guidance Note on Consultations \(https://www.acer.europa.eu/Official\\_documents/Other\\_documents/Guidance\\_Note\\_on\\_Consultations\\_by\\_ACER.pdf\)](https://www.acer.europa.eu/Official_documents/Other_documents/Guidance_Note_on_Consultations_by_ACER.pdf)

### Background Documents

[ACER scoping letter to European Commission](#)

[EC Letter on recommendation to ACER](#)

### Contact

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