



Publishing date: 05/06/2012

Document title: ACER Opinion 03-2012

We appreciate your feedback



Please click on the icon to take a 5' online survey
and provide your feedback about this document

ACER OPINION n° 03-2012

ON THE ENTSO-E ANNUAL REPORT 2011

THE AGENCY FOR THE COOPERATION OF ENERGY REGULATORS

HAVING REGARD to Regulation (EC) No 713/2009 of the European Parliament and of the Council of 13 July 2009 establishing an Agency for the Cooperation of Energy Regulators¹, and, in particular, Articles 6(3)(b), 15(1) and 17(3) thereof;

HAVING REGARD to Regulation (EC) No 714/2009 of the European Parliament and of the Council of 13 July 2009 on conditions for access to the network for cross-border exchanges in electricity and repealing Regulation (EC) No 1228/2003², and, in particular, Articles 8(3)(e) and 9(2) thereof;

HAVING REGARD to the favourable opinion of the Agency's Board of Regulators of 22 May 2012;

WHEREAS:

- (1) On 26 March 2012 the European Network of Transmission System Operators for Electricity (hereafter referred to as "ENTSO-E"), with reference to Article 8(3)(e) and Article 9(2) of Regulation (EC) No 714/2009, submitted its annual report for 2011 (hereafter referred to as "ENTSO-E Annual Report 2011") to the Agency for its opinion. The report is entitled "Completing the Internal Electricity Market by 2014: The Challenges for Europe's Transmission System". According to ENTSO-E, it is intended to provide an extensive account of ENTSO-E's work and activities in the past year, while highlighting the TSO's efforts in contributing to the achievement of the Internal Energy Market by 2014.
- (2) Pursuant to Article 6(3)(b) of Regulation (EC) No 713/2009, the Agency shall provide an opinion to ENTSO-E in accordance with the first subparagraph of Article 9(2) of Regulation (EC) No 714/2009, not only on the draft annual work programme and the draft Community-wide network development plan, but also on other relevant documents referred to in Article 8(3) of Regulation (EC) No 714/2009. Point (e) of Article 8(3) of Regulation (EC) No 714/2009 refers to an annual report to be adopted by ENTSO-E. The ENTSO-E Annual Report 2011 is the first report of this kind submitted to the Agency for an opinion.

¹ OJ L 211, 14.8.2009, p.1

² OJ L 211, 14.8.2009, p.15

- (3) According to Article 6(3)(b) of Regulation (EC) No 713/2009 the Agency shall take into account for its opinion the objectives of non-discrimination, effective competition and the efficient and secure functioning of the internal market in electricity. Further, the Agency regards it as essential to consider for its opinion the purpose of the annual report. By its nature, such report is to provide clear information about ENTSO-E's activities. In particular information about the fulfilment of the various tasks of ENTSO-E under Regulation (EC) No 714/2009 is central. The results of the analysis of the implementation of the network codes and guidelines adopted by the Commission, which are expressly required by Article 8(8) of Regulation (EC) No 714/2009, are therefore only one content element of ENTSO-E's annual report;

HAS ADOPTED the present OPINION on ENTSO-E Annual Report 2011, for submission to ENTSO-E, with the following recommendations, comments and guidance:

1. Overall, the ENTSO-E Annual Report 2011 provides a good overview of ENTSO-E's work and activities in 2011. It has a broad scope, and is well structured and comprehensible.
2. The ENTSO-E Annual Report 2011 includes a number of important considerations, of which the following deserve special emphasis and endorsement:
 - The creation of ENTSO-E's day-ahead and intraday monitoring groups to increase cross-regional coordination and ensure the further extension of day-ahead price coupling and continuous intraday trading to other regions;
 - ENTSO-E's commitment to improve its performance in stakeholder engagement.
3. However, other relevant issues are not dealt with, or dealt with only marginally, in the ENTSO-E Annual Report 2011, so that it is not clear from the ENTSO-E Annual Report 2011 to which extent ENTSO-E was active in these areas. More specifically:
 - The ENTSO-E Annual Report 2011 does not address any cooperation between ENTSO-E and the European Network of Transmission System Operators for Gas, especially regarding power system development activities, although the gas system affects the electricity system – particularly gas-fired generation – and vice versa;
 - Regarding the coordination of technical cooperation between the Community and third-country TSOs, the ENTSO-E Annual Report 2011 refers only, in its section on the ten-year network development plan

(TYNDP) 2012, to the development of a process for including projects from third parties (i.e. developers who are not ENTSO-E members) in the TYNDP;

- The ENTSO-E Annual Report 2011, in compliance with the ENTSO-E work program 2011 which envisages progressing studies on possible extensions of synchronous operation, indicates that since September 2010 Turkey is in trial parallel interconnection with the continental European system and lists four ENTSO-E announcements on this topic during 2011, but it gives no status update on those activities;
- While the ENTSO-E Annual Report 2011 states that member TSOs have committed to finalising the migration of system planning data exchanges by December 2011, it does not contain information about the current status of this migration.

It is considered important that more precise information on the above issues is included in the next annual report, to avoid uncertainties and doubts about ENTSO-E's activities.

4. It is noted that, as network codes and guidelines have not yet been adopted by the European Commission, the ENTSO-E Annual Report 2011 could not yet include any findings resulting from monitoring and analysing the implementation of such network codes and guidelines.

Done at Ljubljana on 4 June 2012.

For the Agency:


Alberto Pototschnig
Director



Publishing date: 05/06/2012

Document title: ACER Opinion 03-2012

We appreciate your feedback



Please click on the icon to take a 5' online survey
and provide your feedback about this document