



Publishing date: 02/08/2018

Document title: Demand connection NC and requirements for grid connection NC

We appreciate your feedback



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

Share this document





Implementation Monitoring Report
of the
Network Code on Demand Connection
and of the Network Code on
requirements for grid connection of high
voltage direct current systems and direct
current-connected power park modules

First edition

August 2018

ACER - Agency for the Cooperation of Energy Regulators
Trg Republike 3, 1000 Ljubljana, Slovenia

Mr David Merino
Tel. +386 (0)8 2053 417
Email: david.merino@acer.europa.eu

Contents

1	Purpose, scope and data	5
1.1	Purpose of the report.....	5
1.2	Scope.....	5
1.3	Data	6
2	Conclusions and recommendations	6
(a)	NC DC and NC HVDC implementation is well on track	6
(b)	... but full implementation is still outstanding	7
3	Non-binding guidance on implementation	8
3.1	Objectives.....	8
3.2	Implementation status.....	8
4	List of the relevant information.....	11
4.1	Objectives.....	11
4.2	Implementation status.....	11
5	Derogation criteria	12
5.1	Objectives.....	12
5.2	Implementation status.....	13
5.2.1	NRAs empowerment to grant and revoke derogations	13
5.2.2	Publishing the NC DC Derogation Criteria.....	13
5.2.3	Publishing the NC HVDC Derogation Criteria.....	14
5.2.4	Internet links to the derogation criteria.....	14
5.2.5	Notification to the Commission of the NC DC derogation criteria	14
5.2.6	Notification to the Commission of the NC HVDC derogation criteria	14
5.2.7	Consultation with stakeholders	15
5.2.8	Guidance for stakeholders	15
	Annex I: Summary of NRA responses to the questionnaires	16
1	Derogation criteria	17
1.1	NRAs empowerment to grant and revoke derogations	17
1.2	Publication of the Derogation Criteria	18
1.3	Internet links to the derogation criteria.....	20
1.4	Notification to the Commission	23
1.5	Consultation with stakeholders.....	25
1.6	Guidance for stakeholders.....	28
	Annex II: List of abbreviations & country codes	32

Note: All hyperlinks referred to in this document were correct and functioning at the time of publication.

1 Purpose, scope and data

1.1 Purpose of the report

- (1) Article 9(1) of Regulation (EC) No 714/2009¹ requires the Agency to monitor and analyse the implementation of the Network Codes and the Guidelines adopted by the Commission and their effect on the harmonisation of applicable rules aimed at facilitating market integration, as well as on non-discrimination, effective competition and the effective functioning of the market, and to report to the Commission.
- (2) This Report focuses on two network codes:
 - a. Commission Regulation (EU) 2016/1388 establishing a network code on demand connection (NC DC), and
 - b. Commission Regulation (EU) 2016/1447 establishing a network code on requirements for grid connection of high voltage direct current systems and direct current-connected power park modules (NC HVDC).
- (3) The primary purpose of this Report is to present the progress towards their implementation. It further aims at:
 - identifying challenges in implementing the Network Code, and
 - recommending concrete actions and best practices that can lead to a more efficient implementation.

1.2 Scope

- (4) The NC DC entered into force on 7 September 2016 and the NC HVDC on 28 September 2016, but only a handful of provisions apply before mid-June 2019. This Report covers the implementation status of the specific NC DC and NC HVDC provisions that were due to be implemented by mid-2018². The following areas are in the scope of this Report:
 - Non-binding guidance on implementation, as provided for by Article 56 of the NC DC and Article 75 of the NC HVDC;
 - List of the relevant information for implementation monitoring, as provided for by Article 57.2 of the NC DC and Article 76(2) of the NC HVDC; and
 - Criteria for granting derogations, as provided for by Article 51(1) of the NC DC and Article 78(1) of the NC HVDC.

¹ 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 1228/2003

² This report does not cover Cyprus and Malta because the NC DC and NC HVDC do not apply to demand facilities and distribution systems and HVDC systems or DC-connected power park modules connected to the transmission system and distribution systems, or to parts of the transmission system or distribution systems, of islands of Member States of which the systems are not operated synchronously with either the Continental Europe, Great Britain, Nordic, Ireland and Northern Ireland or Baltic synchronous area.

1.3 Data

- (5) The Agency asked National Regulatory Authorities (NRAs) to complete a number of questionnaires between December 2016 and July 2017. Those questionnaires included detailed questions on the implementation of specific and general NC DC and NC HVDC provisions. NRAs were given an opportunity further to amend and update their inputs until mid-June 2018. Their feedback is summarised in Annex I.
- (6) When drafting this Report, the Agency also relied on information obtained from ENTSO-E's webpage and from the Agency's working group and task force (SOGC TF) that are open to participation of all NRAs.

2 Conclusions and recommendations

- (7) In the light of the analysis performed for this Report, the Agency has come to the following conclusions and recommendations:

(a) NC DC and NC HVDC implementation is well on track ...

- (8) As listed in Chapter 1.2, between the entry into force (7 September 2016 for the NC DC and 28 September for the NC HVDC) of the respective network codes and mid-June 2018, only three areas of requirements actually applied, i.e. non-binding guidance on implementation, list of the relevant information for implementation monitoring and criteria for granting derogations.
- (9) Requirements on non-binding guidance on implementation and on the list of the relevant information for implementation monitoring have been fully complied with by ENTSO-E and the Agency in due time.
- (10) The requirement on the publication of criteria for granting derogations concerning the NC DC has been fully and timely complied with by only 17 NRAs³, while 5 NRAs⁴ have complied with the requirement with a delay.
- (11) The requirement on the publication of criteria for granting derogations concerning the NC HVDC has been fully and timely complied with by only 18 NRAs⁵, while 4 NRAs⁶ have complied with the requirement with a delay.
- (12) 2 NRAs⁷ have not reported on the implementation status which leads the Agency reasonably to assume that they failed to comply with the requirements on criteria for granting derogations.

³ E-Control (AT), CREG (BE), ERO (CZ), BNetzA (DE), DERA (DK), ECA (EE), EV (FI), CRE (FR), Ofgem (GB), UREGNI (GB-NIR), HERA (HR), CER (IE), ARERA (IT), ILR (LU), ACM (NL), ANRE (RO) and EI (SE)

⁴ NCC (LT), PUC (LV), URE (PL), DGEG (competent authority in PT) and RONI (SK)

⁵ E-Control (AT), CREG (BE), ERO (CZ), BNetzA (DE), DERA (DK), ECA (EE), EV (FI), CRE (FR), Ofgem (GB), UREGNI (GB-NIR), HERA (HR), CER (IE), ARERA (IT), ILR (LU), ACM (NL), ANRE (RO), EI (SE) and RONI (SK)

⁶ NCC (LT), PUC (LV), URE (PL) and DGEG (competent authority in PT)

⁷ EWRC (BG) and RAE (GR)

(b) ... but full implementation is still to be achieved

- (13) The Agency urges a prompt implementation of requirements on criteria for granting derogations by the Member States that are still non-compliant and asks NRAs to promote rapid progress and transparency.
- (14) Regarding the criteria for granting derogations, the Agency understands that NRAs may amend at most once every year the criteria for granting derogations (Article 51(2) of the NC DC and Article 78(2) of the NC HVDC). The Agency recommends that, in doing so, NRAs take into account best practice, as shared in the framework of the Agency.

3 Non-binding guidance on implementation

3.1 Objectives

- (15) Article 56 of the NC DC and Article 75 of the NC HVDC prescribe that non-binding guidance on implementation be prepared by ENTSO-E no later than six months after the entry into force of the respective network code. The following requirements need to be complied with:
- ENTSO-E shall provide no later than six months after the entry into force of the respective network code, and thereafter update every two years, non-binding written guidance to its members and other system operators concerning the elements of the respective network code requiring national decisions;
 - ENTSO-E needs to publish the guidance on its website;
 - ENTSO-E shall consult stakeholders when providing the non-binding guidance;
 - The non-binding guidance shall explain the technical issues, conditions and interdependencies which need to be considered when complying with the requirements of this Regulation at national level.

3.2 Implementation status

- (16) The deadlines for preparation and publication of the non-binding guidance concerning the implementation of the NC DC and NC HVDC, 7 and 28 March 2017, respectively, have successfully been met by ENTSO-E.
- (17) ENTSO-E recognised the interactions of different grid users' non-exhaustive requirements and thus decided, where relevant, to incorporate general principles for different requirements and connection codes in the same guidance document(s), and thereby achieved coherence in the non-binding guidance for the connection network codes.
- (18) Although 18 Implementation Guidance Documents (IGDs) published on 17 November 2016 and an additional IGD on High Penetration of Power Electronic Interfaced Power Sources (HPoPEIPS) published on 10 August 2017 already covered a number of aspects of the NC DC and NC HVDC implementation⁸, ENTSO-E published, on 31 January 2018, the following updated or additional Frequency Related Parameters IGDs concerning the implementation of the NC DC, NC HVDC and Commission Regulation (EU) 2016/631 establishing a network code on requirements for grid connection of generators (RfG)⁹:
- a. Automatic connection/reconnection and admissible active power ramp in (New);
 - b. Demand Response – System Frequency Control (New);
 - c. Frequency Ranges (New);
 - d. Frequency Sensitive Mode (New);
 - e. Limited Frequency Sensitive Mode (New);

⁸ For example, General Guidance on Compliance Testing and Monitoring deal with the commissioning of any new grid element, subject to the Requirements for Generators, DCC or NC HVDC, being connected to the system.

⁹ https://electricity.network-codes.eu/network_codes/cnc/cnc-igds/

- f. Maximum Admissible active power reduction at low frequencies (New);
 - g. Need for synthetic inertia for frequency regulation (Updated);
 - h. Rate-of-change-of-frequency withstand capability (RoCoF) (Updated).
- (19) Furthermore, on 28 March 2018, ENTSO-E published an updated IGD on the CBA process. This IGD aims to facilitate and to harmonise the elaboration of a detailed CBA methodology to be applied when necessary within the remit of the NC RfG, NC DC and NC HVDC national implementation processes¹⁰.
- (20) On 8 June 2018, ENTSO-E published the following NC HVDC-related IGDs¹¹:
- a. Embedded HVDC systems – frequency settings in case of system split;
 - b. HVDC system default parameters; and
 - c. Interaction between HVDC controllers and other connections.
- (21) In order to inform the drafting of its IGDs, ENTSO-E relied on the input from the expert groups¹² established for this purpose and regularly consulted all stakeholders¹³:
- From 5 April to 5 May 2017 on HPoPEIPS IGD. ENTSO-E's response to the comments received during the public consultation are available here: <https://docs.entsoe.eu/cnc-al/2017/08/10/igd-update/>
 - From 20 November to 21 December 2017 on the Frequency Related Parameters IGDs. ENTSO-E's response to the comments received during the public consultation are available here: <https://docs.entsoe.eu/cnc-al/2017/08/10/igd-update/>; [https://docstore.entsoe.eu/Documents/Network%20codes%20documents/NC%20RfG/ENTSO-E IGD consultation response.pdf](https://docstore.entsoe.eu/Documents/Network%20codes%20documents/NC%20RfG/ENTSO-E%20IGD%20consultation%20response.pdf);
 - From 29 January to 2 March 2018 on the Cost Benefit Analysis IGD. ENTSO-E's response to the comments received during the public consultation are available here: [https://www.entsoe.eu/Documents/Network%20codes%20documents/NC%20RfG/180327 IGD on CBA supporting documents.zip](https://www.entsoe.eu/Documents/Network%20codes%20documents/NC%20RfG/180327%20IGD%20on%20CBA%20supporting%20documents.zip)
 - From 26 March to 4 May 2018 on the Embedded HVDC systems – frequency settings in case of system split, HVDC system default parameters and on Interaction between HVDC controllers and other connections. ENTSO-E's response to the comments received during the public consultation are available here: <https://www.entsoe.eu/news/2018/06/11/entso-e-publishes-three-implementation-guidance-documents-igds-on-hvdc-related-topics-and-the-response-to-the-comments-received-during-the-public-consultation-of-these-igds/>

¹⁰ <https://docs.entsoe.eu/cnc-al/2018/03/28/entso-e-publishes-the-implementation-guidance-document-igd-on-cost-benefit-analysis-and-the-response-to-the-comments-received-during-the-public-consultation-of-this-igd/>

¹¹ <https://www.entsoe.eu/news/2018/06/11/entso-e-publishes-three-implementation-guidance-documents-igds-on-hvdc-related-topics-and-the-response-to-the-comments-received-during-the-public-consultation-of-these-igds/>

¹² <https://docs.entsoe.eu/cnc-al/task-force/>

¹³ https://consultations.entsoe.eu/system-development/entso-e-connection-codes-implementation-guidance-d/user_uploads/160630_cnc_igd_introduction-document.pdf

- ENTSO-E also organised three public workshops in relation to the Frequency Related Parameters IGDs as evidenced from the development roadmap available at: https://consultations.entsoe.eu/++preview++/system-development/entso-e-connection-codes-implementation-guidance-d-4/user_uploads/roadmap-to-complete-the-igds-on-frequency-stability-requirements.pdf.
- (22) Each IGD contains the following elements:
- Description, including examples and references where so relevant;
 - Interdependencies within connection codes, other NCs, system characteristics and technology characteristics;
 - Coordination or collaboration at the relevant level, e.g.¹⁴ TSO – MS-NRA and TSO – generator owner – DSO-CDSO, TSO – DSO and RSO – Grid User;
- (23) These elements address the connection codes’ requirements for explanation of the technical issues, conditions and interdependencies which need to be considered when complying with the requirements of the network code at national level.
- (24) Last but not least, ENTSO-E intends to publish or update IGDs as often as deemed necessary or reasonable¹⁵.

¹⁴ See Annex II for a list of abbreviations.

¹⁵

https://www.entsoe.eu/Documents/Network%20codes%20documents/Implementation/stakeholder_committees/GSC/2016_12_09/1.2.%20160908_3rd%20GC%20ESC%20meeting%20minutes_vDraft_clean%20vfinal.pdf?Web=1

4 List of the relevant information

4.1 Objectives

- (25) Article 57(2) of the NC DC and Article 76(2) of the NC HVDC oblige the Agency to produce, in cooperation with ENTSO-E, a list of the relevant information to be communicated by ENTSO-E to the Agency in accordance with Article 8(9) and Article 9(1) of Regulation (EC) No 714/2009. The deadline is 12 months after the entry into force of the respective network code; however, the list of relevant information may be subject to updates.

4.2 Implementation status

- (26) Concerning the NC HVDC, the deadline for producing the list of relevant information (28 September 2017) was successfully met by the Agency. After bilateral coordination, the Agency sent ENTSO-E a letter on 28 September 2017, asking ENTSO-E to collect specified data from its TSO members, which will allow continuous monitoring of the ratio between new and existing installed capacities of HVDC converter stations and of the ratio between new and existing installed capacities of DC-connected power park modules. The Agency understands that this information is already available to TSOs as it is a prerequisite for efficient and effective system stability studies. The information will be used in future implementation monitoring reports to assess the effect on the harmonisation of applicable rules aimed at facilitating market integration, as well as on non-discrimination, effective competition and the effective functioning of the market.
- (27) Concerning the NC DC, based on discussions with ENTSO-E and the members of the Grid Connection European Stakeholders Committee, the Agency recognised that the implementation of the NC DC is still in progress where only a few implementation issues have been reported by stakeholders¹⁶. In the absence of clarity on the implementation, the Agency deemed that producing a list of the relevant information concerning the NC DC, by the deadline (7 September 2017), could have led to ineffective and inefficient data collection by ENTSO-E. Therefore, after bilateral coordination, the Agency sent ENTSO-E a letter on 11 July 2017, informing ENTSO-E that the NC DC is in the process of implementation by the Member States and that in the absence of clarity on this implementation, the Agency is unable to foresee the scope of the data request to ENTSO-E. Nevertheless, the Agency expects discussions with the Grid Connection European Stakeholders Committee and NRAs shall, by the NC DC implementation deadline, i.e. 18 September 2019, lead to the required clarity on the implementation of the NC DC. The Agency intends to define the list of the relevant information in 2019, with the objective to conduct efficient and appropriate monitoring and analysis of the effect of the implementation of the NC DC on the harmonisation of applicable rules aimed at facilitating market integration, non-discrimination, effective competition and the efficient functioning of the market. Furthermore, as stated in Article 57(2) of the NC DC, the list of information may be subject to updates.

¹⁶ <https://esc.network-codes.eu/>

5 Derogation criteria

5.1 Objectives

- (28) Pursuant to Article 50(1) of the NC DC, regulatory authorities may, at the request of a demand facility owner or prospective owner, and a DSO/CDSO or prospective operator, relevant system operator or relevant TSO, grant demand facility owners or prospective owners, and DSOs/CDSOs or prospective operators, relevant system operators or relevant TSOs derogations from one or more provisions of the NC DC for new and existing transmission-connected demand facilities or transmission-connected distribution facilities.
- (29) Further, Article 50(2) of the NC DC stipulates that where applicable in a Member State, derogations may be granted and revoked by other authorities than the regulatory authority. Hereafter, when the report refers to a regulatory authority, it implies other authority if so applicable in the Member State.
- (30) According to Article 51(1) of the NC DC, each regulatory authority shall specify, after consulting relevant system operators, demand facility owners, DSOs, CDSOs, and other stakeholders whom it deems affected by this Regulation, the criteria for granting derogations.
- (31) The regulatory authority shall publish those criteria on its website and notify them to the Commission within nine months of the entry into force of the NC DC.
- (32) If the regulatory authority deems that it is necessary due to a change in circumstances relating to the evolution of system requirements, it may review and amend, at most once every year, the criteria for granting derogations in accordance with Article 51(2) of the NC DC. Any changes to the criteria shall not apply to derogations for which a request has already been made.
- (33) Provisions regarding regulatory aspects listed in Article 6(3) of the NC DC apply in the implementation of Articles 50 and 51 of the NC DC.
- (34) Pursuant to Article 77(1) of the NC HVDC, regulatory authorities may, at the request of a HVDC system owner or DC-connected power park module owner, or their prospective owner, relevant system operator or relevant TSO, grant HVDC system owners or DC-connected power park module owners, or their prospective owner, relevant system operators or relevant TSOs derogations from one or more provisions of the NC HVDC for new and existing HVDC system and/or DC-connected power park modules.
- (35) Further, Article 77(2) of the NC HVDC stipulates that where applicable in a Member State, derogations may be granted and revoked by other authorities than the regulatory authority. Hereafter, when the report refers to a regulatory authority it implies other authority if so applicable in the Member State.
- (36) According to Article 78(1) of the NC HDVC, each regulatory authority shall specify, after consulting relevant system operators, HVDC system owners, DC-connected power park module owners, and other stakeholders whom it deems affected by this Regulation, the criteria for granting derogations.

- (37) The regulatory authority shall publish those criteria on its website and notify them to the Commission within nine months of the entry into force of the NC HDVC .
- (38) If the regulatory authority deems that it is necessary due to a change in circumstances relating to the evolution of system requirements, it may review and amend at most once every year the criteria for granting derogations in accordance Article 78(2). Any changes to the criteria shall not apply to derogations for which a request has already been made.
- (39) Provisions regarding regulatory aspects listed in Article 5(3) of the NC HVDC apply in the implementation of Articles 77 and 78 of the NC HVDC.

5.2 Implementation status

- (40) The Agency sought replies from 28 NRAs. Answers to the questionnaire have not been provided by 2 NRAs: EWRC (BG) and RAE (GR).
- (41) NVE (NO)'s general comment concerning the implementation status is included in Annex I.
- (42) The Agency reasonably presumes that the implementation is either incomplete or absent in MSs for which NRAs have not provided answers to the questionnaire.
- (43) The implementation of the above provisions is briefly analysed in the continuation of this section while exhaustive summaries of NRAs' detailed responses are included in Annex I.

5.2.1 NRAs empowerment to grant and revoke derogations

- (44) In Spain, derogations are granted and revoked by the Ministerio de Energía, Turismo y Agenda Digital. In Portugal, the authority able to grant and revoke derogations is Direção Geral de Energia e Geologia (DGEG).
- (45) CREG (BE) is only partly empowered to grant and revoke derogations.
- (46) In all other Member States where NRAs have replied, NRAs are empowered to grant and revoke derogations.

5.2.2 Publishing the NC DC Derogation Criteria

- (47) 22 out of 28 NRAs provided a date of publication of the derogation criteria pursuant to Article 51(1) of the NC DC: E-Control (AT), CREG (BE), ERU (CZ), BNetzA (DE), DERA (DK), ECA (EE), EV (FI), CRE (FR), Ofgem (GB), UREGNI (GB-NIR), HERA (HR), CRU (IE), ARERA (IT), NCC (LT), ILR (LU), PUC (LV), ACM (NL), URE (PL), DGEG (competent authority in PT), ANRE (RO), EI (SE) and RONI (SK).
- (48) 17 out of the 21 NRAs that provided a date of publication of the derogation criteria pursuant to Article 51(1) of the NC DC met the deadline for publishing the derogation criteria (7 June 2017): E-Control (AT), CREG (BE), ERO (CZ), BNetzA (DE), DERA (DK), ECA (EE), EV (FI), CRE (FR), Ofgem (GB), UREGNI (GB-NIR), HERA (HR), CER (IE), ARERA (IT), ILR (LU),

ACM (NL), ANRE (RO) and EI (SE), and 5 NRAs published derogation criteria with a delay: NCC (LT), PUC (LV), URE (PL), DGEG (competent authority in PT) and RONI (SK).

- (49) 2 NRA reported that the derogation criteria have not been published yet: HEA (HU) and AGEN-RS (SI).

5.2.3 Publishing the NC HVDC Derogation Criteria

- (50) 22 out of 28 NRAs provided a date of publication of the derogation criteria pursuant to Article 78(1) of the NC HVDC: E-Control (AT), CREG (BE), ERU (CZ), BNetzA (DE), DERA (DK), ECA (EE), EV (FI), CRE (FR), Ofgem (GB), UREGNI (GB-NIR), HERA (HR), CRU (IE), ARERA (IT), NCC (LT), ILR (LU), PUC (LV), ACM (NL), URE (PL), DGEG (competent authority in PT), ANRE (RO), EI (SE) and RONI (SK), and 2 NRA reported that the derogation criteria have not been published yet: , HEA (HU) and AGEN-RS (SI).
- (51) 18 out of the 21 NRAs, that provided a date of publication of the derogation criteria pursuant to Article 78(1) of the NC HVDC, met the deadline for publishing the derogation criteria (28 June 2017): E-Control (AT), CREG (BE), ERO (CZ), BNetzA (DE), DERA (DK), ECA (EE), EV (FI), CRE (FR), Ofgem (GB), UREGNI (GB-NIR), HERA (HR), CER (IE), ARERA (IT), ILR (LU), ACM (NL), ANRE (RO), EI (SE) and RONI (SK), and 4 NRAs published derogation criteria with delay: NCC (LT), PUC (LV), URE (PL) and DGEG (competent authority in PT).

5.2.4 Internet links to the derogation criteria

- (52) 22 out of the 28 NRAs provided internet links to the NC CC and NC HVDC derogation criteria: E-Control (AT), CREG (BE), ERU (CZ), BNetzA (DE), DERA (DK), ECA (EE), EV (FI), CRE (FR), Ofgem (GB), UREGNI (GB-NIR), HERA (HR), CRU (IE), ARERA (IT), NCC (LT), ILR (LU), PUC (LV), ACM (NL), URE (PL), DGEG (competent authority in PT), ANRE (RO), EI (SE) and RONI (SK), and 3 NRA's reported that derogation criteria have not been published yet: Ministerio de Energía, Turismo y Agenda Digital (competent authority in ES), MEHK (HU) and AGEN-RS (SI).

5.2.5 Notification to the Commission of the NC DC derogation criteria

- (53) The deadline for notifying derogation criteria to the Commission, as per Article 51(1) of the NC DC, was 7 June 2017. 15 out of the 28 NRAs met this deadline: E-Control (AT), CREG (BE), ERO (CZ), BNetzA (DE), DERA (DK), EV (FI), Ofgem (GB), UREGNI (GB-NIR), HERA (HR), CER (IE), ARERA (IT), ILR (LU), ACM (NL), ANRE (RO), EI (SE) and RONI (SK), and 6 NRAs notified the criteria with a delay: ECA (EE), CRE (FR), PUC (LV), URE (PL), DGEG (competent authority in PT) and RONI (SK)), 2 NRA reported that the derogation criteria have not been notified to the Commission yet: HEA (HU) and AGEN-RS (SI), and 1 NRA reported that the derogation criteria have not been notified to the Commission: NCC (LT).

5.2.6 Notification to the Commission of the NC HVDC derogation criteria

- (54) The deadline for notifying derogation criteria to the Commission, as per Article 78(1) of the NC HVDC, was 28 June 2017. 18 out of the 28 NRAs met this deadline: E-Control (AT), CREG (BE), ERO (CZ), BNetzA (DE), DERA (DK), ECA (EE), EV (FI), CRE (FR), Ofgem (GB),

UREGNI (GB-NIR), HERA (HR), CER (IE), ARERA (IT), ILR (LU), ACM (NL), ANRE (RO), EI (SE) and RONI (SK), and 3 out of the 28 NRAs notified the criteria with a delay: PUC (LV), URE (PL) and DGEG (competent authority in PT).

- (55) 2 NRA reported that the derogation criteria have not been notified to the Commission yet: HEA (HU) and AGEN-RS (SI), and 1 NRA reported that the derogation criteria have not been notified to the Commission: NCC (LT).

5.2.7 Consultation with stakeholders

- (56) 23 out of the 28 NRAs confirmed that, concerning the development of the NC DC and NC HVDC derogation criteria, consultations with stakeholders took place: E-Control (AT), CREG (BE), ERO (CZ), BNetzA (DE), DERA (DK), ECA (EE), EV (FI), CRE (FR), Ofgem (GB), UREGNI (GB-NIR), HERA (HR), CER (IE), ARERA (IT), NCC (LT), ILR (LU), PUC (LV), ACM (NL), URE (PL), DGEG (competent authority in PT), ANRE (RO), EI (SE), AGEN-RS (SI) and RONI (SK).
- (57) Valid internet links to public consultations are provided in Table 7 and 8 in Annex I.

5.2.8 Guidance for stakeholders

- (58) The Agency recognises that effective involvement of stakeholders is essential for the implementation of the NC DC and NC HVDC. Although not explicitly required by the NC DC and NC HVDC, 12 out of the 28 NRAs provided guidance to stakeholders with respect to derogation requests: E-Control (AT), CREG (BE), ERO (CZ), BNetzA (DE), EV (FI), Ofgem (GB), UREGNI (GB-NIR), HERA (HR), ILR (LU), DGEG (competent authority in PT), ANRE (RO), and RONI (SK).
- (59) Such guidance increases the transparency of the implementation and, in turn, when assessing derogation requests, allows NRA to apply more efficiently the principles of proportionality and non-discrimination, as well as of optimisation between the highest overall efficiency and lowest total costs for all parties involved.

Annex I: Summary of NRA responses to the questionnaires

- (60) This annex summarises the responses received to the NRA questionnaire on the implementation monitoring of derogation criteria and emerging technologies (status as of end of May 2018).
- (61) Each question of the survey is restated in this annex together with the corresponding Article of the NC DC and NC HVDC and the possible answers in [brackets], where applicable. Underneath each question, the responses of NRAs are summarised if relevant.

Contents

A	Derogation criteria	17
A.1	NRAs empowerment to grant and revoke derogations	17
A.2	Publication of the Derogation Criteria	18
A.3	Internet links to the derogation criteria.....	20
A.4	Notification to the Commission	23
A.5	Consultation with stakeholders.....	25
A.6	Guidance for stakeholders.....	28

A Derogation criteria

- (62) The questionnaire concerning the publication of derogation criteria in accordance with the NC DC and NC HVDC was circulated on 10 January 2018 and NRAs were asked to submit their answers by 10 February. This Report is based on the answers NRAs submitted by end of May.
- (63) 26 out of 28 NRAs provided their answers to the questionnaire.
- (64) NVE (NO) reported that the implementation of the NC HVDC and NC DC in Norway is pending EEA JCD (Joint Committee Decision) and subsequent approval by the Parliament. For this reason, no formal process for derogations from NC HVDC and NC DC have been initiated. However, for the preparation of implementation of the connection codes in Norway, the TSO Statnett has, together with relevant national stakeholders, thoroughly reviewed the three connection codes. In this work, Statnett together with stakeholders, proposed national specifications of the non-exhaustive requirements in the codes, and discussed, *inter alia*, possible criteria for derogations. NVE (NO) will take into account these comments when initiating the formal process for deciding on the derogation criteria, in accordance with the requirements in NC RfG, NC DC and NC HVDC¹⁷.
- (65) 2 NRAs have not replied: EWRC (BG) and RAE (GR).

A.1 NRAs empowerment to grant and revoke derogations

a. Q: Regarding the NC DC, is the NRA empowered to grant and revoke derogations? If no, provide the name of the authority that has such power pursuant to Article 50(2) of the NC DC.

- (66) 22 NRAs confirmed that they are empowered to grant and revoke derogations as indicated in Article 50(2) of the NC DC: E-Control (AT), ERU (CZ), BNetzA (DE), DERA (DK), ECA (EE), EV (FI), CRE (FR), Ofgem (GB), UREGNI (GB-NIR), HERA (HR), MEHK (HU), CRU (IE), ARERA (IT), NCC (LT), ILR (LU), PUC (LV), ACM (NL), NVE (NO), URE (PL), ANRE (RO), EI (SE), AGEN-RS (SI) and RONI (SK).
- (67) 1 NRA is only partly empowered. In Belgium, CREG (BE) is, for technical matters, competent for the transmission network, with nominal voltages >70 kV. For networks with nominal voltage of 70 kV and below, the regional regulators (VREG, CWaPE and BRUGEL) are competent for technical matters. In order to establish a single set of derogation criteria for Belgium, CREG has coordinated the public consultation and the decision-making process with the regional regulators for the three connection codes (RfG, DCC and HVDC) at the same time.

¹⁷ Statnett's proposals are published on NVE's webpage:

<https://www.nve.no/energy-market-and-regulation/rules-and-regulations-in-europe/network-codes/grid-connection-codes-rfg-dcc-hvdc/>

- (68) 2 NRAs are not empowered to grant and revoke derogations as indicated in Article 50(2). In Spain the responsibility lies with the Ministry of Energy, Tourism and Digital Agenda and in Portugal with the DGEG.

b. Q: Regarding the NC HVDC, is the NRA empowered to grant and revoke derogations? If no, provide the name of the authority that has such power pursuant to Article 77(2) of the NC HVDC.

- (69) 22 NRAs confirmed that they are empowered to grant and revoke derogations as indicated in Article 77(2) of the NC HVDC: E-Control (AT), ERU (CZ), BNetzA (DE), DERA (DK), ECA (EE), EV (FI), CRE (FR), Ofgem (GB), UREGNI (GB-NIR), HERA (HR), MEHK (HU), CRU (IE), ARERA (IT), NCC (LT), ILR (LU), PUC (LV), ACM (NL), NVE (NO), URE (PL), ANRE (RO), EI (SE), AGEN-RS (SI) and RONI (SK).

1 NRA is only partly empowered. In Belgium, CREG (BE) is, for technical matters, competent for the transmission network, with nominal voltage >70 kV. For networks with nominal voltage of 70 kV and below, the regional regulators (VREG, CWaPE and BRUGEL) are competent for technical matters. In order to establish a single set of derogation criteria for Belgium, CREG has coordinated the public consultation and the decision-making process with the regional regulators for the three connection codes (RfG, DCC and HVDC) at the same time.

2 NRAs are not empowered to grant and revoke derogations as indicated in Article 50(2). In Spain the responsibility lies with the Ministry of Energy, Tourism and Digital Agenda and in Portugal with the DGEG.

A.2 Publication of the Derogation Criteria

- a. Q: Regarding the NC DC, provide the date on which the NRA (or if applicable, competent authority) published its derogation criteria pursuant to Article 51(1) of the NC DC.**

Table 1: Publication date of the Derogation Criteria

<i>MS</i>	<i>Publication date</i>
AT	01-Feb-17
BE	28-Apr-17
CZ	17-Feb-17
DE	07-Jun-17
DK	07-Jun-17
EE	19-Jun-17
ES	Not published yet

FI	06-Jun-17
FR	01-Jun-17
GB	13-Feb-17
GB-NIR	17-Feb-17
HR	11-May-17
HU	Not published yet
IE	01-Jun-17
IT	21-Apr-17
LT	18-Jan-18
LU	07-Feb-17
LV	13-Feb-18
NL	20-Feb-17
PL	19-Oct-17
PT	06-Feb-18
RO	29-May-17
SE	19-May-17
SI	Not published yet
SK	09-Jun-17

- b. **Q:** Regarding the NC HVDC, provide the date on which the NRA (or if applicable, competent authority) published its derogation criteria pursuant to Article 78(1) of the NC HVDC.

Table 2: Publication date of the Derogation Criteria

<i>MS</i>	<i>Publication date</i>
AT	01-Feb-17
BE	28-Apr-17
CZ	17-Feb-17
DE	14-Jun-17
DK	27-Jun-17
EE	19-Jun-17
ES	Not published yet
FI	20-Jun-17

FR	01-Jun-17
GB	13-Feb-17
GB-NIR	17-Feb-17
HR	14-Jun-17
HU	Not published yet
IE	05-Oct-17
IT	21-Apr-17
LT	18-Jan-18
LU	07-Feb-17
LV	13-Feb-18
NL	20-Feb-17
PL	19-Oct-17
PT	06-Feb-18
RO	13-Jun-17
SE	19-May-17
SI	Not published yet
SK	09-Jun-17

A.3 Internet links to the derogation criteria

- a. **Q: Provide the internet link to the derogation criteria - regarding the NC DC, provide the internet link to the NC DC derogation criteria.**

Table 3: Internet links to the derogation criteria

MS	Internet links
AT	https://www.e-control.at/documents/20903/388512/Kriterien+f%C3%BCr+die+Gew%C3%A4hrung+von+Freistellungen+V1.pdf/c73f072b-00fa-8c1a-eed7-1a25fd6e1aa3
BE	http://www.creg.be/sites/default/files/assets/Publications/Others/170420-Afwijkingen_NC_RfG_DCC_HVDC.pdf http://www.creg.be/sites/default/files/assets/Publications/Others/170420-Derogation_NC_RfG_DCC_HVDC.pdf
CZ	http://www.eru.cz/cs/-/kriteria-pro-udelovani-vyjimek-z-vedenych-narizeni-komise
DE	https://www.bundesnetzagentur.de/DE/Service-Funktionen/Beschlusskammern/1BK-Geschaeftszeichen-Datenbank/BK6-GZ/2016/2016_0001bis0999/BK6-16-259/BK6-16-259_Kriterien_f%C3%BCr_Freistellung_Lastanschluss.pdf?_blob=publicationFile&v=3
DK	http://energitilsynet.dk/el/lovgivning/netregler-og-retningslinjer/ http://energitilsynet.dk/fileadmin/Filer/0_-_Nyt_site/EL/Lovgivning/Netregler_og_-_retningslinjer/Kriterier_for_undtagelse_DCC_bilag.pdf

EE	http://www.konkurentsiamet.ee/index.php?id=28915
ES	Not available yet
FI	https://www.energiavirasto.fi/documents/10191/0/Poikkeuspyynt%C3%B6jen_my%C3%B6nt%C3%A4misperusteet_DCC+2017-06-07+1252SS.pdf/79def8f8-a88d-46b6-8635-c5c80611d967 https://www.energiavirasto.fi//verkkoliitantaavaatimukset-kulutukselle
FR	http://www.cre.fr/documents/deliberations/proposition/derogations-reglement-dcc
GB	https://www.ofgem.gov.uk/system/files/docs/2017/02/decision_on_the_assessment_criteria_for_derogations_from_the_grid_connection_codes.pdf
GB-NIR	https://www.uregni.gov.uk/news-centre/decision-paper-and-guidance-document-network-code-derogations
HR	https://www.hera.hr/hr/docs/2017/Kriteriji_2017-05-11.pdf
HU	Not available yet.
IE	https://www.cru.ie/wp-content/uploads/2017/07/CER17116-Decision-paper-on-Criteria-re-Derogations-Pursuant-to-Articles-52-and-53-of-the-DCC.pdf
IT	www.arera.it/it/docs/17/273-17.htm
LT	https://www.regula.lt/Docs/nutarimas_2018_O3-9.pdf
LV	http://legilux.public.lu/eli/etat/leg/rilr/2017/02/07/a196/jo
LU	https://www.vestnesis.lv/op/2018/31.2 https://likumi.lv/doc.php?id=257943 https://www.sprk.gov.lv/lapas/normativie-akti/#normativie-akti-elektroenergijas-nozare
NL	https://zoek.officielebekendmakingen.nl/stcrt-2017-9100-n1.html
PL	https://www.ure.gov.pl/pl/stanowiska/7241,Komunikat-nr-732017.html
PT	http://www.dgeg.gov.pt?cr=16220 (DGE Order n.º 6/2018) http://www.dgeg.gov.pt?cr=16264 (Derogation Criteria)
RO	http://www.anre.ro/ro/energie-electrica/legislatie/coduri-paneuropene1476186098/regulamentul-ue-nr-1388-2016-dcc
SE	https://www.ei.se/sv/for-energiforetag/el/Natforeskrifter-och-kommissionsriktlinjer-for-el/natkod-demand-connection-dcc/avslutade-arenden-dcc/artikel-51-kriterier-for-undantag-fran-en-eller-flera-bestammelser-i-dcc1/ https://www.ei.se/Documents/Projekt/Natkoder/DCC_HVDC/Beslut_DCC_2016_102710.pdf
SI	Not available yet
SK	http://www.urso.gov.sk/sites/default/files/Kriteria-pre-udelovanie-vynimiek-z-NariadeniKomisie-2016-631-2016-1388-2016-1447.pdf

b.Q: Provide the internet link to the derogation criteria – Regarding the NC HVDC, provide the internet link to the NC HVDC derogation

Table 4: Internet links to the derogation criteria

MS	Internet links
AT	https://www.e-control.at/documents/20903/388512/Kriterien+f%C3%BCr+die+Gew%C3%A4hrung+von+Freistellungen+V1.pdf/c73f072b-00fa-8c1a-eed7-1a25fd6e1aa3

BE	http://www.creg.be/sites/default/files/assets/Publications/Others/170420-Afwijkingen_NC_RfG_DCC_HVDC.pdf
	http://www.creg.be/sites/default/files/assets/Publications/Others/170420-Derogation_NC_RfG_DCC_HVDC.pdf
CZ	http://www.eru.cz/cs/-/kriteria-pro-udelovani-vyjimek-z-vedenych-narizeni-komise
DE	https://www.bundesnetzagentur.de/DE/Service-Funktionen/Beschlusskammern/1BK-Geschaeftszeichen-Datenbank/BK6-GZ/2016/2016_0001bis0999/BK6-16-259/BK6-16-259_Verwaltungsvorschrift.pdf?_blob=publicationFile&v=2
	http://energitilsynet.dk/el/lovgivning/netregler-og-retningslinjer/
DK	http://energitilsynet.dk/fileadmin/Filer/0_-_Nyt_site/EL/Lovgivning/Netregler_og_-_retningslinjer/Kriterier_for_undtagelse_til_HVDC_hoeringsliste.pdf
EE	http://www.konkurentsiamet.ee/index.php?id=28915
ES	Not available yet
	https://www.energiavirasto.fi/documents/10191/0/Poikkeuspyynt%C3%B6jen_my%C3%B6nt%C3%A4misperusteet+_HVDC+2017-06-20+0848SS.pdf/8f841eb8-df0f-48ce-8f73-95b5668c2f40
	https://www.energiavirasto.fi/verkkoliitantaavaatimukset-tasasahkojarjestelmille
FR	http://www.cre.fr/documents/deliberations/proposition/derogations-reglement-hvdc
GB	https://www.ofgem.gov.uk/system/files/docs/2017/02/decision_on_the_assessment_criteria_for_derogations_from_the_grid_connection_codes.pdf
GB-NIR	https://www.uregni.gov.uk/news-centre/decision-paper-and-guidance-document-network-code-derogations
HR	https://www.hera.hr/hr/docs/2017/Kriterij_2017-06-14.pdf
HU	Not available yet
IE	https://www.cru.ie/wp-content/uploads/2017/10/CRU17289-Decision-Paper-Derogation-Criteria-for-the-High-Voltage-Direct-Current-Commission-Regulation.pdf
IT	www.autorita.energia.it/it/docs/17/273-17.htm
LT	https://www.regula.lt/Docs/nutarimas_2018_O3-9.pdf
LU	http://legilux.public.lu/eli/etat/leg/rilr/2017/02/07/a196/jo
LV	https://www.vestnesis.lv/op/2018/31.2 https://likumi.lv/doc.php?id=257943 https://www.sprk.gov.lv/lapas/normativie-akti/#normativie-akti-elektroenerijas-nozare
NL	https://zoek.officielebekendmakingen.nl/stcrt-2017-9100-n1.html
PL	https://www.ure.gov.pl/pl/stanowiska/7242.Komunikat-nr-742017.html
PT	http://www.dgeg.gov.pt?cr=16220_(DGEg_Order_n.º_6/2018) http://www.dgeg.gov.pt?cr=16264_(Derogation_Criteria)
RO	http://www.anre.ro/ro/energie-electrica/legislatie/coduri-paneuropene1476186098/regulamentul-ue-nr-1447-2016-hvdc
SE	https://www.ei.se/sv/for-energiforetag/el/Natforeskrifter-och-kommissionsriktlinjer-for-el/natkod-high-voltage-direct-current-hvdc-and-hvdc-connected-pmps/avslutade-arenden-hvdc1/artikel-78-kriterier-for-undantag-fran-en-eller-flera-bestammelser-i-hvdc/ https://www.ei.se/Documents/Projekt/Natkoder/DCC_HVDC/Beslut_HVDC_2016_1027_71.pdf
SI	Not available yet

SK	http://www.urso.gov.sk/sites/default/files/Kriteria-pre-udelovanie-vynimiek-z-NariadeniKomisie-2016-631-2016-1388-2016-1447.pdf
-----------	---

A.4 Notification to the Commission

- a. Q: Regarding the NC DC, provide the date on which the NRA (or if applicable, competent authority) notified the Commission of its derogation criteria pursuant to Article 51(1) of the NC DC.

Table 5: Notification to the Commission

MS	Notification to the Commission
AT	13-Feb-17
BE	12-May-17
CZ	14-Feb-17
DE	06-Jun-17
DK	07-Jun-17
EE	21-Jun-17
ES	Not available yet
FI	07-Jun-17
FR	09-Jun-17
GB	13-Feb-17
GB-NIR	17-Feb-17
HR	06-Jun-17
HU	Not available yet
IE	01-Jun-17
IT	02-May-17
LT	Not informed
LU	16-Feb-17
LV	13-Feb-18
NL	17-Feb-17
PL	23-Oct-17
PT	28-Feb-18
RO	31-May-17

SE	15-May-17
SI	Not available yet
SK	09-Jun-17

- b. Q: Regarding the NC HVDC, provide the date on which the NRA (or if applicable, competent authority) notified the Commission of its derogation criteria pursuant to Article 78(1) of the NC HVDC.**

Table 6: Notification to the Commission

<i>MS</i>	<i>Notification to the Commission</i>
AT	13-Feb-17
BE	12-May-17
CZ	14-Feb-17
DE	06-Jun-17
DK	07-Jun-17
EE	21-Jun-17
ES	Not available yet
FI	07-Jun-17
FR	09-Jun-17
GB	13-Feb-17
GB-NIR	17-Feb-17
HR	06-Jun-17
HU	Not available yet
IE	01-Jun-17
IT	02-May-17
LT	Not informed
LU	16-Feb-17
LV	13-Feb-18
NL	17-Feb-17
PL	23-Oct-17
PT	28-Feb-18
RO	31-May-17
SE	15-May-17

SI	Not available yet
SK	09-Jun-17

A.5 Consultation with stakeholders

a. **Q: Regarding the NC DC, has the NRA (or if applicable, competent authority) consulted the stakeholders before publishing the derogation criteria pursuant to Article 51(1)? If yes, provide the reference to the call for public consultation.**

- (70) 20 NRAs provided a link to stakeholders consultation in accordance with Article 51(1) of the NC DC: CREG (BE), ERU (CZ), BNetzA (DE), DERA (DK), ECA (EE), CRE (FR), Ofgem (GB), UREGNI (GB-NIR), HERA (HR), CRU (IE), ARERA (IT), NCC (LT), ILR (LU), PUC (LV), ACM (NL), URE (PL), ANRE (RO), EI (SE), AGEN-RS (SI) and RONI (SK).
- (71) 3 NRAs reported that links to the consultations with stakeholders have been removed from the respective homepages: E-Control (AT), EV (FI) and DGEG (competent authority in PT).
- (72) 2 NRAs reported that consultations with stakeholders have not been performed yet: Ministerio de Energía, Turismo y Agenda Digital (competent authority in ES) and MEHK (HU).

Table 7: Stakeholders consultation

MS	Response
AT	Link removed from homepage.
BE	http://www.creg.be/nl/openbare-raadplegingen/ontwerp-van-vast-te-leggen-criteria-voor-het-toestaan-van-afwijkingen-van http://www.creg.be/fr/consultations-publiques/projet-de-criteres-a-definir-pour-loctroi-de-derogations-aux-dispositions
CZ	http://www.eru.cz/cs/-/verejny-konzultacni-proces-k-navrhu-kriterii-pro-udelovani-vyjimek-z-narizeni-komise-eu-c-2016-631-2016-1388-a-2016-1447
DE	https://www.bundesnetzagentur.de/DE/Service-Funktionen/Beschlusskammern/1BK-Geschaeftszeichen-Datenbank/BK6-GZ/2016/2016_0001bis0999/BK6-16-259/BK6_16_259_Verfahrenser%C3%B6ffnung.html?nn=411978
DK	http://www.energitilsynet.dk/fileadmin/Filer/0_-_Nyt_site/EL/Hoeringer/2017-03_-_JPH_-_Hoering_2/SE_-_Forslag_kriterier_undantag_DCC.pdf Link to second consultation of draft criteria: http://energitilsynet.dk/hoeringer/el/hoering-om-kriterier-for-at-undtage-fra-krav-for-nettilslutning-for-forbrugs-og-distributionssystemer-eu-forordning-20161388/#c10366983
EE	http://www.konkurentsiamet.ee/index.php?id=28782
ES	Not available yet
FI	Yes, stakeholders have been consulted according to the Finnish Administrative Act. The derogation criteria proposal was published for public hearing on 21st of April 2017. The link for hearing is not valid anymore.
FR	http://www.cre.fr/documents/consultations-publiques/criteres-d-octroi-des-derogations-tels-que-prevus-par-les-reglements-ue-2016-1388-et-ue-2016-1447

GB	https://www.ofgem.gov.uk/system/files/docs/2016/12/changes_to_gcc_derogations_criteria_consultation_document.pdf
GB-NIR	https://www.uregni.gov.uk/consultations/consultation-launched-network-code-derogations
HR	https://www.hera.hr/hr/html/savjetovanje-2017-03.html
HU	Consultation has not been done yet, but will be executed according to the provisions of DCC.
IE	https://www.cru.ie/wp-content/uploads/2017/07/CER17083-Consultation-Paper-on-Criteria-for-Derogations-Pursuant-to-Articles-51-and-53-of-the-DCC.pdf
IT	www.autorita.energia.it/it/docs/17/068-17.htm
LT	https://e-seimas.lrs.lt/portal/legalAct/lt/TAP/9eface00ace311e7a65c90dfe4655c64?positionInSearchResults=0&searchModelUUID=e60b9fb7-caeb-4c69-acfe-2ff30f99e7e8 http://www.vkekk.lt/Puslapiai/bendra/viesosios-konsultacijos/vykstancios-viesosios-konsultacijos.aspx
LU	https://assets.ilr.lu/energie/Consultations/20161223%20Crit%c3%a8res%20d'octroi%20%c3%a9rogations%20LU_UE-%c3%a9lec/20161223%20Crit%c3%a8res%20d'octroi%20d%c3%a9rogations%20LU_U E-%c3%a9lec.pdf
LV	https://www.sprk.gov.lv/jaunums/regulators-izsludina-publisko-konsultaciju-par-grozijumiem-tikla-kodeksa and in section “Current public consultations” https://www.sprk.gov.lv/lapas/sabiedribas-lidzdaliba#Publiskas-konsultacijas
NL	https://www.acm.nl/nl/publicaties/publicatie/16753/Consultatie-over-afwijkingcriteria-van-de-Europese-Aansluitverordeningen-elektriciteit/
PL	https://www.ure.gov.pl/pl/konsultacje-spoleczne/konsultacje-spoleczne-p?idaf6]=3049
PT	Link available from 3 to 17 October 2017 then removed from DGEG homepage
RO	http://www.anre.ro/ro/energie-electrica/legislatie/documente-de-discutie-ee/coduri-paneuropene/regulamentul-ue-nr-1388-2016-dcc1476187331/proiect-de-ordin-pentru-aprobarea-criteriilor-de-acordare-a-derogariilor-locurilor-nodurilor-de-consum-racordate-la-retelele-electrice-de-transport-si-de-distributie-de-la-obligatia-de-indeplinire-a-uneia-sau-mai-multor-cerinte-din-norma-tehnica-pentru-racordare&page=1
SE	https://www.ei.se/sv/nyhetsrum/nyheter/nyheter-2017/22-mars-samrad-om-natforeskrifterna-dcc-och-av-hvdc/
SI	https://www.agen-rs.si/izvajalci/elektrika/kodeksi-omrezja/posvetovanja-o-predlogih-odlocitev
SK	http://www.urso.gov.sk/sites/default/files/Pravidla_verejneho_konzultacneho_procesu.pdf

b. Q: Regarding the NC HVDC, has the NRA (or if applicable, competent authority) consulted the stakeholders before publishing derogation criteria pursuant to Article 78(1)? If yes, provide the reference to the call for public consultation.

(73) 20 NRAs provided a date of consultation with stakeholders in accordance with Article 78(1) of the HVDC: CREG (BE), ERU (CZ), BNetzA (DE), DERA (DK), ECA (EE), CRE (FR), Ofgem

(GB), UREGNI (GB-NIR), HERA (HR), CRU (IE), ARERA (IT), NCC (LT), ILR (LU), PUC (LV), ACM (NL), URE (PL), ANRE (RO), EI (SE), AGEN-RS (SI) and RONI (SK).

- (74) 3 NRAs reported that links to the consultation with stakeholders have been removed from homepage: E-Control (AT), EV (FI) and DGE (competent authority in PT).
- (75) 2 NRAs reported that consultations with stakeholders have not been performed yet: Ministerio de Energía, Turismo y Agenda Digital (competent authority in ES) and MEHK (HU).

Table 8: Stakeholder consultation

MS	Response
AT	Link removed from homepage.
BE	http://www.creg.be/nl/openbare-raadplegingen/ontwerp-van-vast-te-leggen-criteria-voor-het-toestaan-van-afwijkingen-van http://www.creg.be/fr/consultations-publiques/projet-de-criteres-a-definir-pour-loctroi-de-derogations-aux-dispositions
CZ	http://www.eru.cz/cs/-/verejny-konzultacni-proces-k-navrhu-kriterii-pro-udelovani-vyjimek-z-narizeni-komise-eu-c-2016-631-2016-1388-a-2016-1447
DE	https://www.bundesnetzagentur.de/DE/Service-Funktionen/Beschlusskammern/1BK-Geschaeftszeichen-Datenbank/BK6-GZ/2016/2016_0001bis0999/BK6-16-259/BK6_16_259_Verfahrenser%C3%B6ffnung.html?nn=411978
DK	http://energitilsynet.dk/hoeringer/el/hoering-om-kriterier-for-at-undtage-fra-krav-for-nettilslutning-til-transmissionssystemer-med-hoejspaendingsjaevnstroem-og-jaevnstroemsforbundne-elproducerende-anlaeg-eu-forordning-20161447/ http://energitilsynet.dk/hoeringer/el/hoering-over-udkast-til-kriterier-for-indroemmelse-af-undtagelse-for-krav-i-forordning-20161447eu-af-26-august-2016-om-fastsaettelse-af-netregler-om-tilslutning-af-transmissionssystemer-med-hoejspaendingsjaevnstroem-og-jaevnstroemforbundne-elproducerende-anlaeg/#c10366870
EE	http://www.konkurentsiamet.ee/index.php?id=28782
ES	Not available yet
FI	Yes, stakeholders have been consulted according to the Finnish Administrative Act. The derogation criteria proposal was published for public hearing on 21st of April 2017. The link for hearing is not valid anymore.
FR	http://www.cre.fr/documents/consultations-publiques/criteres-d-octroi-des-derogations-tels-que-prevus-par-les-reglements-ue-2016-1388-et-ue-2016-1447
GB	https://www.ofgem.gov.uk/system/files/docs/2016/12/changes_to_gcc_derogations_criteria_consultation_document.pdf
GB-NIR	https://www.uregni.gov.uk/consultations/consultation-launched-network-code-derogations
HR	https://www.hera.hr/hr/html/savjetovanje-2017-06.html
HU	Consultation has not been done yet, but will be executed according to the provisions of DCC.
IE	https://www.cru.ie/wp-content/uploads/2017/06/CER17156-Derogations-Pursuant-to-Articles-78-to-82-of-the-HVDC-NC.pdf
IT	www.autorita.energia.it/it/docs/17/068-17.htm

LT	https://e-seimas.lrs.lt/portal/legalAct/lt/TAP/9eface00ace311e7a65c90dfe4655c64?positionInSearchResults=0&searchModelUUID=e60b9fb7-caeb-4c69-acfe-2ff30f99e7e8 http://www.vkekk.lt/Puslapiai/bendra/viesosios-konsultacijos/vykstancios-viesosios-konsultacijos.aspx
LU	https://assets.ilr.lu/energie/Consultations/20161223%20Crit%c3%a8res%20d'octroi%20d%c3%a9rogations%20LU_UE-%c3%a9lec/20161223%20Crit%c3%a8res%20d'octroi%20d%c3%a9rogations%20LU_UE-%c3%a9lec.pdf
LV	https://www.sprk.gov.lv/jaunums/regulators-izsludina-publisko-konsultaciju-par-grozijumiem-tikla-kodeksa and in section “Current public consultations” https://www.sprk.gov.lv/lapas/sabiedribas-lidzdaliba#Publiskas-konsultacijas
NL	https://www.acm.nl/nl/publicaties/publicatie/16753/Consultatie-over-afwijkingscriteria-van-de-Europese-Aansluitverordeningen-elektriciteit/
PL	https://www.ure.gov.pl/pl/konsultacje-spoleczne/konsultacje-spoleczne-p?id[6]=3050
PT	Link available from 3 to 17 October 2017 then removed from DGEG homepage
RO	http://www.anre.ro/ro/energie-electrica/legislatie/documente-de-discutie-ee/coduri-paneuropene/regulamentul-ue-nr-1447-2016-hvdc1476187296/proiect-de-ordin-pentru-aprobarea-criteriilor-de-acordare-a-derogarilor-sistemelor-de-inalta-tensiune-in-curent-continuu-care-se-racordeaza-la-reteaua-electrica-de-transport-sau-de-distributie-si-modulelor-generatoare-dintr-o-centrala-electrica-care-se-racordeaza-in-curent-continuu-la-reteaua-electrica-de-transport-sau-de-distributie-de-la-obligatia-de-indeplinire-a-uneia-sau-mai-multor-cerinte-din-norma-tehnica-pentru-racordare&page=1
SE	https://www.ei.se/sv/nyhetsrum/nyheter/nyheter-2017/22-mars-samrad-om-natforeskrifterna-dcc-och-av-hvdc/
SI	https://www.agen-rs.si/izvajalci/elektrika/kodeksi-omrezja/posvetovanja-o-predlogih-odlocitev
SK	http://www.urso.gov.sk/sites/default/files/Pravidla_verejneho_konzultacneho_procesu.pdf

A.6 Guidance for stakeholders

a. Q: Regarding the NC DC, has the NRA (or if applicable, competent authority) published any guidance for stakeholders with respect to derogation requests? If yes, provide the internet link.

- (76) 12 NRAs published guidance for stakeholders with respect to derogation requests concerning the NC DC: E-Control (AT), CREG (BE), ERU (CZ), BNetzA (DE), EV (FI), Ofgem (GB), UREGNI (GB-NIR), HERA (HR), ILR (LU), DGEG (competent authority in PT), ANRE (RO) and RONI (SK).
- (77) 11 NRAs reported that guidance for stakeholders' derogation criteria have not been published: DERA (DK), ECA (EE), Ministerio de Energía, Turismo y Agenda Digital (competent authority in ES), CRE (FR), ARERA (IT), NCC (LT), PUC (LV), ACM (NL), URE (PL), EI (SE) and AGEN-RS (SI).
- (78) 2 NRAs reported that guidance for stakeholders' derogation criteria have not been published yet: MEHK (HU) and CRU (IE).

Table 9: Guidance for stakeholders

MS	Response
AT	https://www.e-control.at/documents/20903/388512/Kriterien+f%C3%BCr+die+Gew%C3%A4hrung+von+Freistellungen+V1.pdf/c73f072b-00fa-8c1a-ee7-1a25fd6e1aa3
BE	http://www.creg.be/sites/default/files/assets/Publications/Others/170420-Afwijkingen_NC_RfG_DCC_HVDC.pdf http://www.creg.be/sites/default/files/assets/Publications/Others/170420-Derogation_NC_RfG_DCC_HVDC.pdf
CZ	http://www.eru.cz/cs/-/verejny-konzultacni-proces-k-navrhu-kriterii-pro-udelovani-vyjimek-z-narizeni-komise-eu-c-2016-631-2016-1388-a-2016-1447
DE	https://www.bundesnetzagentur.de/DE/Service-Funktionen/Beschlusskammern/1BK-Geschaeftszeichen-Datenbank/BK6-GZ/2016/2016_0001bis0999/BK6-16-259/BK6_16_259_Ver%C3%B6ffentlichung_Kriterien.html?nn=411978
DK	No guidance published
EE	No guidance published
ES	No guidance published
FI	https://www.energiavirasto.fi//verkkoliitantaavaatimukset-kulutukselle
FR	No guidance published
GB	https://www.ofgem.gov.uk/system/files/docs/2017/11/derogations_guidance_post-con.pdf https://www.ofgem.gov.uk/system/files/docs/2017/11/derogations_guidance_post-con.pdf
GB-NIR	https://www.uregni.gov.uk/news-centre/decision-paper-and-guidance-document-network-code-derogations
HR	https://www.hera.hr/hr/docs/2017/Kriteriji_2017-05-11.pdf
HU	No guidance published yet
IE	No guidance published yet
IT	No guidance published
LT	No additional guidance; however, derogations criteria are explained in our document
LU	https://assets.ilr.lu/energie/Consultations/20161223%20Crit%c3%a8res%20d'octroi%20d%c3%a9rogations%20LU_UE-%c3%a9lec/20161223%20Crit%c3%a8res%20d'octroi%20d%c3%a9rogations%20LU_UE-%c3%a9lec.pdf
LV	No guidance published
NL	No guidance published
PL	No guidance published
PT	http://www.dgeg.gov.pt?cr=16220 http://www.dgeg.gov.pt?cr=16264
RO	http://www.anre.ro/ro/energie-electrica/legislatie/coduri-paneuropene1476186098/regulamentul-ue-nr-1388-2016-dcc
SE	No guidance published
SI	No guidance published
SK	http://www.urso.gov.sk/sites/default/files/Kriteria-pre-udelovanie-vynimiek-z-NariadeniKomisie-2016-631-2016-1388-2016-1447.pdf

b. Q: Regarding the NC HVDC, has the NRA (or if applicable, competent authority) published any guidance for stakeholders with respect to derogation requests? If yes, provide the internet link.

- (79) 12 NRAs published guidance for stakeholders with respect to derogation requests concerning the NC HVDC : E-Control (AT), CREG (BE), ERU (CZ), BNetzA (DE), EV (FI), Ofgem (GB), UREGNI (GB-NIR), HERA (HR), ILR (LU), DGEG (competent authority in PT), ANRE (RO) and RONI (SK).
- (80) 11 NRAs reported that guidance for stakeholders' derogation criteria have not been published: DERA (DK), ECA (EE), Ministerio de Energía, Turismo y Agenda Digital (competent authority in ES), CRE (FR), ARERA (IT), NCC (LT), PUC (LV), ACM (NL), URE (PL), EI (SE) and AGENRS (SI).
- (81) 2 NRAs reported that guidance for stakeholders have not been published yet: MEHK (HU) and CRU (IE).

Table 10: Guidance for stakeholders

MS	Response
AT	https://www.e-control.at/documents/20903/388512/Kriterien+f%C3%BCr+die+Gew%C3%A4hrung+von+Freistellungen+V1.pdf/c73f072b-00fa-8c1a-ee7-1a25fd6e1aa3
BE	http://www.creg.be/sites/default/files/assets/Publications/Others/170420-Afwijkingen_NC_RfG_DCC_HVDC.pdf http://www.creg.be/sites/default/files/assets/Publications/Others/170420-Derogation_NC_RfG_DCC_HVDC.pdf
CZ	http://www.eru.cz/cs/-/verejny-konzultacni-proces-k-navrhu-kriterii-pro-udelovani-vyjimek-z-narizeni-komise-eu-c-2016-631-2016-1388-a-2016-1447
DE	https://www.bundesnetzagentur.de/DE/Service-Funktionen/Beschlusskammern/1BK-Geschaeftszeichen-Datenbank/BK6-GZ/2016/2016_0001bis0999/BK6-16-259/BK6_16_259_Ver%C3%B6ffentlichung_Kriterien.html?nn=411978
DK	No guidance published
EE	No guidance published
ES	No guidance published
FI	https://www.energiavirasto.fi/verkkoliitantaavaatimukset-tasasahkojarjestelmille
FR	No guidance published
GB	https://www.ofgem.gov.uk/system/files/docs/2017/11/derogations_guidance_post-con.pdf
GB-NIR	https://www.uregni.gov.uk/news-centre/decision-paper-and-guidance-document-network-code-derogations
HR	https://www.hera.hr/hr/docs/2017/Kriteriji_2017-06-14.pdf
HU	No guidance published yet
IE	No guidance published yet
IT	No guidance published
LT	No additional guidance; however, derogations criteria are explained in our document
LU	https://assets.ilr.lu/energie/Consultations/20161223%20Crit%20a8res%20d'octroi%20d%20a9rogations%20LU_UE-%20a9lec/20161223%20Crit%20a8res%20d'octroi%20d%20a9rogations%20LU_UE-%20a9lec.pdf

LV	No guidance published
NL	No guidance published
PL	No guidance published
PT	http://www.dgeg.gov.pt?cr=16220 http://www.dgeg.gov.pt?cr=16264
RO	http://www.anre.ro/ro/energie-electrica/legislatie/coduri-paneuropene1476186098/regulamentul-ue-nr-1388-2016-dcc
SE	No guidance published
SI	No guidance published
SK	http://www.urso.gov.sk/sites/default/files/Kriteria-pre-udelovanie-vynimiek-z-NariadeniKomisie-2016-631-2016-1388-2016-1447.pdf

Annex II: List of abbreviations & country codes

Acronym	Definition
ACER	Agency for the Cooperation of Energy Regulators
EC	European Commission
ENTSO-E	European Network of Transmission System Operators for Electricity
EU	European Union
NC	Network Code
NRA	National Regulatory Authority
TSO	Transmission System Operator
DSO	Distribution System Operator
CDSO	Closed Distribution System Operator
RSO	Relevant System Operator

ISO code	Country
AT	Austria
BE	Belgium
BG	Bulgaria
CZ	Czech Republic
DE	Germany
DK	Denmark
EE	Estonia
ES	Spain
FI	Finland
FR	France
GB	Great Britain
GB-NIR	Northern Ireland
GR	Greece
HR	Croatia

ISO code	Country
IE	Ireland
LT	Lithuania
LV	Latvia
HU	Hungary
IT	Italy
LU	Luxembourg
NL	Netherlands
NO	Norway
PL	Poland
PT	Portugal
RO	Romania
SE	Sweden
SI	Slovenia
SK	Slovakia

Abbreviation	NRA
ACM	Autoriteit Consument & Markt/Authority for Consumers & Markets
ARERA	Autorità di Regolazione per Energia Reti e Ambiente
AGEN-RS	Agencija za Energijo/Energy Agency
ANRE	Autoritatea Națională de Reglementare în Domeniul Energie/Regulatory Authority for Energy

Abbreviation	NRA
BNetzA	Bundesnetzagentur/Federal Network Agency for Electricity, Gas, Telecommunications, Posts and Railways
CER	The Commission for Energy Regulation
CRE	Commission de régulation de l'énergie
CREG	Commission de Régulation de l'Électricité et du Gaz/Commissie voor de Regulering van de Elektriciteit en het Gas
CNMC	La Comisión Nacional de los Mercados y la Competencia/The National Commission on Markets and Competition
DERA	Energitilsynet/Danish Energy Regulatory Authority
E-Control	Energie-Control Austria
ECA	Konkurentsiamet/Estonian Competition Authority
EI	Energimarknadsinspektionen/Swedish Energy Markets Inspectorate
ERU	Energetický regulační úřad/Energy Regulatory Office
ERSE	Entidade Reguladora dos Serviços Energéticos/Energy Services Regulatory Authority
EWRC	комисия за енергийно и водно регулиране (КЕБР)/Energy and Water Regulatory Commission
EV	Energglavisto /Energy Authority
HEA	Magyar Energetikai és Közmű-szabályozási Hivatal/ The Hungarian Energy and Public Utility Regulatory Authority
HERA	Hrvatska energetska regulatorna agencija/Croatian Energy Regulatory Agency
ILR	Institut Luxembourgeois de Régulation
NCC	Valstybinė kainų ir energetikos kontrolės komisija/National Commission for Energy Control and Prices
NVE	Norges vassdrags- og energidirektorat
Ofgem	Office of Gas and Electricity Markets
PUC	Sabiedrisko pakalpojumu regulēšanas komisija/Public Utilities Commission
RAE	Ρυθμιστική Αρχή Ενέργειας/The Regulatory Authority for Energy
RONI	Úrad pre reguláciu sieťových odvetví/Regulatory Office For Network Industries
UREGNI	Utility Regulator of Northern Ireland
URE	Urząd Regulacji Energetyki/Energy regulatory Office



Publishing date: 02/08/2018

Document title: Demand connection NC and requirements for grid connection NC

We appreciate your feedback



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

Share this document

