

Country	NRA(s)	Expected frequency of the assessment of compliance	Public report on compliance expected	Link to the report	Is the approach used to calculate the margin the same as in ACER's report (based on ACER's Recommendation 01/2019)?	Where applicable, main differences between ACER's approach and the national approach to calculate the margin	Is the approach used to assess the compliance the same than used by ACER when monitoring (i.e. assessment for each hours and each CNEC)?	Where applicable, main differences between ACER's monitoring approach and the criteria used for assessing compliance at national level	Where relevant, expected timeline to decide on the aspects of compliance described as "not decided yet".
Austria	E-Control	Yearly	Yes		Yes (the calculation follows exactly the approach described in the Recommendation)		Not decided yet		The decision on possible additional indicators for the compliance assessment is expected in the coming weeks. The final report will be published later this year.
Baltics (Estonia, Latvia, Lithuania)	Estonian Competition Authority, Public Utilities Commission, NERC	For 2020 yearly, from the 2021 and on half yearly	Yes	The common report for Baltic CCR AC borders will be published. However, at the moment the data is still being reviewed.	No	For HVDC borders TSOs report data to ACER and therefore ACER's approach is used. For AC borders approach is similar to ACER, however it is simplified and $MACZT = MCCC = NTC$. As it is not possible to calculate MCCC per each CNEC in Baltic system, the whole border is monitored as one CNEC. This approach will be used as long as the Baltic capacity calculation approach is influenced by BRELL (Belarus-Russia-EE-LV-LT common network) contracts (until end of 2025).	No	For all MTUs, however not each CNECs separately, but the whole border is monitored together -total transfer capacity available (Fmax) compared to net transfer capacity given for trading (MACZT). $MACZT >= Fmax * 70\%$ Fmax (total transfer capacity) is monitored per each MTU per border and all contingencies justified by TSOs.	
Belgium	CREG	Yearly in-depth report (published), quarterly assessments with reduced scope (not published)	Yes	https://www.creg.be/sites/default/files/assets/Publications/Studies/F2183EN.pdf	Yes (the calculation follows exactly the approach described in the Recommendation)		Yes	CREG presents the results in % of hours (CNEC with lowest MACZT) and in % of all CNECs on an equal footing. For assessing the compliance, CREG assesses the results including 3rd country flows.	
Denmark	Danish Utility Regulator	Not going to assess the compliance regularly. We might open a case if compliance is questioned.	Yes if the compliance would be assessed		Yes (the calculation follows exactly the approach described in the Recommendation) if the compliance would be assessed		Yes if the compliance would be assessed		

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France	Commission de régulation de l'énergie (CRE)	Yearly	Yes	https://www.cre.fr/en/News/cre-s-report-on-the-implementation-of-the-minimum-threshold-of-70-of-interconnection-capacity-for-cross-border-trade-at-the-french-borders	Yes (the calculation follows exactly the approach described in the Recommendation)		No	In carrying out its conformity assessment mission, in accordance with Art. 16 of Regulation (EU) 2019/943, CRE believes that TSOs should be incentivized to maximize the capacity offered to market participants at all timeframes. In this respect, CRE believes that the assessments of the "70% rule" must be carried out in such a way that TSOs are not encouraged to make expensive investments in the network in situations that have no benefit for the European citizen. CRE would therefore like the data to be presented in such a way as to distinguish between situations in which more national capacity made available would bring a European gain, even small, and those in which no gain is to be expected. Thus, the situations should be presented separately when there are: 1. Non-saturated interconnections: in situations where market coupling results in an optimal allocation in which the allocated capacity is less than the total interconnection capacity made available for cross-border trade, there is no incentive to further increase cross-border capacity. This situation is basically equivalent to price equivalence in the capacity calculation region. 2. No limiting national network elements: National network elements that do not limit the capacity calculation have no direct influence on the transzonal capacity available to market participants.	
Germany	Bundesnetzagentur (Federal Network Agency)	Yearly	Yes	The TSOs submitted a report to BNetzA for approval on available cross-border capacity for the year 2020 pursuant to Article 15(4) of Regulation (EU) 2019/943. In June 2021, this report and the respective decision by BNetzA will be published on BNetzA's website: www.bnetza.de/markt-kopplung-strom	No (the calculation differs on at least one of the main principles of the Recommendation)	See approval by Bundesnetzagentur and report by German TSOs (both will be published in Summer 2021)	No	See approval by Bundesnetzagentur and report by German TSOs (both will be published in Summer 2021)	
Italy	Arera	Yearly	Not decided yet		Yes (the calculation follows exactly the approach described in the Recommendation)		Not decided yet		Potentially in June 2021

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Netherlands	ACM	Not decided yet. TenneT does submit yearly an assessment if the linear trajectory is reached, to ACM for approval	Not decided yet	The ACM does consult the yearly assesment by TenneT. The assessment will also be published as part of the decision on the submitted assessment. https://www.acm.nl/sites/default/files/documents/nl-maczt-assessment-2020.pdf	Yes (the calculation follows exactly the approach described in the Recommendation)	The calculation by TenneT follows the ACER Recommendation.	Yes	All hours and CNECs will be considered but the precise frequency or magnitude of the deviation from the target leading to possible incompliance is still to be decided.	
Poland	Urząd Regulacji Energetyki (URE)	Not decided yet	Not decided yet		Mostly yes (the calculation follows the Recommendation with small deviation(s) with limited impact on the results)	URE will take into account the action plan and granted derogations, as well as explanations of results provided by PSE, including the impact of transit flows.	Not decided yet		The approach to the compliance assessment is under internal discussion. Depending on available resources it should be finalised in 2021 4Q.
Portugal	ERSE	Yearly	Not decided yet		Yes (the calculation follows exactly the approach described in the Recommendation)		Yes		
Romania	ANRE	Yearly	Yes		Yes (the calculation follows exactly the approach described in the Recommendation)		Yes		
Slovakia	URSO	Yearly	No		Yes (the calculation follows exactly the approach described in the Recommendation)		Yes		
Spain	CNMC	Not decided yet; it will be likely be made on an annual basis	Not decided yet		Mostly yes (the calculation follows the Recommendation with small deviation(s) with limited impact on the results)	Same formulation. Some minor simplification might be adopted as for Morocco influence if negligible (MNCC).	No	Compliance will be assessed on whether trade has been effectively constrained by a limiting CNEC in Spanish BZ with MACZT < 70%: - interconnectors shall be defined as two different CNEs in series configuration each one belonging to a different country - It is considered fulfilled if exchange program is smaller than the corresponding NTC value or there is no price differential CNMC may exclude from non-compliance situation in case of: - justified unforeseen unavailabilities due to force majeure - it was not possible to identify a limiting CNEC (at least for 2021)	
Sweden	Energimarknads inspektionen (Ei)	Not decided yet Current planning foresees yearly compliance assessment.	Not decided yet		Not decided yet		Not decided yet		During fall 2021 or potentially early 2022.

No information was made available to ACER by the countries that are not part of the table above: Bulgaria, Croatia, Czech Republic, Finland, Greece, Hungary, Ireland, Slovenia, United Kingdom.