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## **E.ON Position on**

# **ACER's consultation Role of Stakeholders in the implementation of network codes and regulated guidelines, and in particular the establishment of European Stakeholder Committees for network code implementation**

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**Düsseldorf, 22 January 2015**



## **Establishment of a Stakeholder Committee strongly supported**

E.ON highly welcomes the initiative launched by ACER to integrate the stakeholders' views in the European Network Code process and to establish a Stakeholder Committee.

Principally, the idea how to develop the Network Codes as laid down in the European regulation EC 714/2009 was promising. As the harmonization of market rules via Network Codes affect all market participants, a balanced position is crucial taking into account all stakeholders' views in a neutral and coordinated way.

## **Permanent installation of a Stakeholder Committee**

The Committee has a decisive role in the implementation of the electricity Network Codes as the details are often postponed to late point of time by ENTSO-E. But E.ON supports a permanent established Stakeholder Committee also for the drafting process before and the review process afterwards. This permanent Committee should be established for every subject related to Network Codes, not only for TSO/DSO issues as proposed.

## **Composition and Chair of the Committees**

There should be three different Stakeholder Committees for each section, supported by tailor-made expert groups related to the specific topic. One proxy should be allowed for the Stakeholder Committee members.

As experiences have shown that stakeholder views were not properly taken into account by the ENTSO-E and/or the TSOs the Stakeholder Committees should exclusively chaired by ACER. The chair should act as a key account from the drafting to the implementation phase of the respective Network Code. The EU Commission should also continuously take part in the discussions within the Stakeholder Committee to facilitate the process in the comitology procedure afterwards. ACER should also decide on the participants taking into account the range of different roles of stakeholders and the geographical coverage. The close monitoring and coordination in the context of the Network Codes will require additional own staff by ACER which should be granted considering the positive contributions to market integration and smoother approval, comitology and implementation processes.

The different stakeholder groups (e.g. DSOs, traders, supplier, generator, and consumer) should be represented in every Stakeholder Committee as a Network Code never affects one stakeholder group only or is a pure technical code without market interfaces. However, the weight might differ on the topic.

## **Escalation process**

The comments and recommendations of the Stakeholder Committee should be properly taken into account by ENTSO-E. If neglected a written reasoning should be required.