Presentation of the ACER Final Assessment of the EU Wholesale Electricity Market Design

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Christian Zinglersen, ACER Director
1. ACER’s Final Assessment: Context & approach taken

2. ACER’s Final Assessment: Main elements

3. Conclusion: 13 measures for the consideration of policy makers
Context & approach taken
The original mandate

European Commission’s ‘Toolbox’ Communication of 13 October tasks ACER with:

• studying the benefits and drawbacks of the existing electricity market design & proposing recommendations for assessment by the European Commission by April 2022;

• undertaking a preliminary assessment of the situation in the electricity market & reporting by mid-November.
Energy security and climate neutrality can only be achieved if the European Union relies on a robust and fully interconnected internal electricity market and a well-functioning carbon market. The European Council discussed how to take work forward on monitoring and optimising their functioning. It invites the Commission to take any necessary initiatives by May 2022, also taking into account the final ACER and ESMA reports.
Main elements: Current benefits & future-proofing the market design
Price levels and drivers: Different phases

The current price surge can be split into three distinct phases. In the latest phase, price developments seem less driven by physical shortages and more by the extreme near-term uncertainty.

Source: ACER based on ICIS Heren’s price data
In 2021, electricity cross-border trade delivered an estimated EUR 34 billion of benefits (source: NEMOs). ACER finds that the current electricity market design is not to blame for the current crisis. On the contrary, the market rules in place have to some extent helped mitigate the current crisis.

Source: ACER based on NEMOs simulations

Note: The benefits displayed represent the overall value of cross-border trade compared to isolated national markets, rather than the benefits from the implementation of market coupling. Market coupling enables the efficient use of interconnectors and renders more than one billion Euros of benefits per year.
The EU electricity market design enhances security of supply and resilience to price shocks. For example, it enabled Belgium (and France) to mitigate widespread nuclear outages via increased electricity imports. This is ‘resource sharing’ via market integration.

Source: ACER based on the ENTSO-E Transparency Platform.
Today’s forward electricity markets exhibit limited liquidity (especially beyond 3 years ahead), hampering the hedging of, and thus the development of, (CAPEX-heavy) low-carbon technologies.

The power system will need significant and diverse flexible resources across multiple time frames (with seasonal flexibility a key challenge). Price volatility sends a clear signal of the need for flexible resources. In the absence of such signals, innovation in new solutions will be hampered.
Irrespective of the market design, tackling non-market barriers will be key, e.g. to reduce delays in infrastructure roll-out. Also, enhanced coordination between Member States can optimise investment decisions and remove hurdles, with the exploitation of vast offshore wind resources as one example.
Household energy prices have reached record levels. Member States have several measures available to protect consumers against supplier bankruptcies. However, they all involve trade-offs. One size is unlikely to fit all.
Potential extraordinary measures
As a rule of thumb, ACER considers that the more structural-interventionist a measure, the higher the potential to distort the market, especially in the medium to long-term.

The need for interventions in market functioning should be considered prudently and carefully and if pursued should seek to tackle ‘the root causes’ of the problem (gas prices).

Source: ACER. (The further a measure is depicted to the right, the deeper the level of intervention and/or alteration of the market framework in ACER’s view).
Conclusions: 13 measures for the consideration of policy makers
13 measures for the consideration of policymakers, future-proofing the EU wholesale electricity market design

1. Speed up electricity market integration, implementing what is already agreed
2. Improve access to renewable Power Purchase Agreements (PPAs)
3. Improve the efficiency of renewable investment support schemes
4. Stimulate ‘market making’ to increase liquidity in long-term markets
5. Better integrate forward markets
6. Review (and potentially reduce, if warranted) collateral requirements
7. Preserve the wholesale price signal and remove barriers to demand resources providing flexibility
8. Shield those consumers that need protection the most from price volatility
9. Tackle avoidable supplier bankruptcies, getting the balance right
10. Tackle non-market barriers, ensuring generation and infrastructure is built at pace
11. Consider prudently the need for market interventions in situations of extreme duress; if pursued, consider tackling ‘the root causes’
12. Consider public intervention to establish hedging instruments against future price shocks
13. Consider a ‘temporary relief valve’ for the future when wholesale prices rise unusually rapidly to high levels

Want to learn more?
Check out the full report on ACER’s Final Assessment of the EU Wholesale Electricity Market Design.
Thank you for your attention.
Back-up slides
ACER: Role & governance

- Supporting the integration of energy markets in the EU (by common rules at EU level). Primarily directed towards transmission system operators and power exchanges.

- Contributing to efficient trans-European energy infrastructure, ensuring alignment with EU priorities.

- Monitoring the well-functioning and transparency of energy markets, deterring market manipulation and abusive behaviour.

- Where necessary, coordinating cross-national regulatory action.

- Governance: Regulatory oversight is shared with national regulators. Decision-making within ACER is collaborative and joint (formal decisions requiring 2/3 majority of national regulators). Decentralised enforcement at national level.
The assessment is not ‘the full story’

Some evolutionary trends less directly tackled are e.g. the implications of enhanced energy system integration; wider applications of ‘energy efficiency first’ principles (e.g. for system planning); the balance of localised solutions and markets vis-à-vis more centralised solutions etc.

New regulatory challenges and opportunities are likely to appear as the energy transition further unfolds.
Market integration: A lot done, a lot to do

Evolution of EU wholesale electricity day-ahead market coupling (2010 - 2021)

Speed up electricity market integration, implementing what is already agreed.

Source: ACER
Price volatility: A problem or a call to take action?

**Diverging views** on how to tackle price volatility

- ‘Electricity markets do not work’ vs ‘Prices behave as expected given the current context’
- ‘Volatility needs to be avoided’ (new market design, new pricing rules) vs ‘Volatility needs to be managed’

What are the **tools to tackle price volatility** in ACER’s view?

- Preserve price signals: today’s volatility triggers tomorrow’s flexibility (technologies)
- Strengthened market integration
- Improved forward markets
- Consumer protection remains key

Source: ACER based on NEMOs simulations
Future-proofing long-term markets

Improving the efficiency of renewable investment support and improving access to PPAs

Improving long-term market liquidity (market making, forward capacity allocation, collateral requirements)

Long-term markets can further improve in order to support investment in renewable generation and flexible resources.
Consumer protection and tariffing

- Consumer protection remains key
- It may not be appropriate for all consumers to default to a full dynamic tariff
- Supplier responsibility may need enhancement – the consumer is not always well placed to shoulder the full risk of volatility
- A ‘fixed but flexible’ tariff model may be an appropriate balance between certainty for the consumer and ensuring responsibility of the supplier
Possible ‘insurance mechanisms’ for the future

‘Temporary relief valve’: Mechanism to temporarily limit prices under predefined conditions (e.g. unusually high price rises in a short period of time), pausing before return to full prices

+ • Predefined framework for temporary relief
  • Mitigates sustained high prices (and perceived excessive profits)

- • Risks market exit or requests for financial compensation
  • Challenging to design
  • Risk endangering security of supply or dampening signals for demand-side response

‘Affordability option’: Hedge pre-defined consumers against future sustained high prices (above a certain threshold); this via a regulatory intervention

+ • Hedges vulnerable consumers
  • May increase liquidity of long-term markets

- • Comes at a cost
  • May be difficult to identify sufficient generators to provide this service