

**DECISION No 04/2024**  
**OF THE EUROPEAN UNION AGENCY**  
**FOR THE COOPERATION OF ENERGY REGULATORS**  
**of 19 March 2024**

**on the amendment to the determination of capacity calculation regions**

THE EUROPEAN UNION AGENCY FOR THE COOPERATION OF ENERGY REGULATORS,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) 2019/942 of the European Parliament and of the Council of 5 June 2019 establishing a European Union Agency for the Cooperation of Energy Regulators<sup>1</sup>, and, in particular, Articles 5(2)(b) and (6) thereof,

Having regard to Commission Regulation (EU) 2015/1222 of 24 July 2015 establishing a guideline on capacity allocation and congestion management<sup>2</sup>, and, in particular, Articles 9(6)(b), 9(13) and 15(1) thereof,

Having regard to the outcome of the public consultation and the consultation of the regulatory authorities, the transmission system operators ('TSOs') and the European Network of Transmission System Operators for Electricity ('ENTSO-E'),

Having regard to the outcome of the consultation with ACER's Electricity Working Group ('AEWG'),

Having regard to the favourable opinion of the Board of Regulators of 7 March 2024, delivered pursuant to Article 22(5)(a) of Regulation (EU) 2019/942,

Whereas:

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<sup>1</sup> [OJL 158, 14.6.2019, p. 22.](#)

<sup>2</sup> [OJL 197, 25.7.2015, p. 24.](#), as amended by Commission Implementing Regulation (EU) 2021/280 of 22 February 2021, [OJL 62, 23.2.2021, p. 24](#)

## 1. INTRODUCTION

- (1) Commission Regulation (EU) 2015/1222 ('the CACM Regulation') defines capacity calculation regions ('CCRs') as geographic areas in which coordinated capacity calculation is applied.<sup>3</sup> Article 15(1) of the CACM Regulation requires all TSOs to jointly develop a common proposal regarding the determination of CCRs. ACER has approved such proposal of all TSOs in its Decision 04/2021 of 7 May 2021<sup>4</sup> and as amended by Decision 08/2023 of 31 March 2023<sup>5</sup>.
- (2) The present Decision follows from the TSOs' proposal to amend the determination of CCRs. Annex I to this Decision sets out the determination of CCRs methodology, pursuant to Article 15(1) of the CACM Regulation, as approved by ACER.
- (3) This Decision is issued following ACER's revision of the Proposal and it amends ACER Decision 04/2021 of 7 May 2021 and Decision 08/2023 of 31 March 2023. This Decision includes the following annexes:
  - Annex I sets out the methodology for the determination of CCRs, as amended and approved by ACER.
  - Annex Ia provides a tracked changes version of the determination of CCRs, reflecting ACER's amendments, for information.
  - Annex II provides the results of ACER's public consultation, for information.

## 2. PROCEDURE

- (4) On 10 July 2023, all TSOs submitted the initial proposal of the amendment to the CCR methodology, proposing the inclusion of the planned undersea HVDC between France and the Single Electricity Market (SEM) of Ireland and Northern Ireland ('Celtic interconnector') in the Core CCR, requesting shadow opinion from Core regulatory authorities and ACER.
- (5) On 17 July 2023, ACER requested, pursuant to Articles 9(6)(b) and 9(13) of the CACM Regulation, that all TSOs develop an amendment of the Determination of CCRs to merge Core and Italy North CCRs for the day-ahead capacity calculation, and submit the proposal for amendment by 30 November 2023.
- (6) On 28 August 2023, ACER and all NRAs submitted their shadow opinion, asking for the extension of the TSOs' amendment proposal to also include the Core and Italy North merge, and the inclusion of the Energy Community CCRs in the proposal.

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<sup>3</sup> Article 2(3) of the CACM Regulation.

<sup>4</sup> ACER Decision 04/2021 of 7 May 2021 on the Determination of Capacity Calculation Regions.

<sup>5</sup> ACER Decision 08/2023 of 31 March 2023 on the amendment to the determination of capacity calculation regions.

- (7) On 30 November 2023, ‘ENTSO-E’, on behalf of all TSOs having obligations pursuant to the CACM Regulation, submitted to ACER the ‘All TSOs’ proposal for amendment of the Determination of capacity calculation regions methodology’. The TSO proposal included inclusion of the Celtic interconnector into Core CCR and defining a new CCR Central Europe for the merge of CCRs Core and Italy North for the day-ahead capacity calculation, but it did not include the Energy Community CCRs, for which the TSO would provide a separate amendment.
- (8) Between 5 December 2023 and 10 January 2024, ACER held a public consultation<sup>6</sup> on the Proposal, seeking views from all interested parties. Annex II provides a summary of comments received along with ACER’s responses to these comments.
- (9) On 21 December 2023, ACER held a working meeting with the TSOs and regulatory authorities.
- (10) Between 19 January and 2 February 2024, ACER consulted all TSOs and all regulatory authorities on its preliminary position, by sharing an amended version of the Proposal setting out its suggested amendments and reasoning for these amendments. The consulted parties provided their views in writing on 5 February 2024. These views are summarised in section 5.2.
- (11) On 1 February 2024 ACER held an oral hearing to provide all TSOs with an additional opportunity to express their view on ACER’s preliminary position.
- (12) ACER considered the written and oral comments received on its preliminary position and introduced further amendments to the Proposal to take some of the points raised by the consulted parties into account.
- (13) The AEWG provided its advice on 15 February 2024 (see section 5.3).
- (14) On 7 March 2024, ACER’s BoR issued a favourable opinion pursuant to Article 22(5)(a) of Regulation (EU) 2019/942.

### **3. ACER’S COMPETENCE TO DECIDE ON THE PROPOSAL**

- (15) Pursuant to Article 5(2)(b) of Regulation (EU) 2019/942 and Article 9(6)(b) of the CACM Regulation, as amended<sup>7</sup>, the proposal for CCRs in accordance with Article 15(1) of the CACM Regulation, shall be subject to approval by ACER.
- (16) According to Article 9(13) of the CACM Regulation, where ACER is responsible for the adoption of methodologies it may request proposals for amendments of those methodologies. Furthermore, the TSOs responsible for developing a proposal for

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<sup>6</sup> PC/2023/E/11, see ACER’s consultation page: <https://www.acer.europa.eu/documents/public-consultations/pc2023e11-public-consultation-potential-changes-electricity-capacity-calculation-regions>

<sup>7</sup> See footnote 2.

methodologies may propose amendments of these methodologies. The proposal for amendments shall, according to Article 9(13) read jointly with Articles 9(1), 9(6)(b) and 15(1) of the CACM Regulation, be submitted to ACER for approval.

- (17) On 30 November 2023, ENTSO-E, on behalf of all TSOs, submitted the Proposal to ACER for approval. Therefore, ACER is competent to decide on the Proposal based on Article 5(2)(b) of Regulation (EU) 2019/942, Article 9(6)(b), Article 9(13) and Article 15(1) of the CACM Regulation.

#### **4. SUMMARY OF THE PROPOSAL**

- (18) The all TSOs' Proposal submitted to ACER on 30 November 2023 takes into account ACER Decisions 04/2021 and 08/2023, and includes the following sections:

Whereas	Recitals 1 to 28	<b>'Whereas' section</b> explains the background of the methodology, how the methodology considers the general principles and objectives of the CACM Regulation and Regulation (EU) 2019/943 ('Electricity Regulation') and where required, provides additional reasoning supporting the articles of the methodology. <i>The TSOs amended recital 11 and added recitals 25-28, to explain the amendments to the methodology.</i>
Title 1	Articles 1 to 2	<b>General provisions</b> covering the subject matter and the scope of the methodology, definitions, and the application of the methodology; <i>There were no changes proposed by the TSOs.</i>
Title 2	Articles 3 to 11	<b>Capacity Calculation Regions</b> with listed CCRs and appointed bidding zone borders; <i>The TSOs:</i> <ul style="list-style-type: none"><li>- <i>amended Articles 5 and 6 by referring that the definitions of Core CCR and Italy North CCR are without prejudice to the newly added Article 7;</i></li><li>- <i>amended Article 6 by adding the bidding zone border between the Single Electricity Market in Ireland and Northern Ireland ('SEM') and France ('FR') to the Core CCR</i></li><li>- <i>added Article 7 with the definition of the new CCR Central Europe, merging the Core and Italy North bidding zone borders, initially only for day-ahead capacity calculation process and setting out provisions for the submission of the day-ahead capacity calculation methodology and for the further merge of CCRs Core and Italy North;</i></li></ul>

Title 3      Articles 12 to 14      **Final provisions** on implementation, future assessment and language.

*There were no changes proposed by the TSOs.*

Appendix      **Maps of the CCRs**

*The TSOs:*

- *amended the map of the Core CCR by adding the SEM bidding zone and SEM-FR bidding zone border;*
- *added the map of the new CCR Central Europe*

Annex      **List of TSOs**

*The TSOs added the list of TSO subject to the CCR methodology;*

(19)      The Proposal is accompanied by:

- (a)      the submission letter from ENTSO-E;
- (b)      document with the contact details of the TSOs responsible for the development of the proposal and its submission; and
- (c)      explanatory note to the amendments.

## **5. OBSERVATIONS RECEIVED BY ACER**

### **5.1. Public consultation on the Proposal**

(20)      Responses to ACER's public consultation<sup>8</sup> are summarised in Annex II to this Decision.

### **5.2. Consultation on ACER's preliminary position**

(21)      The following paragraphs provide a summary of views on ACER's preliminary position received during the hearing phase. ACER received written comments from all TSOs and the regulatory authority of Germany and, in addition, ENTSO-E and all TSOs provided oral feedback at the oral hearing with ACER.

(22)      ENTSO-E and TSO representatives provided the comments to ACER's preliminary position on the configuration of CCRs for different timeframes, deadline to submit the Day-ahead capacity calculation methodology for the CCR Central Europe and specification of further steps of Core and Italy North CCR merger.

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<sup>8</sup> See footnote 6.

- (23) ENTSO-E and all TSOs commented that the point in the Whereas section of the Proposal in which TSOs describe the uncertainty concerning different configuration of CCRs in different timeframes, should be kept in the methodology. The relevant Whereas state that the configuration of CCRs for different timeframes is not foreseen in the applicable legislation or methodologies and that the proposed solution is temporary and shall not set a precedent for defining any other CCRs comprising only selected timeframes.
- (24) ENTSO-E and all TSOs stated that even though the CACM Regulation foresees a deadline of 10 months for the submission of the day-ahead capacity calculation methodology for CCR Central Europe, the proposed deadline of 12 months should be maintained. The additional 2 months for submission of this methodology results from discussions between ACER, TSOs and NRAs of CCRs Core and Italy North during a workshop in Rome on 27 June 2023.
- (25) ENTSO-E and all TSOs stated that the provisions on the further steps of the merger of CCRs Core and Italy North should be legally binding and not placed in the Whereas section of the methodology. The binding characteristic of these provisions are important for the TSOs commitment to a full merge of the CCRs and specifying that the further merge shall be implemented using a stepwise approach.
- (26) German regulatory authority, BNetzA, provided a written response to the preliminary position on 2 February 2024, with wording improvements.

### **5.3. Consultation of the AEWG**

- (27) The AEWG provided its advice on 15 February 2024, endorsing the draft ACER Decision on the CCR amendment. The advice included a small rewording proposal of Article 5, proposed by the Irish regulatory authority, CRU.

## **6. ASSESSMENT OF THE PROPOSAL**

### **6.1. Legal framework**

- (28) Article 15(1) of the CACM Regulation requires all TSOs to jointly develop a common proposal regarding the determination of CCRs and, pursuant to Article 5(2)(b) of Regulation (EU) 2019/942 and Article 9(6)(b) of the CACM Regulation, as amended<sup>9</sup>, submit it to ACER for approval. According to article 9(13) of the CACM Regulation, where ACER is responsible for the adoption of methodologies it may request proposals for amendments of those methodologies. Furthermore, the TSOs

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<sup>9</sup> See footnote 2.

responsible for developing a proposal for methodologies may request amendments of these methodologies, which also shall be approved by ACER.

- (29) Article 9(13) in joint reading with Article 12 of the CACM Regulation requires that the proposal for amendments is subject to a consultation at Union level for a period of not less than one month before it is submitted for approval to ACER. The consulted stakeholders shall include the relevant authorities of each Member State, and its results shall be duly taken into consideration by all TSOs. The TSOs are required to develop in their submission a justification for including or not the views resulting from the consultation and publish it in a timely manner before or simultaneously with the publication of the proposal.
- (30) According to Article 15(2) of the CACM Regulation, each bidding zone border shall be assigned to one CCR and at least those TSOs shall be assigned to all CCRs in which they have bidding zone borders.
- (31) According to Article 15(3) of the CACM Regulation, CCRs applying flow-based capacity calculation shall be merged into one CCR if their transmission systems are directly linked to each other, they participate in the same single day-ahead or intraday coupling area and merging them is more efficient than keeping them separate. The competent regulatory authorities may request a joint cost-benefit analysis from the TSOs concerned to assess the efficiency of the merger.
- (32) Pursuant to Article 9(9) of the CACM Regulation, all proposals for terms and conditions or methodologies, shall include a proposed timescale for their implementation and a description of their expected impact on the objectives of the CACM Regulation. These objectives are listed in Article 3 of the CACM Regulation.
- (33) Pursuant to Article 5(6) of Regulation (EU) 2019/942 and Article 9(5) of the CACM Regulation, before approving the proposal for amendments to the determination of CCRs, ACER shall revise it where necessary, after consulting the respective TSOs and ENTSO-E, in order to ensure that it is in line with the purpose of the CACM Regulation and contribute to market integration, non-discrimination, effective competition and the proper functioning of the market.
- (34) According to Article 20(2) of the CACM Regulation all TSOs in each capacity calculation region shall submit a proposal for a common coordinated capacity calculation methodology within the respective region no later than 10 months after the approval of the proposal for a capacity calculation region in accordance with Article 15(1).

## **6.2. ACER's assessment and amendments**

- (35) This section outlines ACER's assessment and amendments to the Proposal, taking into account the legal requirements (see section 6.1), stakeholders' feedback received during the public consultation (see Annex II), comments on ACER's preliminary position (see section 5.2) and AEWG advice (see section 5.3). The proposal for amendment includes not only specific amendments to the determination of CCRs, but

also the rest of the approved methodology. To avoid duplication ACER will focus on the TSOs proposed amendment and the additional amendments made by ACER.

#### 6.2.1. Assessment of the Proposal in view of the legal requirements

- (36) The Proposal fulfils the requirements of Article 9(6)(b), Article 9(13) and Article 15(1) of the CACM Regulation, as all TSOs jointly developed the Proposal and submitted it to ACER for revision and approval.
- (37) The Proposal assigns each additional bidding zone border to a specific CCR and extends the list of TSOs in a CCR where relevant. The Proposal therefore fulfils the requirements of Article 15(2) of the CACM Regulation. ACER's assessment in this respect is outlined in sections 6.2.2.1 and 6.2.2.2.
- (38) The Proposal regarding the inclusion of the Celtic interconnector was publicly consulted via ENTSO-E's web-based consultation between 7 July and 21 August 2023. The Proposal regarding the establishment of the Central Europe CCR for day-ahead capacity calculation was publicly consulted via ENTSO-E's web-based consultation between 11 October and 11 November 2023. The TSOs have compiled all the comments to both public consultations in Annexes to the explanatory document which was submitted to ACER together with the Proposal. The document explains how stakeholders' views have been taken into consideration and provides reasons where they have not been taken into account. ENTSO-E has published their submission.<sup>10</sup> Therefore, ACER considers that the Proposal meets the requirements of Article 12 of the CACM Regulation and complies with Article 9(13) of the same Regulation.
- (39) The Proposal meets the requirements of Article 9(9) on the inclusion of a proposed timescale for implementation, as Article 12 of the Proposal specifies its implementation date.
- (40) The recitals of the Proposal describe the expected impact of the CCRs on the objectives listed in Article 3 of the CACM Regulation. The Proposal therefore meets the requirement of Article 9(9) of the CACM Regulation.

#### 6.2.2. ACER's assessment and revision of the proposal

##### 6.2.2.1. *Amendment including the Celtic interconnector*

- (41) The Celtic interconnector, when in operation, will create a new bidding zone border between the bidding zones of the SEM and France. The TSOs propose to include the bidding zone border SEM-FR in the Core CCR under Article 5 of the methodology attributed to EirGrid and Réseau de transport d'électricité (RTE).

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<sup>10</sup> The submitted documents are available at [https://www.entsoe.eu/network\\_codes/cacm/](https://www.entsoe.eu/network_codes/cacm/)



- (42) ACER considers that including the SEM-FR bidding zone border in the Core CCR is reasonable since joining SEM with this CCR and its flow-based capacity calculation is more efficient than forming a new CCR, or considering this bidding zone border by advanced hybrid coupling from the Core side. Hence the full inclusion of the border in Core CCR contributes to electricity market integration.
- (43) The Proposal assigns the additional bidding zone border to a specific CCR and extends the list of TSOs of that CCR with the TSOs that will operate the Celtic interconnector. The Proposal therefore fulfils the requirements of Article 15(2) of the CACM Regulation.
- (44) In order to accommodate the specific case of the SEM in Ireland and Northern Ireland, the TSOs propose to also assign SONI, the TSO of Northern Ireland, to the Core CCR.
- (45) Pursuant to Article 15(2)(c) of the CACM Regulation “at least those TSOs shall be assigned to all CCRs in which they have bidding zone borders”. The CACM Regulation therefore does not exclude assigning additional TSOs to CCRs other than those TSOs operating interconnectors and thus having a bidding zone border in that CCR.
- (46) Following the withdrawal of the United Kingdom from the EU, the operation of the SEM is achieved through the continued application of Union law in Northern Ireland as set out in Article 9 and Annex 4 of the Protocol on Ireland/Northern Ireland included in the Withdrawal Agreement.<sup>11</sup> ACER understands that as far as those acts concern, which include the Electricity Regulation and subsequently the CACM Regulation, SONI is to be treated the same way as EU TSOs. In this light, ACER considers that SONI, as being part of the SEM bidding zone, should be assigned to the Core CCR.
- (47) In conclusion, ACER accepts the TSOs’ amendment of Article 5 with adding the SEM-FR bidding zone border to the Core CCR, attributed to the TSO of Ireland (EirGrid) and France (RTE), as well as the assignment of SONI as part of the Core CCR. In accordance with the AEWG advice, ACER has rephrased paragraph 3 of Article 5, by referring to “Single Electricity Market in Ireland and Northern Ireland” instead of “Single Electricity Market in the territories of Ireland and Northern Ireland”.
- (48) ACER has amended recital 11 of the Proposal, explaining the Celtic interconnector’s addition to Core CCR.

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<sup>11</sup> Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community, OJ L 29, 31.1.2020, p. 7.

*6.2.2.2. Amendment establishing the Central Europe CCR for the day-ahead timeframe*

- (49) Article 7 of the Proposal defines a new CCR Central Europe that shall include all bidding zone borders and attributed TSOs listed in Articles 5 and 6 of the Proposal, i.e. of CCRs Core and Italy North. Furthermore the Proposal states that for the time being solely the capacity calculation methodology in the day-ahead timeframe pursuant to Article 20 of the CACM Regulation shall be implemented in CCR Central Europe.
- (50) Article 2(3) of the CACM Regulation defines CCRs as geographic areas in which coordinated capacity calculation is applied. Pursuant to Article 9(5) of the CACM Regulation, the determination of CCRs shall be in line with the purpose of the Regulation and contribute to market integration, non-discrimination, effective competition and the proper functioning of the market.
- (51) Given that that the CCRs Core and Italy North are strongly interconnected and their cross zonal exchanges are highly interdependent, ACER expects significant improvements in market efficiency and economic surplus if these two regions apply a common capacity calculation using the flow-based approach.
- (52) Article 15(3) of the CACM Regulation requires that CCRs that apply the flow-based approach are merged into one CCR if certain conditions are fulfilled. Since the flow-based approach is not yet implemented in the CCR Italy North a merger pursuant to this Article is still not required. However, it is clear that the CACM Regulation aims to harmonise capacity calculation of CCRs and foresees the merger of CCRs when this is deemed to be the most efficient option. ACER considers that it is not an efficient option to await the implementation of flow-based capacity calculation in CCR Italy North before a merge with CCR Core, since this would significantly delay the implementation of a common capacity calculation in the two CCRs and create unnecessary work.
- (53) The purpose of merging CCRs Core and Italy North is to optimise the calculation of cross-zonal capacity and to improve coordination and efficiency in the regions. ACER deems the merger of CCRs Core and Italy North necessary and in line with the objectives of the CACM Regulation.
- (54) Since an immediate and complete reconfiguration of the CCRs might negatively impact the implementation of existing projects, such as long-term capacity calculation and ROSC, ACER considers that a partial merger of CCRs Core and Italy North for the day-ahead timeframe is the only viable option for the time being. Unfinished projects should be finished under the existing CCR structure. The new CCR Central Europe, should thus be defined for the purpose of implementing a common day-ahead capacity calculation methodology CCRs Core and Italy North as a first step towards the complete merger foreseen in the CACM Regulation.
- (55) All TSOs provided in the hearing phase a comment that the configuration of CCRs for different timeframes is not foreseen in the applicable legislation or methodologies and

that the proposed solution is temporary and shall not set a precedent for defining any other CCRs comprising only selected timeframes. ACER considers that the CACM Regulation permits defining separate CCRs for different market timeframes. In line with Article 2(3) of the CACM Regulation a CCR can be determined for any geographical area where coordinated capacity calculation is applied, which is not limited to be for all market timeframes. In addition, both Article 15(3)(b) and Article 20(5) of the CACM Regulation differentiate between day-ahead and intraday market timeframes in relation to a merger of CCRs and respectively adjacent CCRs being considered as one and applying a common capacity calculation methodology. As regards other potential configurations of CCRs in the future, any such configurations should appropriately be addressed in other procedures on a case-by-case basis and not in the scope of this decision.

- (56) The Proposal meets the requirement of Article 15(2)(b) of the CACM Regulation as it assigns each bidding zone border of CCRs Core and Italy North to CCR Central Europe. ACER understands that every bidding zone border needs to be assigned to a CCR in the methodology but not exclusively to one CCR only. The Proposal also fulfils the requirement of Article 15(2)(c) of the CACM Regulation since it assigns all TSOs of CCRs Core and Italy North to CCR Central Europe.
- (57) In view of the above and based on the information gathered by ACER during the procedure, ACER deems it reasonable to approve the Proposal with regard to the partial merger of CCRs Core and Italy North. The CCR Central Europe, comprising bidding zone borders in Core CCR and Italy North CCR, shall therefore be established for the purpose of implementing capacity calculation methodology in the day-ahead timeframe.
- (58) ACER has amended Article 7 which defines CCR Central Europe in order to clarify that this CCR is established for capacity calculation in the day-ahead timeframe only and to attain a clear distinction between CCR Central Europe and CCRs Core and Italy North.
- (59) The TSOs of CCR Central Europe are required to submit a proposal for the capacity calculation methodology for the day-ahead timeframe within 10 months in accordance with Article 20 of the CACM Regulation. The TSOs acknowledged this deadline but propose to define a deadline of 12 months in the methodology based on discussions in a meeting held in Rome on 27 June 2023. ACER has noted that, according to the minutes of the meeting in Rome the additional 2 months discussed at that meeting refer to the submission of the CCR Proposal. ACER has therefore removed the deadline for the submission of the day-ahead capacity calculation methodology in the Proposal.
- (60) Article 7 of the Proposal included provisions related to the further merge of CCRs Core and Italy North and amendments to the Determination of CCRs methodology. ACER detailed these provisions in the whereas of the methodology. Additionally, in accordance with the TSOs' comments from the hearing, ACER has specified in Article 13(3) the TSOs' commitment to the full merger of the CCRs Core and Italy North into the CCR Central Europe, and the application of a stepwise approach to that end taking

into account potential interdependencies with existing regional implementation projects under the applicable Union law, followed by the amendments of the CCR determination for each step of the merger.

- (61) ACER has removed recitals 25-28 proposed by the TSOs. The removed recitals relate mainly to the background of the submission for amendment of the determination of CCRs. ACER has included the relevant parts of these recitals in the newly added Recitals 12 and 13.

*6.2.2.3. Other amendments*

- (62) ACER has amended recital 10, specifying the details of the preceding ACER Decision 08/2023 assigning, for the EU, the Norwegian bidding zone borders to the relevant CCRs, in order to better reflect the legislative and decision-making process for the determination of CCRs in Norway.
- (63) The Proposal introduces Annex I to the methodology, containing a list of all the TSOs who are subject to this methodology. In view of this, ACER has deleted the reference to the submitting TSOs in recital (24) of the Proposal. In addition, ACER amended Article 1 of the Proposal to specify the personal scope of application of the determination of CCRs.
- (64) ACER has also introduced several editorial amendments to improve the wording, clarity and readability of the Proposal, while preserving the intended meaning of the content. ACER has also taken into account the proposed editorial amendments provided by the regulatory authority of Germany in the hearing phase.

## **7. CONCLUSION**

- (65) For the above reasons, ACER considers that the amendments detailed in section 6 are necessary in order to ensure that the Proposal is in line with the requirements and the objectives of the CACM Regulation, as well as improve the editorial quality.
- (66) Therefore, ACER approves the Proposal for amendment subject to the necessary substantive and editorial amendments. Annex I to this Decision sets out the determination of CCRs as amended and approved by ACER.

HAS ADOPTED THIS DECISION:

*Article 1*

The determination of the capacity calculation regions pursuant to Article 15 of Regulation (EU) 2015/1222 is approved as set out in Annex I of this Decision.

*Article 2*

This Decision is addressed to:

1. APG - Austrian Power Grid AG,
2. VÜEN-Vorarlberger Übertragungsnetz GmbH
3. Elia - Elia Transmission Belgium S.A.
4. ESO – Electroenergien Systemen Operator EAD
5. HOPS d.d. - Croatian Transmission System Operator Plc.
6. ČEPS - ČEPS, a.s.
7. Energinet – Energinet
8. Elering - Elering AS
9. Fingrid - Fingrid OyJ
10. Kraftnät - Kraftnät Åland Ab
11. RTE - Réseau de Transport d'Electricité S.A
12. Amprion - Amprion GmbH
13. BCAB - Baltic Cable AB
14. TransnetBW -TransnetBW GmbH
15. TenneT GER - TenneT TSO GmbH
16. 50Hertz - 50Hertz Transmission GmbH
17. IPTO - Independent Power Transmission Operator S.A.,
18. MAVIR ZRt. - MAVIR Magyar Villamosenergia-ipari Átviteli Rendszerirányító Zártkörűen Működő Részvénytársaság ZRt.
19. EirGrid - EirGrid plc
20. Terna - Terna SpA
21. Augstsprieguma tīkls - AS Augstsprieguma tīkls
22. LITGRID - LITGRID AB
23. CREOS Luxembourg - CREOS Luxembourg S.A.
24. TenneT TSO - TenneT TSO B.V.
25. PSE - Polskie Sieci Elektroenergetyczne S.A.
26. REN - Rede Eléctrica Nacional, S.A.
27. Transelectrica - Compania Nationala de Transport al Energiei Electrice S.A.
28. SEPS - Slovenská elektrizačná prenosová sústava, a.s
29. ELES - ELES, d.o.o

- 30. REE - Red Eléctrica de España S.A.U,
- 31. Svenska Kraftnät - Affärsverket Svenska Kraftnät
- 32. SONI - System Operator for Northern Ireland Ltd

Done at Ljubljana, on 19 March 2024.

**- SIGNED -**

*For the Agency  
The Director*

C. ZINGLERSEN

Annexes:

Annex I – Amended methodology for the determination of capacity calculation regions

Annex Ia – Amended methodology for the determination of capacity calculation regions  
(track-change version, for information only)

Annex II – Evaluation of responses to the public consultation on the proposal for the  
amendment of the determination of capacity calculation regions

*In accordance with Article 28 of Regulation (EU) 2019/942, the addressees may appeal against this Decision by filing an appeal, together with the statement of grounds, in writing at the Board of Appeal of the Agency within two months of the day of notification of this Decision.*

*In accordance with Article 29 of Regulation (EU) 2019/942, the addressees may bring an action for the annulment before the Court of Justice only after the exhaustion of the appeal procedure referred to in Article 28 of that Regulation.*