

Mr Alberto Pototschnig
Director
ACER

Cc: Dr Klaus-Dieter Borchardt
Director
Internal Energy Market, DG ENER
European Commission

Cc: CCR Nordic TSO's

By email only

May 8, 2019

Subject: referral of the decision on the CCR Nordic TSO's proposal on the Capacity calculation methodology according to FCA GL

Dear Alberto,

I write on behalf of the Regulatory Authorities of CCR Nordic regarding the CCR Nordic TSO's proposal on the Capacity calculation methodology according to FCA GL (FCA CCM), submitted in accordance with Article 10 of the Commission Regulation (EU) 2016/1719 of 26 September 2016 establishing a Guideline on Forward Capacity Allocation.

The Nordic TSOs FCA CCM proposal in accordance with Article 10 of Regulation 2016/1719 was received by the last regulatory authority on 16 January 2019.

Article 9(9) of Regulation 2016/1719 requires all CCR Nordic regulatory authorities to consult and closely cooperate and coordinate with each other to reach an agreement and come to a decision within six months following receipt of submissions to the last NRA, which is 16 July 2019.

Regulatory authorities have closely cooperated among each other on the FCA CCM proposal. However, after extensive discussion among regulatory authorities it became evident that consensus on the FCA CCM proposal would not be reached.

As laid out in Article 9(10) of Regulation 2016/1719, where regulatory authorities have not been able to reach agreement within the period referred to in paragraph 9, or upon their joint request, the Agency shall adopt a decision within six months, in accordance with Article 8(1) or Regulation (EC) No 713/2009.

Therefore, on 2 May 2019 regulatory authorities of the Nordic CCR unanimously agreed, ahead of the expiration of the deadline for national decisions (16 July, 2019), to request the Agency to adopt a decision on the CCR Nordic TSOs FCA CCM proposal, pursuant to 9(10) Regulation 2016/1719.

Yours sincerely,

Carsten Smidt, Forsyningstilsynet
on behalf of ERRF CCR Nordic

Attachments:

1. *Note explaining the diverging views among CCR Nordic NRAs*
- 2(a). *The TSO's proposal for a capacity calculation methodology according to FCA GL*
- 2(b). *The TSO's supporting document to capacity calculation methodology according to FCA GL*
3. *Draft Request for Amendment as provided by EV to clarify their position*