

Mr Christian Zinglensen Director ACER

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

Cc: CCR Baltic TSOs  
**By email only**

May 18, 2020

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

Dear Christian,

I write on behalf of the Regulatory Authorities of CCR Baltic regarding the CCR Baltic 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 Baltic TSOs FCA CCM proposal in accordance with Article 10 of Regulation 2016/1719 was received by the last regulatory authority on 17 July 2019.

Article 4(9) of Regulation 2016/1719 requires all CCR Baltic 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 was 17 January 2020. The regulatory authorities agreed to send a request for amendment to approve the Baltic TSOs FCA CCM proposal in accordance with Article 4(11) of Regulation 2016/1719. The last regulatory authority sent the request for amendment to its TSO on 17 January 2020. The last NRA received an amended LT CCM proposal on 18 March 2020.

Regulatory authorities have closely cooperated among each other on the amended FCA CCM proposal. However, after extensive discussion among regulatory authorities it became evident that consensus on the proposal would not be reached. As laid out in Article 4(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 12 of Regulation (EU) No 2019/942.

Therefore, on 11 May 2020 regulatory authorities of the Baltic CCR unanimously agreed, ahead of the expiration of the deadline for national decisions (18 May, 2020), to request the Agency to adopt a decision on the CCR Baltic TSOs FCA CCM proposal, pursuant to 4(10) Regulation 2016/1719.

Yours sincerely,



Anne Vadasz Nilsson, Swedish Energy Markets Inspectorate on behalf of CCR Baltic NRAs

**Attachments:**

1. Note explaining the diverging views among CCR Baltic NRAs
2. The TSO's proposal for a capacity calculation methodology according to FCA GL