Procedural Act on regional market integration

Energy Community Secretariat
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Procedural Act on regional market integration

Integration of regional energy markets between Contracting Parties and EU Member States requires:

- level playing field to be created by reciprocity of rights and obligations
- cross-border cooperation among enforcement authorities
- decision-making on cross-border issues by independent regulatory body
  **ACER:**
  - regulatory body with experience and resources;
  - allowed to take such decisions by EU law if empowered by the Contracting Parties
  ***ENTSO-E to assume similar role for the Contracting Parties as in the EU
    - in order to ensure coherence and consistency

Reciprocity:

- energy sector stakeholders from both Contracting Parties and EU Member States: Regulatory and other designated authorities, TSOs, DSOs, NEMOs, regional security coordinators, synchronous area and LFC block monitors
- based on a Ministerial Council or PHLG decision under Title II and Title III

Cooperation among competition authorities

- Obligation of NCAs from the Contracting Parties to cooperate with NCAs from the EU Member States, the Secretariat and the EU Commission
**ACER**

- **Powers of ACER**
  - provides opinions and recommendations
  - adopt individual decisions binding on energy sector stakeholders
  - adopt individual decisions on regulatory issues having effect on trade (exemptions, in case of no agreement between two NRAs or on the basis of joint request from NRAs)

- **Obligations on ACER**
  - to consult ECRB before taking a decision
  - To act independently, objectively and in the interest of the Energy Community as a whole

- **Obligation on energy sector stakeholders** to provide information to ACER upon request

**ENTSO-E**

- **Obligations on ENTSO-E**
  - to publish data and information of TSOs from the Contracting Parties on the website and include them on platforms in the same manner as TSOs from EU Member States

- **Obligations on energy sector stakeholders** + Secretariat, ECRB and the EU Commission
  - To submit all required data within a time period

**Decisions of ACER are subject to appeal**

**Non-compliance with ACER’s decision would be a breach of Energy Community Law**
Thank you for your attention!

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