



## **ACER update to the ECRB**

*Dennis Hesseling, ACER representative to the ECRB*

**5 December 2018, Athens**

**1. Opening**

**2. Update from the Director**

**3. Items for BoR opinion, endorsement, approval or agreement**

**4. Cross-sectoral**

**5. Electricity**

**6. Gas**

1. Opening

2. Updates

3. For opinion or approval

4. Cross-sectoral

5. Electricity

6. Gas

### 2. Update on recent developments

#### ACER

##### Latest developments 2019 budget

- The Council envisages a €2.6m cut to the Agency's 2019 budget as proposed by the Commission (€16.1m).
- The ITRE Committee has adopted its opinion on 25/09 for the Committee on Budgets (2018/2046(BUD)) in which it calls for an increase in staff for ACER, in order for them to fulfil their mandate, including the need to recruit and maintain highly specialised experts and to plan for future roles and responsibilities.
- The Budgetary Committee voted in favour of MEP Geier's AM for ACER which amounts to €18 807 975 budget. In terms of posts, it provides for (+26 AD, +5 AST).
- A number of trilogues took place, without reaching an agreement so far.

##### MMR presentations: ITRE Committee 9 October & public launch event 22 October

- The MMR was presented at the ITRE Committee on 9 October.

1. Opening

2. Updates

3. For opinion or  
approval

4. Cross-  
Sectoral

5. Electricity

6. Gas

### 3.1 ACER Decision on the DE-PL Booking Platform

- BNetzA and URE did not reach an agreement on the use of a single booking platform within six months starting on 16 October 2017. The matter was referred to the Agency on 19 April 2018.
- The Agency consulted the concerned NRAs and TSOs in May 2018. The Agency launched a public consultation in June 2018 and held a public workshop in June 2018. Capacity Booking Platform Operators were requested to submit offers for capacity booking services by 10 August 2018.
- The Agency concludes that GSA has the highest score and thus submitted the overall most advantageous offer and that the booking platform to be used, for a period no longer than three years, at the 'Mallnow' IP and the 'GCP' VIP shall be GSA. The Decision also lays down the time for implementation.
- **The ACER Decision was submitted for BoR opinion.**

1. Opening

2. Updates

3. For opinion or approval

4. Cross-Sectoral

5. Electricity

6. Gas

### 3.2 ACER Opinion on consistency between national NDPs and Union-wide TYNDPs

- The Opinion on the consistency of gas network developments is adopted in line with Article 6 of Regulation (EC) No 713/2009 and Article 8 of Regulation (EC) No 715/2009. The objective is to review the most recently published NDPs and to analyse their consistency with the draft TYNDP published by ENTSOG in 2018 (“draft EU TYNDP 2018”).
- **The ACER Opinion was submitted for BoR opinion.**

1. Opening

2. Updates

3. For opinion or approval

4. Cross-Sectoral

5. Electricity

6. Gas

### 3.3 ACER Opinion on the ENTSO-E and ENTSOG Scenario Development Report for TYNDP

- The Agency welcomes that the draft Scenario Report is characterised by cross-sectoral (electricity and gas) consistency and an increased time horizon (up to 2040) with respect to previous ENTSO-E and ENTSOG scenarios.
- However, the draft Scenario Report's contribution to meeting the objectives of Regulations (EC) No 714/2009 and No 715/2009 concerning the efficient functioning of the market and non-discrimination is still rather weak.
- Specific remarks are provided regarding:
  - A) the process for preparing the draft Scenario Report;
  - B) the methodology for developing scenarios;
  - C) the consistency and transparency of the scenarios.
- **The ACER Opinion was submitted for BoR opinion.**

1. Opening

2. Updates

3. For opinion or approval

4. Cross-Sectoral

5. Electricity

6. Gas

### 4.1 7<sup>th</sup> Market Monitoring Report

- The Electricity Wholesale Volume and the Consumer Protection Volume were presented for information and were released on 22 October with the full version of the Retail Markets Volume.
- The Retail Markets Volume which was discussed at the previous BoR was circulated again following the updates on the charts and text.
- Thus, the Retail Markets Volume in a “first release” form, which does not include Chapter 3 on mark-ups was released on 3 October along with the Gas Wholesale Market Volume.

1. Opening

2. Updates

3. For opinion or  
approval

4. Cross-  
Sectoral

5. Electricity

6. Gas

### 4.2 Draft Outline ACER Work Programme 2020

- The Single Programming Document (PD) must be submitted to the European Commission by 31 January 2019, without prejudice to the submission of the AWP and its approval and adoption, according to the process stipulated in Regulation (EC) No 713/2009.
- The outline circulated was presented to stakeholders on 19 October.
- The document provides the tasks that ACER plans to perform in 2020. The final list of deliverables and tasks included in the WP will, therefore, depend on the Agency's budget for 2019. As per previous practice, the Agency has developed a classification system according to the following three priority levels.

1. Opening

2. Updates

3. For opinion or  
approval

4. Cross-  
Sectoral

5. Electricity

6. Gas

---

### 4.4 Report on latest ECRB meetings

---

- The Head of the ACER Gas Department reported on the latest ECRB meetings.

1. Opening

2. Updates

3. For opinion or  
approval

4. Cross-  
Sectoral

5. Electricity

6. Gas

### 5.1 Important AEWG updates

- The AEWG Vice-Chair position became vacant after Mr Copley left Ofgem. The Director has appointed Ms Christine Materazzi-Wagner (E-Control) as the new Vice-Chair of the AEWG.

1. Opening

2. Updates

3. For opinion or  
approval

4. Cross-  
Sectoral

5. Electricity

6. Gas

### 5.2 ACER ITC Monitoring Report

- Pursuant to point 1.4 of Annex Part A of Regulation (EU) No 838/2010 on laying down guidelines relating to the inter-transmission system operator compensation mechanism and a common regulatory approach to transmission charging the Agency is responsible, since 2012, for preparing a yearly monitoring report on the implementation of the Inter-Transmission System Operator Compensation (“ITC”) mechanism and the management of the ITC Fund.
- The Agency concludes that the implementation of the ITC mechanism and the management of the ITC Fund in 2017 continues to be in line with the requirements set out in the Regulation. The Report includes some further findings with regard to specific aspects of the ITC implementation in 2017.

1. Opening

2. Updates

3. For opinion or  
approval

4. Cross-  
Sectoral

5. Electricity

6. Gas

### 6.2 ACER Report on methodologies and parameters to determine gas TSO revenues

- Article 34 of the NC TAR requires the Agency to publish, before 6 April 2019, a report on the methodologies and parameters used to determine the allowed or target revenue of transmission system operators.
- The Agency hired Economic Consulting Associates ('ECA') to assist with this work by undertaking a study to assess the methodologies and parameters used in EU Member States to determine the allowed or target revenue of gas transmission system operators. The Study has been delivered to the Agency in September 2018.
- The Agency fully supports the findings of the Study and its Final observations. The Agency's Report shall, together with the Study, be considered as the Agency fulfilling its reporting task under Article 34 of the NC TAR.
- The Agency invites NRAs to follow-up on the lessons emerging from the Study and, in particular, on the Final observations in Chapter 15.6 therein.

**ACER**

Agency for the Cooperation  
of Energy Regulators

**Thank you for your attention!**

**[www.acer.europa.eu](http://www.acer.europa.eu)**