



Uniting Europe's Energy, Today

Art 70

SEEGAS

AUGUST 2024

Overview



Focus: Derogations from CAM NC, TAR NC, CMP Guidelines

Regions: EU–Energy Community & third countries

Key drivers: Technical & IT limitations

- Long-term contracts
- Regulatory misalignment
- Geopolitical factors

Bulgaria



Interconnection points:

- Kalotina / Dimitrovgrad (Serbia)
- Kireevo / Zaychar (Serbia)
- Kyustendil / Zhidilovo (North Macedonia)
- Strandzha / Malkoclar (Turkey)

Main Requests:

- Bundled capacity products
- Joint booking platform
- CMP derogations

Reasons:

- Neighbouring countries not fully aligned with EU rules
- High share of long-term contracts
- IT and technical limitations
- Turkey not bound by EU acquis

ACER Conclusion:

- Derogations to be granted until Oct 2027
- CMP extended to 2030 (North Macedonia)
- Turkey: derogation unnecessary

Hungary



Interconnection points:

- Kiskundorozsma-1 (Serbia)
- Kiskundorozsma-2 (Serbia)

Main Requests:

- Bundling obligations (Art. 19)
- Yearly products (Art. 9, 11)

Reasons:

- Serbian market still developing
- 90% capacity under long-term contracts
- Missing yearly products
- IT and licensing barriers

ACER Conclusion:

- Bundling derogation granted until 2027
- No derogation needed for yearly products

Slovakia



Interconnection points:

- Veľké Kapušany (Ukraine)
- Budince (Ukraine)

Main Requests:

- Broad CAM NC and
- TAR NC derogations

Reasons:

- War-related market disruptions
- Technical incompatibilities (units, system design)
- Lack of joint booking platform
- Legal and regulatory misalignment

ACER Conclusion:

- Only bundling derogation should be granted.
- Derogation from establishing VIP and other aspects not.

Baltic Region, Italy, Spain

**Lithuania – Belarus /
Russia (Kaliningrad)
Estonia – Russia**

Main Requests:

- Full derogations from EU network codes

ACER Conclusion:

- Full derogation rejected
- Core provisions must still apply

**Italy - Libya (Greenstream)
Italy - Algeria (Trans-Mediterranean)**

Main Requests:

- FCFS allocation of residual capacity

ACER Conclusion:

- Temporary flexibility justified
- Future reassessment required

**Spain - Algeria
Spain - Morocco**

Main Requests:

- Broad CAM NC derogations

ACER Conclusion:

- Justification acknowledged but not fully proven
- Reassessment and consultation required

Key Takeaways

Main drivers of derogations:

- Non-EU regulatory misalignment
- Long-term capacity bookings
- Technical and IT constraints

ACER approach:

- Pragmatic but restrictive
- Preference for temporary solutions
- Harmonisation Coordination
- Clear implementation timelines

Key Deadlines:

- 1 Oct 2027 → Major CAM NC milestone
- 2030 → CMP expiry (North Macedonia)

Case-by-case reassessment for:

- Baltic region
- Italy
- Spain

Conclusion

- Derogations are transitional tools
- Structural barriers remain at EU borders
- Gradual regulatory convergence



THANK YOU!



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