





Energy Community Regulatory Board

Work Program 2024

ABOUT ECRB

The **Energy Community Regulatory Board** (ECRB) operates based on the Treaty establishing the Energy Community (hereinafter 'the Treaty'). It is composed of representatives of the energy regulators of the Contracting Parties (CPs). The European Union is represented by the European Commission – also acting as ECRB Vice-Presidency – assisted by the regulators of the EU Participants Countries to the Energy Community² as well as ACER.

Competencies of ECRB, as defined in the Treaty Establishing the Energy Community (hereinafter: the Treaty), are as follows:

- advise the Ministerial Council or the Permanent High Level Group on the details of statutory, technical and regulatory rules,
- issue Recommendations on cross-border disputes involving two or more Regulators,
- take Measures (Recommendation, or legally binding Decisions), if so empowered by the Ministerial Council,
- adopt Procedural Acts

ECRB can also provide an Opinion to the Energy Community Secretariat (ECS) on preliminary certification decisions of Contracting Parties' regulators and is in charge of providing an Opinion of Network Code and Guideline Regulations prior to their adoption by the Energy Community Permanent High Level Group.

Over time, with transposition of gas and electricity network codes and the package "Clean Energy for all Europeans" in the Energy Community legal framework, ECRB gained a number of new competences, enhancing thereby its tools to foster integration of Contracting Parties' energy markets in the internal EU electricity and natural gas markets, in line with the objectives of the Treaty.

Our mission builds on three pillars: providing coordinated regulatory positions to energy policy debates, harmonizing regulatory rules across borders and sharing regulatory knowledge and experience.

¹ Albania, Bosnia and Herzegovina, Georgia, Kosovo*, Moldova, Montenegro, North Macedonia, Serbia and Ukraine. [For the entire document * refers to: *This designation is without prejudice to positions on status, and in line with the United Nations Security Council Resolution 1244 and the international Court of Justice*].

² Austria, Bulgaria, the Czech Republic, Croatia, Cyprus, Finland, France, Germany, Greece, Hungary, Italy, Latvia, Lithuania, the Netherlands, Poland, Romania, Slovakia, Slovenia, Sweden and the United Kingdom.

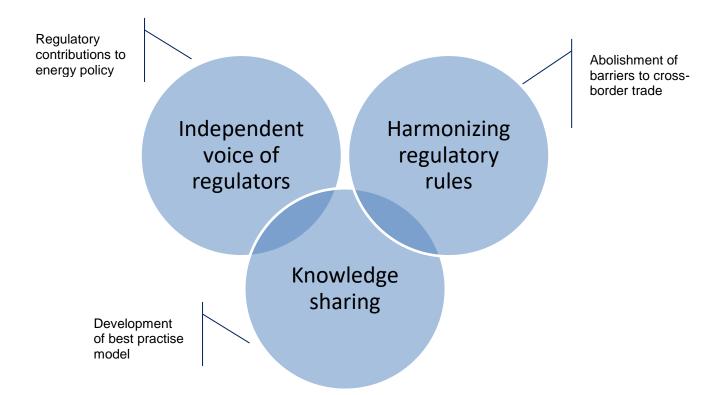


Figure 1 ECRB mission and objectives

WORKING STRUCTURE

The four pillars of ECRB activities are organised in four corresponding working groups. Under this general set up, the *Customers and Retail Markets Working Group* covers retail market and customer protection related aspects of the electricity and gas sectors while the *Electricity Working Group* and *Gas Working Group* focus on wholesale related aspects of the relevant sectors. The *REMIT Working Group* deals with regulatory and ECRB duties stemming from the REMIT Regulation. **Cross-sectoral** ECRB activities, such as Opinions on preliminary certification decisions of Contracting Parties' national regulatory authorities (NRA), are addressed on Board level.

The following illustration shows ECRB organisational structure in 2024.

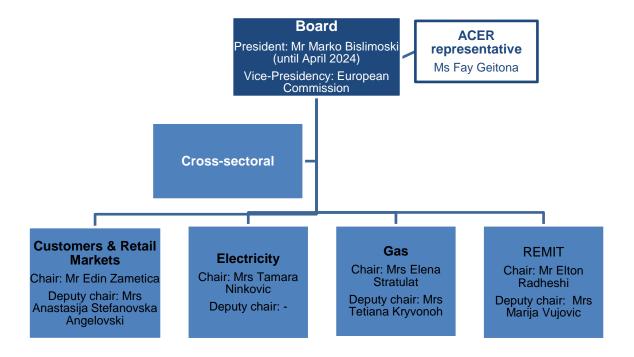


Figure 2: Overview of ECRB structure in 2023



CROSS - SECTORAL

1. Energy Policy

Task Force	Leader	Scope	Deliverable	Due
I. ECRB Opinions on preliminary decisions of Contracting Parties' NRA on TSO certifications	Coordinated by the ECRB President based on ECRB Procedural Act No 01.1/2015	The Third Energy Package requires designation of national gas and electricity transmission operators (TSO). Directive (EU) 2019/944 and Directive 2009/73/EC require certification of the relevant TSO by the national regulatory authority as pre-condition for successful designation. The certification procedure aims at proofing the TSO's compliance with the unbundling requirements of the Gas and Electricity Directives. Pursuant to Article 51(1) of Regulation (EU) 2019/943 and Article 3(1) of Regulation (EC) 715/2009, the Energy Community Secretariat ('Secretariat') shall within a maximum of 4 months examine the notified draft decision of a Contracting Party's NRA in relation to certification of a gas or electricity TSO (as to its compatibility with Article 43 and either Article 52(2) or Article 53 of Directive (EU) 2019/944 and Article 9 of Directive 2009/73/EC).	ECRB Opinion	Upon receipt of the preliminary certification decision by the Secretariat and receipt of consultation input by ECRB members
II. Cyber Security	Consultations coordinated by the ECRB Section at the Secretariat	The Energy Community Ministerial Council in November 2018 established a Coordination Group for Cybersecurity and Critical Infrastructures (CyberCG). ³ The CyberCG aims at facilitating strategic cooperation and the exchange of information in an environment for open discussion on shared concerns or questions of common interest. While Contracting Parties' NRAs are involved in the CyberCG, coordinated regulatory input shall be provided via ECRB. The ECRB electricity working group is in charge of related input in the area of electricity.	Coordinated regulatory input to the activities of the CyberCG in the area of electricity	Upon consultation by the Cyber CG or the Secretariat

³ Procedural Act 2018/PA/2 /MC-EnC.



2. International Cooperation

Sharing best practice experience with other regional regulatory bodies is not only recommended from an efficiency point of view but also when keeping in mind the goal of integrating regional markets. ECRB is committed to continue and strengthen the well-established streams of cooperation with the Agency for the Cooperation of Energy Regulators (ACER), the Council of European Energy Regulators (CEER) and the Association of Mediterranean Regulators (MedReg). Specific cooperation formats are outlined in the programs of the individual working groups. The signature of a Cooperation Arrangement with MedReg and CEER in December 2018 kicked of a new area of enriched cooperation in a more institutionalised structure.



CUSTOMERS & RETAIL MARKETS

Task Force	Leader	Scope	Deliverable	Due
I. Retail Market Monitoring	Mr Aca Vučković (AERS) Ms Maja Kavarić (REGAGEN)	Market monitoring is a core element of regulatory responsibilities. Only in-depth knowledge of market performance, stakeholder activities and development outlooks allow regulators to create an effective market framework that balances the needs of market players and is able to promote competition, customer protection, energy efficiency, investments and security of supply at the same time. Since 2015 ECRB therefore prepares annual market monitoring reports assessing the functioning of gas and electricity retail markets. This complements the input provided by Contracting Parties' NRAs to the annual market monitoring report of ACER and CEER on retail market developments that is prepared in cooperation with the Energy Community Secretariat.	 Market Monitoring Report on the functioning of gas and electricity retail markets in the CPs that Assesses the electricity and gas markets; Identifies potential barriers; and Discusses recommendations on potential improvements. Input to the annual market monitoring report of ACER and CEER on retail market developments 	12/2024 Subject to ACER timeline
II. Consumer Protection	TBD	Consumer protection is a central duty of NRAs. This responsibility unites the regulatory activities of ECRB, CEER and MedReg members. Cooperation of the three regional regulatory bodies in the customers and retail markets area builds on already well-established common exchange of regulatory experience, among which trilateral workshops organized regularly since 2018.	Trilateral workshop ECRB-CEER-MEDREG on customer aspects ⁴	October 2024

 $^{^{\}rm 4}$ Activity coordinated by ECRB as lead deliverable institution.



III. Consumer Empowerment and Protection	Ms Anastasija Stefanovska Angelovski (ERC)	Better informed and empowered consumers are at the heart of the Clean Energy Package for all Europeans. The new Electricity Directive (Directive (EU) 2019/944) has been transposed in the Energy Community regulatory framework in December 2021. It brings a number of new and updated provisions related to consumer protection. The aim of this workstream is to analyze the status quo regarding implementation of consumer protection rules of the new Electricity Directive in the Contracting Parties and provide recommendations for necessary amendments of national legislations.	Status review of implementation of consumer 12/2024 protection rules of the new Electricity Directive in the Contracting Parties
IV. Regulatory framework for active consumers	TBD	Active consumers have a significant role in energy transition through their contribution to generating electricity from renewable energy sources and increasing consumer engagement in the market. Building on the ECRB report Legal and regulatory framework for support and treatment of small-scale generators with special focus on solar photovoltaic (PV) systems connected to the distribution network ⁵ , published in 2020, and taking into consideration the requirements of the Clean Energy Package, this task force will further investigate and analyze the regulatory framework for prosumers, taking into account also the Policy Guidelines by the Energy Community Secretariat on Integration of Renewables Self-Consumers ⁶ .	

⁵ https://www.energy-community.org/dam/jcr:abacd12d-283c-492a-8aa4-6da5797d044a/ECRB_prosumers_regulatory_framework_032020.pdf
⁶ https://www.energy-community.org/dam/jcr:7e4760a1-3890-4a7a-a067-d9e16c80ddeb/PG_2020_03_RES.pdf



ELECTRICITY WORKING GROUP

Task Force	Leader	Scope		Deliverable	Due
I. Day-ahead and intraday market Integration	TBD	The activities of this task force will mainly focus on the implementation of Regulation 2015/1222 establishing a guideline on capacity allocation and congestion management and part of Regulation 2019/943 on the internal market for electricity, as adapted and adopted by the Ministerial Council Decision 2022/03/MC-EnC, i.e., on ECRB tasks related to dayahead and intraday market integration, such as: monitoring NEMOs' progress in performing the MCO functions, adoption of terms, conditions and methodologies, participation in TSOs and	a. b.	List of designated NEMOs in Energy Community Contracting Parties, their status and where they operate ECRB opinion on the proposals for regional or national terms and conditions or methodologies from CACM Draft decision on the adoption of regional	Continuously/Regularly update Upon a request of regulatory authorities (3 months)
		NEMOs meetings, organizing stakeholder involvement related to the implementation of this regulation, assessing the efficiency of bidding zone configurations, oversight of electricity trading function of TSOs/NEMOs, etc. Also, this task force aims to monitor the development of dayahead and intraday markets in the Energy Community Contracting Parties as well as their progress in joining the single EU market (including the establishment of local implementation	d. e.	terms, conditions and methodologies/ request for amendment ECRB opinion before ACER takes a decision on the adoption of regional terms, conditions and methodologies Draft decision on amending or maintaining the bidding zone	months) Upon a request of ACER (3 weeks) If relevant CPs fail to reach a unanimous decision (6 months)
		projects by TSOs and NEMOs).		configuration in and between Contracting Parties	decision (o mondis)



			f. g.	coordinated actions Draft decision on derogation from 70% minimum capacity requirement, including justification and reasons for derogation Assessment of the status of the development of day-ahead and intraday markets in the Energy Community Contracting Parties	If prerequisites for deviation are not fulfilled or of a structural nature Where regulatory authority disagrees with the proposed derogation 12/2024
II. Forward capacity allocation	TBD	The task force will conduct activities related to the implementation of Regulation 2016/1719 establishing a guideline on forward capacity allocation as adapted and adopted by the Ministerial Council Decision 2022/03/MC-EnC. The main focus of this task force will be performing tasks of ECRB stipulated in this regulation, such as: the adoption of terms, conditions and methodologies, organising stakeholder involvement regarding forward capacity allocation and other	a. b.	ECRB opinion on the proposals for regional or national terms and conditions or methodologies from FCA Draft decision on the adoption of regional terms, conditions and methodologies/request for amendment	Upon a request of regulatory authorities (3 months) In case of referral (6 months)
		aspects of the implementation of this regulation, requesting a review of long-term transmission rights offered on a bidding zone borders, etc.	C.	ECRB opinion before ACER takes a decision on the adoption of regional terms, conditions and methodologies	Upon a request of ACER (3 weeks)
III. Electricity Balancing	TBD	The need for this task force originates from Regulation 2017/2195 establishing a guideline on electricity balancing as adapted and adopted by the Ministerial Council Decision	a.	ECRB opinion on the proposals for regional or national terms and conditions or methodologies from EBGL	Upon a request of regulatory authorities (3 months)



2022/03/MC-EnC and ECRB obligations defined regulation, such as: adoption of terms, conditi methodologies, organizing stakeholder involvement the balancing market and other aspects of the impler of EBGL, etc. This task force will also monitor the development and	ons and regarding mentation c.	Draft decision on the adoption of regional terms, conditions and methodologies/ request for amendment ECRB opinion before ACER takes a decision on the adoption of regional terms, conditions and methodologies	In case of referral (6 months) Upon a request of ACER (3 weeks)
balancing markets in the Energy Community.	d.	Assessment of the status of the development balancing markets in the Energy Community Contracting Parties	12/2024
The scope of work of this task force covers ECRB of arising from Regulation 2017/1485 establishing a gui electricity transmission system operation and R 2017/2196 establishing a network code on electricity elec	ideline on Regulation mergency	ecrb opinion on the proposals for regional or national terms and conditions or methodologies from SOGL and three Connection Codes	Upon a request of regulatory authorities (3 months)
and restoration as adapted and adopted by the Incomment of Council Decision 2022/03/MC-EnC, as well as three condes: Regulation 2016/631 establishing a network requirements for grid connection of generators, as additional contents of the	onnection on code on	Draft decision on the adoption of regional terms, conditions and methodologies from SOGL/ request for amendment	In case of referral (6 months)
adopted by Decision 2018/03/PHLG-EnC, R 2016/1447 establishing a network code on requiremen connection of high voltage direct current systems a	· ·	ECRB opinion before ACER takes a decision on the adoption of regional terms, conditions and methodologies from SOGL	Upon a request of ACER (3 weeks)
adopted by Decision 2018/04/PHLG-EnC, and R	Regulation	Report on the state of implementation of Connection Network Codes	12/2024
2016/1388 establishing a network code on demand code as adapted and adopted by Decision 2018/05/PHLG-tasks of ECRB include: organizing stakeholder invergarding the implementation of these regulations, the providing its opinion on the format and contents of the state of the stat	EnC. The colvement possibility	Reporting on the application of the derogations to the requirements of the Connection Network Codes	Upon a request of the Secretariat

IV. System

operation, emergency and restoration and grid connection TBD



on operational security indicators, the possibility of issuing a
recommendation to the TSO(s) that experienced suspension
and restoration of market activities, monitor the implementation
of the network codes for the Contracting Parties whose TSOs
are not members of ENTSO for Electricity, monitoring the
procedure of granting derogations and issuing a reasoned
recommendation to a regulatory authority to revoke a derogation
in case of the lack of justification, etc.

V. Wholesale market monitoring

Task (a)

Mr. Ymer

(ERO)

Task (b)

Task (c)

Ms. Tamara
Ninkovic
(REGAGEN)

Rudari and Mr.

Skender Muqolli

Coordinated by

ECRB Section

in case of the lack of justification, etc.
Market monitoring is a core element of regulatory
responsibilities. Only in-depth knowledge of market
performance, stakeholder activities and development outlooks
allows regulators to create an effective market framework that
balances the needs of market players and is able to promote
competition, customer protection, energy efficiency,
investments and security of supply at the same time. Dedicated
monitoring efforts will be also put on compliance of Contracting
Parties with the transparency requirements of Regulation
543/2013 on submission and publication of data in electricity
markets, as adapted and adopted by Decision 2015/01/PHLG-
EnC.
Also, since Regulation 2019/943 on the internal market for

Also, since Regulation 2019/943 on the internal market for electricity, as adapted and adopted by the Ministerial Council Decision 2022/03/MC-EnC has set forth the obligation of ECRB to prepare a report on transmission and distribution tariff methodologies biannually, this report will be done in the capacity of this task force.

SEE Market Monitoring Annual Report
 based on data collected via a regional
 Market Monitoring Administrator and quarterly rotation scheme

b. Input to the annual market monitoring based on ACER's report of ACER

 Monitoring spreadsheet on compliance of Contracting Parties with the transparency requirements of the Energy Community law in electricity 12/2024 upon agreement of EWG

Annual updates



VI. Renewables	Task (a)	Integration of renewable energy sources into the energy	a.	Regulatory contribution on the flexibility	Upon a request
Integration and	Coordinated by	systems gains more and more importance but also entails a		assessment of the ECS including potential	
Flexibility	ECRB Section	number of regulatory challenges that come with the need to		recommendations	
	20112 00011011	make the system more flexible. The task will look into these	b.	Update on developments on regulatory	12/2024
	Task (b)	aspects including the balancing responsibility of producers from		framework regarding renewables and	
	Mr. Igor	renewable energy sources, their participation in the electricity		flexibility, including assessment of RES	
	Malidzan	market and connection to the grid. Part of this task will be		market participation, virtual generators and	
	(REGAGEN)	potential cooperation and exchange of experience with		aggregators in CPs	
		MEGREG through workshops and joint events.			
VII. National	TBD	Article 24(3) of Regulation 2019/943 envisages that in case the	a.	ECRB Opinion on whether the differences	Upon a request of
resource		national resource adequacy assessment identifies an adequacy		between the national resource adequacy	the Secretariat
adequacy		concern with regard to a bidding zone that was not identified in		assessment and the European resource	
assessment		the European resource adequacy assessment, the Energy		adequacy assessment are justified	
and		Community Secretariat shall provide an opinion on whether the	b.	ECRB opinion on the exemption request	Upon a request of
exemptions for		differences between these two resource adequacy assessments		for new interconnector	the Contracting
new		are justified. When preparing its opinion, the Secretariat shall			Party
interconnectors		request the ECRB to provide its opinion on the report and shall	c.	Draft decision on the exemption request for	In case of referral
		consult the ACER.	٠.	new interconnector	iii dada di Talamai
		Additionally, Article 63(4) of Regulation 2019/943 prescribes that			
		ECRB (or ACER) may give an opinion on the request for			
		exemption for new interconnector, while Article 63(5) entails that			
		ECRB (or ACER) should take a decision on the exemption			
		request if the regulatory authority concerned cannot reach an			
		agreement within six months or upon their joint request. Apart			
		from that, Article 63(6) defines that Contracting Parties may			
		provide for the ECRB to submit its opinion on the request for an			



exemption to the relevant body in the Contracting Parties for a formal decision.



GAS WORKING GROUP

Task Force	Leader	Scope		Deliverable	Due
I. Wholesale Market Monitoring	Ms Branka Tubin (AERS)	Market monitoring is a core element of regulatory responsibilities. Only in-depth knowledge of market performance, stakeholder activities and development outlooks allow regulators to create an effective market framework that balances the needs of market players and is able to promote competition, customer protection, energy efficiency, investments and security of supply at the same time. Since of 2015 ECRB therefore prepares annual market monitoring reports assessing the functioning of gas and electricity retail markets.		Monitoring report on the development of gas wholesale markets in the Contracting Parties	12/2024
II. Network Code Implementation	Deliverable 1 and 2: <i>Mr Aleksandar Popadic</i> (AERS) Deliverable 3: <i>Ms Elena Stratulat</i>	According to chapter 2.2.1 of the gas congestion management network code ⁷ ECRB shall publish by 1 June of every year, commencing with the year 2020, a monitoring report on congestion at interconnection points with respect to firm capacity products sold in the preceding year, taking into consideration to the extent possible capacity trading on the secondary market and the use of interruptible capacity.	1.	Report on congestions at interconnection points Analysis of consultation documents related to reference price methodologies	06/2024 Upon receipt from NRA
	(ANRE)	According to Article 27 of the Tariff Network Code, the ECRB analysis the consultation documents related to reference price methodologies against the predefined criteria. The NRAs should forward the consultation documents to the ECRB upon launching the final consultation that should be open for at least two months. Within two	3.	Recommendation on bundling of capacity at interconnection points in the Energy Community	12/2024

⁷ Amended Annex I to Regulation (EC) No 715/2009 on conditions for access to the natural gas transmission networks, as amended at EU level by Commission Decision (EU) 2012/490 of 24 August 2012 and Commission Decision (EU) 2015/715 of 30 April 2015 - adapted and adopted for the Energy Community Contracting Parties by PHLG Decision No 2018/01/PHLG-EnC of 12.01.2018.



months following the end of the consultation, the ECRB should publish the conclusion of its analysis.

Proper implementation of Regulation (EU) 2017/459 establishing a network code on capacity allocation mechanisms in gas transmission systems, as applicable in the Energy Community ('CAM NC'), requires allocation of bundled capacity in interconnection points. This workstream will review the methodologies for calculation and offering of bundled capacities in the EU, with a view to providing recommendations to the Contracting Parties on further steps towards CAM NC implementation.

III. Regulatory framework for biogas

Ms Tetiana Kryvonoh (NEURC)

Decarbonized gases will play an important role in diversifying energy supply and achieving net-zero economies. The European legal initiative- *Hydrogen and Decarbonized Gas Market Legislative Package*, envisaged to be adopted by end 2023, together with National Energy and Climate Plans will provide basic regulatory framework for further development of markets for biogas. This Task Force will analyze the current status of market development as well as the regulatory framework for decarbonized gases in the Contracting Parties and provide recommendations for steps to be taken towards efficient network development and security of supply.

Report on biogas market development and regulatory framework

12/2024



REMIT WORKING GROUP

Task Force	Leader	Scope	Deliverable	Due
I. Regulatory Guidance on REMIT	Mrs <i>Marija</i> <i>Vujović</i> (REGAGEN)	The task force will identify potential need for further clarifications and update of REMIT guidance of the Energy Community and propose amendments to be published on the Energy Community website. The task force will benchmark Energy Community REMIT guidance against that of ACER and propose amendments to cover the gaps.	Update of harmonized regulatory guidance related to REMIT for the Energy Community	12/2024
II. Cybersecurity and data protection standards	Mr <i>Martin Martinoski</i> (ERC)	The task force will evaluate the cybersecurity and data protection standards mandated by ACER, review existing gaps towards these standards at the level of Energy Community NRAs and asses the preparedness of Energy Community NRAs in aligning with ACER standards. These standards encompass secure data transmission protocols, data encryption, access control, data classification and management, adherence to privacy regulations, data sharing agreements and more. The task force will provide recommendations for closing the existing gaps towards ACER requirements in the context of future full REMIT implementation.	Report on cybersecurity and data protection standards	12/2024
III. Data Collection and Reporting Processes in the Contracting Parties	Mrs. Sophio Khozrevanidze (GNERC)	The task force will provide the review of how REMIT data collection, data management and reporting processes function in the Contracting Parties in order to foster a more efficient and secure reporting system via defining best practices within the Energy Community in the context of potential full REMIT implementation.	Report on data collection and management	12/2024



IV. Implementation of REMIT & Inside information platforms	Ms Natalia Plakyda (NEURC) Mrs. Sophio Khozrevanidze (GNERC)	The Task Force will update the existing format of the REMIT Implementation report, track progress in REMIT implementation and functioning of inside information platforms in the Contracting Parties. The implementation part will include updates on legislative changes and development of regulations by the NRAs, major cases, investigations undertaken etc., incl. cases discussed and coordinated by the ECRB. The status on functioning of the Inside Information Platforms will be updated. The task force will discuss and assess the need for centralized platforms for publication of inside information in the Energy Community Contracting Parties.	Update on REMIT Implementation and Inside Information platforms functioning	12/2024
V. Penalty regime in CPs under REMIT	Mrs Marija Vujović (REGAGEN) Radoslav Čović (REGAGEN)	Establishing a penalty regime in the CPs in line with REMIT requirement is an important part of REMIT implementation. Implementation of such requirement is not consistent across the EU, therefore the role of the task force will be to select one of few EU MS as a benchmark, against which it will assess different penalty regimes applied or to be applied in the CPs.	Report analyzing powers of NRAs', competences and existing obstacles to application of penalties meeting the requirements of REMIT Regulation	Q3/2024
VI. REMIT Procedures in the Energy Community NRAs	Ms Natalia Plakyda (NEURC)	In order to update the basis for coordination of Contracting Parties' NRAs under the ECRB Procedural Act 01/2020 in carrying out their tasks under the Energy Community REMIT Regulation, the task force will propose amendments to the process for cooperation via the ECRB, in particular to harmonize the templates and formats used by the NRAs, will propose to update the process by the ECRB incl. on cross-border investigations, will address the confidentiality in relation to data and information exchange	Draft proposal for amendments to the ECRB Procedural Act 01/2020	9/2024



VII. Coordination of investigations	Coordinated by ECRB	The role of ECRB according to EnC REMIT is to facilitate and coordinate investigations of the NRAs, in particular cases that have a cross-border impact. ECRB REMIT Procedural Act (PA) provides an operational framework for such coordination facilitated by this task force.	Coordinate activity and as necessary contribute to the report under task force IV.	timeline & activity as per PA
VIII. Knowledge building of NRAs	Coordinated by ECRB	Contributing to continuous capacity building of the Contracting Parties' NRAs to facilitate REMIT implementation	Workshops with ACER and EU NRAs for the Energy Community NRAs to for knowledge building.	As requested during 2024