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European Commission

Cc: Mr Gheorghe Visan
Chairman
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By email only

5 June 2020

Subject: Referral of the Core ROSC Proposal

Dear Christian,

I write on behalf of all Regulatory Authorities of the Core region¹ (Core NRAs) regarding the proposal for regional operational security coordination (ROSC proposal) submitted by Transmission System Operators of the Core region (Core TSOs) in accordance with Article 76 (1) of Commission Regulation (EU) 2017/1485 of 2. August 2017 (SO Guideline).

The date at which the last Core Regulatory Authority received the ROSC proposal is 31 January 2020. The Commission, in their letter from 30 July 2019, took note of the proposed delay and granted a submission by 6 months after the ACER decision on the methodology for coordinating operational security analysis pursuant to Article 75 (1) of SO Guideline, until 21 December 2019.

Article 6 (7) of Commission Regulation (EU) 2017/1485 requires all Regulatory Authorities to consult and closely cooperate and coordinate with each other in order to reach an agreement and issue a decision within six months following receipt of submissions to the last Regulatory Authority. A decision is therefore required by each Core NRA by 31 July 2020.

Core NRAs would like to mention that the process leading up to the submission and the ROSC proposal was accompanied by frequent interactions and exchanges. Among others, this has contributed to the overall high quality of this ROSC proposal. The critical point is the strong interaction of Article 76 of the SO Guideline with Article 35 - coordinated redispatching and countertrading- and with Article 74 -redispatching and countertrading cost sharing methodology of Commission Regulation (EU) 2015/1222 (CACM). These regional CACM methodologies were referred to ACER on 27 March 2020, an ACER decision is then expected by 27 September 2020.

Due to these interactions between pending methodologies and the resulting difficulties to ensure the required consistency and completeness, Core NRAs were neither able to approve nor to request an amendment of the

¹ Regulatory Authorities of Austria, Belgium, Croatia, Czech Republic, France, Germany, Hungary, Luxembourg, Netherlands, Poland, Romania, Slovakia and Slovenia.



ROSC proposal. Therefore the ROSC proposal should be referred to ACER for a decision upon a joint request of all Regulatory Authorities pursuant to Article 6 (8) of Commission Regulation (EU) 2017/1485.

The objective pursued by Core NRAs is to allow a single entity –in this case ACER- to take a decision in due time on the 3 methodologies together. This should allow ensuring the required consistency and completeness of these methodologies. However, Core NRAs agree with the principles of the methodology, which should rather be complemented than questioned. Details on the Core NRAs analysis of the ROSC proposal are presented in a separate document attached to this letter. While adopting its decision, Core NRAs expect that ACER will give utmost consideration to NRAs views on the ROSC proposal.

Yours sincerely,

Sven Kaiser

Chair of the Core Energy Regulators` Regional Forum