



Board of Appeal

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**The Board of Appeal confirms ACER Decision No. 33/2020
on the Methodology for Regional Operational Security Coordination for the Core
Capacity Calculation Region adopted by the European Union Agency for the
Cooperation of Energy Regulators**

On 1 and 5 February 2021, the Board of Appeal received two appeals brought by TransnetBW GmbH and Polskie Sieci Elektroenergetyczne S.A., seeking the annulment or remittal of Decision No. 33/2020 of the European Union Agency for the Cooperation of Energy Regulators of 4 December 2020 on the Methodology for Regional Operational Security Coordination for the Core Capacity Calculation Region adopted by the European Union Agency for the Cooperation of Energy Regulators. The appeals were registered under case numbers A-003-2021 and A-007-2021.

On 18 February 2021, case A-003-2021, which relates to three different ACER Decisions, was divided into three cases for procedural reasons, namely (i) case A-009-2021 regarding the appeal against ACER Decision No. 30/2020, (ii) case A-010-2021 regarding the appeal against ACER Decision No. 33/2020 and (iii) case A-011-2021 regarding the appeal against ACER Decision No. 35/2020. On 18 February 2021, cases A-007-2021 and A-010-2021, involving similar issues and being related to the same decision, namely ACER Decision No. 33/2020, were consolidated into case A-007-2021 (consolidated).

After careful consideration of the admissibility, merits and hearing of the parties, the Board of Appeal has adopted Decision A-007-2021 (consolidated), which confirms ACER Decision No. 33/2020 and dismisses the appeals. The non-confidential version of Decision A-007-2021 (consolidated) of the Board of Appeal has been published on the website of the Agency on 11 June 2021.

Questions should be directed to BoA@acer.europa.eu