

COUPRY

Annex III

Summary of notice of appeal

Summary of Appeal

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Date: 24 maart 2020

Subject: Summary Appeal against Decision No. 01/2020
According article 8 paragraph 3 of Decision BoA No1-2011

Our reference: 15533

Your reference:

Name, address of the appellant

Energie-Nederland: Lange Houtstraat 2, (2511) CW The Hague, the Netherlands

Related disputed decision

Decision No. 01/2020 on the methodology to determine prices for the balancing energy that results from the activation of balancing energy bids

Particulars of the remedy sought by the appellant

- Energie-Nederland asks the Board of Appeal to remit the Decision to the competent body of ACER taking into account everything Energie-Nederland has argued in its notice of appeal. Energie-Nederland especially asks to take into account to set the aFRR MTU to ISP at 15 minutes like the MTU in Articles 4 and 5 and in line with the several European Regulations as mentioned above.

Summary of the principal grounds relied on

- Violation of the general principles and goals of several European Regulations as effective competition, transparency, well-functioning wholesale markets, stimulation of optimisation between the highest overall efficiency and lowest total costs for all parties involved and accessibility of all kind of market parties;
- Violation of several European principles as proportionality, subsidiarity and non-discrimination.