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# Terms of Reference for the Expert Groups under the Grid Connection European Stakeholder Committee

- Revised

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## 1. Introduction

Over the last two years, since the establishment of the Grid Connection European Stakeholder Committee (GC ESC) in March 2016, the European Commission (EC), the Agency for the Cooperation of Energy Regulators (ACER), the European Network of Transmission System Operators for Electricity (ENTSO-E) and associations representing Distribution System Operators (DSOs), consumers, generators, suppliers and other participants from the European electricity sector, have been working and contributing to the implementation of the Connection Network Codes (CNCs); i.e. Network Code on Requirements for grid connection of Generators (NC RfG)<sup>1</sup>, Network Code on Demand Connection (NC DC)<sup>2</sup>, Network Code on requirements for grid connection of High Voltage Direct Current systems and direct current-connected power park modules (NC HVDC)<sup>3</sup>.

The GC ESC in accordance with its Terms of References ([“Terms of Reference for the Grid Connection European Stakeholder Committee”](#) (GC ESC ToR)), is a platform to share and document important views on the CNCs implementation, to trigger discussions around challenges that have been encountered, and exchange about the solutions developed and lessons learnt to address these challenges. Overall, the cooperation within the GC ESC strengthened the links among the different stakeholders ensuring efficient exchanges. Furthermore, it improved the early and effective involvement; e.g. in consultations for Implementation Guidance Documents (IGDs), workshops and [ENTSO-E technical groups](#).

To best organise this work, it appears to the GC ESC useful to create dedicated groups of experts on topics for which the need for a particular focus of attention is identified. The GC ESC ToR stipulates in the chapter 2C the creation of such expert groups. Those expert groups are now called as Expert Groups (EGs) in this Grid Connection Expert Groups Terms of Reference (GC EGs ToR).

The aim of the GC EGs ToR is to ensure efficient accomplishment of a shared set of goals, quality of work, transparency and proper engagement and representation of the EGs.

The GC EGs ToR represents an annex to the GC ESC ToR.

## 2. Scope and objectives

In accordance with the GC ESC ToR, the ESC Chair, acting upon a recommendation of the ESC, can propose a creation of time-limited or longer-term Expert Groups, which will focus on specific issues and projects or groups of projects. The topics should reflect considerations with relevance to CNCs, as recommended by the GC ESC.

Each EG will report to the GC ESC in every meeting until the EG is dissolved upon decision by the ESC Chair acting upon a recommendation of the GC ESC (either completing its work or not, as the case may be). The EGs have no decision-making rights and shall not steer away from the assigned tasks.

EGs will be assigned to work on specific issues and will report to the GC ESC, which may provide input to their discussions, request specific actions, reports or explanations and if appropriate recommend to amend the objectives/scope of work of the EGs and extend the timeline as required, from time to time. The GC ESC recommended initially to keep no more than three EGs active, at any one time, in order to sustain a manageable workload and achieve efficient performance. Depending on the assignment recommended by the GC ESC, the EGs may be tasked with providing further interpretations, clarifications, ~~and~~ potentially

<sup>1</sup> [https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=OJ:JOL\\_2016\\_112\\_R\\_0001](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=OJ:JOL_2016_112_R_0001)

<sup>2</sup> [https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L\\_.2016.223.01.0010.01.ENG&toc=OJ:L:2016:223:TOC](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L_.2016.223.01.0010.01.ENG&toc=OJ:L:2016:223:TOC)

<sup>3</sup> <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32016R1447>

technical proposals and attached assessment of relevant policy options –for improvements to the current CNCs. The assessment will be short-concise and will include a list of arguments and justifications related to the technical findings of each EG. The impact of those policy options on other NCs/GLs as well as the results of other EGs should will be considered.

As a general guidance, the policy option could be in a form of an amendment proposal (suggestion for a draft legal text) when consensus on a solution is achieved and where appropriate or a short examination of a variety of possible solutions. When there are more than one solution or consensus is not achieved, the EG should refrain is not required to from provide various alternative legal texts.

Nevertheless, the recommendations from the EGs latter will not establish any legal rights or legal obligations and will not constitute a statement of the law, legal advice or legal act, and any outcomes should not be construed as having such effects. In particular, the above mentioned draft legal texts will not constitute a formal proposal for amendments of network codes under Article 60 of Regulation (EU) 2019/943 or Article 7 of Regulation (EC) No 715/2009.

The EGs will create a knowledge base which will remain publicly available and may be used as input information in potential amendment processes to the CNCs, if appropriate. –The EGs do not initiate any process to amend the CNCs.

The EG will consider not only the technical arguments. Environmental-, harmonization-, efficiency-, physical-, cost- aspects as well as international standards for construction/operation have to be taken into account however when those are solely related to the topic of the EG.

This GC EGs ToR contains rules applicable to all the EGs to be established under the GC ESC (rules on the purpose, structure and responsibilities among the members of the EGs) without prejudice to the GC ESC ToR.

The assignment, in form of problem statement, target, task description, deliverables, timeline and membership, is recommended by the GC ESC, and rendered an annex of the present GC EGs ToR.

Finally, in case of shortcomings and/or lack of clarity in the scope and content of this ToR – the matter will be brought to the attention of the GC ESC. Similarly, if there is a conflict between the provisions for each EG, the GC EGs ToR and the GC ESC ToR, the latter will prevail. The GC ESC will be notified accordingly of such shortcomings/lack of clarities and conflicts as described before and take the necessary steps to solve the problem.

### 3. Representation principles

In addition to Chapter 3 of the GC ESC ToR, the following applies for the EGs to be established under the GC ESC:

- only associations, which are represented in the GC ESC are eligible to participate as members in the EGs, unless otherwise agreed by the GC ESC;
- for association representing different companies, only one member per company will be allowed to participate in an EG to avoid over-representation of a company's interests;
- for companies being members of more than one associations, they can only choose to represent one of them;
- to avoid imbalances and large (inefficient) groups, an EG shall not be larger than the ESC itself and should be limited to maximum 25 members;
- external experts can be invited by the EG Chair and EG Vice-chair when relevant to the meetings of the EG;

- for each EG, there should be maximum 3 representatives + 1 substitute per association, unless an exemption is justified and accepted by the GC ESC. This is in line with the objectives of the EGs which shall be to focus on small and well-defined work packages; and
- each association can appoint different companies and members/experts in each EG.

#### 4. Roles, responsibilities and working arrangements

In accordance with the GC ESC ToR, ACER chairs all Committees, and nominates the Chairperson of each Expert Group after consulting the ESC. Unless ACER specifies otherwise, ENTSO-E shall chair the EGs.

Along with the principles of Chapter 4 of the GC ESC ToR:

**All EG members commit to:**

- contribute to the deliverables assigned to the EG;
- ensure high quality and consistency of the EG through regular and active participation;
- liaise with their associations and stakeholders to update on network codes implementation and amendment and represent these views and concerns;
- share issues and concerns early on, especially if they could be detrimental to the internal market, while respecting the processes for the implementation of the network codes as set up by the Member States, regulatory authorities and other designated entities;
- review, comment and agree on the specifications of each EG, i.e. the annex of work, for submission to the GC ESC; and
- review and comment on the draft deliverables (interim and final) of each EG.

**EG Chair commits to:**

- chair all meetings in a non-discriminatory way
- take care of logistical matters of facilitating, preparing and conducting meetings and webinars;
- ensure coordination among the different EGs, when needed and appropriate;
- work in close collaboration with the EG vice-chair, and other responsible parties to prepare all necessary meetings documents (agenda, deliverables as per the action plan), and present them ideally 5 working days before any meeting;
- prepare minutes of the meetings;
- contribute actively as with the rest of the members – as the representative association of the TSOs;
- prepare the first drafts of the annexes for the EGs, call for opinions from the members and consider them in the drafting process;
- ensure that the GC EGs ToR is being complied with;
- present the developments of each EG at the GC ESC meetings;
- report any diverging views from the EG members to the GC ESC, in case of unsolved matters during the lifetime of the EG i.e. from the drafting of the Annex to the final draft of the deliverable(s); and
- report any challenges regarding logistical and operational matters e.g. lack of participation, either on its own initiative or following up on relevant suggestions from one or more EG members.

**EG Vice-Chair commits to:**

- work in close collaboration with the EG chair, and other responsible parties to prepare all necessary meetings documents (agenda, deliverables as per the action plan), and present them ideally 5 working days before any meeting;
- support preparation minutes of the meetings; and
- contribute actively as with the rest of the members – as representative industry association.

The EG Chair can suggest an association for EG Vice-Chair based on expressed interest or not, and upon acceptance any associations/members of the EG can propose its candidature (in the form of a specific person). The decision will be taken by ACER after consulting the GC ESC.

The EG Chair can delegate part of its tasks to the EG Vice-Chairs or specific members of the EG who volunteers upon request.

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## 5. Organisation of meetings and confidentiality

The organisation of the EGs are defined in the respective annex of each EG in alignment with the GC EGs ToR. Those annexes shall be proposed by each EG and approved by the GC ESC.

To promote open discussions and free exchange of information by ensuring at the same time certain level of confidentiality the Chatham House Rule shall apply for all EG meetings. According to this rule any information disclosed during a meeting may be reported by those present, but the source of that information may not be explicitly or implicitly identified.

## 6. IT Platform for transparency

All the necessary documents of an EG (input, minutes, deliverables, interim or final) will be organised in dedicated folders to which only the EG members will have access to. ENTSO-E will coordinate the creation and management of this environment (SharePoint environment) and provide the necessary access rights to all members.

The GC EGs ToR and annexes of each EGs and any material for publication will be made available through the GC ESC website after approval by the GC ESC.