

2.1 CACM – Update on the 70%

- Regulation (EU) 2019/943 on the internal market for electricity (recast), **art 14** (bidding zone review), **art 15** (action plans) and **art 16** (available capacity)
- **05/06/2019**: Electricity Regulation publication
June – September 2019: ACER, NRAs, TSOs, MSs and EC discussions on the implementation of Chapter III, Section 1 (Capacity Allocation)
08/08/2019: Publication of ACER [Recommendation 01/2019](#)
October – November 2019: submission of derogation requests by TSOs
November – December 2019: consultation and approval processes by NRAs
01/01/2020: Electricity Regulation date of application

- (9) At the request of the transmission system operators in a capacity calculation region, the relevant regulatory authorities may grant a **derogation from paragraph 8 on foreseeable grounds** where **necessary for maintaining operational security**. Such derogations, which shall not relate to the curtailment of capacities already allocated pursuant to paragraph 2, shall be granted for no more than one-year at a time, or, provided that the extent of the derogation decreases significantly after the first year, up to a maximum of two years. The extent of such derogations shall be strictly limited to what is necessary to maintain operational security and they shall avoid discrimination between internal and cross-zonal exchanges.

Before granting a derogation, the relevant regulatory authority **shall consult the regulatory authorities** of other Member States forming part of the affected capacity calculation regions. Where a regulatory authority disagrees with the proposed derogation, ACER shall decide whether it should be granted pursuant to point (a) of Article 6(10) of Regulation (EU) 2019/942. **The justification and reasons for the derogation** shall be published.

Where a derogation is granted, the relevant transmission system operators shall develop and publish a methodology and projects that shall provide a **long-term solution to the issue** that the derogation seeks to address. The derogation shall expire when the time limit for the derogation is reached or when the solution is applied, whichever is earlier.

Relevant CCR	Derogation requests from:	Additional information
Core	SEPS, Elia, MAVIR, RTE, APG, PSE*, HOPS, TenneT BV, CEPS, Transelectrica	https://www.entsoe.eu/network_codes/ccr-regions/#core
Italy North	RTE, APG, Terna	
SWE	REE, REN, RTE	
Nordic	Svenska kraftnät*	

* Also applies to the Hansa and Baltic CCR

- Foreseeable grounds for derogation include, but are not limited to:
 - loop flows
 - absence of CACM-compliant CCM
 - consideration of non-EU or external flows
 - development of IT tools and processes
 - Lack of redispatching volumes (in normal or outage conditions)
 - ...
- No (formal) disagreements raised by NRAs, approval processes ongoing
- Development of monitoring procedures, together with ACER, and define clear criteria and conditions for possible subsequent requests

2.2 CACM – Update on the Bidding Zone Review

- **11/12/2019**: approval of 2 letters to Entso-E / TSOs
 - Related to the **completeness** of the proposal, in order to include alternative configurations
 - Related to required **additional information** to assess the proposal
- Organization of an NRA-TSO-ACER workshop on **08/01/2020**
 - Discuss the completeness of the proposal and request for additional information (cf. letters above)
 - First outcome of consultancy work on market liquidity and transaction costs
- Resubmission of BZR proposal in February 2020, following ongoing discussions between NRAs and TSOs