

# **Annex 18 to the harmonised Allocation Rules for Forward Capacity Allocation**

## **Border specific annex for the borders Croatia-Hungary and Croatia-Slovenia**

### *Article 1*

#### **Subject-matter and scope**

1. In accordance with Article 4 of the Allocation Rules regional or border specificities may be introduced for one (or more) Bidding Zone borders. For the borders Croatia-Hungary and Croatia-Slovenia as defined in in annex 1 of the Allocation Rules the curtailment process and curtailment compensation rules listed in this annex shall apply in derogation to Articles 58 to 61 of the Allocation Rules.
2. This annex enters into force as of the date of entry into force of the Allocation Rules in accordance with the applicable national regulatory regime. This annex may be reviewed based on request of the relevant National Regulatory Authorities. In case this annex needs to be amended based on a decision of the relevant National Regulatory Authorities, Article 69 of the Allocation Rules shall apply.
3. The capitalised terms used in this annex are defined in the harmonised Allocation Rules to which this annex is attached.

### *Article 2*

#### **Firmness deadlines**

1. This Article 2 replaces Article 58 of the Allocation Rules.
2. The Allocation Platform shall publish on its website and take the following deadlines into account for the calculation of compensation for curtailed Long Term Transmission Rights :
  - (a) the Long Term Firmness Deadline which is set at the deadline for final submission of nominations of Physical Transmission Rights for each Bidding Zone border which shall be the one described in the respective Nomination Rules in the case of Physical Transmission Rights; and
  - (b) the Day Ahead Firmness Deadline which for the purpose of these Allocation Rules and for the border Croatia-Hungary is set at 10:30 a.m. on a day preceding the day of delivery. This is without prejudice to the development of a common proposal for a

single day-ahead deadline pursuant to Article 66 of the Commission Regulation (EU) No. XX/2015 ; and

- (c) the Day Ahead Firmness Deadline which for the purpose of these Allocation Rules and for the border Croatia-Slovenia is set at 11:00 a.m. on a day preceding the day of delivery. This is without prejudice to the development of a common proposal for a single day-ahead deadline pursuant to Article 66 of the Commission Regulation (EU) No. XX/2015.

#### *Article 3*

#### **Compensation for curtailments to ensure System Security and due to Emergency Situation before the Day Ahead Firmness Deadline**

1. This Article 3 replaces Article 59 of the Allocation Rules.
2. Curtailment triggered to ensure System Security and published by the Allocation Platform on its website no later than at Day Ahead Firmness Deadline shall be performed in line with Article 57 of the Allocation Rules. Holders of curtailed Long Term Transmission Rights shall be entitled to receive from the Allocation Platform a reimbursement equal to the price of the Long Term Transmission Rights set during the Long Term Transmission Rights allocation, which for each affected hour and Registered Participant shall be calculated as:
  - (a) the Marginal Price of the initial Auction; multiplied by
  - (b) the volume in MW per hour corresponding to the difference between the Long Term Transmission Rights held by the Registered Participant before and after the curtailment.
3. Curtailment triggered due to Emergency Situation and published by the Allocation Platform on its website no later than at Day Ahead Firmness Deadline shall be performed in line with Article 57 of the Allocation Rules. Holders of curtailed Long Term Transmission Rights shall be entitled to receive from the Allocation Platform a reimbursement equal to the price of the Long Term Transmission Rights set during the Long Term Transmission Rights allocation process as described in paragraph 2 of this Article

#### *Article 4*

#### **Reimbursement for curtailments due to Force Majeure before the Day Ahead Firmness Deadline**

1. This Article 4 replaces Article 60 of the Allocation Rules.
2. Curtailment triggered due to Force Majeure and published by the Allocation Platform on its website no later than at Day Ahead Firmness Deadline shall be performed in line with Article 57 of the Allocation Rules. Holders of curtailed Long Term Transmission Rights shall not be entitled to get any compensation.

#### *Article 5*

#### **Reimbursement or compensation for curtailments due to Force Majeure or Emergency Situation after the Day Ahead Firmness Deadline**

1. This Article 5 replaces Article 61 of the Allocation Rules.
2. In the event of Force Majeure after the Day Ahead Firmness Deadline, holders of curtailed Long Term Transmission Rights shall be entitled to receive a reimbursement equal to the price of the Long Term Transmission Rights set during the Long Term Transmission Rights Allocation Process as described in Article 3 (2) of this annex.
3. In an Emergency Situation after the Day Ahead Firmness Deadline, holders of curtailed Long Term Transmission Rights shall be entitled to compensation calculated as the Long Term Transmission Rights in MW per hour corresponding to the difference between the allocated Long Term Transmission Rights held by the Registered Participant before and after the curtailment multiplied by a price calculated as follows:
  - (a) the Market Spread at the concerned Bidding Zone border for the concerned hourly period only in case the price difference is positive in the direction of the curtailed Long Term Transmission Rights; or
  - (b) the Marginal Price of the initial Auction if the day-ahead price is not calculated at least in one of the two relevant Bidding Zones.

#### *Article 6*

#### **Remuneration of Long Term Transmission Rights holders for non-nominated Physical Transmission Rights**

1. For avoidance of doubts the reference in the Article 48(3) of the Allocation Rules to the Article 59 of the Allocation Rules is also amended by this Annex and the Article 48(3) of the Allocation Rules is therefore replaced by paragraph 2 of this Article.
2. The Allocation Platform shall compensate the Long Term Transmission Rights holder in accordance with Article 3(2) of this annex for the Financial Transmission Rights Options and non-nominated Physical Transmission Rights which are not reallocated at the relevant daily allocation for other reasons than these mentioned in Article 48(2) of the Allocation Rules.