

XXXVI European Electricity Regulatory Forum

CONCLUSIONS

1. “Fit for 55” – what role for markets in a decarbonised Europe?

The Forum encourages the Commission to adopt an ambitious revision of the Renewable Energy Directive that ensures that renewables contribute cost-effectively to the 55 % GHG emissions reduction by 2030 in parallel to the full implementation of the Clean Energy Package. The Forum calls on the Commission and Member states to remove remaining barriers to the rapid deployment of renewable electricity and to promote the cost-effective integration of renewable electricity in all end-use sectors, in order to ensure a high level of renewable electricity consistent with a renewable share of at least 38-40% in 2030. This includes, but it is not limited to, permitting, power purchase agreements and regional cooperation. The Forum also calls on the Commission and Member States to foster energy system integration and energy efficiency including through the smart electrification of buildings, transport and industry, and to remove remaining barriers to it including creating a level playing field with regards to taxation.

The Forum encourages the Commission to take full account of electricity market aspects in the ongoing work on the Hydrogen and Gas Markets Decarbonisation package, for instance in network planning.

The Forum urges the Commission to continue at a good pace with the implementation of the Offshore Renewable Energy Strategy. The Forum recognises in particular the benefits of hybrid connections and an integrated offshore network for consumers and grid developers. The Forum stresses the importance of streamlining permitting procedures and of offshore and onshore network development for efficient market functioning and the environmental benefits and cost efficiency of more regional cooperation.

For these future areas of work, the Forum recalls the importance of vertical unbundling. The Forum recognises the importance of fully implementing IEM rules and creating well-functioning markets to the achievement of Green Deal objectives.

2. Resource Adequacy

The Forum highlights that a well-functioning market should be the first approach to ensure adequacy before introducing a capacity mechanism and, for this purpose, the market reform plans have to be implemented in a timely manner by the Member States.

In case of a need for a capacity mechanism despite the market reforms, the Forum underlines the importance of the related methodologies of the new Electricity Regulation (adequacy assessment, value of lost load, cost of new entry, reliability standard, cross-border participation methodologies). The Forum reminded ENTSO-E of the importance to deliver the European Resource Adequacy Assessment as provided for under the Clean Energy Package. It recommends the timely implementation of these methodologies before introducing capacity mechanisms. The Forum notes ACER's concerns regarding the implementation of ERAA. In this regard, ENTSO-E should further ensure that there are adequate resources to carry out the implementation work.

3. Bidding zone review and cross-border capacity allocation

The Forum urges TSOs to continue the good cooperation with ACER on the Bidding Zone review and highlights the importance of transparency and stakeholder engagement.

The Forum acknowledges the significant effort made by TSOs, NRAs and ACER to prepare the most recent report on the cross-border capacities available for trade. The Forum urges all parties to continue the good work in closing the gaps in data availability and quality. The Forum takes note of the Commission's position requiring regional agreements regarding the treatment of third country flows for reporting purposes. The Forum urges all parties to ensure a coherent reporting process to track progress on the implementation of the Electricity Regulation.

4. Distribution & Flexibility

The Forum looks forward to working with the newly established EU DSO Entity.

The Forum welcomes the planned launch of a scoping phase by ACER taking into account the roadmap developed by the TSO/DSO taskforce. The Forum recalls the importance of the timely and correct implementation of the provisions on demand side flexibility in the Clean Energy Package to remove existing barriers. The Forum agrees that mechanisms for the procurement of demand side flexibility should be market-based, whenever suitable. The Forum stresses the importance for demand side flexibility to be able to access several value streams and to promote consumer business models. The Forum recalls the need to keep the cross-border dimension in mind in the development of any new network code or amendments.

5. Implementation & Enforcement of Guidelines

The Commission calls upon TSOs and NRAs to work together towards finding appropriate short-term solutions to the specific technical challenges presented by TSOs.

The Forum recalls that the network codes' and guidelines' implementation remains the priority in the next years and that further effort is needed to avoid unnecessary delays with methodologies and to foster convergent approaches between regions and Member States. The Forum stresses the primary role of national regulatory authorities in providing guidance and enforcing the obligations from network codes and guidelines, including for collective obligations or obligations of multinational entities such as RCCs or ENTSO-E. The Forum calls upon TSOs and NEMOs to ensure a speedy implementation of their obligations under Network codes, Guidelines and methodologies. The Forum welcomes the initiative to clarify the possibilities and obligations of regulators to take enforcement actions and to use these enforcement options where necessary in case terms, conditions and methods are not delivered as required under the Electricity Guidelines. The Forum recalls that the setting of clear individual deliverables and responsibilities is an important step towards ensuring timely delivery and achievement of the objectives and that missing resources of TSOs or NEMOs cannot be a justification for regulated entities to not meet those obligations. Where necessary incentives should be realigned with the need for speedy implementation.

The Energy Community Secretariat called for the integration of the Contracting Parties in the SDAC process, subject to applicability of relevant market, competition and environment framework.

6. CACM Guideline – main topics covered in the public consultation

The Florence Forum acknowledges the process and progress made so far in identifying the issues to tackle and in reflecting on proposals for amendments to CACM GLs.

The consultation led by ACER allowed market participants to actively contribute to the process and provide their views on draft proposals. The Forum encourages the work to continue with fair dialogue with stakeholders.

The Forum stresses that the implementation should not be disrupted nor delayed because of the CACM reform. The CACM reform should take into account the experience gained so far and issues met in the implementation process, the remaining milestones to reach, the necessity to provide a futureproof regulatory framework, leading to the implementation of sustainable solutions.

7. Update on the Grid Connection Network Codes

The Forum recognises that changes to the Grid Connection Network Codes notably to address the specific situation of offshore generation and of energy storage are likely to be required. This work should take due account of contributions from ENTSO-E, ACER and the stakeholder committee.

8. Transitioning from RSCs to RCCs

The Forum encourages TSOs to continue the good preparation for the introduction of RCCs next year.

9. Integration of electricity market: update on interoperability requirements and procedures for access to data and the Delegated Act on Cybersecurity

The Forum welcomes the important work already conducted by TSOs and DSOs and the good work undertaken by the Smart Grids Task Force and its Expert Group on data interoperability, in order to advise the Commission on the development of implementing acts for access to data, starting with metering and consumption data, and building upon available standards and expertise. The Forum looks forward to the continuation of this activity, and to the formal preparation and then, in due time, adoption of the respective acts.

The Forum highlights the importance of cybersecurity in the energy sector, welcomes the good work of the (informal) drafting team and looks forward to the next steps in preparing and then, in due time, adopting the Network Code.