



**INOGATE Training,- Kiev 05/09/2012**  
**Session 5:**  
**Key aspects of the Electricity and Gas Regulations**  
**(EC) No 714 and 715 of 13 July 2009**

**BUILDING PARTNERSHIPS FOR ENERGY SECURITY**

# Key aspects of Regulations (EC) No 714 and 715 of 13 July 2009



## General Purpose:

Complementary rules to the rules set out in E&G Directives aimed at improving conditions for access to the network for cross-border exchanges in electricity and on on conditions for access to the natural gas transmission network

In particular regulations provide for

- complementary rules on the certification of TSOs by the NRA and Commission (complementary rules to those provided in the E&G Directives)
- an obligation for TSOs to cooperate at Community level in European Networks for Electricity and Gas Transmissions System Operators (ENTSO E and ENTSO G)
- rules on network access charges
- rules on congestion management/capacity allocation

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# Key aspects of Regulations (EC) No 714 and 715 of 13 July 2009



## Complementary Rules on certification of TSO by NRAs

**Art. 3 Reg 714**  
**Art. 3 Reg 715**

- according to Article 10 para. 6 of the E&G Directives National regulatory authorities shall send the European Commission notification of decisions concerning the certification of a transmission system operator
- Commission then has a period of two months to deliver its opinion to the national regulatory authority. The authority then adopts the final decision concerning the certification of the transmission system operator. This decision and the Commission's opinion are published.

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# Key aspects of Regulations (EC) No 714 and 715 of 13 July 2009



Rules on cooperation of TSOs at Community level:

Art. 4- 12 Reg 714  
Art. 4-12 Reg 715

**Establishment of ENTSOs:** in order to complete the functioning of the internal market for electricity and gas all transmission system operators are obliged to cooperate at Community level through a European Networks of Transmission System Operators (ENTSOs)



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Rules on cooperation of TSOs at Community level:

Art. 4- 12 Reg 714

Art. 4-12 Reg 715

ENTSO Key Tasks: (1) Elaboration of non-binding Network Codes

## Framework Guidelines

ACER  
Agency for the Cooperation  
of Energy Regulators

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- (a) network security and reliability rules
- (b) network connection rules
- (c) third-party access rules
- (d) data exchange and settlement rules
- (e) interoperability rules
- (f) operational procedures in an emergency
- (g) capacity-allocation and congestion-management rules
- (h) rules for trading related to technical and operational provision of network access services and system balancing
- (i) transparency rules
- (j) balancing rules
- (k) rules regarding harmonised transmission tariff structures
- (l) energy efficiency regarding electricity networks.

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To be approved by ACER and adopted by Commission



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Rules on cooperation of TSOs at Community level:

Art. 4–12 Reg 714

Art. 4-12 Reg 715

ENTSO Key Tasks: (2) ENTSO responsible for adoption of

- common network operation tools;
- a ten-year network development plan;
- recommendations relating to the coordination of technical cooperation between Community transmission system operators;
- an annual work programme;
- an annual report;
- annual summer and winter generation supply outlooks.



**Activity monitored by ACER**

# Key aspects of Regulations (EC) No 714 and 715 of 13 July 2009



Art. 14 Reg 714  
Art. 14,15 Reg 715

## General Rules on Third Party Access Charges/Tariffs

- Tariffs, or the methodologies used to calculate them need to be approved by the regulatory authorities pursuant to Article 41(6) of Directive 2009/73/EC
- Tariffs or the methodologies used to calculate them, shall be applied in a non-discriminatory manner
- Tariffs shall be transparent, take into account the need for system integrity and its improvement and reflect the actual costs incurred

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## Rules on congestion management:

Art. 16 Reg 714  
Art. 16,17 Reg 715

**Capacity allocation and congestion management mechanisms and procedures (including for storage and LNG facilities):** in general terms transmission system operators and operators of gas storage and LNG facilities are obliged to implement and publish a set of non-discriminatory and transparent capacity allocation mechanisms and congestion procedures.

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# Key aspects of Regulations (EC) No 714 and 715 of 13 July 2009



## Specific Provision of Regulation 2009/715/EC

Art. 14-16 Reg 715

- **Rules on Third Party Access to gas transmission systems and to storage and LNG facilities:** in general terms transmission system operators and operators of gas storage and LNG facilities are obliged to offer their services as long or shortterm service to all network users in a non discriminatory manner (under equal contractual terms for equal types of services)

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