
Rules for suspension and restoration of market activities, in accordance with Article 36(1)

Rules for imbalance settlement and settlement of balancing energy in case of suspension of market activities, in accordance with Article 39(1)

of Commission Regulation (EU) 2017/2196 of 24 November 2017 establishing a network code on electricity emergency and restoration

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THE BELGIAN TRANSMISSION SYSTEM OPERATOR, TAKING INTO ACCOUNT THE FOLLOWING,

Whereas:

- (1) Commission Regulation (EU) 2017/2196 of 24 November 2017 establishes a network code on electricity emergency and restoration (hereinafter referred to as “Regulation 2017/2196”), and entered into force on the twentieth day following that of its publication in the Official Journal of the European Union;
- (2) The objective of Regulation 2017/2196 is to develop a common set of minimum requirements and principles for the procedures and actions to be carried out specifically when in the emergency, blackout and restoration states;
- (3) Recital (9) of Regulation 2017/2196 states that TSOs should ensure the continuity of energy transactions during emergency, blackout or restoration state and only suspend market activities and market's accompanying processes as a last resort. Clear, objective and harmonised conditions under which energy transactions could be suspended and subsequently restored should be established.
- (4) This document contains the rules for suspension and restoration of market activities, in accordance with Article 36 of Regulation 2017/2196, and the rules for imbalance settlement and settlement of balancing energy in case of suspension of market activities, in accordance with Article 39 of Regulation 2017/2196 (hereinafter referred to as “these Rules”);
- (5) ELIA is responsible for the operation of the Belgian transmission system over which it has an ownership right or, at least, a right of use; ELIA has been appointed as Transmission System Operator (TSO), in accordance with the Belgian Law of 29 April 1999 on the liberalisation of the electricity market, and ensures the security, reliability and efficiency of the Belgian transmission system;

ESTABLISHES THE FOLLOWING RULES:

CHAPTER 1

General provisions

Article 1

Subject matter and scope

1. These Rules concern:
 - a) the identification of market activities that may be suspended by ELIA in accordance with Article 35,
 - b) the procedure that ELIA shall apply in the event that ELIA has to temporarily suspend one or more market activities, in accordance with Article 35,
 - c) the rules for suspension and restoration of market activities that ELIA shall follow in the event that ELIA has to temporarily suspend one or more market activities, in accordance with Article 36,
 - d) the procedure that ELIA shall apply to restore the suspended market activities, in accordance with Article 37,
 - e) the communication procedure that ELIA shall apply during the suspension and restoration of market activities, in accordance with Article 38; and
 - f) the rules for imbalance settlement and settlement of balancing capacity and balancing energy which shall be applicable for imbalance settlement periods when the market activities were suspended, in accordance with Article 39 of Regulation 2017/2196.

2. In accordance with Article 4(7) of Regulation 2017/2196, ELIA may propose amendments to these Rules for approval by CREG. ELIA shall submit for consultation any amendment to these Rules in accordance with the procedure described in Articles 5 and 7 of Regulation 2017/2196.

Article 2

Definitions and interpretation

1. For the purposes of these Rules, the terms used shall have the meaning of the definitions set out in Article 3 of Regulation 2017/2196, Article 3 of Commission Regulation (EU) 2017/1485 of 2 August 2017 establishing a guideline on electricity transmission system operation (hereinafter referred to as “Regulation 2017/1485”), Article 2 of Commission Regulation (EU) 2017/2195 of 23 November 2017 establishing a guideline on electricity balancing (hereinafter referred to as “Regulation 2017/2195”), Article 2 of Commission Regulation (EU) 2015/1222 of 24 July 2015 establishing a guideline on capacity allocation and congestion management (hereinafter referred to as “Regulation 2015/1222”) and Article 2 of Commission Regulation (EU) No 543/2013 of 14 June 2013 on submission and publication of data in electricity markets (hereinafter referred to as “Regulation 2013/543”).

2. In addition, the following definitions or acronyms shall apply:

“Access point of an Offshore Interconnection”: as defined in the T&C BRP.

“BRP_{O.I.}”: the Balance Responsible Party coupled to an Offshore Interconnection as defined in the T&C BRP;

“CDS”: Closed Distribution System As defined in Article 2, §1, 2), 5° of the CREG Code of conduct. This definition covers without distinction the industrial closed system referred to in the Electricity Act, the closed distribution system referred to in the Flemish Decree of 8 May 2009 on energy, and the professional closed system referred to in the Walloon Decree of 12 April 2001 on the organisation of the regional electricity market. These rules apply to CDS’ connected to the Elia grid.

“CDSO”: Closed Distribution System Operator, as defined in Article 2, §1, 3), 11° of the CREG Code of conduct. For the avoidance of any doubt, the CDSOs connected to the transmission or distribution system are not interpreted as a sub-category of a DSO in this document.

“Code of conduct”: the code of conduct, established by the CREG with decision (B) 2409 of 20 Octobre 2022, and as updated from time to time, where the conditions for connection to and access to the transmission system and the methods for the calculation or determination of conditions for delivering ancillary services and access to cross-border infrastructure, including procedures for capacity allocation and congestion management, are established. “DA coupling”: Day-Ahead Market Coupling. When DA Coupling is used in these Rules, reference is made to one or more of the capacity allocations at the following borders: single day-ahead coupling (“SDAC”) and day-ahead capacity allocations on the Belgium-Great Britain interconnector.

“ID coupling”: Intraday Market Coupling. When ID Coupling is used in these Rules, reference is made to one or more of the capacity allocations at the following borders: single intraday coupling (SIDC) and intraday capacity allocations on the Belgium-Great Britain interconnector.

“TSO-controlled Dispatching”¹: the operating mode of the transmission system referred to in the restoration plan², i.e. an operating mode of the transmission system during which certain market segments are interrupted, in which the grid users connected to the TSO execute the instructions given by the TSO without undue delay and implement the instructions. The conditions of application and the implications of such an operating mode of the transmission system are further detailed in Article 6(3) of these Rules.

“DSO”: Distribution System Operator, as defined in Article 2, §1, 3), 17° of the Code of conduct .

“CDS”: Closed Distribution System As defined in Commission Regulation (EU) 2016/1388 of 17 August 2016 establishing a Network Code on Demand Connection, which definition covers without distinction the industrial closed system referred to in the Electricity Act, the closed distribution system referred to in the Flemish Decree of 8 May 2009 on energy, and the professional closed system referred to in the Walloon Decree of 12 April 2001 on the organisation of the regional electricity market. These rules apply to CDS’ connected to the Elia grid.

“Elia Grid” : the electricity grid over which Elia has an ownership right or, at least, a right of use or exploitation, and for which Elia is designated as system operator;

“Restoration plan”: the restoration plan of ELIA designed in accordance with the criteria as stated in Regulation 2017/2196 and in the Royal Decree of 22 April 2019 adopted pursuant Article 11 of the Electricity Act establishing Federal Grid Code on the management of the access to the transmission system for electricity, available on the website of ELIA.

¹ Within Elia, this situation is commonly referred to as “central dispatching”. However, in order to avoid confusion with the definition of “central dispatching model” in Regulation 2017/2195, the term “TSO-controlled Dispatching” is used in these Rules.

² https://www.elia.be/-/media/project/elia/elia-site/electricity-market-and-system---document-library/restoration-services---rsp-and-emergency-situations/2019/20200902-restoration-plan_non-confidential-version_website_en.pdf

“Imbalance price”: price for maintaining and restoring the individual balance of Balance Responsible Parties as approved by CREG in accordance with the applicable legal provisions.

3. In these Rules, unless the context requires otherwise:
 - a) the singular indicates the plural and vice versa;
 - b) the table of contents, headings and examples are inserted to increase readability only and do not affect the interpretation of these Rules;
 - c) any reference to legislation, regulations, directive, order, instrument, code or any other enactment shall include any modification, extension or re-enactment of it then in force.

Article 3

Scope of obligations and general approach

1. These Rules have been designed to deal as effectively as possible with emergency, blackout and restoration states that only affect Belgium. When such a situation affects several countries, inter-TSO coordination is essential to ensure effective management. In this case, ELIA may have to deviate from these Rules which are specific to it, for example under the order of a Regional Coordination Centre (RCC).
2. In particular, these Rules are based on the same assumptions as those on which the Restoration plan was drawn up. In practice, it is possible that one or more of these assumptions may not be followed and that strict application of the rules set out in this document may not be appropriate to the situation.
3. Moreover, since emergency, blackout and restoration states can take an infinite number of forms, each of these situations must be managed according to its specific characteristics. This is why, when such a situation occurs, ELIA shall establish a crisis team in order to restore the system to an alert or normal state in the most effective manner possible. This crisis team shall analyse in detail the specific situation of the system and shall assess, among other things, the need to suspend market activities and the possibility of restoring interrupted market activities.
4. For the reasons set out in paragraphs 1, 2 and 3, Articles 5, 6 and 8 of these Rules are in the nature of “guidelines”, unless explicitly stated otherwise, that is to say that these provisions apply, in principle, to Elia, as they should make it possible to effectively manage the majority of emergency, blackout and restoration states, but ELIA may have to deviate from them in the following circumstances:
 - a. Where different or additional measures resulting from inter-TSO coordination are requested from ELIA in order to effectively manage a situation;
 - b. Where the assumptions underlying the Restoration plan, which have been used to develop these Rules, are not complied with;
 - c. Where ELIA identifies a characteristic specific to the situation that requires ad hoc management.

Where ELIA deviates from Articles 5, 6 and 8 of these Rules, ELIA shall justify the rationale in the report that it is required, in accordance with Article 37(6) of Regulation 2017/2196, to make available no later than 30 days after the restoration of market activities.

5. Examples of situations in which ELIA may deviate from these guidelines are included in these Rules for illustration purposes.
6. Given the exceptional nature of situations in which market activities referred to in Article 5(2) could be suspended, the main approach consists of defining simple transparent rules and using existing procedures and tools to implement them as much as possible.
7. If new processes and procedures have to be implemented, they must be easy and effective to implement.

CHAPTER 2

TSO coordination and relevant market activities

Article 4

TSO coordination

1. In order to effectively manage the situations referred to in Article 35(1) of Regulation 2017/2196, ELIA shall establish crisis teams that shall be responsible, in such situations, for:
 - a) the general management of the emergency plan (i.e. determine the overarching strategy),
 - b) follow-up and diagnosis of the state of the grid,
 - c) setting the priorities for restoring customers' connection,
 - d) deciding on the suspension and restoration of market activities,
 - e) deciding on the communication towards the external stakeholders in accordance with the communication procedures described in chapter 5 of these Rules,
 - f) recording the rules, decisions and actions taken.
2. When market activities are suspended and restored, ELIA shall coordinate with the external parties listed in Article 9(6) of these Rules.
3. In accordance with Article 36(4) of Regulation 2017/2196, ELIA shall convert the situations referred to in Article 35(1) of Regulation 2017/2196 into objectively defined parameters that it assesses in real time. These parameters are as follows:
 - a. For the situation described in Article 35(1)a, the suspension parameters shall be aligned with the definition of the blackout state mentioned in Article 18(4) of Regulation 2017/1485:
 - i. Loss of more than 50% of demand in the ELIA control area;
 - ii. Total absence of voltage for at least 3 minutes in the ELIA control area leading to the triggering of the Restoration plan.
 - b. For the situation described in Article 35(1)b, the suspension parameters shall be aligned with the conditions referred to in Article 18(3) of Regulation 2017/1485.
 - c. For the situation described in Article 35(1)c, the suspension parameters shall be the same as those applicable for the situation described in Article 35(1)a.
 - d. Finally, for the situation described in Article 35(1)d, the suspension parameters shall be characterised by the unavailability of the communication means and tools necessary to support a market process, as well as any backup processes.

4. In accordance with Article 36(5) of Regulation 2017/2196, for each parameter defined in Article 4(3), ELIA shall respect a time delay before starting the procedure for suspension of market activities. This time delay may vary from 15 minutes to 24 hours, depending on the market activity referred to in Article 5(2) and the situation concerned. As a general rule, market activities organised on a continuous basis (the submission of balancing energy bids, the provision of modifications of the position of BRPs, the provision of schedules and commercial trades, the procurement of balancing energy and the publication of the imbalance price) shall be stopped quickly after the detection of a situation referred to in Article 35(1) of Regulation 2017/2196. The period observed before suspending a market activity organised on a daily basis (the procurement of balancing capacity and the provision of a – partially – balanced position at the end of the day-ahead time-frame) shall depend, among other things, on the time when the situation referred to in Article 35(1) of Regulation 2017/2196 occurs in relation to the next occurrence of the activity in question, as well as the information that ELIA has concerning the duration of the situation.

Article 5

Market activities

1. Article 35(2) of Regulation 2017/2196 lists the market activities that may be suspended by the TSO. For the avoidance of any doubt, there shall be no obligation to simultaneously suspend all these market activities. ELIA shall have the right, in compliance with the provisions of Regulation 2017/2196 and these Rules, to decide which market activity(ies) should be suspended based on the specific situation and for how long. ELIA shall decide on which market activities shall be suspended or not, in coordination with the parties referred to in Article 9(6).
2. ELIA anticipates that it shall not be required to suspend the activity referred to in Article 35(2)a of Regulation 2017/2196 (provision of cross zonal capacity for capacity allocation on the corresponding bidding zone borders for each market time unit where it is expected that the transmission system shall not be restored to the normal or alert state). In practice, the market activities referred to in Article 35(2) of Regulation 2017/2196 that may be suspended by Elia are the following seven activities:
 - a) The submission, by a Balance Service Provider (hereinafter “BSP”), of balancing capacity and balancing energy bids as set out in the terms and conditions applicable to Balance Service Providers (hereinafter “T&C BSP”).
In these Rules, the terminology “submission of capacity and balancing energy bids” shall be used to refer to this activity.
 - b) The provision, by a Balance Responsible Party (hereinafter “BRP”), of a (partially) balanced position at the end of the day-ahead time-frame in accordance with the requirements set down in the terms and conditions applicable to Balance Responsible Parties (hereinafter “T&C BRP”).
In these Rules, the terminology “provision of a – partially – balanced position at the end of the day-ahead time-frame” shall be used to refer to this activity.
 - c) Provision of modifications of the position of BRPs;
 - d) The provision of generation and consumption schedules by the Scheduling Agent (hereinafter “SA”), as well as internal and external commercial trade schedules by the BRP, pursuant to Article 111(1) and (2) of Regulation 2017/1485.

In these Rules, the terminology “provision of schedules and commercial trades” shall be used to refer to this activity.

- e) The procurement of balancing energy in accordance with articles 29 to 31 of Regulation 2017/2195.

In these Rules, the terminology “procurement of balancing energy” shall be used to refer to this activity.

- f) The procurement of balancing capacity in accordance with articles 32 to 34 of Regulation 2017/2195.

In these Rules, the terminology “procurement of balancing capacity” shall be used to refer to this activity.

- g) The publication of imbalance prices on the ELIA website in accordance with ELIA's adjustment rules.

In these Rules, the terminology “publication of the imbalance price” shall be used to refer to this activity.

CHAPTER 3

Procedure for suspension of market activities

Article 6

General principles

1. In general, ELIA's objective is to maintain market activities, as they are an essential factor for normal operation of the grid.
2. In certain situations, however, the suspension of one or more of the activities referred to in Article 5(2) shall be necessary to restore the grid to a normal state. The following paragraphs describe the guidelines that shall be followed by ELIA in order to decide whether or not to suspend the market activities referred to in Article 5(2).
3. **In the event of a blackout**, ELIA shall enter a TSO-controlled Dispatching period in order to be able to start restoration of its grid. This "TSO-controlled Dispatching" period shall start when ELIA begins to give its instructions to a power generating module that provides a black start service (in the case of a bottom-up restoration strategy) or when it contacts a neighbouring TSO in order to initiate the re-energisation of elements of its system from the system of the neighbouring TSO (in the case of a top-down restoration strategy).

During the TSO-controlled Dispatching period, Elia shall suspend, *in all cases*³, the following two market activities referred to in Article 5(2):

- a. Procurement of balancing energy;
- b. Publication of the imbalance price.

Furthermore, when ELIA enters a "TSO-controlled Dispatching" period, ELIA may also decide to suspend a third market activity referred to in Article 5(2): the procurement of balancing capacity. In order not to unnecessarily delay the full restoration of the market after a blackout state, the decision to suspend this third market activity shall be made on an ad hoc basis, depending on when the blackout state occurs and the estimated duration of the blackout. If, when ELIA has to take the decision to suspend this third market activity (i.e. because the deadline for organising a capacity auction is approaching), ELIA sees the possibility of the system being restored by the date of delivery of the service in question, it is likely that ELIA shall decide to maintain the market activity.

During a "TSO-controlled Dispatching" period, the data provided by ELIA to feed the regional processes (e.g. Day-ahead and Intraday capacity calculations, used for DA Coupling or ID Coupling) shall be adapted to reflect the circumstances of the system as best as possible. In certain situations, ELIA could, for example, decide to reduce, or set to zero, the exchange capacities with a neighbouring area for allocating capacities for DA Coupling or ID Coupling. However, ELIA considers that it is not its responsibility to suspend the organisation of these regional processes or the provision of the data used by these processes. Such decisions must in fact be taken jointly by the representatives of the Nominated Electricity Market Operators (hereinafter "NEMO") and the TSOs of the different countries concerned.

³ The suspension of these two market activities constitutes a rule as an exception to the principle of Article 3, paragraph 4.

Similarly, Elia shall not take the decision to suspend the organisation of local Intraday transactions on the platforms of Belgian NEMOs. In the event of suspension of market activities, ELIA shall immediately inform the NEMOs, in accordance with the communication procedure described in chapter 5 of these Rules. In accordance with the Restoration plan, the NEMOs shall also be regularly informed of the progress of the grid restoration and shall receive estimates of when the restoration will be completed. Based on this information, the NEMOs may decide whether or not to interrupt the possibility of carrying out transactions on their platform. Throughout the entire “TSO-controlled Dispatching” period, ELIA shall have the right to reject or cancel the nominations for commercial trades corresponding to these transactions, in accordance with Article 27 of the T&C BRP.

The TSO-controlled Dispatching period shall end once ELIA has sufficient confidence in the stability of the grid (which assumes, at least, that the transmission system is once again in a normal state) and has therefore been able to restore the market activities that it temporarily suspended in order to return to market-controlled dispatching.

4. **In the case of an emergency state**, ELIA shall not, as a general rule, suspend any market activity. However, given that the emergency state may take an infinite number of different forms, it is possible that certain market activities referred to in Article 5(2) may be suspended in specific emergency states in order to avoid any deterioration in the state of the system. Where the system goes into an emergency state after a splitting of the Belgian grid, ELIA may, for example, decide to suspend publication of the imbalance price on its website in order to avoid giving the Balance Responsible Parties a price signal encouraging them to balance an area from which they are, in whole or in part, disconnected.
5. **During the restoration process**, the guidelines described in article 6(3) are applicable.
6. **Finally, when the communication means and tools necessary for ELIA to facilitate market activities, as well as any back-up processes, are unavailable**, ELIA may decide to suspend the market activities referred to in Article 5(2) that are affected by the unavailability. Depending on the communication means and tools unavailable, Elia may therefore decide to suspend one or more of the market activities listed in Article 5(2). Not all of these market activities shall necessarily be suspended simultaneously. For example, when the tool used by ELIA for nominations for external commercial trades is not available, ELIA may suspend the provision of these trades and adapt the capacity allocated for ID Coupling on the Belgian borders, without disrupting the operation of other market activities.
7. If ELIA decides to suspend one or more market activities, the various stakeholders listed in Article 9(6) shall be informed immediately in accordance with the communication procedure described in Chapter 5 of these Rules.

Article 7

Roles and responsibilities

1. During a period of suspension of one or more market activities, the obligations of ELIA and the BRPs relating to such market activity(ies), as set out in the T&C BRP, shall be suspended when they are rendered impossible by the suspension of the market activity or activities concerned, without prejudice to the respective obligations of the parties arising from these Rules.
2. During a period of suspension of one or more market activities, the obligations of ELIA and the BSPs relating to such market activity(ies), as set out in the T&C BSP, shall be suspended when they are rendered impossible by the suspension of the market activity or activities concerned, without prejudice to the respective obligations of the parties arising from these Rules.
3. In addition, during a TSO-controlled Dispatching period, the BRP shall not be responsible for maintaining the balance of its portfolio, as this could reduce the effectiveness of the restoration to the normal or alert state of the transmission system. Accordingly, Articles 15, paragraph 1; 16.1, paragraph 1, and 16.2 of the T&C BRP are not applicable during a TSO-controlled Dispatching period. ELIA shall clearly communicate when the BRP is not responsible for maintaining the balance of its portfolio (via the "market suspension" notification described in Article 9), and when the BRP is again responsible (via the "market restoration" notification described in Article 9).
4. Finally, during the TSO-controlled Dispatching period, the parties concerned are asked to continue to provide *the best information* available to them regarding the following four market activities as referred to in Article 5(2):
 - a) the provision of schedules (by the SA) and physical nominations as well as nominations for commercial trades (by the BRP);
 - b) submission of balancing capacity and energy bids (by the BSP);
 - c) provision of a – partially – balanced position at the end of the day-ahead time-frame (by the BRP); and
 - d) provision of modifications of the position of BRPs (by the BRP).

Until the TSO-controlled Dispatching period has ended, ELIA shall have the right to reject or cancel the nominations received from the Balance Responsible Parties and to modify the schedules submitted by the Scheduling Agents. However, ELIA may use the information received from these parties during the restoration of the system to prepare for the gradual restoration of market activities and the transition from “TSO-controlled Dispatching” to “market-controlled dispatching”.

CHAPTER 4 Restoration of market activities

Article 8 General principles

1. In general, ELIA's objective is to restore market activities as quickly as possible, as they are an essential factor for normal operation of the grid.
2. However, restoration of these market activities can only occur if certain conditions are met and must, in certain cases, be restored in a specific order. The following paragraphs describe the guidelines that will be followed by ELIA in order to decide the timing and sequence of restoration of market activities.
3. **After a blackout state**, ELIA must have sufficient confidence in the stability of the grid⁴ before commencing restoration of market activities and ending the TSO-controlled Dispatching phase. ELIA shall also take into account the preparation of market players and the availability of communication means when it defines when market activities are restored and when grid dispatching is again controlled by the market.

After a blackout state, ELIA shall ideally restore the market activities in the following order:

- a. If the exchange capacities with a neighbouring area for allocating capacities for the DA Coupling have been reduced or set to zero to reflect the blackout state situation, ELIA shall ideally wait for the first DA Coupling for which ELIA provides non-reduced/non-zero exchange capacities before commencing restoration of the market activities, in order to allow the BRPs to access the DA Coupling to balance their portfolio.
- b. As soon as the results of the DA Coupling are published, the level of accuracy of the following information is expected to increase:
 - i. provision of production and consumption schedules (by the SA) and internal and external commercial trade nominations (by the BRP);
 - ii. submission of balancing capacity and energy bids (by the BSP);
 - iii. provision of a – partially – balanced position at the end of the day-ahead time-frame (by the BRP);
 - iv. provision of modifications of the position of BRPs (by the BRPs).

As stated in Article 7(4) of these Rules, the provision of this information shall not be interrupted during a TSO-controlled Dispatching period, during which the parties concerned shall communicate to ELIA the best information available to them.

- c. The procurement of balancing capacity can then resume (if this market activity had been suspended) according to the usual process.
- d. If the exchange capacities with a neighbouring area for allocating capacities for the ID Coupling have been reduced or set to zero to reflect the blackout situation, these are again made available according to the normal process.

⁴ This presupposes that certain conditions concerning the frequency, voltage and flows being transmitted through the ELIA grid are satisfied, but this also includes certain conditions concerning the active and reactive power reserves available to the TSO. The fact that certain modules capable of delivering balancing services to ELIA have suffered damage as a result of the blackout state and are still unavailable may therefore justify ELIA not having sufficient confidence in the capacity of the grid to withstand contingencies and therefore not ending the TSO-controlled Dispatching period.

- e. In order to be able to end the TSO-controlled Dispatching period, the instructions given by the TSO to the grid users shall be gradually adapted in order to restore modules to a state close to that corresponding to the schedule communicated by the SA and/or the BRP.
 - f. Finally, the procurement of balancing energy and the publication of the imbalance price may resume, and the TSO-controlled Dispatching period end.
4. **In the case of an emergency state**, ELIA does not, as a general rule, suspend any market activity. ELIA does not therefore provide for a reference scenario for the restoration of market activities in this situation.
 5. **In the case of a restoration state**, the guidelines concerning the restoration of market activities shall be those described in Article 8(3).
 6. Finally, **when the communication means and tools** necessary for ELIA to facilitate market activities, as well as any back-up processes, **are unavailable**, ELIA shall restore the suspended market activities as soon as these tools and communication means are again available in a stable and reliable manner.
 7. **After a blackout state**, and in accordance with Article 38 of Regulation 2017/2196 and Chapter 5 of these Rules, Elia shall provide updates to the various stakeholders regarding the progress of the transmission system restoration process.
 8. Where ELIA considers that all market activities can be restored, ELIA shall communicate this to the various stakeholders in a timely manner. In the case of TSO-controlled Dispatching, this communication shall be made sufficiently in advance of returning to normal operation of the market system, in order to allow the different stakeholders sufficient time to prepare for the transition from TSO-controlled Dispatching to market-controlled dispatching⁵.

CHAPTER 5

Communication procedure

Article 9

General provisions

1. In the event that Elia decides to suspend certain market activities, ELIA shall apply the following communication procedure, defined pursuant to Article 38 of Regulation 2017/2196.

⁵ By way of reminder, the roles and responsibilities of the different stakeholders are modified during a TSO-controlled Dispatching period. The BRPs shall therefore no longer be responsible for maintaining the balance within their portfolio during this period and the dispatching of modules resulting from Elia's instructions may be fundamentally different from the dispatching that would result from normal market operation. It is therefore necessary to allow a period of a few hours for the various stakeholders to prepare for the resumption of their usual roles and responsibilities, and to gradually change the dispatching of modules to that announced by the market.

2. In the event that ELIA suspends certain market activities, ELIA shall send the “ELIA Market Suspension” notification, containing the following information:
 - a) The date and time at which each market activity was suspended, in accordance with Article 35 of Regulation 2017/2196;
 - b) The list of market activities that have been suspended and, where applicable, notification that the system has entered a “TSO-controlled Dispatching” period as referred to in Article 6(3);

3. In addition, after a blackout situation, the following information shall be communicated regularly during the restoration process, in accordance with the provisions set out in the Restoration plan:
 - a. progress of the process for restoration of the transmission system;
 - b. best estimate of the time and date of restoration of the transmission system;
 - c. the date and time at which the transmission system was restored to the normal or alert state.
 - d. other information, if necessary.

4. ELIA shall provide, in a timely manner, the following information necessary to prepare for the restoration of market activities:
 - a. which market activities will be restored at what time;
 - b. notification that the market tools and communication systems of the different parties are operational;
 - c. in addition, after a blackout situation, the date and time at which ELIA intends to move from the TSO-controlled Dispatching situation to market-controlled dispatching shall also be communicated;
 - d. other information, if necessary.

5. Once the market activities have been restored, ELIA shall send the “ELIA Market Restoration” notification containing the date and time at which the market activities were restored.

6. All such notifications and relevant information concerning the suspension and restoration of market activities shall be sent by ELIA in accordance with Article 11.1.1 of the Restoration plan.

7. All these notifications shall be published on the ELIA website. Furthermore, ELIA shall examine the most appropriate communication channels (social media, email, etc.) to inform stakeholders simultaneously, even in the event of the ELIA website being unavailable. Elia shall invite interested entities to pre-register for such communication services as part of the implementation of these Rules.

8. With regard to the possible suspension of their activities by the NEMOs, communication procedures have been agreed between the TSOs and the NEMOs concerned. These communication messages shall continue to be disseminated by the relevant NEMOs and/or TSOs as defined in their communication procedures during periods of suspension and restoration of market activities. ELIA shall remain in close contact with the TSOs and NEMOs concerned to discuss and decide on the actions to be carried out by the different parties.

9. Furthermore, if requested by ELIA, the entities mentioned in paragraph 6 of this article shall be required to notify ELIA, by email or by any other available means, that their market tools and communication systems are operational.

10. Finally, during a TSO-controlled Dispatching period, the following information shall be exchanged between ELIA and the various entities concerned:
- a. ELIA shall provide the necessary instructions to the neighbouring TSOs, regional coordination centres (RCC)⁶, DSOs, CDSOs, Restoration Service Providers (RSPs), BRPs, BSPs and Significant Grid Users (SGUs) identified in its Restoration plan, so that they can execute them without undue delay.
 - b. The SA and the BRP shall continue to provide the best information available to them regarding the schedules referred to in Article 111(1) and (2) of Regulation 2017/1485;
 - c. The BSP shall continue to provide the best information available to it regarding the balancing capacity and balancing energy bids;
 - d. The BRP shall continue to provide a (partially) balanced position at the end of the day-ahead time-frame in accordance with the T&C BRP as well as the modifications of this position.

CHAPTER 6

Rules for imbalance settlement during the suspension of market activities

Article 10

General provisions

1. The rules for the settlement of imbalances in case of suspension of market activities described in Article 11 shall only apply during a TSO-controlled Dispatching period. Indeed, in accordance with Article 7, the BRPs shall no longer be responsible for maintaining the balance of their portfolio in such a situation during which the grid users shall submit to the instructions provided by Elia. It would therefore be illogical to penalise these BRPs by exposing them to the imbalance price for an imbalance that was created in their portfolio at ELIA's request. Furthermore, given that the TSO no longer activates a balancing energy bid during a TSO-controlled Dispatching period, the methodology for calculating the Imbalance price, which is based on the price of the activated bids, cannot be applied during such periods.
2. For all other situations where market activities are suspended (e.g. where a single activity is suspended due to the unavailability of the tools and communication means used by ELIA to facilitate it), the settlement of imbalances shall be carried out in accordance with the rules described in the T&C BRP.

Article 11

Measures applied in case of TSO-controlled Dispatching

1. Nominations for internal and external commercial trades submitted by the BRP, as provided for in the T&C BRP, and which have been confirmed by ELIA, shall be cancelled (set to zero) for the market time units that are part of TSO-controlled Dispatching periods⁷.

⁶ Coreso and TSCNet

⁷ E.g. in case a period of TSO-controlled Dispatching occurs on day D at 8h45 and ends on day D at 23h00, the nominations of the power exchanges submitted on day D-1 in accordance with the T&C BRP procedures and concerning the period 8h45-11h00 on day D shall be set to zero by Elia. The same applies to nominations submitted intraday on day D at 5h for one or more market time units concerning the period 8h45-11h00.

2. The allocation on the Access point of an Offshore Interconnection coupled to the BRP_{O.I.}-balancing perimeter is equal to zero for the TSO-controlled Dispatching periods.
3. During the TSO-controlled Dispatching period, the imbalance of the BRPs shall be calculated as provided for in the T&C BRP.
4. However, no Imbalance price shall be calculated; instead, a Restoration tariff shall be applied for all withdrawals and injections (with the exception of imports in the event of the application of a top-down re-energisation strategy) that occurred during the TSO-controlled Dispatching period. This Restoration tariff shall be submitted by Elia and approved by CREG in the Tariff Proposal, in accordance with the legal provisions applicable⁸. It shall be published on the ELIA website throughout the "TSO-controlled Dispatching" period.
5. The Restoration tariff, applied during the TSO-controlled Dispatching period, shall be invoiced (credited) by Elia to the BRPs for the energy withdrawn (injected), in accordance with the T&C BRP, associated with their perimeter. The energy withdrawn or injected during the TSO-controlled Dispatching in practice corresponds with the result of physical injections and withdrawals at access points to ELIA's grid and/or at ELIA's interconnection points with the DSOs, and/or their injection and withdrawal allocations within a CDS.
6. For injections and withdrawals at ELIA's interconnection points with the DSOs, the energy volumes during the TSO-controlled Dispatching periods shall be allocated according to the allocation procedures approved by the regional regulators. The allocations within CDS shall be determined by the CDSO in accordance with the provisions provided for in the access contract.
7. If ELIA applies a top-down re-energisation strategy as indicated in Article 27 of Regulation 2017/2196, the resulting imported energy shall be financially netted according to the bilateral contractual provisions applicable⁹ between ELIA and its neighbouring TSOs.
8. In order to ensure the financial neutrality of ELIA in accordance with Article 39(3)(a) of Regulation 2017/2196, the difference between the sum of all energy procurement costs (all energy injected by the power generating modules as specified in Article 11(4) and, if applicable, the imported energy resulting from a top-down re-energisation strategy) and the sum of all income from energy sales for the entire TSO-controlled Dispatching period, as described in Article 11(4) above, shall be recovered in full (if the difference is positive) or returned (if the difference is negative) via the transmission tariff.
9. Invoicing and payment of the Restoration tariff shall be carried out in accordance with the "invoicing and payment conditions" described in the T&C BRP without prejudice to the specific invoicing principles described in Article 11(10).

⁸ The Tariff proposal of Elia, drafted in accordance with the tariff methodology in Article 12, §2, 1 of the Electricity Act.

⁹ Such contractual provisions are in the process of being negotiated with TenneT NL, Amprion, RTE and National Grid. The remuneration applied to energy imported from neighbouring countries cannot reasonably be calculated in advance as it will depend on the services activated by the neighbouring TSO to meet ELIA's demand. As a result, it is not desirable to take these costs into account when constructing the restoration price.

10. During TSO-controlled Dispatching periods, ELIA shall determine an initial restoration invoice as soon as possible¹⁰ after receipt of all necessary data concerning injections and withdrawals at ELIA's interconnection points with the DSOs and the allocations within CDS. ELIA shall then send an adjustment restoration invoice after the data concerning the injections and samples at the points of interconnection of ELIA with the DSOs and the allocations within CDS are final, in accordance with the processes in place.

¹⁰ Given the exceptional nature of a TSO-controlled Dispatching period, the invoicing process for the restoration price shall be managed manually by Elia. A longer period than the contractual period for sending imbalance invoices may therefore be expected.

CHAPTER 7
Final provisions
Article 12
Entry into force

1. These Rules enter into force when the latest of the two following timings is reached: within [30] working days after approval by CREG or the entry into force of the tariff for the 2024 – 2027 pricing period. They are part of the T&C BRP and BSP in accordance with Article 18(2), of Regulation 2017/2125 and are added to the T&C BRP and BSP. Elia informs the BRP and BSP within [20] working days after approval of these Rules by CREG.
2. By way of derogation from point 1, Article 9(2) to (7) shall enter into force on the date of notification on the Elia website of the implementation by Elia of the necessary IT systems, and no later than 6 months from the entry into force of these Rules. In the meantime, the communication referred to shall be made in accordance with Article 38(4), 2nd sentence, of Regulation 2017/2196.
3. By way of derogation from point 1, if the tariff referred to in Article 11(4) were to be adapted so that it no longer represents a single tariff for offtakes and injections invoiced to the BRP, Article 11 would have to be adapted and accompanied by a new implementation plan accordingly before being submitted to the CREG for approval and entry into force.

Article 13
Language

1. The reference languages for these Rules shall be Dutch and French, which shall be submitted to CREG in accordance with Article 36(1) of Regulation 2017/2196 and shall be published by ELIA on its website after approval by CREG in accordance with Article 36(2) of Regulation 2017/2196.

An English version shall also be published on the ELIA website for the purposes of information. For the avoidance of any doubt, in the event of any inconsistency between the English version published by ELIA and any version in a national language, the versions in the national languages shall prevail.