

Report on the consultation on the procedure to constitute strategic reserves

(This is a non-exhaustive list. The numbering refers to sections of the final procedure.)

1. Wathelet Plan:

- No major changes were made to this chapter.

2. Strategic Reserves:

- Addition to section 2.5 Hierarchy of documents: The Functioning Rules take precedence over the Procedure for the Constitution of Strategic Reserves.

3. Definitions:

- For the sake of clarity, the following definitions were added to this section (and subsequently apply throughout the document):
 - Admission; Call For Tender; Certification of SDR Reference Power; Certification of SGR Power Plant; Contract Notice; SDR Contract; SGR Contract; Winter Period; Procedure for Constitution of Strategic Reserves; SDR Reference Power (Rref); Functioning Rules; Shedding Limit (SL)

4.1. Tendering procedure

- No major changes were made to this section.

4.2. Contract notice:

- This section was amended to make a clearer distinction between the Procedure for Admission (suppliers) and the certification (power plants or reference power).
- To avoid confusion, the section on the Admission of SGR candidates is now separate from its counterpart on the Admission of SDR candidates.

4.2.1. Procedure for Admission of SGR candidates:

- The conditions to be fulfilled by SGR candidates were shortened, for 2 reasons:
 - Some SGR candidates have a legal obligation to participate that may not be outweighed by additional criteria.
 - SGR power plants must be covered by a CIPU Contract which already requires compliance with the conditions in question.

4.2.2. Certification for SGR Power Plants:

- No major changes were made to this section.

4.2.3. Procedure for Admission of SDR candidates:

- No major changes were made to this section.

4.2.4. Certification for SDR Reference Power:

- The combination of access point(s) participating in SDR Reference Power with ICH is now possible.
- The criteria to be applied to metering data from the past 3 Winter Periods have been eased:
 - Hourly (rather than quarter-hourly) averages are used
 - 85% (instead of 95%) is required during peak periods.

4.3. Terms of reference:

- One of the main comments in CREG's feedback on the public consultation concerned the relationship between the Procedure for Constitution of Strategic Reserve and the Functioning Rules. This feedback led to a common understanding that some parts of the procedure (mainly those linked to this section, "Terms of reference") could impact on the functioning of the market in general, for which CREG is competent. Elia and CREG therefore deemed it appropriate to transfer parts of the Procedure to the Functioning Rules.
 - Where appropriate, reference is made to the Functioning Rules.
 - Stakeholders' comments on these parts of the draft procedure were taken into account in Elia's Functioning Rules and submitted to CREG for approval.

4.4. Call for tender:

- Addition to section 4.4.3.: SGR supplier(s) must also list the conditions (and prices) under which SGR Power Plant(s) could be activated outside the 5-month Winter Period(s).

4.5. Award criteria:

- The criteria for the technical-economic combination of offers are set in the Functioning Rules and thus deleted from the Procedure.

4.6. Contract preparation and signature:

- No major changes were made to this section.

4.7. Contract award notice:

- No major changes were made to this section.

5. Rules Regarding Disputes:

- No major changes were made to this chapter.

6. Cancellation of the Procurement:

- This chapter has been shortened to make clear that a cancellation may only occur if the legal basis for the Procedure becomes ineffective.

7. Questions:

- No major changes were made to this chapter.