

EXPLANATORY NOTE

Amendments to the ToE rules in context of the Synergrid ToE Game Plan

Elia

June 2025



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1. Practical information

This note serves as an explanation for the current consultation on the **proposal of amendments to the ToE Rules**. The purpose of this consultation is to obtain comments from the market parties. At the end of the public consultation, Elia will provide a consultation report that will be available to all market parties.

All responses to this public consultation will be made public on Elia's website, except the comments for which market parties ask to treat their contribution as confidential. However, all responses to this public consultation will be submitted to the relevant regulatory authorities in the context of the official approval procedure¹ for the ToE Rules.

Elia invites all stakeholders to submit any comments and suggestions they may have on the documents submitted for consultation. The consultation period runs from 18 June 2025 to 1 August 2025. All responses must be submitted via the online form on the Elia website. The draft proposal for the changes to the ToE Rules is available for consultation on the Elia website.

Questions regarding these documents can be sent to the following email address: simon.serrarens@elia.be, with the Key Account Manager (KAM) in cc: arno.motte@elia.be.

¹ Article 6(3) of Regulation 2017/2195 of 23 November 2017 establishing a guideline on electricity balancing

2. Introduction

Earlier this year, Synergrid and its members drafted a Transfer of Energy (ToE) design note², consulted by Synergrid from 20/01/25 until 28/02/25 included. The design note aimed to elaborate first on the need for ToE, second on the different ToE models under consideration (the Central Settlement Model (CSM) and the Corrected Model (CM)), as well as alternative ToE regimes (Opt-Out and Pass-Through). Finally, it presented the ToE Game Plan, i.e. the proposed plan for implementation of these different models and regimes for both Balancing Products (aFRR and mFRR) and across voltage levels.

This proposal for amendments to the ToE Rules reflects the design as proposed within the ToE design note, the related envisioned entry into force for the ToE Models for aFRR and mFRR, and extension to the Public Distribution Grid. It takes into account various comments received from market parties during the Synergrid public consultation on the ToE design note.

The changes within this current revision can be grouped as follows:

1. **Inclusion of the Corrected Model:** The text previously described market situations with ToE, and market situations without ToE; the latter being a market situation in either Opt-Out or Pass-Through. Within the market situation with ToE, there was only one model possible, i.e. the model now defined as the CSM. The CM model was added as an alternative. Several articles were updated to include the nuances to Roles & Responsibilities of various market parties opting for this model, as well as define which sections apply only in case the CSM is selected.
2. **Extension of ToE to the Public Distribution Grid:** Within this revision, the text is updated to allow for ToE on the Public Distribution Grid. To facilitate this, the Roles & Responsibilities of the Distribution Grid Operator were included. Note that in parallel, Synergrid organizes a Public Consultation on Document Release 3, further specifying (among other topics) the practical data exchange related to ToE for the Distribution Grids.
3. **Extension of ToE to aFRR:** The text was updated to allow for ToE for aFRR.
4. **Updates to the go-lives:** The ToE Rules include a section detailing which market situation is available for what balancing product, depending on the voltage level. This section was updated to reflect when the new CM will be included, when ToE will be extended to aFRR, and when ToE will be made available on the Public Distribution Grid.
5. **Simplification of references to the T&C BSPs and T&C BRP:** In certain cases, the conditions included in the ToE Rules overlapped with conditions included in the T&C BSP aFRR and mFRR, and the T&C BRP,

² The Synergrid ToE Design Note can be found on the [Synergrid website](#).



such as for example the definition of baselines. Where possible, duplicate conditions were removed, to avoid any discrepancies that might arise at future updates of these T&Cs.

6. **Additional changes:** Such as updates to definitions, removal of references to the obsolete Strategic Reserves, removal of the specification that only Delivery Points (DP) with net annual offtake can participate in ToE; update to the perimeter correction in case a DP has 2 different BRPs, one responsible for net offtake (BRP_o) and the other responsible for net injection (BRP_I); as well as changes related to market party feedback received during the Synergrid public consultation on the ToE design note, such as the provision of additional data to market parties involved in Opt-Out.

3. Inclusion of the Corrected Model

Until now, the ToE Rules only allowed for a single ToE model, i.e. the CSM. The model foresees in a financial compensation between the Flexibility Service Provider (FSP) and the Supplier, to offset the financial impact of flexibility activations made by an FSP on DPs within the portfolio of the Supplier. This is done on an aggregated level, i.e. for all activations performed by the FSP within the portfolio of a certain Supplier. The CSM allows for two variations, either the FSP and Supplier can agree on a price formula to settle the impact of the activations between them, or, in case no such agreement can be reached, the compensation price as determined by the CREG formula is imposed. Additionally, the CSM foresees in a BRP perimeter correction for both the BRP_{FSP} and the BRP_{source}.

Within this revision of the ToE Rules, an alternative ToE model is introduced: the Corrected Model. In the CM, the BRP perimeter correction occurs in the same way as within the CSM. The CM differentiates itself from the CSM in the settlement of the financial impact of flexibility activations in the portfolio of the Supplier. As opposed to the CSM, this is not done between the FSP and the Supplier, but rather between the Supplier and the Grid User (GU); by allowing the Supplier to invoice the volumes to the GU as if no flexibility activation had taken place, thereby eliminating imperfections in FSP-Supplier settlement within the CSM, but introducing a remuneration risk for the GU, as the Supplier compensation is now done via the Supplier invoice toward the GU. A confidentiality risk is introduced as well, as the Supplier will receive individual data on flexibility activations per DP.

For a full explanation on the workings of the CSM and the CM, as well as benefits and drawbacks of both models, we refer the reader to the Synergrid ToE design note³.

This revision of the ToE Rules foresees in the addition of the CM, which was done as follows:

- Definitions for the CM and the CSM were added. While the CSM existed before, it did not have a name within the ToE Rules, as it was the only model available under 'market situation with Transfer of Energy'. Both models are now defined, and referred to by name where appropriate.

³ The Synergrid ToE Design Note can be found on the [Synergrid website](#).



- This is clarified further in section 4 on the area of application for market situations with and without ToE. Especially the market situations with ToE are extended to cover both CSM and CM.
- Section 5 of the ToE Rules was updated to elaborate on when CM will enter into force. As it also reflects the roll-out to the Public Distribution Grid, it is discussed later in this note, in chapter 6.
- The Roles & Responsibilities were adapted as follows:
 - The FSP is required to duly inform the GU of the risk related to the CM, and obtain a signature from the GU in order to ascertain that they have well understood the risks related to opting for the CM. The declaration to be signed is found in Annex 2 of the ToE Rules, and is to be provided to Elia. Further, notions are added that the bank guarantee only applies for the CSM. This is done because the bank guarantee safeguards the Supplier in case of non-payment by the FSP. As the Supplier will settle via the GU in the CM, the FSP bank guarantee is not required to cover DP in CM.
 - In case of the CM, the Supplier commits to only invoicing measured volumes corrected with the activation volumes, as provided by Elia.
 - The Grid User specifies whether or not the CM is to be used, as a differentiation from the default CSM. If yes, they agree their flexibility volumes can be shared with the Supplier, and that they will facilitate the Supplier compensation.
- Elia follows up on the phased entry into force of ToE in the different market segments. The responsibilities vis-à-vis the treatment of data were made a bit sharper (especially on treatment of personal data, non-discriminatory access...)
- Section 7.2 defines the market situation with ToE with the CM model, and describes how flexibility volumes are defined, how the perimeter correction occurs, which data is exchanged and when penalties apply.
- The section on data exchanges is updated to reflect that certain exchanges only happen for CSM (e.g. the exchange of data between Elia and the FSP to facilitate settlement between the FSP and the Supplier), while additional details are added on data exchanges within the CM. This includes shares individual data in flexibility activations of a certain Grid User towards their Supplier, to facilitate the financial settlement of that Supplier via the invoice. Note that while in the CM data is shared on individual flexibility activations, the identity of the FSP is not shared, as this is not considered necessary for settlement.

4. Extension of ToE to the Public Distribution Grid

Within this revision, the necessary changes are made to allow for an extension of ToE to the Public Distribution Grid. This is done in order to support the development of explicit flexibility for Delivery Points connected to the Public Distribution Grid.



Note that to facilitate the roll-out of ToE to the Public Distribution Grid (as well a number of other topics), changes were made to the regional documentation as well, in particular the document C8/05. These changes are currently under public consultation by Synergrid⁴.

To accommodate a roll-out of ToE to the Public Distribution Grid, the following changes were made:

- Within the definitions, certain concepts were updated to allow for Delivery Points connected to the Public Distribution Grid. For example, the concept of Delivery Point DP_{PG} can now include these additional Points.
- Section 5 of the ToE Rules was updated to elaborate on when ToE will be extended to lower voltage levels, depending on the market segment. This is discussed in a next chapter of this explanatory note, in chapter 6.
- The Roles & Responsibilities of different parties involved were updated:
 - The GU confirms their data can be shared with Elia, but in case they're connected to the Public Distribution Grid, the data is shared with the DSO as well.
 - R&R for the DSOs are added, in particular to make the relevant data available to Elia facilitate ToE for Delivery Points connected to the Public Distribution Grid. More details on the information exchange in particular are found in the document C8/05, under consultation in Document Release 3.

5. Extension of ToE for aFRR

Up until now, no ToE model was available for aFRR, meaning that aFRR could only be delivered by an independent FSP under Opt-Out. Within this revision, this is alleviated by including the necessary conditions for delivering aFRR under ToE. Changes were made as follows:

- Within the Roles & Responsibilities, the GU needs to confirm their agreement to share 4'' data with Elia and, if relevant, the DSO.
- Addition of conditions related to the baseline, flexibility volume calculation, notifications between Elia and FSP (and vice versa), and penalties, specifically for aFRR. Note that to a large extent these conditions are applicable generally for the aFRR service, and not specific to ToE. Therefore, these conditions refer mostly to the underlying T&C BSP aFRR, to not duplicate information.

6. Updates to the go-lives of ToE

⁴ More information on the Document Release 3 public consultation can be found on the [Synergrid website](#).



The ToE Rules contain an overview of the go-lives of the different ToE models and alternative regimes, split out over balancing products (mFRR and aFRR), and voltage levels. This overview was updated to accommodate the ToE Game Plan as developed within Synergrid, and results in Table 1 below. The key takeaways are the following:

- The Corrected Model will be introduced on the Elia Grid, for both aFRR and mFRR. The current estimate is for this to go live end '25.
- The CSM will be extended to aFRR, for points connected to the Elia Grid and points connected to the Public Distribution Grid > 1kV, also estimated for end '25.
- In early '26, the CSM will be extended to mFRR on the Public Distribution Grid < 1kV. This will be done for aFRR as well, though first in a Proof of Concept phase (PoC). If successful, this will be formalized towards Q3 of '26.
- It is important to note that all of these developments depend on several changes to the different IT systems involved, not only for Elia but also on the side of the DSOs for changes related to the Public Distribution Grid, and the Flexhub. Therefore, all mentioned changes will only go-live after successful IT implementation, and confirmation thereof by Elia towards the market parties, done 3 weeks before the go-live.
- Specifically for the CM, Elia will further investigate the legal framework for Suppliers to invoice VAT on corrected measurement data, rather than the actual measured data, and whether this framework is to be clarified further. In any case, Elia will communicate towards market parties how VAT is to be applied on corrected measurement data before go-live of the CM.
- Additionally, as mentioned before, these changes also impact regional regulated documents, currently under consultation in Document Release 3. Therefore, the go-lives included in this table are dependent on the public consultation of Document Release 3 and the subsequent steps in the regulatory track, as well as regulatory approval of the CREG for these ToE Rules.
- Certain items are marked at 'TBD', or To Be Confirmed; meaning that the exact go-live date (if any) is not yet known. These items are still topic of discussion and investigation within Synergrid.



Balancing product	Grid and Voltage Level	Market Situation			
		ToE - CSM	ToE - CM	Opt-out	Pass-through
mfRR	Transmission and local transport Grid	Since 2018	Estimated end 2025*	Since 2018	Since 2020
	Distribution Grid – Points > 1kV	Since 2018	TBD	Since 2018	Since 2020
	Distribution Grid – Points <= 1kV	Estimated end Q1-2026**	TBD	TBD	TBD
aFRR	Transmission and local transport Grid	Estimated end 2025*	Estimated end 2025*	Since 2021	Since 2021
	Distribution Grid – Points > 1kV	Estimated end 2025*	TBD	Since 2021	Since 2021
	Distribution Grid – Points <= 1kV	PoC Q1-2026**** Q3-2026	TBD	Since 2024	Since 2024
DA and ID market	Transmission and local transport Grid	Since 2021	TBD	Since 2021	Since 2021
	Distribution Grid – Points > 1kV	Since 2021	TBD	Since 2021	Since 2021
	Distribution Grid – Points <= 1kV	TBD	TBD	TBD	TBD

Table 1: Go-lives of ToE

7. Additional changes

Aside from the major changes mentioned above, several other changes were made to the document as well:

- All references to the Strategic Reserve product are removed, as this product is no longer used.
- The structure of the definitions was improved for readability, adding abbreviations in parentheses.
- All abbreviations used in the document were added in a new abbreviation list.
- The requirement for DPs to have an annual net offtake in order to be able to participate in ToE was removed, as this is no longer legally required. All references to this requirement were removed, in particular the relevant section in article 10 on measurement data.
- As requested by market parties, Elia will share data to facilitate the settlement mechanisms agreed to between the FSP and Supplier in an Opt-Out agreement. To ensure confidentiality for market parties who



might want to apply the Opt-Out regime without sharing this data, Elia will only provide the data to the market parties involved on an aggregated level, and with explicit consent of both the FSP and the Supplier. This information is shared for information purposes. Details are described in section 15.3.

- Where possible, information duplicated in the T&C BSP aFRR, mFRR or T&C BRP is removed from the ToE rules, or not added in the ToE rules. Examples of these are:
 - The baseline methodology for mFRR is not particular to the ToE rules. References are made to the T&C BSP mFRR. This is also the case for the notifications.
 - Similarly, the baseline methodology for aFRR is not described in the ToE rules, as it is not particular to ToE.
 - The baseline high X of Y* is still fully described in the ToE rules, as this is not detailed in the FSP contract DA/ID. This will be corrected in a future revision of the FSP contract DA/ID.
 - Similar changes were made to section 13, where explicit information on notifications was omitted to avoid overlap with the T&C BSP mFRR and aFRR.
 - Similar changes were made in section 14, regarding the penalties.
- The perimeter correction for the case where both a BRP responsible for net injection and a BRP responsible for net offtake are active on a DP is updated, to take into account aFRR activations, in section 12.2.
- The next section, 12.3, describes the perimeter correction in case a set-up of multiple BRPs would be used. Within this set-up, a GU can assign one or more BRPs to a DP behind their Access Point. In essence, this section includes a reference to the T&C BRP, where this perimeter correction is described. The multiple BRP perimeter correction occurs before perimeter corrections for ToE.
- Article 12.4 was added, to describe the order of FSPs to which the volumes will be assigned after an activation, in case multiple FSPs would be active on that DP, providing a balancing service during the same quarter hour; or in case multiple balancing services would be provided during the same quarter hour.

