CONSULTATION REPORT

Report on the public consultation on the proposal for amendments to the ToE Rules in context of the Synergrid ToE Game Plan

September 2025

Contents

1. Introduction

Elia organized a public consultation **from 18 June 2025 to 1 August 2025** regarding the proposal for amendments of the ToE Rules, in context of the Synergrid ToE Game Plan. Due to the Holiday period, and on the request of market parties, **the public consultation was extended until 15 August 2025**. The purpose of the public consultation was to obtain comments and feedback from the market parties on the proposed amendments. The feedback is taken into account, leading to the current revised version of the ToE Rules, submitted to the relevant competent regulatory authorities.

Earlier this year, Synergrid and its members drafted a Transfer of Energy (ToE) design note[1], 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 organized 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.

[1] [1] The Synergrid ToE Design Note can be found on the **Synergrid website**.

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, 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.

2. Feedback received

In response to the public consultation, Elia received non-confidential answers from the following parties:

1) Febeliec
2) FEBEG
3) European Commodities
4) Centrica
5) Bnewable
6) Abousco

All the non-confidential answers received are available in the Annexes of this report. These non-confidential reactions, together with the consultation report, will be made available on Elia's website.
Elia received one confidential answer, which will not be treated in this report but will be submitted to the competent regulators.

3. Instructions for reading this document

This consultation report is structured as follows:

- Section 1 contains the introductory context,
- Section 2 gives a brief overview of the responses received,
- Section 3 contains instructions for reading this document,
- Section 4 discusses the various comments received during the public consultation and Elia's position on them,
- Section 5 discusses the next steps,
- Section 6 contains the Annexes of the consultation report.

This consultation report is not a 'stand-alone' document but should be read together with the proposal submitted for consultation (and its explanatory note), the reactions received from the market participants (annexed to this document) and the final proposal submitted for validation to the CREG.

Section 4 of the document is structured as follows:

- The comments received by the different stakeholders have been clustered by topic. Each subsection addresses one such cluster;

- Each subsection consists in the following table, with additional information on the content per column below.

Subject/Article/Title	Stakeholder	Comment	Justification
A	B	C	D

A. Subject matter covered by the various responses received.
B. Stakeholder providing the comment.
C. Description of the comment received.
D. Elia's answer to the comment, including arguments as to why a comment was or was not included in the final proposal.

4. Comments received during the public consultation

4.1 General positioning with respect to Elia's analysis and proposals

This section provides an overview of the general reactions and concerns of market players that Elia received to the document submitted for consultation.

SUBJECT	STAKEHOLDER	FEEDBACK RECEIVED	ELIA'S VIEW
General position towards Elia's analysis and proposals	Febeliec	Febeliec would like to thank Elia for this consultation regarding amendment to the ToE rules and unlocking flexibility. Febeliec wants to stress the extreme importance to unlock the possibility to valorize all flexibility in the system, to the benefit of society through lower overall system costs as well as a more secure operation of the grid. Febeliec strongly supports all initiatives which work towards this goal, even though Febeliec finds the progress not fast enough regarding all other rapid evolutions in the energy landscape, including a.o. the issues of incompressibility, balancing needs, …	Elia wishes to thank all respondents for taking the time to participate in the public consultation and for their feedback regarding Elia's proposal for amendments to the ToE Rules.
	FEBEG	FEBEG appreciates Elia's initiative to launch this public consultation. The Transfer of Energy (TOE) mechanism is of significant importance to FEBEG members. The financial implications can be huge for suppliers and BRPs (missed revenues and imbalances) in case independent aggregators interfere in their portfolios without the existence of a proper market model. FEBEG is therefore happy that Elia together with Synergrid work on solutions that mitigate those impacts.	

	FEBEG	FEBEG appreciates Elia's efforts to include the Corrected Model as an alternative within the ToE framework. FEBEG is convinced that this will lower the total societal cost of independent FSPs looking to activate flexibility in BRP-Suppliers' portfolio.	
	European Commodities	With this document, European Commodities wants to reply to Elia's Public Consultation on the proposal for amendments to the ToE Rules. European Commodities (EC) acts as Balance Responsible Party (BRP) for multiple electricity suppliers across all regions in Belgium. In that capacity, EC is BRPsource for several electricity suppliers and therefore highly impacted by the application of Transfer of Energy and the proposed changes to the Transfer of Energy (ToE) Rules. In general, EC welcomes the changes that are brought by Elia in the proposal and thanks Elia for the possibility to react to the proposed changes.	
	Centrica	Centrica welcomes the opportunity to provide feedback on your consultation on the amended Transfer of Energy rules (ToE Rules). We appreciate your efforts to facilitate market access and unlock additional flexibility. As a specialised trading company with a substantial portfolio of optimised assets, we have strong views on the following areas: - We support a swift rollout of the Corrected Model, with the Central Settlement Model as a valuable fallback solution. - We believe that performing a perimeter correction for the Pass-Through regime	

		would simplify the settlement between all market parties. - In the absence of a perimeter correction for the Pass-Through regime, we reiterate the importance of adjusting the ToE Rules to ensure that suppliers are held accountable for updating their delivery point lists in a timely manner. - We request increased data transparency. - We request clarification on the risks associated with the Corrected Model and recommend streamlining the grid user onboarding process. - We ask to remove rules creating market access barriers. - We ask to amend rules to ensure future-proofness and preserve freedom of choice for grid users. We recognise the complexity of these developments and trust that Elia will thoroughly assess our suggestions and consider the diverse perspectives across the industry. We look forward to continuing the dialogue and remain available to answer any questions or provide further information as needed.	
	Bnewable	*[English below]* Bnewable is een Belgische energieonderneming gespecialiseerd in behind-the-meter (BTM) energiebeheer. Wij investeren in, ontwikkelen en exploiteren batterijopslagsystemen, voornamelijk geinstalleerd achter de meter bij middelspannings netgebruikers.	

		Onze missie is om de energieregisseur te zijn van deze sites, met optimaal energiebeheer en het valoriseren van flexibiliteit via Voltana, ons eigen platform. Als operator van deze assets en aggregator van flexibiliteit hanteren we de volgende kernprincipes: - Vrije leverancierskeuze: Onze klanten behouden volledige autonomie over hun energiecontracten voor niet-flexibele afname en injectie. - Eenvoud en transparantie: Onze oplossingen zijn zo ontwikkeld dat ze eenvoudig en begrijpelijk blijven voor de klant. Het kunnen aansturen, inzetten en valoriseren van achter-de-meter flexibiliteit in alle energiemarkten (wholesale en systeemdiensten) is essentieel voor onze werking Bnewable is blij te zien dat er initiatieven genomen worden om flexibiliteit verder te ontsluiten voor FSP's. Zeker de opening van ToE voor aFRR en de introductie van het CM-model op transmissie- en lokaal transmissienet is een zeer positieve stap. *[EN translation by Elia]:* Bnewable is a Belgian energy company specialized in behind-the-meter (BTM) energy management. We invest in, develop and run battery storage systems, primarily installed behind the meter at mid-voltage grid users. Our mission is to be the energy director of these sites, with optimized energy management, and valorization of flexibility via Voltana, our own platform. As operators of these assets and aggregator of flexibility, we work by the following core principles:	

		- Free choice of supplier: our clients retain full autonomy over their energy contracts for non-flexibile offtake and injection - Simplicity and transparency: our solutions are developed in such a way that they are simple and understandable for the end-client. Being able to steer, use and valorize behind-the-meter flexibility in all energy markets (wholesale and system services) is essential to our way of working. Bnewable is happy to see initiatives are taken to unlock flexibility for FSPs. Especially the opening of ToE for aFRR and the introduction of the CM-model on the transmission and local transmission grid is a very positive step.	

4.2 Comments on the timing of the ToE implementation

SUBJECT	STAKEHOLDER	FEEDBACK RECEIVED	ELIA'S VIEW
Proposed go-live dates	Febeliec	Regarding the proposed go-lives, and as already indicated during previous consultations, Febeliec wants to insist on a greater sense of urgency from grid operators regarding the implementation of any measures that can help unlock the flexibility in all grids. Febeliec wants to point out that grid operators continuously refer to increasing challenges, yet do not seem to speed up sufficiently the implementation of solutions that could help	Elia takes note that several market parties indicate they feel the go-live dates as included in the ToE Rules lack ambition, via the use of the marker 'TBD', or by not providing a date as to when the Corrected Model *might* be extended to the public distribution grid. Regarding this, Elia would like to respond the following:

		mitigate these challenges and avoid ever-increasing investments (through the so-called CAPEX-bias), which continues to negatively impact consumers invoices and threatens industrial competitiveness. Febeliec finds a timeframe where half of the implementation deadlines are "TBD" unsatisfactory, taking into account that all known timeframes are already extended till end of 2026, meaning (based also on other communications and consultations) an expectation that a roll-out of most ToE solutions on low and medium voltage would extend beyond 2026, without any guaranteed that these would be tackled shortly after. In light of the billions to be invested in grids, any solution which could increase flexibility and lower investment needs should be prioritized, which does not seem to be the case. Febeliec strongly urges all relevant regulators to ensure a higher prioritization and a faster implementation of these.	- Elia is committed to opening the ToE framework across voltage levels and products, in order to unlock flexibility, an ambition that is progressed via this proposition for amendments to the ToE Rules. - It should be noted, however, that the Synergrid ToE Game Plan, which is translated here into the ToE Rules, is not the prerogative of Elia alone. The Game Plan is a result of close collaboration with Synergrid and its members, and takes into account various concerns and limitations, such as the required changes in IT systems on Elia side, the DSO side and shared applications such as the Flexhub; an increase in data volumes related to MV and LV grid users; as well as other concerns particular to the CM, such as end-consumer protection and the VAT technicalities. Elia proposes to share this feedback with Synergrid and its members, and to continuously evaluate if and how the ToE framework can evolve. - As mentioned in the Synergrid information sessions and Elia's Working Group Energy Solutions, Elia is working with Synergrid an assessment of the technical constraints of extending the Corrected Model to the medium and/or low voltage distribution grid. - Elia takes note of the feedback regarding ToE DA/ID, which is treated in more detail further in this report. - Elia takes note of the request to work on Supply Split with priority. While this is not in scope the amendments to the ToE Rules, discussions on Supply Split are ongoing within Synergrid. Elia will share this feedback with Synergrid and the members.
	Centrica	While we appreciate the clarity offered by the proposed implementation plan, we urge setting more ambitious target dates for: - The Corrected Model in aFRR and mFRR at DSO HV, MV, and LV levels. - The Corrected Model in day-ahead and intraday across all TSO and DSO levels. - The Central Settlement Model in day-ahead and intraday markets at the DSO LV level. The introduction of four ToE models across three voltage levels and four markets represents a major step toward	

		enhancing market access and unlocking additional flexibility. However, implementing these models will require considerable effort. We expect that market participants will primarily use options that are available across all levels to minimize complexity. As such, the extent to which a particular model is adopted should not be seen as an indicator of its perceived value or preference.	
	Bnewable	*[EN translation below]* Zoals opgenomen in de tabel "Inwerkingtreding per marktsituatie" is het echter betreurenswaardig dat deze CM niet wordt doorgetrokken naar het distributienet. Het ontbreken van een concrete go-live datum duidt op een gebrek aan ambitie om deze stap te zetten, wat wij ten zeerste betreuren. Bnewable vraagt de netbeheerders met prioriteit werk te maken van deze uitbreiding. Dit geldt eveneens voor de Supply Split, die toelaat flexibiliteit of flexibele assets verder te ontsluiten richting de markt voor FSP's *[EN translation by Elia] as included in the table 'go-live per market situation', it's regrettable that this CM is not extended to the public distribution grid. The lack of a concrete go-live date signals a lack of ambition to make this step, which we strongly regret. Bnewable asks the grid operators to work on this extension with priority. This is also the case for Supply Split, which allows to further unlock flexibility or flexible assets for FSPs.*	
VAT	FEBEG	Regarding VAT, we agree with Elia that VAT-related issues must be resolved prior to go-live. This is indeed important, also for FEBEG.	Elia thanks FEBEG for the comment. A clear direction on VAT invoicing for CM for Grid Users connected to the Elia Grid will indeed be shared before the go-live of the model. An in-depth session on the treatment of VAT for Suppliers and FSPs is foreseen in one of the next Working Groups Balancing Design & Solutions (previously Working Group Energy Solutions).

4.3 Comments on the ToE models

SUBJECT	STAKEHOLDER	FEEDBACK RECEIVED	ELIA'S VIEW
Corrected Model	Febeliec	Febeliec is strongly in favor of the inclusion of the Corrected Model, and ask to extend it to all voltage levels, including distribution grids, and this as soon as possible to ensure unlocking all flexibility required to face the increasing grid challenges. Febeliec also strongly supports the extension of all ToE solutions to the distribution grid, as well as the extension of ToE to aFRR.	Elia takes note of the feedback regarding the market parties' welcoming of the Corrected Model. Elia takes note of the market parties' request to further introduce the Corrected Model on the public distribution grid. As outlined in the previous section, Elia is in close collaboration with Synergrid and its members to evaluate this.
	FEBEG	FEBEG is very pleased to see that Elia is working to implement the "Corrected Model" (CM) approach for Transfer of Energy (ToE) which improves and simplifies the existing model for ToE. We have consistently advocated for the CM as the most pragmatic and cost-effective option. FEBEG thus welcomes Elia's efforts to introduce the Corrected Model (CM) as an alternative ToE regime. It shares similarities with the pass-through regime, particularly since the settlement occurs directly between the supplier and the grid user—an existing and familiar process for both parties —thus avoiding additional complexity. We support the implementation of a system that lowers costs and burdens, especially for a market party that does not have any benefits from ToE (BRP/Supplier). The CM should become the standard approach, applicable to all types of delivery points, across all voltage levels, and for all products covered by ToE.	

	European Commodities	We especially welcome the inclusion of the Corrected Model for ToE, which we believe will greatly improve transparency and the availability of operational data in the energy market, while still providing strong (and even enhanced) protection to grid users. We urge the system operators to extend the Corrected Model to all grids and voltage levels.	
	Centrica	We support a swift rollout of the Corrected Model, with the Central Settlement Model as a valuable fallback solution. We advocate for a swift rollout of the Corrected Model for both TSO- and DSO-connected assets across all voltage levels and markets. We view the Central Settlement Model as a valuable fallback option. The Corrected Model removes the need for supplier-FSP agreements, significantly reduces administrative complexity, and simplifies participation for smaller grid users. Most importantly, it promotes fairer market access for a broader range of participants, including residential users.	
One single model	FEBEG	In order to lower the costs and burdens for all market parties involved and thus to lower the total cost for society, FEBEG prefers one single ToE solution (less complexity and overhead costs). The Corrected Model that is now being introduced by ELIA is superior from different perspectives (risks, financial, operational and administrative burden, scalability, ..) and supported by all market parties. We therefore ask that all involved stakeholders work together towards that single ToE solution with specific attention also to baselining for determining activated	Elia understands that FEBEG prefers there would only be one ToE model, and that this model would be the Corrected Model. However, Elia believes that today it's not possible to eliminate the CSM: - There are Grid Users that opt for the CSM today, due the aspect of confidentiality, by being able to not disclose information about their supply contract to their FSP, and by being able to not reveal their participation in explicit flexibility to their Supplier. Eliminating the CSM might lead to losing the flexibility these Grid Users offer.

		volumes and visibility on grid user activations through notifications. Looking ahead, we ask for a phase-out of the current (central settlement) regime, to lower the overall complexity in the market. Indeed, we believe the number of regimes should be streamlined and simplified, to include only the CM, pass-through, and opt-out (as long as it remains in use by market participants). This simplification is essential to reduce operational complexity and associated costs. This being said, we also ask for some improvements in the CM and also for aFRR visibility on activations through notifications.	- Today, a choice is made for the CSM as the default model and will be the only model (aside from Opt-Out and Pass-Through), available on LV and MV. As it is not clear if and when the CM would be rolled out on the distribution grid, it cannot be considered a possibility to eliminate the CSM at this time. Adaptations to the CM and notifications for aFRR activations are treated further below in this report.
	FEBEG	According to FEBEG, when an FSP opts for the CM approach, this choice should apply to all delivery points associated with a given BRP/supplier. This will result in less operational complexity of ToE (and thus less costs and risks). We ask Elia to make the necessary changes to encourage the use of the Corrected Model which is the only sustainable, enduring solution.	While Elia understands that this would be a simplification, it does not seem beneficial at this time. Opting for the Corrected Model is a choice made by the individual Grid User, and can therefore not apply to all Delivery Points associated with a given BRP/Supplier. This would mean that other Grid Users would be forced out of their CSM or Opt-Out, which is unacceptable at this time.
No default model	Centrica	Additionally, we suggest that the Central Settlement Model should not be set as the default. Instead, a dedicated field should be added to the Grid User Declaration, allowing customers to explicitly indicate their preferred ToE regime – whether Central Settlement Model, Corrected Model, Pass-Through, or Opt-Out. This approach would better reflect the principle of user choice.	Elia takes note of the suggestion made by Centrica. However, Elia believes there are risks associated for the Grid User with the Corrected Model, and insists that the FSP has a responsibility to inform the GU of these risks. By requiring the GU to explicitly deviate from the CSM in favour of the CM, Elia believes the consumer will be made aware of said risks (detailed further below in this report) and is consequently better protected.
ToE DA/ID	FEBEG	While FEBEG is very pleased that solutions are being developed to neutralize the impact of ToE on suppliers,	Elia takes note of the remark that the baseline 'High X of Y' might not be suitable for ToE DA/ID. Within this scope of the revision of the ToE rules, no revision to the ToE DA/ID

		some key inaccuracies must be addressed. One issue that we see for the DA – Intraday ToE is that the “High X of Y” baseline is not a suitable method for calculating corrected volumes. It introduces volume inaccuracies that translate into unjustified financial risks for suppliers—risks they cannot identify nor mitigate. Mainly in the form of imbalance exposures.It is the responsibility of the system operator to design rules that do not unfairly disadvantage any party. FEBEG believes that the “High X of Y” baseline might be acceptable for customers with highly predictable consumption profiles, provided this is substantiated with concrete evidence on a case-by-case basis. However, this approach is inappropriate for BESS, renewables, generation units, and the vast majority of customers. As scheduling obligations are expected to expand to more delivery points, the schedule should become the standard baseline. The SO should strive for fast implementation of voluntary schedules. For delivery points without scheduling obligations, multiple options should be made possible and some options should be excluded for specific use cases. Some examples for baselines could be: For upward activation the following correction method: Min [High X of Y; Previous QH]. Baseline = 0 for standalone BESS In any case, the SO should ensure and follow up that the baseline is representative. In addition, an anonymized yearly reporting on the accuracy of the baseline use should be made available to the suppliers.	product was considered, as the focus was on opening ToE for aFRR and extending ToE for mFRR and aFRR to the public distribution grid. ToE DA/ID had a lower priority, due to the product not being used to this day. This in turn is due to the fact that at the time of development, BESS was not as commonplace today, and as such the product was developed without this in mind. That being said, Elia does understand that the baseline might not be suitable for ToE DA/ID, especially now that use is being considered by market parties, mostly for BESS. Elia will investigate if and how the ToE DA/ID product can be improved, among others by evaluating other baseline methodologies, as well as evaluating the possibility to allow FSPs to offer both mFRR/aFRR and ToE DA/ID in the same quarter-hour. This will be done after submission of these revised ToE Rules to the regulator. Elia aims to perform this study on ToE DA/ID in the coming year. If the study reveals ways to improve ToE DA/ID, Elia will amend these ToE Rules and the FSP DA/ID contract, with the aim to start a consultation on these potential changes by the Summer of ’26. Elia thanks the market parties for their suggestions regarding potential ways to improve the baseline, and will take these suggestions into account in its study on ToE DA/ID. Finally, market parties can be assured that if baselines are updated, and ToE DA/ID would consequently be more commonly used by market parties, Elia will monitor the effects and appropriateness of those baselines and communicate relevant insights to WG BD&S (previously WG ES).

	Bnewable	*[EN translation below]* Voor de toepassing van DA/ID wordt momenteel een High X out of Y* baseline gebruikt. Echter, bij sommige flexibele assets (bijvoorbeeld batterijen) vinden activaties plaats gedurende meerdere uren op vrijwel alle dagen, waardoor in alle referentieperiodes in het verleden bestaande activaties voorkomen. De huidige regeling voorziet de mogelijkheid om representatieve dagen uit te sluiten onder voorwaarde b.i "een activatie van een Balanceringsdienst of van een Flexibiliteitsdienst DA/ID waaraan het Leveringspunt heeft deelgenomen". In dit geval wordt het bepalen van een correcte baseline administratief moeilijk tot in vele gevallen zelfs onmogelijk door het ontbreken van referentie dagen. Bnewable stelt daarom voor om ook voor DA/ID te werken met een declaratieve baseline, zoals reeds toegepast bij aFRR. Indien de implementatie hiervan bijkomende technische ontwikkelingen vereist voor het communiceren van de baseline, kan gewerkt worden met een vaste declaratieve baseline (bijvoorbeeld bij batterijen). *[EN translation by Elia] For the application of DA/ID, currently a baseline of 'high X of Y' is used. However, for some flexible assets (such as batteries) activations take place during multiple hours on virtually all days, and as a consequence in all reference periods there will be activations. The current set-up foresees the possibility to excluded representative days under condition of 'an activation of a balancing service or of a flexibility*	

		service DA/ID during which the Delivery Point participated'. In this case the determination of a correct baseline become administratively impossible and in many cases even impossible due to a lack of reference days. Bnewable therefore proposes to work for DA/ID with a declarative baseline, as applied for aFRR. If the implantation of this would require additional technical developments for the communication of the baseline, we could work with a fixed declarative baseline (e.g. for batteries).	
CSM – CREG-defined price formula	FEBEG	Very importantly, we also ask (CREG and Elia, together with the stakeholders) to review the Fall-Back formula of the CREG for the clients that, in the short term, will still be active in the current 'CSM' regime. The scope of the ToE changes, so the formula needs to change as well. This is particularly relevant for DSO-connected clients, since the formula is completely out of line with the energy contracts (focus too much on the long term forward markets, we propose an approach that is closer to EPEX prices) for this group of clients, but also urgent for TSO-clients. This formula change should ideally take place before extending the ToE to other voltage levels. Also, different formulas depending on voltage level and direction (injection/offtake) might be needed and reviewed on a regularly basis (as scope evolves). This being said, a general price formula - based on complete market - is never reflecting the position of a specific supplier, and therefore impact on the supplier will remain: another good and fair reason to go for the	Elia takes note of the remark made by FEBEG, and will communicate this feedback to CREG. However, it is not in the competence of Elia to make changes to the regulated price formula, which is therefore out of scope of this public consultation.

		Corrected Model (with compensation on individual supply price) as single ToE solution.	
		Meanwhile, since it will take time to implement the CM and phase out the CSM, the Central Settlement Model (CSM) should also be improved (especially since it will be expanded to the DSO-level). For this we ask that the fall back formula of the CREG (which we try to avoid) is adapted and improved to be more realistic, based on EPEX markets instead of long term markets (in case that FEBEG members and FSPs would, unfortunately, not be able to find an agreement).	
ToE for aFRR	FEBEG	Although FEBEG members have enabled the participation of many delivery points through opt-out agreements, extending ToE to aFRR is a logical step, given its existing application in mFRR. FEBEG members encourage Elia to further work towards a single ToE solution for all voltage levels i.e. the Corrected Model.	Elia takes note of the feedback from FEBEG. The notion of CM as a single ToE model is treated earlier in this report.
ToE for aFRR and introduction of CM	ABOUSCO	*[EN translation below]* Extension du cadre ToE à l'aFRR et introduction du modèle Corrected Model (CM) Je salue l'intention d'étendre les possibilités du ToE aux produits d'équilibrage tels que l'aFRR et d'introduire le modèle CM comme alternative au modèle CSM existant. Cependant, il serait utile de clarifier advantage: - Les critères d'éligibilité précis pour l'application du modèle CM ; - L'impact concret attendu pour les acteurs connectés au réseau public de distribution;	Elia thanks ABOUSCO for their response and questions for clarification. Elia hopes the following offers an adequate response: - Eligibility criteria for CM: There is a need to clarify 'eligibility', as it can apply to a number of different aspects. A Grid User can participate to mFRR, aFRR or ToE DA/ID, for which there are eligibility criteria for each of these products, related to the Delivery Point and type of asset they use to participate to flexibility, as well as requirements related to the role of FSP. Eligibility criteria specific to each of these products can be found in the T&Cs BSP aFRR and mFRR, as well as the FSP contract DA/ID, found on the Elia website. The CM and CSM are alternative ways that enable participation to those flexibility products, and have no formal eligibility criteria as such. There are responsibilities for Grid Users defined within the ToE rules, to which the Grid Users that wishes to participate does need to comply.

		- Les implications techniques et administratives pour les petits consommateurs ou producteurs souhaitant participer au ToE sous le modèle CM. *[EN translation by Elia] Extension of the ToE framework to aFRR and introduction of the Corrected Model (CM): I welcome the intention to extend the possibilities of ToE to balancing products such as aFRR and the introduction of the CM as alternative to the existing CSM. However, it would be useful to clarify:* - *The eligibility criteria for the application of the CM* - *The concrete expected impact for actors connected to the public distribution grid* - *The technical and administrative implications for small consumers or producers who wish to participate to ToE under the CM model.*	- At this time, there is no concrete impact specifically for Grid Users connected to the public distribution grid related to the roll-out of CM, as this model is not being opened to MV and LV in the scope of this revision. There is, however, an introduction of CSM for aFRR within this revision. As a consequence, Grid Users connected to the public distribution grid can participate, as of approval of the ToE rules, to aFRR via CSM. All impacts on the Grid User can be found in the Synergrid ToE design note mentioned earlier in this document. - Assuming that 'small consumers/petits consommateurs' or 'producers/producteurs' means consumers or grid users with small production facilities connected to the public distribution grid, there will be no impact related to the CM, as it is not available today for those grid users. Finally, Elia wishes to reiterate that it is open to further discussing questions, requests for clarifications or concerns with all market parties.
Pass-Through	Centrica	We believe that performing a perimeter correction for the Pass-Through regime would simplify the settlement between all market parties. Articles 7.4 and 14.2 of the consulted ToE Rules foresees no correction of the BRPsource / BRPBSP perimeter for the Pass-Through regime. As expressed in previous consultations, we believe that applying a perimeter correction for imbalance exposed grid users would streamline settlements between all market parties. This approach would harmonise the treatment of imbalance and non-imbalance exposed grid users, and address the recurring issue of suppliers	Elia takes note of the remark that Centrica would prefer there be a perimeter correction for the Pass-Through regime. After further discussion with Centrica, it seems there is a need to further clarify *which* perimeter correction is to be considered: 1. A perimeter correction for deviations by the Grid User in function of the imbalance price - The Pass-Through regime is designed specifically for a Grid User to deviate from their intended consumption, and valorize their flexibility at the imbalance price. A perimeter correction would undo this effect, and is therefore considered to be opposed to the intended use of the Pass-Through regime. - Elia understands after further discussion with Centrica that this was **not** their request.

		not maintaining up-to-date lists of imbalance-exposed delivery points (see section below). Implementing this change would require only minor amendments to the DSO rules (e.g., C8/05 Article 3), adjustments to the combinability of FRR with day-ahead and intraday activities (cf. section below), and a revision of the day-ahead/intraday ToE baseline methodology – shifting from a High-X-of-Y approach to a declared baseline.	2. Maintaining imbalances when the Grid User deviates, but with a perimeter correction in context of activations of aFRR/mFRR (the actual request of Centrica): - In this case, a Grid User would still be exposed to imbalances when they deviate from their intended consumption/injection, which allows them to valorize their flexibility via the imbalance price. - The perimeter would be corrected in case there is an activation of aFRR/mFRR. Elia understands that this would help Centrica or FSPs in general, by simplifying the situation where now these imbalances are settled between the FSP and the Grid User. - However, in case a perimeter correction would be performed, this model would essentially come down to a type of ToE model that does have a perimeter correction for FRR, but without (agreement on the) Supplier compensation. Since for Elia the Supplier compensation and perimeter correction are linked within ToE, this does not seem beneficial, and might create possibilities for gaming. Consider as an example a Pass-Through where the BRPsource and Supplier are different parties. If the BRPsource would have their perimeter corrected, the FSP could activate flexibility within the portfolio of the Supplier without having to compensate this Supplier. - While Elia can understand that this is a simplification, Elia would prefer to investigate this further, discuss it with different market parties impacted by this type of change, and, if ultimately considered beneficial, put this up for public consultation. Making this change now would constitute a significant change which is not consulted, therefore not allowing market parties that would be impacted to react to those changes. The comments on the Supplier updating the list of delivery points and the ToE DA/ID baseline are treated elsewhere in this report.
Corrected Model – consumer risk	Bnewable	*[EN translation below]* Bnewable begrijpt niet dat er in het kader van Bijlage 2 over risico's wordt gesproken. Het gebruik van deze term is misleidend, aangezien het in essentie gaat om het informeren van de netgebruiker	Elia does not agree with the remarks made by Bnewable. Bnewable mentions that the term 'risk' is misleading since the grid user will be invoiced for their consumed energy and flexibility. However, the message is more nuanced. Effectively, in the CM, the Grid User is invoiced for the energy *they would have consumed had there been no activation*,

		dat hij gefactureerd zal worden voor zijn effectief gebruikte energie en de geactiveerde flexibiliteit. Dit induceert geen enkel risico voor de eindgebruiker. Daarnaast is Bijlage 2 zeer complex opgesteld voor een eindgebruiker die de markt niet kent, en dient deze vereenvoudigd te worden. *[EN translation by Elia] Bnewable does not understand why in context of Appendix 2 there is a mention of risks. The use of this term is misleading, since in essence the point is to inform the Grid User that they will be invoiced for their effectively used energy and activated flexibility. This induces not a single risk for the end consumer.* *Aside from this, appendix 2 was drafted in a very complex way for an end consumer who is not familiar with the market, and should be simplified.*	i.e. their assumed baseline energy consumption, and not for the energy they did consume. The Grid User will need to compare this baseline energy invoiced by their Supplier, which might be higher than what they actually consumed. Then, the Grid User needs to make sure that the remuneration they receive from their FSP is sufficiently high to at least cover this, in addition to a fair remuneration for their flexibility. This places a burden on the Grid User, that is otherwise (in CSM) carried by the FSP. Bnewable mentions Grid Users that might not be familiar with the energy market, but this Appendix serves precisely to ensure that the FSP makes the Grid User aware of the functioning of this mechanism before signing on to a flexibility services leveraging the CM. Elia acknowledges that the appendix might be complex, but is convinced that it has its place, and that it should be digestible for Grid Users connected to the Elia Grid.

	Centrica	We request clarification on the risks associated with the Corrected Model and recommend streamlining the grid user onboarding process.
		According to Article 6.1, selecting the Corrected Model requires the grid user to sign a separate mandate (Annex 2). We suggest integrating this mandate into the existing Grid User Declaration of the reserve program to avoid additional administrative burden and simplify the onboarding process.
		Furthermore, the same article requires FSPs to inform grid users opting for the Corrected Model about the associated risks and financial consequences. We would appreciate it if Elia could clarify the specific nature of those risks and potential financial consequences for
			Elia takes note of the comment made by Centrica:
			- Regarding Annex 2: Elia is aware that having a separate Grid User declaration and Annex 2 of these ToE Rules to be signed by the Grid User leads to a certain increase in administrative burden. Elia will investigate how this could be simplified without diminishing the importance of both documents.
			- Regarding the risks related to the Corrected Model, Elia sees the risks as twofold:
			    o Financial risk, as outlined in the response just above. The burden falls on the Grid User to ensure their remuneration covers both the energy for which they will be invoiced by their supplier (but did not use), and fair remuneration for their flexibility
			    o Granular data sharing: Data on the level of an individual Delivery Point is shared with the Supplier to facilitate settlement. This is important for Grid Users to be aware of, as they are relinquishing confidentiality related to their flexibility potential to their Supplier.

		grid users, and whether these risks differ depending on the market segment or voltage level.	- Note that these risks are also described in the ToE design note mentioned earlier. - Elia considers that these risks would be the same for LV and MV consumers (for which CM is not available today), but would be exacerbated by the fact that these Grid Users are typically less energy market-savvy than Grid Users connected to the Elia Grid. This is an important consideration in the analysis as to whether CM would be extended to the public distribution grid.
Extension of ToE to the distribution grid	ABOUSCO	*[EN translation below]* Extension du ToE au réseau public de distribution L'extension du ToE à ce réseau représente une évolution importante. Il serait pertinent de préciser : - Les modalités concrètes de mise en œuvre pour les gestionnaires de réseau de distribution (GRD) et les utilisateurs finaux ; - La compatibilité du cadre proposé avec les obligations existantes des GRD vis-à-vis des petits producteurs décentralisés. *[EN translation by Elia] Extension of ToE to the public distribution grid* *The extension of ToE to this grid represents an important evolution. It is important to clarify:* - *The concrete modalities for this implementation for the DSOs and the end consumers;* - *The compatibility of the proposed framework with the existing obligations imposed by the distribution grid operators towards the small decentralized producers.*	First of all, Elia wishes to acknowledge that indeed, this implementation has impacts on all parties involved in the energy market, requiring changes to the ways of working and IT systems of the Distribution Grid Operators, the Suppliers, the FSPs, the Grid Users and Elia itself. However, the ToE Rules do not serve as the document to specify those impacts or detail the changes to the systems required. It serves as the definition of the rules that the different market parties must abide by to use any of the ToE models or regimes available. To answer the question in more detail: - Concerning the impact on the DSOs: Elia has been in close collaboration with Synergrid (representing the Belgian Grid Operators) and its members, in drafting the ToE design note, taking into account the impacts of the parties involved. These amendments of the ToE Rules take into account the various constraints. - Concerning the impact on the Grid Users: Elia hopes these amendments to the ToE Rules represent additional opportunities for Grid Users to offer flexibility. While there is a certain complexity to the ToE Rules, Elia hopes it offers possibilities to participate. In case there would be specific constraints or ways of improvements that the Grid Users would identify, Elia would be very happy to receive any feedback you might have. - Concerning the existing obligations imposed by the DGOs on small decentralized producers. While this is broadly defined, Elia appreciates that the

			different rulesets might be complex, and attention is required to the interaction between them. Note that Elia and the DGOs understand this, and are working on this.

4.4 Comments on the text

SUBJECT	STAKEHOLDER	FEEDBACK RECEIVED	ELIA'S VIEW
Entry into force	Febeliec	In title 5, Elia refers to the entry into force of the ToE rules at the earliest on April 1st 2021. Febeliec wonders to what extent this is an error in the modifications, as this date is already several years in the past and thus all rules should be applicable.	Elia thanks Febeliec for pointing out this oversight. The mentioning of this date was specific to the initial introduction of ToE DA/ID, and is therefore now removed.
Order of allocation of ToE volumes	Febeliec	In 12.4, Febeliec reads that the order of allocation of compensation volumes is mFRR, DA/ID and then aFRR, where Febeliec wonders why this order is used as aFRR is often considered the balancing service with the highest value. Febeliec wonders whether this approach is chosen to ensure that all volumes are duly delivered, in order to avoid free-riding on the residual balancing of Elia for all subsequent services (after aFRR if it would be allocated first), in which case Febeliec could be in favor. For Febeliec it is essential that services that are contracted and paid for by consumers are also correctly delivered.	The order was determined as such since the aFRR volumes require the most/ most complex calculations, and this way all other volumes are filtered out first. In any case, regardless of the order there should be no undue advantage to offering one product compared to another.
aFRR notifications	FEBEG	FEBEG regrets that for aFRR no notifications are foreseen to inform the BRP. Notifications are foreseen for activations in mFRR and DA/ID and should also be foreseen in case of an aFRR activation. The BRP is responsible to maintain the balance within his portfolio, so	Elia takes note of the remark made by FEBEG. It's important to point out that the notifications related to aFRR activations are not particular to ToE, but rather to the aFRR product itself, and can't be considered for adaptation within the scope of this revision of the ToE rules.

		the BRP needs to be properly informed (also to avoid counterbalancing) when a third party intervenes in its portfolio. Therefore, the system operator should foresee a solution to inform the BRP as they would otherwise undermine the role of the BRP. FEBEG could accept - seeing complexity - a work around/proxy, for example the aFRR band and period scheduled on the supplier's portfolio. FEBEG cannot accept that no notification is sent.	
Multiple FSP under an Access Point	FEBEG	Managing multiple FSPs under a single access point appears highly complex. Concrete use cases and settlement examples would greatly aid understanding. Furthermore, we are deeply concerned about complex use-cases that would be rolled out and result in misalignments, risks of misinterpretations, high follow-up costs, etc. We prefer that basic solutions and options are tested first before going into more complex combinations.	Elia understands that the notion of multiple FSPs behind an Access Point leads to complex calculations of volume attributions. Elia has added an additional example in the ToE rules (Appendix 3) to further clarify. After analysis, however, Elia has not found an easier way to allocate the volumes (aside from ruling out multiple FSPs, which is not desirable). Furthermore, Elia thanks Centrica for the supplied example.
	Centrica	Regarding Article 12.2 and the example provided in Annex 1, we suggest following clarifications *[example provided by Centrica found in their public response, and not reiterated here for readability]*	
Supplier responsibility for DP list	Centrica	In the absence of a perimeter correction for the Pass-Through regime, we reiterate the importance of adjusting the ToE Rules to ensure that suppliers are held accountable for updating their delivery point lists in a timely manner. Suppliers must provide Elia with a list of imbalance-exposed delivery points. However, the current ToE rules	Elia understands that Centrica requests that Suppliers be held accountable to keep the list with DPs under Pass-Through up to date, and that in the current set-up there might be a late reaction from Suppliers in renewing information about these DPs. Centrica proposes a number of ways to address this, to which Elia would like to respond: - A perimeter correction for the Pass-Through regime. As indicated earlier in this report, this would be a change to the Pass-Through regime that Elia would want to investigate further, and in any case not introduce without public consultation.

		fail to address the consequences of non-compliance, a concern we have raised on multiple occasions. This gap introduces significant operational and financial risks for BSPs, and creates competitive distortions: - When contracts are tacitly renewed near their end date, suppliers often fail to update delivery point lists, resulting in unintended removal of sites from BSP pools. - The current framework does not incentivise suppliers to maintain accurate lists in a timely manner. Instead, it places the burden of penalties on BSPs. - Suppliers can also block or delay the signing of the document confirming a grid user's imbalance exposure. In some cases, they may attempt to convince the grid user to contract with them directly, undermining third-party BSP arrangements. We believe these issues must be addressed to ensure a fair and efficient market environment. As highlighted in the previous section, we suggest performing a perimeter correction for imbalance-exposed grid users. This would effectively resolve the issues related to supplier non-compliance and ensure a more robust settlement process. If this option is not retained, we propose targeted adjustments to the ToE rules to ensure suppliers are held accountable for maintaining accurate delivery point lists:	- Within article 6.2 and 6.3, remove the need for an end-date to Pass-Through contracts, which removes the need for Suppliers to renew the relevant information in a timely manner, when the contract is renewed. Elia can agree to removing this obligation for an end-date to a Pass-Through contract, but will still allow it as an option. Consequently, Grid Users and Suppliers *can* agree on an end-date, but also have the option to create a contract without an end-date. This way, a situation would be avoided where either party might not want to sign an open-ended contract, blocking the possibility. - Elia is not convinced an amendment to art. 14.2 is necessary, as it describes the procedure in case either the supplier or the grid user would not provide the declaration that a certain DP is in Pass-Through. After all, this is an agreement between a Grid User and the Supplier. While Elia understands that there is an administrative overhead in case the Supplier submits the contract late, a penalty scheme seems excessive, and the Supplier needs to retain the possibility to not agree with a contract renewal. In any case, by removing the need to specify an end-date, Elia hopes the issue related to tacit renewals will already be addressed.

		- ToE Rules, Art. 6.2 and 6.3: Elia should no longer require suppliers and grid users to specify an end date for contracts. Instead, changes should be triggered either by the initiation of a new contract from another supplier or by the current supplier raising modifications. - ToE Rules, Art. 14.2: The penalty regime should be revised to incentivise suppliers to keep their lists of imbalance-exposed clients up to date. BSPs should not be penalised for supplier non-compliance. Specifically, delivery points should remain in the BSP's pool when the supplier is responsible for communicating contractual updates.	
Combinability DA/ID and FRR	Centrica	We ask to remove rules creating market access barriers. We ask Elia to reconsider and remove rules that create unnecessary barriers to market access. Specifically, Article 14.4 of the ToE Rules prohibits participation in day-ahead and intraday markets during the same quarter-hour as an FRR activation. We are concerned that this restriction limits the ability to optimise assets across different market timeframes and hinders efficient market participation. We kindly ask Elia to confirm our interpretation of this provision. If confirmed, we urge the removal of this restriction to enable more flexible and efficient asset optimisation across all relevant markets.	Elia confirms the interpretation that the provision indeed excludes that a DP participates in both ToE DA/ID on the one hand, and aFRR or mFRR on the other during the same quarter-hour. Elia understands that this might be a barrier and will investigate if this provision can be removed or amended within the aforementioned study on ToE DA/ID, to be conducted in the coming year.

	Bnewable	*[EN translation below]* Bnewable begrijpt niet waarom er penaliteiten bestaan voor de gelijktijdige deelname van een leveringspunt aan een activatie van DA/ID en aan een mFRR- of aFRR-energiebieding. Het moet perfect mogelijk zijn om met een asset deel te nemen aan aFRR en bijkomend vermogen te leveren via DA/ID. Bnewable vraagt hiervoor een oplossing te voorzien. Voor het bepalen van geleverde volumes kunnen eenvoudig volgende regels toegepast worden: - Het geleverde DA/ID-volume te bepalen als het verschil tussen de aFRR- en DA/ID-baseline. - Het geleverde aFRR-volume wordt dan beschouwd als de delta tussen meting en gedeclareerde baseline. *[EN translation by Elia] Bnewable does not understand why there are penalties for a simultaneous participation of a Delivery Point to an activation of DA/ID and an mFRR or aFRR energy bid. It should be perfectly possible to participate with an asset to aFRR and deliver additional power via DA/ID. Bnewable asks to foresee a solution. For determination of the delivered volumes simple rules could be applied:* - *The delivered DA/ID determined as the difference between the aFRR- and DA/ID baseline* - *The delivered aFRR baseline is then considered as the delta between the measurement and the declared baseline*	

ToE for DP_{SU}	Centrica	We ask to amend rules to ensure future-proofness and preserve freedom of choice for grid users. Regarding Article 4, the current scope appears to be limited to DPPG delivery points, excluding DPSU. We suggest removing this limitation so that, once the BRP contract is amended to no longer require the BRP, BSP, and SA to be the same entity, the amended BRP Contract can be applied automatically – without necessitating further changes to the ToE rules.	Elia understands and confirms that in time this will need to change, to ensure DP_{Su} can participate in explicit flexibility via either ToE or Opt-Out. However, these changes are foreseen at a later point in time (ICAROS phase II). Elia will amend and publicly consult these ToE Rules in due time to ensure it does not block the related go-live when the T&C BRP (BRP contract) is updated.
Legibility ToE Rules	ABOUSCO	*[EN translation below]* Simplicité et lisibilité des règles L'effort de simplification des références croisées avec les T&C BSP et BRP est bienvenu. Toutefois, une attention particulière devrait être portée à : La clarté des règles pour les nouveaux entrants ou acteurs de petite taille, qui pourraient se heurter à une complexité accrue liée à la coexistence des modèles CSM et CM. *[EN translation by Elia] Simplicity and legibility of the rules. The effort to simplify references to the T&C BSP and BRP is welcome. However, a particular attention needs to be given to:* - *The clarity of the rules for new entrants or small actors which might be hindered by the complexity related to the coexistence of the CSM and CM*	Elia understands there is a certain complexity to the two models being available in parallel. However, the impact for new or small actors should be limited: - Small actors connected to the public distribution grid only have access to the CSM; as such the second model does not exist for them. - Next, it seems that an actor connected to the Elia Grid would also only consider one model, even if they have multiple Delivery Points. They would need to make a choice of model which best serves their need, but once chosen the complexity of other models available would not necessarily constitute a complication.

4.5 Data sharing

SUBJECT	STAKEHOLDER	FEEDBACK RECEIVED	ELIA'S VIEW
Data availability & forecasting	FEBEG	Where both the FSP and BRP/supplier are in agreement, it would be highly beneficial for Elia to provide activated volumes per quarter-hour and per product at the delivery point level. Under current opt-out agreements, BRPs/suppliers must rely solely on FSP-provided data. FEBEG members are therefore pleased that additional data is foreseen for the opt-out regime in the updated ToE rules. Having this information validated and shared by the system operator will significantly enhance collaboration. FEBEG members would welcome access to this data via an API. Overall, FEBEG members ask for more information and transparency regarding the use of ToE, activated volumes, etc. This could also be beneficial for the consumer to have more insights.	Elia thanks FEBEG for the feedback. At this point in time, data access via API is not yet foreseen. Elia will take into account the request to foresee this data via API for future changes to the Flexhub.
	FEBEG	Finally, suppliers must be able to rely on recent metering data to accurately source the energy expected to be off-taken by grid users. Therefore, it is crucial that corrected metering data be made available no later than two days after the delivery day (D+2).	Elia understands the need for suppliers and BRPs to be able to forecast energy consumption data, and be able to adjust forecasts for energy activated via FRR. There are, however, a number of processing and validation steps to be taken before data can be made available to the relevant parties. Currently, this is foreseen at M + 2 after delivery. Elia assures FEBEG that the system operators will further investigate ways to shorten this delay.
Settlement	European Commodities	We are however negatively impacted by the restricted availability of data on the ToE process and volumes related to the BRPsource. As BRPsource, EC needs information on the volumes that are exchanged with its partner-suppliers to be able to :	Elia understands the concerns of European Commodities, however: Data sharing towards the BRPsource is not foreseen outside of ToE. Within ToE, the BRPsource gets indeed the data related to their perimeter correction. Outside of ToE, such as in Opt-Out it is considered that since the BRPsource (and the other parties) opts out of perimeter correction, the related data is not pertinent to them. Elia does understand, however, that his data might be relevant to simplify or improve settlement processes between BRPsource and suppliers as described in the example provided by

		- Forecast the volumes EC needs to procure on the Day-Ahead Market to limit imbalances regarding the injection and offtake volumes in the portfolios of the partner-suppliers - Settle the exchanged volumes and imbalances with the partner-suppliers We refer to the feedback that EC provided to the Synergrid Consultation on the ToE Design Note in February 2025, as this remains pertinent today. We however want to detail this feedback further, because the currently proposed changes to the ToE Rules don't foresee in proper information provision to the BRPsource to execute our tasks with the desired precision. The ability of the BRPsource to forecast the offtake of its suppliers' clients is improved in the Corrected Model, due to the availability of corrected metering data. The timely availability of that data is however quite important. Several improvements are therefore suggested: - As BRPsource, EC receives the metering data via its partner-suppliers. It would facilitate operational processes and timelines if EC would directly receive this data from the system operators (from the CMS or the Flexhub) o N.B. This comment also applies to the (non-corrected) metering data already exchanged today via the CMS	European Commodities; but Elia can not agree to sharing this additional with the BRPsource at this time. This is due to two reasons: 1. Sharing this data with the BRPsource introduces a risk that a BRPsource might receive data on an individual DP level, which is not the goal in Opt-Out. As an example, consider the situation where a certain BRPsource and a Supplier only have one DP in common between them. If data is shared with the BRPsource on a supplier level, it would be possible for the BRPsource to identify this single DP. 2. This is consequently a larger issue than simply sharing data. Elia prefers to investigate further and discuss with the regulator, before making the changes. If said investigation would lead to a conclusion that this data might be shared, Elia would prefer to publicly consult on such a change before introducing it in the ToE Rules. Elia believes the change is too significant to introduce now, without consultation. As indicated previously in this report, Elia understands the need for BRPs to have timely access to this data. Further improvements to shorten this delay will be investigated.

		and is not specific to ToE. With regards to ToE however, market processes would be improved by providing more information directly to the BRPsource. - We note that in chapter 15 of the proposed ToE Rules, information provision to the suppliers is foreseen by the end of the 2nd month following the month during which the activation of flexibility occurred. This delay is too long to be practically useful for short term forecasting. As long as activated volumes in our BRP portfolio are low, the impact is expected to be low, but we ask the system operators to consider providing the corrected metering data (or at least the delta) as close as possible to the non-corrected metering data. To settle the exchanged volumes and imbalances with our partner-suppliers, EC needs a complete view on the suppliers' portfolios. If Elia applies perimeter corrections with respect to Transfer of Energy, EC therefore needs to know to which suppliers these corrections apply. This information is not available to EC today, and the proposed changes to the ToE Rules don't improve that. It is especially important to receive these volumes in case a supplier works with several BRPsource partners. In that case, the information currently exchanged with	

		the market is not sufficient to properly work out and settle the positions between the BRPsource and the supplier, which can lead to adverse financial impacts. We provide an example: 1. Assume EC works with three suppliers (A, B and C) and two of them work (A and C) with multiple BRPsource partners. (Note that this is not an exotic example, but one that occurs in practice.) 2. As BRPsource, EC sees a perimeter correction of -30 MWh, which is communicated to EC by Elia. 3. The suppliers receive the following information on the ToE volumes (via the Flexhub): I. Supplier A: -5 MWh (potentially split over several FSP, but that is not relevant in the example) II. Supplier B: -20 MWh (same comment) III. Supplier C: -30 MWh (same comment) 4. Since Supplier B only works with EC, it can communicate to EC that a perimeter correction of -20 MWh was done by Elia with respect to its client portfolio. 5. But because Supplier A and C work with multiple BRPsource, and don't receive any information on the BRPsource a ToE volume relates to, they can't communicate to	

		EC the volumes of the perimeter corrections that were done with respect to their client portfolio. 6. EC can't work this out either, as it doesn't receive information per supplier, and is therefore not able to correctly settle and invoice Suppliers A and C. This can be remedied by providing information to the BRPsource about the split of the perimeter correction per supplier. In this respect, we refer to the public consultation from Synergrid about the changes to the Flexibility Documents with respect to Transfer of Energy1. In the proposed changes to document C8/05, the following is foreseen: - BRPsource will receive aggregated ToE volumes per supplier and FSP. - Supplier will receive aggregated ToE volumes per BRPsource and FSP. This is inconsistent with the changes Elia proposes and would solve the issue highlighted above. We therefore urge Elia to align its proposal to the proposal published by Synergrid. In case there would be restrictions on the data the system operators can publish, we propose the following: - As a minimum, suppliers should receive the aggregated ToE volume per BRPsource it works with, so it can communicate these to its BRPsource partners (in this respect, the split per FSP isn't relevant).	

		- However, as BRPsource we would prefer to receive such official data directly from the system operators, so we don't have to rely on the suppliers with respect to the timing and validation or the required operational data. As BRPsource we have no need for the volumes per FSP but do need to be able to identify the perimeter corrections with respect to ToE per supplier. The Transfer of Energy mechanism was created to mitigate any impact of flexibility activations by independent FSPs. EC strongly urges the system operators to include the above proposal in the ToE Rules, as in our opinion the data exchanges as foreseen in the (current and proposed) ToE don't allow us to mitigate the impact of flexibility activations in all circumstances and market setups.	
Data sharing in Opt-Out	Centrica	We request increased data transparency. We welcome the provisions in Article 15.3.1, which ensure that Elia will make aggregated data available to both the supplier and the FSP in the case of Opt-Out. This is a positive step toward upholding data confidentiality. However, as an FSP, we believe we are entitled to access to more granular settlement data per delivery point, particularly regarding imbalance corrections and ToE volumes. Such access is essential to facilitate accurate reconciliation processes.	Elia understands that Opt-Out agreements are commonplace, and has included this data-sharing to support market parties in finding suitable Opt-Out agreements. However, a more detailed data-sharing than is currently foreseen is not possible at this time, as the granularity of data requested by Centrica would involve providing data on a Delivery Point-level. This would entail a risk of sharing metering data from Grid Users who may not want their data shared on an individual level.

		We therefore request that Article 15 be amended to include the following data provisions for FSPs: - A breakdown of imbalance corrections, per quarter-hour, per program, and per delivery point. - A breakdown of volumes attributed to each supplier, per delivery point, as determined by the grid operator. - Detailed insights into the calculation methodology and volume determination processes. - Access to granular delivery point data, including EAN numbers, volumes per delivery point, direction of activation, baseline values, active power measurements, the calculation method used in cases involving multiple BRPs, etc. We remain available to provide a detailed mock-up of the desired data publication format to support implementation.	
Data sharing in CSM	Bnewable	*[EN translation below]* In het kader van CM dient de eindafnemer toestemming te geven het geleverde flexibiliteitsvolume voor zijn site mee te delen met de leverancier. Bnewable vraagt om deze optie ook onder CSM beschikbaar te maken, waarbij de keuze ligt bij de FSP in samenspraak met de eindafnemer. Dit ten minste voor eindafnemers aangesloten op spanningen >1kV.	At this time, Elia does not believe this would be a beneficial change to the CSM model, for the following reasons: - The CSM is specifically designed to allow Grid Users to not share their individual data. If they wish to deviate from this, the CM is made available on the Elia Grid to do so. - Additionally, it should not be up to the FSP to make this choice, as it is the Grid User that choses the model, based on the required confidentiality.

		Reden: In prijsovereenkomsten trachten zowel FSP als leverancier een prijsformule op te stellen die de voorwaarden voor elektriciteitslevering zo goed mogelijk benadert. Indien er een grote discrepantie ontstaat tussen beide, introduceert dit een aanzienlijk financieel risico voor zowel FSP als leverancier. Vaak zijn prijsformules daarom site specifiek en gebaseerd op individueel geleverd volume per site. Wanneer deze data niet rechtstreeks wordt gedeeld, moet de FSP deze zelf aanleveren, wat een vertrouwens-issue/risico introduceert. Het zou voor alle partijen eenvoudiger en betrouwbaarder zijn indien de netbeheerder deze data rechtstreeks aanlevert. Gezien het een optionele keuze is, kunnen FSP en eindgebruiker zelf beslissen of confidentialiteit hier belangrijk is. *[EN translation by Elia] In context of CM, the Grid User needs to provide permission to share the delivered flexibility volume for their site with the Supplier. Bnewable asks to make this option available for CSM as well, where the choice is with the FSP in agreement with the Grid User. This at least for Grid Users connected to voltage levels >1kV.* *Reason: in price agreements, both the FSP and the Supplier try to create a price formula that reflects the conditions for energy delivery as much as possible. If there is a large discrepancy between both, this introduces a considerable financial risk for both FSP and Supplier. Often the price formulas as site specific, and based on individually delivered volume per site.*	

		When this data is not shared directly, the FSP needs to deliver this themselves, which introduces an issue/risk of trust. It would be simpler and more reliable for all parties if the grid operator would provide this data directly themselves. Given that it's an optional choice, the FSP and Grid User can decide for themselves whether confidentiality is important or not.	

4.6 Remaining considerations

SUBJECT	STAKEHOLDER	FEEDBACK RECEIVED	ELIA'S VIEW
Multiple BRP	FEBEG	FEBEG also stresses the importance of progressing the multiple BRP roll-out at Elia level in parallel with the development of additional ToE regimes. The overarching objective is to enable flexibility to be valorised without unfairly shifting costs and risks onto other market participants. Synchronization of both topics is essential. Finally, the development of a robust solution for multiple BRPs at Elia level must proceed in a coordinated manner to ensure that all flexibility can be brought to market without imposing unjustified costs on BRPs and suppliers.	Elia confirms that it is working on formalizing the Multiple BRP process.
Economic impact	Abousco	*[EN translation below]* Impact économique potentiel Il pourrait être utile d'évaluer ou d'expliciter dans une note d'accompagnement l'impact économique attendu pour les différents types d'acteurs du marché (GRD, fournisseurs, BRP, petits producteurs).	While Elia understands the question, there are a number of important considerations to be taken into account vis-à-vis an economic impact assessment: - First of all, the ToE Rules are not the correct document to provide such an assessment, as it is a description of the rules, rather than an economic analysis.

		[EN translation by Elia] Potential economic impact. It could be useful to evaluate or make explicit in an additional note what the expected economic impact is for the different market parties (DSO, Suppliers, BRP, small producers)	- Next, such an analysis is not easy to make. Economic benefits of flexibility simply can not easily be linked to the roll-out of ToE models. After all, the ToE models serve to enable flexibility. However, participation to flexibility via one model, does not give an indication as to whether a Grid User would or would not have participated via another. Some of the models serve rather as an enabler for market parties to enter in negotiations, even if they don't end up selecting said model. - Finally, if the reader would like more info on the need for flexibility and the expected cost of unavailability of flexibility, Elia would like to refer them to the 2025 study of Adequacy and Flexibility for Belgium.
Coordination with Doc Release 3	Abousco	*[EN translation below]* Coordination avec la consultation Synergrid Une meilleure articulation entre cette consultation et celle menée en parallèle par Synergrid (Document Release 3) renforcerait la compréhension globale des changements proposés, notamment en matière d'échange de données pratiques. *[EN translation by Elia] Coordination with the Synergrid consultation.* *A better explanation of the link between this consultation and the one organized by Synergrid in parallel (Doc Release 3) would reinforce the global understanding of the proposed changes, notably on the practicalities of the data exchange.*	Elia, as well as Synergrid and the members, have tried to make this link as clear and explicit as possible. First via the common written design ToE design note, of early 2025, mentioned in the introduction of this report. This ToE design note contains an explanation of the models, and proposes a Game Plan or timeline for the roll-out. It included a timeline of when these ToE Rules and the Doc Release 3 would be adapted, consulted and submitted for regulatory approval. Both Doc Release 3 and the ToE Rules had an overlap in public consultation. Within the explanatory note of the ToE Rules, a link was made and attention drawn to the Doc Release 3 under consultation, especially the document C8/5 describing data exchange. Finally, several mentions of the consultations were made in information sessions organized by Synergrid, as well as in Elia's Working Group Energy Solutions. Elia values market party feedback, and hopes this draws the required attention to the documents. In case market parties would have remarks or suggestions on how to make this process more transparent or visible, Elia would be open to suggestions.

5. Next steps

Elia will make the necessary changes in its proposal for amendments to the ToE Rules, as outlined above, and will submit the ToE Rules for regulatory approval to the competent regulators for their decision.
The confidential answer will be discussed with the regulator as well.

6. Attachments

The non - confidential reactions Elia received to the document submitted for consultation:

1) Febeliec
2) FEBEG
3) European Commodities
4) Centrica
5) Bnewable
6) Abousco

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