Capacity Remuneration Mechanism (CRM)

FUNCTIONING RULES v6

Cover Note for the Public Consultation by ELIA

November 2025

Contents

COVER NOTE INTRODUCTION

From 25 November until 5 January 2026, a public consultation regarding the fifth iteration of the Functioning Rules of the Capacity Remuneration Mechanism (CRM) will be held.

This cover note serves to guide stakeholders through the most notable changes in the Functioning Rules. It is intended to be used alongside the Functioning Rules, as a supportive compendium. Each chapter corresponds with the eponymous chapter of the Functioning Rules and lists the major alterations between version 6 and version 5, the latter of which was published in June 2025 (being the amended version of the CRM FR published in May 2025).

ELIA wants to draw attention to the publication of several design notes of the course of 2025, these are available online[1] and serve as a reference material. These design notes reflect the status of the CRM design at the time of publication for the CRM FR v5. These design notes will be updated after the submisstion of the CRM FR v6 to the CREG.

In case no significant changes were made to a chapter, "*null*" is used.

The table below summarizes the key milestones related to the Functioning Rules:

Date	Topic
25/11/2025 – 05/01/2026	Public consultation on the CRM Functioning Rules.
30/01/2026	ELIA submission of CRM Functioning Rules to the CREG.
15/05/2026	Approval of the CRM Functioning Rules by the CREG and publication.

The changes listed in this document are selected based on perceived impact and are in no way an exhaustive overview. This document is by no means legally binding.

[1] Capacity Remuneration Mechanism (ELIA.be)

1 INTRODUCTION

- *null*

2 GENERAL PROVISIONS

ELIA updated the application of the CRM Functioning Rules and clarified that the modalities of chapter 9 and 12 only apply at the start of the subsequent Delivery Period, being the 1st of November 2026. This change will ensure that during the Delivery Period, the modalities regarding the Availability Monitoring and Payback obligation do not change.

3 DEFINITIONS

(Section 3) The **definitions in the Functioning Rules have been regrouped** to make the connection between certain terms more apparent. This involves two distinct changes:

- The order of the definitions is now the same over the three languages (EN, FR, NL) to facilitate understanding of definitions between the languages. The order is based on English alphabetical order. To further facilitate this, a numbering has been introduced.
- Definitions that are clearly linked to each other (for example, CMU, Aggregated CMU, Existing CMU, …) are put together in 'clusters' to facilitate understanding.

4 SERVICE TIME SCHEDULE

Changes in timings with regards to the different changes as explained below have been integrated.

5 PREQUALIFICATION PROCESS

The design note of the Prequalification Process is available on ELIA's website. The design note represents the current CRM design (based on the CRM FR v5). This chapter lists the proposed changes to the CRM Functioning Rules and thus may impact the content of the design note. ELIA proposes several simplifications to the prequalification process.

(Section 5.2.3.1.1) The concept of "**Associated Delivery Point" has been removed**. As a consequence, the Functioning Rules have been adapted at various points to reflect this change. During Prequalification, candidates will only have to provide a Single-Line Diagram on request of ELIA; it is no longer a mandatory document. To ensure proper and accurate treatment during the Delivery processes, in agreement with the CRM Candidate ELIA can adapt the EAN code of a Delivery Point. Regarding the production or energy storage permit request, ELIA proposes to fix a hard deadline on 15 April instead of stating it as "fifteen days after publication of the MD".

(Section 5.2.3.2.1) ELIA proposes to **remove the signature requirement of the Project Execution Plan** document. This document is not requested for CMUs that are already contracted, as they provide the necessary information through the quarterly report. Furthermore, the exact template for the Project Execution Plan has been removed, while keeping the minimum content requirements, in order to give more leeway to the CRM Candidate.

(Section 5.4.2.2.1) ELIA suggests adding an additional clause to classify an **opt-out volume** as 'OUT' in case the Opt-out Notification for Y-4 or Y-2 indicates that: 'the volume is associated with a temporary decommissioning or temporary structural reduction of capacity notification in accordance with article

4bis of the Electricity Act for the Delivery Period to which the Opt-out Notification relates' . ELIA further adds that if 'the Opt-Out Volumes for a New Build CMU are classified as 'IN' for a given Delivery Period, then they cannot be classfied as 'OUT' for any subsequent Delivery Period. ELIA also clarifies that for a New Build CMU, if the Opt-Out Volumes have already been classified as 'IN', then they can't be classified as 'OUT' for subsequent Delivery Periods.

(Section 5.4.4.1) Changes were made based on the **removal of the Associated Delivery Point** category, such as removing Volume calculation methods for these Delivery Points.

(Section 5.6.1.3.2.2) ELIA proposes changes to faciliate the process of **transfering a CMU to another CRM actor**. Previously, the Prequalification File had to be archived and a new one created from scratch. Under the new rules, a transfer is possible, as long as the deadlines are respected and the information in the Prequalification File remains compliant and complete.

6 AUCTION PROCESS

(Section 6.2) ELIA proposes changes based on the removal of the category of **'Associated Delivery Point'**.

(Section 6.3.1) Some clarifications were added to further explain how ELIA takes into account some of the **adaptations and corrections of the Demand Curve**.

7 CAPACITY CONTRACT SIGNATURE

- *Null*

8 PRE-DELIVERY CONTROL

The design note for pre-delivery monitoring is available on ELIA's website. The design note represents the current CRM design (based on the CRM FR v5). This chapter lists the proposed changes to the CRM Functioning Rules and thus may impact the content of the design note. ELIA proposes several simplifications to pre-delivery monitoring.

(Section 8.3.3. & 8.3.4) In case the Capacity Provider did not provide ELIA with a **permit report and/or quarterly report** by the deadline, the reminder that is sent by ELIA will be on the expiry date of the concerned deadline. Among others, ELIA is speeding up the process.

(Section 8.4.1) ELIA suggests adding a stipulation for when **penalties following from not providing quarterly reports** timely, ought to be paid. They will be paid either at the first moment of control following the deadline of the quarterly report, or within 10 Working Days after the submission deadline if there is no longer a moment of control.

(Section 8.6.1) The NRP determination in the framework of evolution from **Additional to Existing CMU** is reformulated in order to describe the process better.

Several changes were made to this chapter to reflect the removal of the category of 'Associated Delivery Point'.

9 AVAILABILITY OBLIGATION

The design note on Availability Monitoring is available on ELIA's website. The design note represents the current CRM design (based on the CRM FR v5). This chapter lists the proposed changes to the CRM Functioning Rules and thus may impact the content of the design note. ELIA proposes several simplifications to availability monitoring.

(Section 9.3.1.3) ELIA proposes a change as to when a Capacity Provider submits a notification to inform ELIA of **Unavailable Capacity**, in case of overlapping periods, the most recently submitted Notification prevails.

(Section 9.3.2) ELIA suggests adding 2 paragraphs to facilitate the **contestation process** for Capacity Providers, in case Missing Capacity was determined in their activity report because of Black Start capability tests or TSO/DSO requested outages. Since these occurrences are not considered Scheduled Maintenance, Capacity providers will need to submit sufficient proof to ELIA to justify the Missing Capacity.

(Section 9.4.3.1.1) The Availability Obligation foresees the the possibility to notify ELIA of **Scheduled Maintenance**. This feature is not applicable retroactively. However, via e.g. the Secondary Market it is possible that a CMU has both 'old' and 'new' Transactions to which the Scheduled Maintenance is (not) applicable. Seeing as Scheduled Maintenance is calculated on a CMU-level and not a Transaction-level, an allocation to the different Transaction needs to be made. ELIA suggest to do this based on the Contracted Capacity of the different Transactions.

(Section 9.4.3.1.2) ELIA added a specification to the calculation method for **Obligated Capacity** in the case of Scheduled Maintenance to ensure it can never be below 0.

(Section 9.5.1.2) Based on feedback from CRM Actors, ELIA proposes to change the time slot in which the **instruction for the Availability Test** is sent to the Capacity Provider to be from 07:00 until 07:30 the day before it is to take place. This timing enables Capacity Providers to adapt their behaviour in the auctions for Ancillary Services, making sure that they can be available for the Availability Test.

(Section 6.6.3) Seeing as Unannounced Unavailable Capacity is used to trigger the **downwards revision**, ELIA clarifies that it is also the Unannounced Unavailable Capacity that sets the factor with which the remuneration is reduced.

(Section 9.7.1) The calculation for the **Overcapacity** in version 5 of the Functioning Rules was based on the Initial Active Volume. This could result in a situation where CMUs are wrongfully penalized because they reacted to an activation for Ancillary Services, not the market price signal. To prevent this, ELIA suggest that whenever an activation was made using one of the Delivery Points of the CMU, Overcapacity is not applicable.

Several changes were made to this chapter to reflect the removal of the category of 'Associated Delivery Point'. In addition, several wording changes were made to ensure compliance with other parts of the Functioning Rules and to increase legibility.

10 SECONDARY MARKET

The Design note on the Secondary Market is available on ELIA's website. The design note represents the current CRM design (based on the CRM FR v5). This chapter lists the proposed changes to the CRM Functioning Rules and thus may impact the content of the design note. ELIA proposes some simplifications to the Secondary Market.

(Section 10.4.7) ELIA proposes several changes to ensure that the **Transaction Period** of a Secondary Market Transaction cannot cover more than Delivery Period at a time, and that Secondary Market Transactions involving a Seller with an Investment File that has not yet undergone the ex post control cannot trade away all his capacity, every year he would need to notify for a Secondary Market Transaction.

(Section 10.6.2) Elia specifies that the **contractual implementation** cannot be launched simultaneously for transactions covering the same CMU.

(Section 10.7). ELIA proposes an **exception to the suspension of Secondary Market Transactions** in case of unsuccessful Availability tests for Transactions between CMUs of the same CRM actor.

Several wording changes were made to ensure compliance with other parts of the Functioning Rules and to increase legibility. Additionally, some redundant passages were removed.

11 FINANCIAL SECURITIES

The Design Note on Financial Securities is available on ELIA's website. The design note represents the current CRM design (based on the CRM FR v5). This chapter lists the proposed changes to the CRM Functioning Rules and thus may impact the content of the design note. ELIA proposes some simplifications and harmonizations to the Financial Securities.

(Section 11.2.1) ELIA suggests **removing the Financial Security obligation** for Existing CMUs (excluding Cross-Border participation). In fact, the Financial Securities serve as guarantee in case of non-payment of potential penalties arising during the signature of the Capacity Contract or during the Pre-delivery Period. Nonetheless, given the identifiable and stable nature of Existing CMUs, and the administrative burden the obligation can create for the CRM Candidates, ELIA proposes to remove the obligation for Existing CMUs.

(Section 11.2.2) ELIA suggests **harmonizing the validity periods** of Financial Securities related to different status of CMU, to always be the last day of the first Delivery Period of a Transaction. Current validity periods make determining the exact required amount of Financial Security cumbersome.

(Section 11.3.3) **Changes to the process around cash payments** for Financial Securities are suggested. CRM actors who submit cash payments for Financial Securities will be asked, once after six months to replace their cash payment by an affiliate/bank guarantee, and asked to provide a justification if they cannot, or have reasonable arguments not to. If these arguments are accepted by ELIA, the cash payment will remain and will not be replaced nor asked to be replaced, until it is released at the end of the Validity Period.

Additionally, several wording changes were made to ensure compliance with other parts of the Functioning Rules and to increase legibility.

12 PAYBACK OBLIGATION

The design note for Payback Obligation is available on ELIA's website. The design note represents the current CRM design (based on the CRM FR v5). This chapter lists the proposed changes to the CRM Functioning Rules and thus may impact the content of the design note

(Section 12.3.1.3) A new section has been added to this chapter to explain the calculation of the **Payback Volume**. This new parameter is used for the calculation of the Availability Ratio, Activation Ratio and Payback Obligation (see below).

(Section 12.3.1.4.) The section for the **Availability Ratio and Activation Ratio** is simplified significantly by using the aforementioned Payback Volume. This change has no impact on the actual values of the Availability Ratio and Activation Ratio.

(Section 12.3.2) The calculation of the **Payback Obligation** is simplified significantly by using the aforementioned Payback Volume. This change has no impact on the actual values of the Payback Obligation.

13 LIABILITY AND FORCE MAJEURE

- *Null*

14 DISPUTE RESOLUTION

- *Null*

15 FALLBACK PROCEDURES

(Section 15.8.6.) ELIA suggests introducing a new section to specify the **fallback procedure** for the Notification of downwards revision and clarify the timing.

16 TRANSPARENCY AND MOTIVATION

- *Null*

17 DIRECT AND INDIRECT FOREIGN CAPACITY PARTICIPATION

The [Design Note on Cross Border Participation] on ELIA's website. The design note represents the current CRM design (based on the CRM FR v5). This chapter lists the proposed changes to the CRM Functioning Rules and thus may impact the content of the design note. ELIA proposes a small change to the documents required for foreign particpants.

(Section 17.3.2.3) ELIA clarifies that, depending on foreign national legislation, foreign particpants to the CRM must either provide (the equivalent of) an **energy production or energy storage permit** under as defined in article 4 § 1 of the Electricity Act, or proof that such a request has been introduced at the latest by April 15th of the relevant auction.

18 ANNEXES

(Section 18.1.4 Annex A.4) Removed: **Template for the Project Execution Plan**, in line with the revised Prequalification requirements.

(Section 18.3.5.1 Annex C.5) A final step is added for the calculation of the **Allocation of contracted capacity volumes for Ancillary Service corrections**, where the sum is taken over all the energy bids linked to the contracted upward capacity.

(Sections 18.5.1 Annex E.1 & 18.5.2 Annex E.2) The **Financial Securities templates** are amended so as to ensure that completion of such template will be sufficient to participate to the Primary and/or the Secondary Market. In fact, the necessity to choose between paragraphs that are applicable to a type of market is removed.

(Section 18.5.5. Annex E.5) The illustrations of the determination of **Volume to be Guaranteed** are removed from the Functioning Rules in order to be integrated in the Financial Securities Design Note. The illustrations have been evolving on a yearly basis. Thus, adjustments are realized by ELIA to update them on a recurring basis. However, the inability to easily update them in the Functioning Rules is cumbersome. Thus, including them in the Design Note will allow ELIA to adapt the illustrations easily.