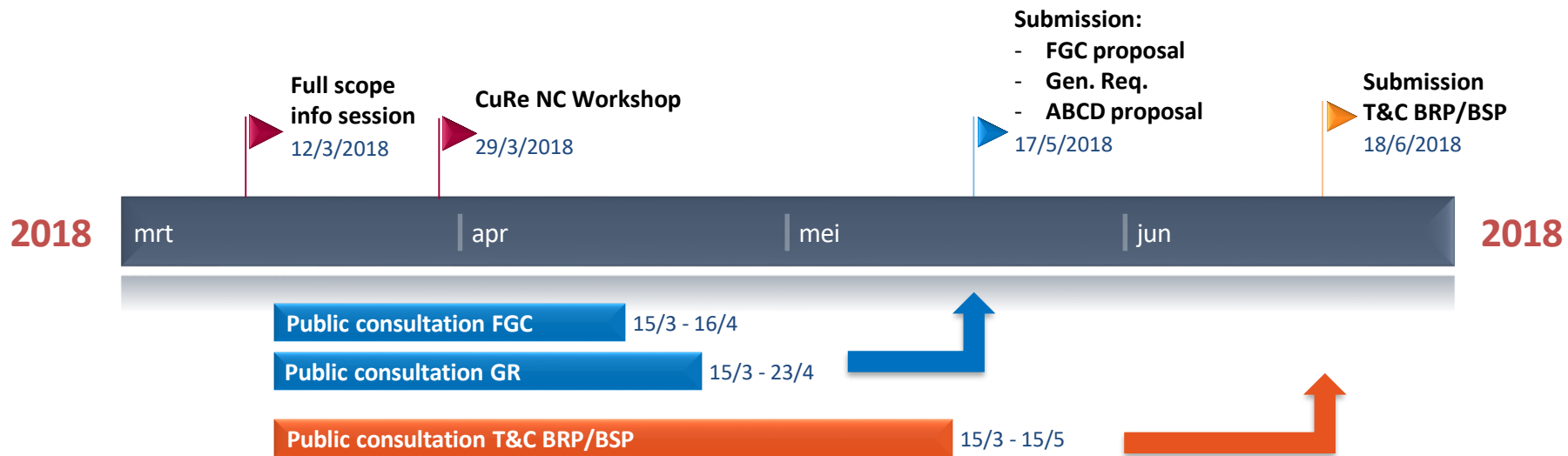


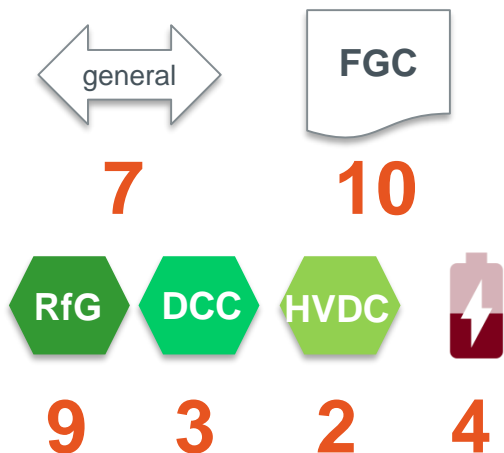
Implementation Network Codes: status update

Plenary Users' Group
25/04/2018

Status public consultation and submission



Responses received public consultation FGC and GR :



Next steps:



WG Belgian Grid: discussion feedback public consultation



Submission proposals Federal Grid Code, General Requirements and thresholds ABCD

| Proposal | Public consultation | Submission |
|----------------------|---------------------|--------------------------|
| Federal Grid Code | FRA + NED | FRA + NED (report FR/NL) |
| General Requirements | ENG | FRA + NED (report ENG) |
| T&C BRP | FRA + NED | FRA + NED |
| T&C BSP | ENG | FRA + NED |

Feedback received public consultation: general remarks

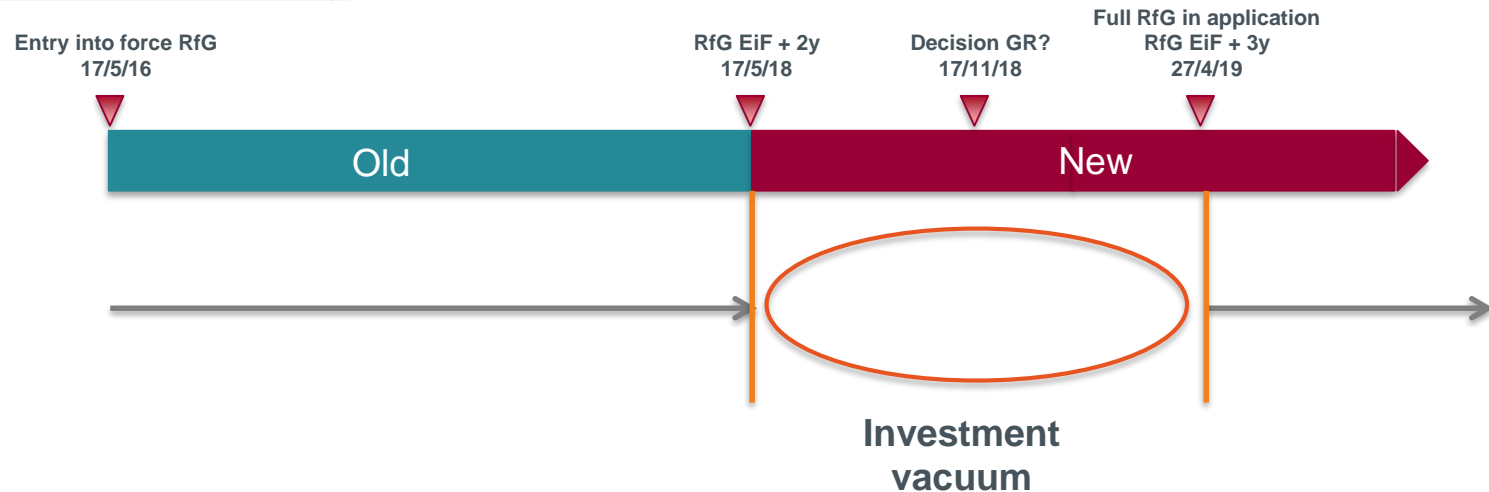
- Translation / References / Style / coherency FGC-GR / coherency between chapters
 - French and Dutch version equal importance, alignment with regional/other grid codes and contracts needed
- Definitions and terms used throughout the text
 - Some definitions are missing, some conflicting with E-Law, some (too) complex
 - Some terms are not consistently used throughout the text, resulting in interpretation issues
- Balance to be found between rights and obligations grid operator – grid user
- Questions/doubts about reasoning for certain track changes, missing (quantitative) justification
 - Willing to have a feedback on each comment on the public consultation
- Aim for realistic implementation planning (iCAROS, T&C, IT-tools,...)
- Uncertainty issues
 - Investment uncertainty: frontier between 'new' and 'existing',
 - Approval derogations, market based mechanisms and possible remunerations (in content T&Cs)
 - Submission of own GR proposals, while Elia proposal is still subject to change
- Appreciation of efforts made by Elia in the preparation of this proposal and in the > 2-years preparation track with stakeholders

Comments public consultation oriented to competent authorities

- **Investment uncertainty** due to unknown frontier/requirements for new vs existing units
 - What is applicable for units that are installed as of 17 May 2018
 - More information about this 'investment vacuum' on the next slide
- Determine vision with regards to **derogations**
 - What type of derogations will / will not be accepted?
 - What derogation period will be granted?
- Questions about **transparency** of the process, post - 17 May
 - Stakeholders want to be kept on formally/informally consulted after 17 May

Legal uncertainty 'New vs. Existing'

Investment uncertainty



- Art. 4.2 RfG:
 - “For the purposes of this Regulation, a power-generating module shall be considered existing if:
 - (a) it is already connected to the network on the date of entry into force of this Regulation; or
 - (b) the power-generating facility owner has concluded a final and binding contract for the purchase of the main generating plant by two years after the entry into force of the Regulation.
- Art. 7.4 RfG
 - The relevant system operator or TSO shall submit a proposal for requirements of general application, or the methodology used to calculate or establish them, for approval by the competent entity within two years of entry into force of this Regulation.
- On 17 May 2018, several investments considered as “new” while no decision by competent authorities on the applicable requirements → **Investment vacuum**
- Mitigation possibility in Art. 4.2: postponing the date for a GU to become “new” with 1 year (as France and UK already did)
 - A Member State may provide that in specified circumstances the regulatory authority may determine whether the power-generating module is to be considered an existing power-generating module or a new power-generating module.