

Revision of the Access contract: Way forward

WG Belgian Grid – 17 October 2018

Planning: update



Plenary meeting Users group (13/09/2018): Preliminary planning was presented to the members

WG Belgian Grid – Proceedings

- 17/10/18: Present way forward and more detailed approach during WG BG
- 11/12/18: content discussion in WG Belgian Grid
- 09/01/2019 – 08/02/19: formal public consultation
- Meeting WG BG in February 2019 (TBC) prior to the formal submission of the access contract to the regulators
- 01/03/2019: Formal submission by ELIA

Revision Access contract:

General principles

Starting point:

- Proposal as presented to and discussed during the WG Belgian Grid in November 2017

Additional changes to be introduced to the access contract:

- Modifications in order to include comments made by members of the WG BG (last year - 2017)
- Alignment with the EU network codes and the Federal Grid Code (based on the amendment proposal of FPS Economy – August 2018) + CREG advice on the revised Federal Grid Code
- Introduce changes on CDS as agreed upon in the Users Group position paper
- Restructuring of contract to improve readability (also in line with the new structure of other revised contract such as T&C BRP)

Modifications in order to include comments made by members of the WG BG

- Starting point here is the discussion that took place during the WG Belgian Grid of 7 November 2017 - Link to the presentation: http://www.elia.be/~media/files/Elia/users-group/WG%20Belgian%20Grid/20171107_WG%20Belgian%20Grid/06WGBG20171107ToegangcontractFeedbackV2.pdf
- In accordance with these discussions the **following changes will be introduced** to the contract:
 - ✓ To improve clarity some articles will be moved (e.g.: removal of access points) and wording will be used consistently
 - ✓ Liability of Elia will not be repeated on several occasions in the contract → liability clause
 - ✓ Clarification on which annexes are electronically available
 - ✓ Clarification on the applicability of annex 13 throughout the text of the contract
 - ✓ Clarification on the consequences of the signature of the supplier (annex 3) – no relation with ELIA just to approve its contact details
 - ✓ Need for several annexes 3 in case of more than 1 ARP.
 - ✓

Alignment with the EU network codes and the Federal Grid Code

2 important aspects:

- Definitions
Approach to revise:
 1. Align with the definitions included in the network codes and/or text proposals of the FPS Economy in FGC
 2. Or where needed, modify definition in order of the context of the contract
- Compliancy with the Title IV - Access and Title V - balance of the revised FGC
 - ✓ Title IV – Access: procedure to get access to the grid (no big impact on current access contract)
 - ✓ Title V – Balance: procedure to appoint or renew the ARP for the relevant access point
 - Process to be aligned with text of FGC → less stringent measures in first instance
 - also relevant for the process to appoint and renew the access holder

Risk:

in // the revision process of FGC is still ongoing → changes may occur

Users Group position paper on CDS

- In the modified FGC proposal as proposed by Elia in May 2018, provisions were included to translate the Users Group CDS position paper into law.
- State of Play: however these provisions have been deleted in the revised version of the FPS Economy.
- **Proposal** would be to translate the proposed legal provisions on CDS (in line with the CDS position paper) into the access contract (where needed).

Restructuring of contract

Proposal would be to reorganise the structure of the contract (as we have done for T&C BRP):

Creating a revised structure as follows:

- General conditions (definitions, scope of contract, 'Force majeure', confidentiality, etc...)
- Modalities for the access holder
- Final provisions (liability, insurance, applicable legislation, etc...)
- Annexes

Annexes

- New – Modification of annex 1: Contact details of access holder and Elia
 - ✓ Harmonisation exercise over all regulated contracts, such as ARP contract/T&C BRP and in the future the connection contract)

→ As a consequence annex 5 will be without subject
- Annexes without subject: Elia will analyse what are the possibilities to delete and restructure the annexes → However 2 elements are important in this reviewing process:
 - ✓ Internal IT infrastructure (customer platform)
 - ✓ And impact on renewal process of the annexes

Next steps

- Finalise revision by the end of the month
- Beginning of November 2018 send out modified text proposal/contract to the members of the WG Belgian Grid
- Provide 3 weeks time to revise the proposal → end of November
- Final content discussion during the next WG Belgian Grid (11/12/2018) prior to the launch of the public consultation.