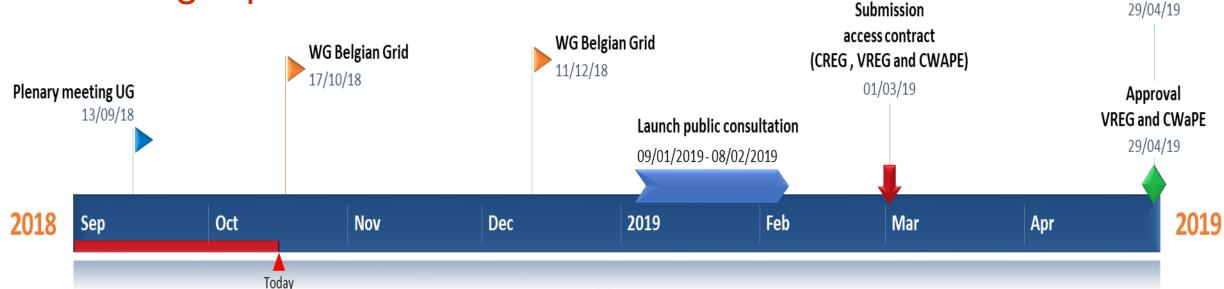


# Revision of the Access contract: Way forward

WG Belgian Grid – 17 October 2018

## Planning: update



Approval CREG

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: <a href="http://www.elia.be/~/media/files/Elia/users-group/WG%20Belgian%20Grid/20171107\_WG%20Belgian%20Grid/06WGBG20171107ToegangscontractFeedbackV2.pdf">http://www.elia.be/~/media/files/Elia/users-group/WG%20Belgian%20Grid/20171107\_WG%20Belgian%20Grid/06WGBG20171107ToegangscontractFeedbackV2.pdf</a>
- 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:
  - 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 <u>Title IV Access</u> and <u>Title V balance</u> 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 where 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 contact (as we have done for T&C BRP):

Creating a <u>revised structure</u> 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.