



Draft Outline of the 2020 Work Programme

BACKGROUND

This document presents an outline of the tasks the Agency for the Cooperation of Energy Regulators (ACER) plans to perform in 2020. As such, it focuses primarily on the external deliverables the Agency expects to produce. The full scope of activities (including those pertaining to administrative, coordination and communication tasks) will be presented in the Agency's Work Programme (WP) 2020 within the Programming Document (PD) 2020-2022.

The content of this draft outline will serve as the basis for the preparation of the WP that the Director will submit to the European Commission, as part of the PD, by 31 January 2019, the deadline stipulated by the Communication from the Commission on the Guidelines for programming document for decentralised agencies and the template for the Consolidated Annual Activity Report for decentralised agencies of December 2014.

According to its founding act, Regulation (EC) No 713/2009, the Agency is due to submit its WP to the European Parliament, the European Commission and the Board of Regulators (BoR) by 30 June of the previous year. Following the Commission's Opinion and the subsequent approval of the WP by the BoR by 1 September, the WP is submitted to the Agency's Administrative Board, which adopts it before 30 September. Therefore, the PD will be submitted without prejudice to the submission of the WP and its approval and adoption, according to the process stipulated in Regulation (EC) No 713/2009.

As in previous years, the implementation of the WP depends crucially on the continuous support of the National Regulatory Authorities (NRAs) through the ACER Working Groups (whose Chairs and co-Chairs will be consulted on this outline in October) and on the Agency being assigned the human and financial resources on which the WP is based. This is vital for performing all the Agency's (legally mandated) tasks, and all the more so for the implementation of REMIT.

Due to the timing for the submission of the PD to the Commission, at the time of preparation of this preliminary draft outline the Agency's budget for 2019 has inevitably not yet been approved, and the draft budget for 2020 is also not yet known. The final list of deliverables and tasks included in the WP will therefore depend on the Agency's budget for 2019 (the scope of tasks in 2020 will in part depend on those performed in 2019).

However, the ability of the Agency to perform the activities which will be listed in the 2020 WP will depend on the actual subsidy to the Agency from the EU Budget, and therefore the resources actually available to the Agency in 2020. These will not be defined until the EU Budget is adopted

by the Budgetary Authority. This will happen towards the end of 2019, and therefore after the WP final approval by the Board of Regulators (by 1 September 2019) and adoption by the Administrative Board (by 30 September 2019). Such adoption is in any case without prejudice to the annual budgetary procedure. Therefore, it is only once the EU Budget is adopted and the resources available to the Agency finally defined that the Agency will be in a position to assess the feasibility of its WP. At that stage, a revision of the content of the WP may be proposed.

LEGAL BASIS

ACER fosters a fully integrated and well-functioning Internal Energy Market, where electricity and gas are traded and supplied according to the highest integrity and transparency standards, and EU consumers benefit from a wider choice, fair prices and greater protection. In this way, the Agency also contributes to the security of energy supply in the EU. For this purpose, we work with European Institutions, NRAs and stakeholders.

The Agency has been assigned tasks and responsibilities by a number of legislative acts, including:

- the Third Package – Directive 2009/72/EC (the “Electricity Directive”), Directive 2009/73/EC (the “Gas Directive”), Regulation (EC) No 713/2009 (the “Agency Regulation”), Regulation (EC) No 714/2009 (the “Electricity Regulation”) and Regulation (EC) No 715/2009 (the “Gas Regulation”);
- Regulation (EU) No 1227/2011 (REMIT) and Commission Implementing Regulation (EU) No 1348/2014 (the REMIT “Implementing Acts”);
- Regulation (EU) 994/2010, recently replaced by Regulation (EU) 2017/1938 concerning measures to safeguard the security of gas supply (the “SoS Regulation”);
- Commission Regulation (EU) 838/2010 on the inter-TSO compensation mechanism (the “ITC Regulation”);
- Regulation (EU) No 347/2013 on Guidelines for trans-European energy infrastructure (“TEN-E Regulation”);
- Commission Regulation establishing a Network Code on Capacity Allocation Mechanisms in Gas Transmission Systems (984/2013/EU), as replaced by Commission Regulation (EU) 2017/459 establishing a network code on capacity allocation mechanisms in gas transmission systems and repealing Regulation (EU) No 984/2013 (“CAM Network Code”);
- Commission Regulation establishing a Network Code on Gas Balancing of Transmission Networks (312/2014/EU);
- Commission Regulation establishing a Network Code on interoperability and data exchange rules (703/2015/EU);
- Commission Decision (EU) 2015/715/EU amending Annex I to Regulation (EC) 715/2009 on conditions for access to the natural gas transmission networks (“Congestion management procedures – CMP Guidelines”);
- Commission Regulation (EU) 2015/1222 establishing a guideline on capacity allocation and congestion management (“CACM Guideline”);
- Commission Regulation (EU) 2016/631 establishing a network code on requirements for grid connection of generators;

- Commission Regulation (EU) 2016/1388 establishing a Network Code on Demand Connection;
- Commission Regulation (EU) 2016/1447 establishing a network code on requirements for grid connection of high voltage direct current systems and direct current-connected power park modules;
- Commission Regulation (EU) 2016/1719 establishing a guideline on forward capacity allocation (“FCA Guideline”);
- Commission Regulation (EU) 2017/460 establishing a network code on harmonised transmission tariff structures for gas;
- Commission Regulation (EU) 2017/1485 establishing a guideline on electricity transmission system operation;
- Commission Regulation (EU) 2017/2195 establishing a guideline on electricity balancing;
- Commission Regulation (EU) 2017/2196 establishing a network code on emergency and restoration.

PRIORITISATION

In order to ensure an appropriate prioritisation of its activities, and to allocate resources accordingly, focusing on those areas and activities which are most critical for delivering Energy Union objectives and, ultimately, benefits for consumers, the Agency has developed a classification system according to the following three priority levels.

Priority level 1 – Critical – Activities/tasks that must be fully performed/executed under any circumstance. Failure to do so would seriously undermine the functioning of the Internal Energy Market and the achievement of the Energy Union objectives.

Priority level 2 – Important – Activities/tasks that could be postponed, reduced in scope or de-scoped with only limited repercussion on the Internal Energy Market.

Priority level 3 – Relevant – Activities/tasks that the Agency could usefully perform, provided adequate resources were made available.

This classification does not explicitly take into consideration whether the Agency is legally required to perform the activities under consideration. It reflects the Agency’s assessment of their importance. As a result, it may be that an activity that is not legally required is assigned a higher priority than one that the Agency is legally required to perform, but which is considered less fundamental in the context of the completion of the Internal Energy Market and the implementation of the Energy Union Strategy.

The classification system is a tool for the Agency to make the best use of the limited resources at its disposal. In case the resources assigned to the Agency were not sufficient to perform all the activities included in the WP, activities would be deprioritised starting from those classified as “relevant” and then, to the extent necessary, including those classified as “important”, in order to devote sufficient resources to the “critical” activities. The Agency will nevertheless strive to perform, to the extent possible, all those activities legally mandated to it. However, in case of lack of resources,

legally mandated activities classified at a lower priority level will be performed in a more concise form, possibly to the minimum extent compatible with the Agency complying with its legal obligations.

TASKS AND DELIVERABLES IN 2020

Tasks under Regulation (EU) No 1227/2011 (REMIT)

In the REMIT area, the Agency plans to work on the following tasks and deliverables in 2020:

1. Review of the REMIT rulebook in the light of the experience with data collection since 2015 and taking into account market developments ever since REMIT was adopted in 2011 (e.g. regarding market design changes and new technologies being used in wholesale energy markets. This may result in proposals to the European Commission for a revision of REMIT, a technical updates of REMIT, according to Article 6 of REMIT, or of the REMIT Implementing Regulation, the drafting of recommendations and ACER guidance (*priority level – 1*);
2. REMIT Information Management and operation of the Agency's REMIT Information Systems (*priority level – 1*).
REMIT Information Management includes data collection, data analysis, including data quality analysis, and data sharing. This includes improving transparency of wholesale energy markets by making publicly available parts of the information which the Agency possess according to Article 12(2) of REMIT.
Operation of the Agency's REMIT Information Systems includes the operation and further development and, if necessary, enhancements of:
 - a. the Centralised European register of energy market participants (CEREMP):
 - i. Ongoing operations ensuring operational reliability and
 - ii. Further development and enhancement of CEREMP due to the changes of the ACER registration form made in 2017/2018,
 - b. of the Agency's REMIT Information System (ARIS) for collection of trade, fundamental and other data, market monitoring and for the data sharing with NRAs and other relevant authorities, in connection with the REMIT implementing acts:
 - i. Ongoing operations ensuring operational reliability and
 - ii. The following further development and enhancements of ARIS:
 - Implementation of the outcomes of the public consultation on the changes to electronic formats for transaction data, fundamental data and inside information reporting performed in Q4 2017 (postponed from previous years for budgetary reasons);
 - Collection of EMIR derivatives and emission allowances (postponed from previous years for budgetary reasons);
 - Sample transaction data requests for market participants from ARIS in order verify completeness, accuracy and timeliness of data

- submission to the Agency (postponed from previous years for budgetary reasons);
- Publication of aggregated REMIT information for transparency reasons (postponed from previous years for budgetary reasons);
 - Upgrades in order to accommodate the changes of electronic formats for fundamental data reporting imposed by ENTSOs due to the changes of the shared schemas or implementation of the CEP;
 - Enhancements of the Agency's data sharing solution with NRAs and further development of data sharing solutions with ESMA, national financial market authorities, national competition authorities and other relevant authorities;
 - Enhancements of the Agency's Business Intelligence tools for REMIT data quality analysis and reporting;
 - Enhancements of the Agency's Case-Management-Tool;
 - REMIT portal upgrades to improve the support for the REMIT stakeholder management;
 - Changes due to the review of the REMIT rulebook (see point 54 above).
3. Market monitoring of trading activity in wholesale energy markets to detect and prevent trading based on inside information and market manipulation according to Article 7 of REMIT. This task is to be performed in cooperation with NRAs, on the basis of data collected in accordance with the REMIT implementing acts, the Agency's surveillance strategy and further development and operation of the Agency's market surveillance solution, including the dissemination to NRAs of suspicious trading activities in a secure way (*priority level – 1*);
 4. Cooperation with NRAs and their coordination, aiming to promote best practices for the implementation of REMIT and to ensure that NRAs carry out their tasks under REMIT in a coordinated and consistent way pursuant to Article 16 of REMIT. This may include the update of the Agency's guidance on the application of REMIT, and coordination of NRAs' investigation activities on cross-border market abuse instances (*priority level – 1*);
 5. Cooperation with ESMA, competent national financial market authorities and other authorities and with supervisory authorities, international organisations and the administrations of third countries with the aim of ensuring that a coordinated approach is taken to the enforcement of market abuse rules where actions relate to one or more wholesale energy products which are financial instruments to which Article 9 of Directive 2003/6/EC applies and also to one or more wholesale energy products to which Articles 3, 4 and 5 of REMIT applies according to Article 1(3) of REMIT (*priority level – 2*);
 6. Annual report on the Agency activities under REMIT according to Article 7(3) of REMIT (*priority level – 2*).

Framework Guidelines and Network Codes

As regards the Agency's work on framework guidelines and network codes, Article 6(1) of Regulations (EC) No 714/2009 and Regulation (EC) No 715/2009 stipulates that the European Commission, after consulting the Agency, ENTSOs and other relevant stakeholders, establishes an annual priority list identifying the areas to be included in the development of network codes. As in previous years, the Agency expects the Commission to consult on the priority list for 2020 in the first half of 2019 and subsequently to formalise the priority list in the same year. Currently, no indication as to which priority areas will be identified for 2020 is available.

However, in 2020, work will continue on tasks related to existing Network Codes and Guidelines. These tasks include the implementation of the adopted Network Codes and Guidelines and their implementation and effect monitoring, as well as support to the Commission during the comitology process.

More specifically, during 2020, the Agency plans to work towards the following deliverables or tasks/ processes:

Electricity Network Codes

7. Monitoring of the implementation of the adopted Network Codes and Guidelines in accordance with Article 9 of Regulation EC No. 714/2009 (*priority level - 1*).

This includes:

- a. Monitoring the implementation of obligations (activities, deadlines, development of terms and conditions and methodologies);
 - b. Monitoring the effect of implementation (effect on the harmonisation of applicable rules aimed at facilitating market integration as well as on non-discrimination, effective competition and the efficient functioning of the market). For market-related network codes, this monitoring aspect will be part of the "Market Monitoring Report" (See "Electricity and Gas Market Monitoring");
 - c. Reporting to the Commission;
 - d. Continuous work on data quality, testing of indicators designed to assess the implementation of Network Codes and their effectiveness in achieving a well-functioning internal market. Work on data collection tools to improve monitoring of the Network Codes and assessing their effectiveness in the internal market, including work on data quality, testing of indicators designed to assess Network Codes.
8. Recommendations to assist NRAs and market players in sharing good practices with regard to the implementation of the Network Codes and Guidelines, where necessary (*priority level - 1*);
 9. Report on the monitoring of progress in establishing and performing single day-ahead and intraday coupling (*priority level -1*);

10. Investigation of the reasons when TSOs, NEMOs or other entities fail to submit terms and conditions or methodologies for the approval by NRAs pursuant to the adopted Network Codes and Guidelines and reporting to the Commission (*priority level - 1*);
11. Assistance to NRAs for the approval of the terms and conditions or methodologies developed by TSOs, NEMOs or third entities, pursuant to the adopted Network Codes and Guidelines (*priority level - 1*);
12. Regulatory oversight of the implementation projects established pursuant to the Network Codes and Guidelines, or, where relevant, in the framework of the early implementation process (*priority level - 1*);
13. Facilitation of the stakeholder involvement, as required, pursuant to the adopted Network Codes and Guidelines (*priority level - 1*);
14. Review of the requests for amendments of the adopted Network Codes and Guidelines from interested persons and, where appropriate, based on these requests or on the Agency's own initiative, preparation of the amendment proposals for the European Commission (*priority level – 1 or 2, depending on the request*);
15. Performance of the specific obligations of the Agency pursuant the adopted Network Codes and Guidelines (*priority level - 1*).
This includes, but is not limited to:
 - a) Monitoring the performance of market coupling operator function and maintaining the list of designated and operating nominated electricity market operators in accordance with Regulation (EU) 2015/1222;
 - b) Reporting and assessment on the existing bidding zone configuration in accordance with Regulation (EU) 2015/1222;
 - c) Assessment of hedging opportunities in accordance with Regulation (EU) 2016/1719.

Gas Network Codes

Network Codes implementation and monitoring

16. Preparation of the Tariff Implementation Monitoring Report (*priority level – 1*);
17. Recommendations to assist NRAs and market players in sharing good practices with regard to the implementation of the Network Codes and Guidelines, where necessary (*priority level – 2*);
18. Agency decisions under Article 8(1) (*priority level – 1*);
19. Continuous work on the Gas Package together with the national regulatory authorities (*priority level – 2*);

20. Follow-up reporting and other obligations as set out in the Network Codes on Balancing, Capacity Allocation Mechanisms and Gas Transmission Tariff structures (*priority level 1 for tariffs, 2 for the others*);
21. Continuous work on data quality, testing of indicators designed to assess the implementation of Network Codes and their effectiveness in achieving a well-functioning internal market. Work on data collection tools to improve monitoring of the Network Codes and assessing their effectiveness in the internal market (*priority level – 1 or 2 depending on the work stream, data quality work - priority 1*);
22. Review of the requests for amendments to the adopted Network Codes from interested persons and, where appropriate, based on these requests or on the Agency's own initiative, preparation of the amendment proposals for the European Commission (*priority level – 1 or 2, depending on the request*);
23. Shortened implementation Monitoring Report updates for the Network Code on Capacity Allocation Mechanisms and Balancing, with a focus on improvements (*priority level – 3*);
24. Shortened report on monitoring of Congestion at interconnection points due on 1 June 2020 (*priority level – 3*);
25. Facilitation of the stakeholder involvement, as required, pursuant to the adopted Network Codes and Guidelines and handling the stakeholder complaints as requests as posted on the joint Functionality Platform of the Agency and ENTSOG (priority level – 2- 3, priority levels vary if connected to the areas listed above).

Gas Regional Initiatives

26. Involvement focusing on market integration projects and support for delayed implementations to improve compliance with the network codes, address regional market issues and NRA's capabilities to integrate their national markets into the internal market (*priority level – 2*).

Electricity and Gas Internal Energy Market Monitoring

As regards the Agency's work on Internal Energy Market monitoring, Article 11 of Regulation (EC) No 713/2009 specifies that the Agency shall monitor the internal market for electricity and natural gas, and, in particular, retail prices of electricity and natural gas, access to networks (including the access of electricity produced from renewable energy sources), and compliance with consumer rights as laid down in the Third Package. This activity has to be carried out in close cooperation with the European Commission, NRAs and other relevant organisations, and without prejudice to the competences of competition authorities.

In this area, the Agency plans to work in 2020 towards the following deliverable:

27. The 9th Market Monitoring Report, covering wholesale market integration (for gas also including the Gas Target Model Metrics), retail prices in electricity and natural gas, barriers to entry, access to networks (including for electricity produced or gas sourced from renewable energy sources), consumer welfare benefits or losses as a result of market integration (or lack thereof), and compliance with consumer rights, including protection and enforcement of consumer rights. The report will also assess the market effects of the (implemented) network codes on the market integration process and the functioning of the Internal Energy Market (Art. 9 of Regulation (EC) No 715/2009 for gas and Article 9 of Regulation (EC) No 714/2009 for electricity, see section 0 under “Electricity Network Codes“, regarding the “Monitoring of the implementation of the adopted Network Codes and Guidelines”). For this purpose the specific data collecting provisions in the relevant network codes will be taken into account, and data collection tools will be improved. *(Priority 1-3, depending on the volume, priority level – 1 for electricity and gas Wholesale, priority 2 for Retail, priority 3 for Consumer Protection)*.¹

TSO Cooperation

The tasks related to the Agency’s work on TSO cooperation, pursuant to Article 6 of Regulation (EC) No 713/2009, consist in formulating opinions on draft statutes, list of members and draft rules of procedure of the ENTSOs; formulating opinions on draft annual work programmes, draft Community-wide 10-year network development plans (TYNDPs) and other ENTSO’s relevant documents (e.g. annual Summer and Winter supply outlooks); monitoring the execution of tasks of ENTSOs, monitoring progress of new interconnector projects, the implementation of TYNDPs and regional cooperation of TSOs.

In relation to this area, the Agency plans to work in 2020 towards the following deliverables:

Electricity

28. Opinions on ENTSO-E’s annual work programme 2021 and ENTSO-E’s annual report 2019 *(priority level – 2 - 3)*;
29. Opinions on potential updates to ENTSO-E’s common network operation tools and common incidents classification scale *(priority level - 2)*;
30. Opinion on the electricity national 10-year network development plans to assess their consistency with the Union-wide network development plan and (if appropriate) recommendations to amend the national 10-year network development plans or the Union-wide network development plan *(priority level - 2)*;
31. Opinion on ENTSO-E’s recommendations relating to the coordination of technical cooperation between the Union and third-country transmission system operators *(priority level - 3)*;

¹ The Clean Energy Package for all Europeans currently undergoing the adoption procedure might extend the scope of the Agency’s market monitoring. See “Monitoring” under tasks/deliverables under the Clean Energy Package.

32. Annual monitoring report on the implementation and management of the inter-TSO compensation fund (*priority level - 3*);
33. Internal Monitoring Report on G-charge (*priority level - 3*);
34. Internal monitoring report on the use of congestion revenues (*priority level - 3*);
35. Opinions on ENTSO-E's annual Summer and Winter supply outlooks (*priority level - 3*);
36. Opinion on ENTSO-E's research and development plan (*priority level - 3*).

Gas

37. Opinion on the implementation of the Union-wide gas infrastructure 10-Year Network Development Plan and investments to create new interconnector capacity (*priority level – 1*);
38. Opinion on the national 10-Year Network Development Plans to assess their consistency with the Union-wide 10-Year Network Development Plans (if appropriate) recommendations to amend the national 10-year network development plans or the Union-wide network development plan (*priority level - 2*);
39. Opinions on ENTSG's annual work programme 2021 and ENTSG's annual report 2019 (*priority level – 2 - 3*);
40. Opinions on potential updates to ENTSG's common network operation tools and common incidents classification scale (*priority level - 2*);
41. Opinion on ENTSG's recommendations relating to the coordination of technical cooperation between the Union and third-country transmission system operators (*priority level - 2*);
42. Opinions on ENTSG's annual Summer and Winter supply outlooks (*priority level - 3*);
43. Opinion on ENTSG's research and development plan (*priority level - 3*);

The Agency will report to the European Commission on the execution of the tasks of ENTSO-E and ENTSO-G referred to in Article 8(1), (2) and (3) of Regulation (EC) 714/2009 and Regulation (EC) 715/2009, using the deliverables (opinions and recommendations) listed above and other relevant Agency's acts, with additional comments where needed.

Tasks under the Regulation (EU) 2017/1938 for measures to safeguard the security of gas supply

The tasks assigned to the Agency under the Regulation for measures to safeguard the security of gas supply refer to participation in the Gas Coordination Group and to the establishment of permanent bi-directional capacity at interconnection points.

In relation to this area, the Agency plans to work in 2020 towards the following deliverables:

44. Opinions and on the elements of coordinated decisions on proposals to enable permanent physical capacity to transport gas in both directions for permanent bi-directional capacity concerning the reverse direction (“physical reverse flow capacity”) (*priority level – 1*);
45. Decisions on cross-border cost allocation on proposals to enable physical reverse flow capacity if the regulatory authorities concerned could not reach an agreement on the cost allocation within six month from the receipt of the joint proposal of the transmission system operators (*priority level – 1*);
46. Opinions on requests for an exemption from the obligation to enable permanent bi-directional capacity (*if the Agency decides to issue an opinion - priority level 3*).

Guidelines for Trans-European Energy Infrastructure

The tasks assigns to the Agency under the TEN-E Regulation relate to the process of identification and monitoring of Projects of Common Interest (PCIs).

In relation to this area, the Agency plans to work in 2020 towards the following deliverables:

Electricity and Gas

47. Annual consolidated report on progress in the implementation of PCIs and (if appropriate) recommendations to facilitate the implementation and to overcome delays/difficulties in PCI implementation (*priority level – 1*);
48. Opinion(s) on ENTSO-E’s and/or ENTSO-G’s methodologies for cost-benefit analysis, if updated (*priority level -1*);
49. Opinions on the draft regional lists of proposed projects of common interest, in particular on the consistent application of the criteria and the cost-benefit analysis across regions (*priority level – 1*);
50. Recommendations to assist NRAs and market players in sharing good practices, where necessary (priority level – 3).

Tasks/deliverables which are subject to request or specific conditions

In 2020 the Agency may be called to work on the following tasks and deliverables on request:

51. Adoption of the opinions and recommendations at the request of one or more NRAs, or the European Commission, pursuant to Regulation (EC) 713/2009, as well as any opinions and recommendations pursuant to the adopted Network Codes and Guidelines (*priority level – 1-2 for peer reviews, priority level 2 for others*).
52. Decisions on investment requests including on cross-border cost allocation (*priority level – 1*);

53. Decision on terms and conditions and operational security of cross-border interconnectors and on exemptions, when requested jointly by the concerned NRAs or when the concerned NRAs fail to take a decision within a predefined period (6 months, with possible extension) *(priority level -1)*;
54. Decision on terms and conditions or methodologies to be approved pursuant to the adopted electricity Network Codes and Guidelines in case NRAs are unable to reach an agreement *(priority level – 1)*;
55. Opinions on preliminary decisions by NRAs on TSO certification when requested by the Commission *(priority level – 2)*;
56. Opinions on the application of Union energy legislation pursuant to Article 7(6) of Regulation (EC) No 713/2009 *(priority level – 2)*;
57. Opinions and recommendations in the areas of its competence, upon request by the European Parliament, the Council and the European Commission *(priority level – 2)*.

Deliverables on the Agency's own initiative

In 2020 the Agency may decide to issue:

58. Opinions and recommendations in the areas of its competence to the European Parliament, the Council and the European Commission *(priority level – 2)*.

Tasks/deliverables under the Clean Energy Package (CEP)

The Agency will be given additional responsibilities and tasks under the Clean Energy Package for all Europeans currently undergoing the adoption procedure. The tasks listed below which could potentially be assigned to the Agency under the ACER Regulation and Electricity Regulation and Directive in 2020 are based on the original proposal from the European Commission and are subject to review in the legislative process.

Electricity

Resource Adequacy

1. Amending or approving technical parameters developed by ENTSO-E for Electricity for an efficient participation of cross-border capacities in capacity mechanisms and other technical features of capacity mechanisms *(priority level – 1)*;
2. Amending, if necessary, and approving a draft methodology for the European resource adequacy assessment based on set principles by ENTSO-E and a draft methodology for calculating: the value of lost load; the "cost of new entry" for generation, or demand response; and the reliability standard expressed as "expected energy not served" and the "loss of load expectation" *(priority level – 1)*;

3. Amending or approving changes of a proposal for a methodology for assessing short-term adequacy - seasonal adequacy, week-ahead to intraday adequacy submitted by ENTSO-E (*priority level – 1*);

Monitoring

4. Monitoring and reporting on the wholesale and retail market, particular in retail prices of electricity consumer rights - access to the networks including access of electricity produced from renewable energy sources, potential barriers to cross-border trade, state interventions preventing prices from reflecting actual scarcity, the performance of the Member States in the area of electricity security of supply based on the results of the European resource adequacy assessment (*priority level – 1*).

Risk preparedness

5. Coordinating national actions related to risk preparedness with regulatory oversight over the RSC (Regional Security Coordinators) (*priority level – 1*);
6. Identifying electricity crisis scenarios at regional level for short-term adequacy assessment (*priority level – 1*);
7. Amending or approving the proposal for a methodology for identifying the most relevant electricity crisis scenarios in a regional context submitted by ENTSO-E (*priority level – 1*).

Regional Coordination Centres

8. Monitoring the implementation of the task and cooperation between TSOs and ENTSO-E (*priority level – 1*);
9. Monitoring the performance of Regional Coordination Centres with the NRAs and ENTSO-E, through submitted data resulting from their continuous monitoring (*priority level – 1*);
10. Decision on the configuration of system operation regions based on proposal from ENTSO-E (*priority level – 1*).

Decision on terms and methodologies to be developed under the Network Code process

11. Amending or approving EU-wide terms and methodologies, change them where necessary to ensure they are in line with the purpose of the network code or guideline and contribute to market integration, non-discrimination and the efficient functioning of the market (*priority level – 1*);
12. When relevant, amending or approving regional-wide terms and methodologies, change them where necessary to ensure they are in line with the purpose of the network code or guideline and contribute to market integration, non-discrimination and the efficient functioning of the market (*priority level – 1*);

13. In the context of bidding zone review, the Agency shall approve and may request amendments to the methodology and assumptions that will be used in the bidding zone review process as well as the alternative bidding zone configurations considered (*priority level – 1*).

Tariff methodologies

14. Recommendation to regulatory authorities on the progressive convergence of transmission and distribution tariff methodologies (*priority level – 1*).

The recommendation shall address at least:

- a. the ratio of tariffs applied to producers and to consumers;
- b. the costs to be recovered by tariffs;
- c. time differentiated network tariffs; locational signals;
- d. relationship between transmission and distribution tariffs, including principles relating to non-discrimination;
- e. methods to ensure transparency in the setting and structure of tariffs;
- f. groups of network users subject to tariffs, including tariff exemptions.

15. Monitoring the implementation of the recommendation and providing a report to the Commission by 31st January each year (*priority level – 1*).

Use of congestion income

16. Use of revenues shall be subject to a methodology proposed by the Agency and approved by the Commission. The Agency's proposal shall be submitted to the Commission and be approved within six months (*priority level – 1*).

EU Distribution System Operators (DSO)

17. Supporting DSO's to submit to the Commission and to the Agency the draft statutes, a list of registered members, the draft rules of procedure, including the rules of procedures on the consultation with ENTSO-E and other stakeholders and the financing rules, of the EU DSO entity to be established (*priority level – 1*);
18. Issuing an opinion to the Commission on the draft statutes, list of members and draft rules of procedures (*priority level – 1*);
19. Issuing an opinion on DSO annual work programme and other relevant documents (*priority level – 1*);
20. Issuing a decision for DSO to provide any relevant information necessary for carrying out monitoring pursuant. In its decisions, the Agency shall make a reference to the legal basis under which the information is requested, the time limit within which the information is to be provided, and the purpose of the request (*priority level – 1*).