



Joint statement of the TSOs regarding the “Proposed amendments by EFET to rules for Daily Capacity Allocation on the borders of CEE region and borders Croatia-Hungary and Croatia-Slovenia (version dated 20 April 2016)”

50 Hertz, APG, CEPS, ELES, HOPS, MAVIR, PSE, SEPS, Tennet

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Proposed amendments and decisions

Article 33, Point 3

Proposal by EFET:

The Allocation Platform shall determine the Auction results using an optimisation function aiming at maximisation of the sum of the Registered Participants’ Surplus and the Congestion Income generated by the winning Bids while respecting the constraints of the optimisation function in form of relevant Offered Capacities. **[NEW] The TSOs should approve the calculated Offered Capacities when they are provided to them. In case no objection is received before Auction results are published, the calculation of offered capacities is deemed correct.** The Allocation Platform shall publish additional explanatory information on the optimisation function of the algorithm on its website.

Decision: *Not implemented.*

Reason:

1. JAO internal procedures have already been revised which ensures that the process is not hindered.
2. Release of eCAT Release 3 ensures the process is not hindered.

Article 39, Point 4

Proposal by EFET:

Registered Participants shall immediately inform the Allocation Platform of any observed problems with the use of the Auction Tool and all potential consequences via e-mail. In case of an urgent problem, which shall be solved immediately and which is identified during working hours, the registered participant shall immediately contact the Allocation Platform by phone. The telephone number indicated on the website of the Allocation Platform should be used for this type of problems. **[NEW] The Allocation Platform shall confirm the receipt of the problem and inform Registered Participants, without undue delay, when the problem will be solved by notification published in the Auction Tool and/or on the webpage of the Allocation Platform and/or by email.**

Decision: *Partially implemented.*

Registered Participants shall immediately inform the Allocation Platform of any observed problems with the use of the Auction Tool and all potential consequences **via the available contact channels indicated on the website of the Allocation Platform in written form.** In case of an urgent problem, which shall be solved immediately and which is identified during Working Hours, the Registered Participant shall immediately contact the Allocation Platform by phone at the telephone number indicated on the website of the Allocation Platform for this type of problems. **The Allocation Platform shall confirm the receipt of the problem and inform Registered Participants of the status of the problem as soon as possible.**

Reason: Depending on the nature of the conceivable problem the exact deadline of the solution may not be guaranteed, therefore stating a written guarantee for this in Auction Rules is not compatible with realistic situations.

Article 41, Point 1

Proposal by EFET:

The postponement of the Auction shall be the default fallback procedure for Auctions before the bidding period has opened. The Allocation Platform may postpone an Auction by notifying Registered Participants of the revised date and/or time of the new Auction. **[NEW] The revised deadline cannot be further postponed, and the Auction results should be published no later than 10.30am.**

Decision: *Partially implemented.*

The postponement of the Auction shall be the default fallback procedure for Auctions before the bidding period has opened. The Allocation Platform may postpone an Auction by notifying Registered Participants of the revised date and/or time of the new Auction. **Auction results should be published no later than 10:30 a.m.**

Reason: Further postponement may successfully prevent cancellation while the 10:30 a.m. deadline can also be kept.

Article 42, Point 2

Proposal by EFET:

The Allocation Platform shall inform all Registered Participants, of the application of Fallback Auction by notification published in the Auction Tool and/or on the website of the Allocation Platform and/or by email **[NEW] as soon as possible** and no later than at 10:15 a.m. on day preceding the delivery day.

Decision: *Accepted and implemented.*

Article 43, Point 3

Proposal by EFET:

An Auction cancellation may be announced in the following cases:

a) before the Auction results publication in case the Allocation Platform faces technical obstacles during the auction process like a failure of standard processes and fallback procedures or similar reasons;

b) after the Auction results publication, in the event of erroneous results due to incorrect marginal price calculation or incorrect allocation of Daily Transmission Rights to Registered Participants or similar reasons.

[NEW] The Allocation Platform, in collaboration with TSOs, shall make every possible effort to avoid Auction cancellation, such as cross-border redispatch, counter-trading or pro-rata adjustment of calculated capacities.

Decision: *Not implemented.*

Reason: It is not in the scope of Auction Rules.

Article 43, Point 4

Proposal by EFET:

In case of Auction cancellation before the Auction results publication, no compensation shall be paid to the Registered Participants. **[NEW] Registered Participants shall be liable for compensation if the Auction is cancelled after the Auction results are published.**

Decision: *Not implemented.*

Reason: The suggestion is noted by TSOs, however due to the complex nature of the issue further analysis and assessment is required.

Article 56, Point 2

Proposal by EFET:

Subject to paragraph 7 of this Article, an amendment shall enter into force at the date and time specified in the amendment notice but not earlier than **[NEW] ninety (90)** calendar days after the amendment notice is sent to Registered Participants by the Allocation Platform.

Decision: *Accepted and implemented with a compromise:*

Subject to paragraph 7 of this Article, an amendment shall enter into force at the date and time specified in the amendment notice but not earlier than **[NEW] forty-five (45) calendar days** after the amendment notice is sent to Registered Participants by the Allocation Platform.