

**DECISION No 25/2020
OF THE EUROPEAN UNION AGENCY
FOR THE COOPERATION OF ENERGY REGULATORS**

of 23 October 2020

**on sharing costs incurred to ensure firmness and remuneration of
long-term transmission rights**

THE EUROPEAN UNION AGENCY FOR THE COOPERATION OF ENERGY REGULATORS,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) 2019/942 of the European Parliament and of the Council of 5 June 2019 establishing a European Union Agency for the Cooperation of Energy Regulators¹, and, in particular, point (b) of the second subparagraph of Article 6(10) thereof,

Having regard to Article 61 of Commission Regulation (EU) 2016/1719 establishing a guideline on forward capacity allocation², and, in particular, Article 4(6)(g) thereof,

Having regard to the outcome of the public consultation and the consultation with the concerned regulatory authorities and transmission system operators,

Having regard to the outcome of the consultation with the Agency's Electricity Working Group ('AEWG'),

Having regard to the favourable opinion of the Board of Regulators of 13 October 2020, delivered pursuant to Article 22(5) of Regulation (EU) 2019/942,

¹ OJ L158, 14.6.2019, p. 22.

² OJ L 259, 27.9.2016, p. 42.

Whereas:

1. INTRODUCTION

- (1) Commission Regulation (EU) 2016/1719 of 26 September 2016 establishing a guideline on forward capacity allocation (the ‘FCA Regulation’) laid down a range of requirements, in its Chapter 8, concerning costs and cost recovery of establishing capacity calculation mechanisms, the single allocation platform and particularly rules for ensuring firmness and remuneration of long-term transmission rights (‘LTTRs’).
- (2) Pursuant to Articles 4(6)(g) and 61(3) of the FCA Regulation, all transmission system operators (‘TSOs’) are required to jointly develop a methodology for sharing costs incurred to ensure firmness and remuneration of LTTRs (‘FRC methodology’) and submit it to all regulatory authorities for approval. Nevertheless, pursuant to Article 5(2) of the Regulation (EU) 2019/942 of the European parliament and of the Council of 5 June 2019 establishing a European Union Agency for the Cooperation of Energy Regulators (recast), where proposals for common terms and conditions or methodologies or their amendments, as the case might be, require the approval of all regulatory authorities, those proposals shall be, instead, submitted to ACER for revision and approval.
- (3) Accordingly, on 23 April 2020, all TSOs submitted to ACER ‘All TSOs’ Proposal for sharing costs incurred to ensure firmness and remuneration of long-term transmission rights (FRC) methodology in accordance with Article 61 of the Commission Regulation (EU) 2016/1719 of 26 September 2016’ (hereinafter referred to as the ‘Proposal’). This Decision is hereby made to revise and approve the Proposal. Annex I to this Decision sets out the FRC methodology, pursuant to Article 61(3) of the FCA Regulation.

2. PROCEDURE

2.1. Proceedings before ACER

- (4) Article 61(3) of the FCA Regulation requires all TSOs to submit a proposal for the FRC methodology within six months after the approval of the methodology for sharing congestion income referred to in Article 57 of the FCA Regulation. Therefore, all TSOs were required to submit the Proposal by 24 April 2020.
- (5) On 23 April 2020, ENTSO-E, on behalf of all TSOs, submitted the Proposal to ACER for decision. The Proposal was submitted together with an explanatory document, which is not part of the Proposal and was submitted only for information.
- (6) On 22 June 2020, ACER launched a public consultation on the Proposal inviting all market participants to submit their comments by 12 July 2020. In particular, ACER asked stakeholders to provide comments on the structure of the sharing key used for remuneration of LTTRs and the use of long-term congestion income in that sharing key. The summary and evaluation of the responses received are presented in Annex II to this Decision.

- (7) On 31 August 2020, ACER started the hearing phase as described in ACER's rules of procedure and invited the regulatory authorities and TSOs to submit their input by 12 September 2020.
- (8) ACER cooperated closely with all regulatory authorities and TSOs and further consulted them on various amendments suggested by ACER during teleconferences and through exchanges of textual amendments via email communication. In particular, the following procedural steps were taken in 2020:
- 6 May: teleconference with the regulatory authorities;
 - 8 May: teleconference with the TSOs;
 - 12 May: teleconference with the regulatory authorities and TSOs;
 - 13 May: discussion with the regulatory authorities during the FCA Task Force meeting³;
 - 20 May: teleconference with the regulatory authorities;
 - 28 May: teleconference with the regulatory authorities and TSOs;
 - 13 June: discussion with the regulatory authorities during the FCA Task Force meeting;
 - 15 June: teleconference with the TSOs;
 - 19 June: teleconference with German regulatory authority upon request;
 - 1 July: discussion during the Trilateral Coordination Group meeting with the NEMOs, TSOs, regulatory authorities and the representatives of the European Commission;
 - 8 July: teleconference with the TSOs;
 - 15 July: teleconference with the regulatory authorities and TSOs;
 - 27 August: teleconference with German and Luxemburgish regulatory authorities upon request;
 - 2 September: teleconference with French regulatory authority upon request;
 - 3 September: discussion with the regulatory authorities during the AEWG⁴;
 - 15 September: teleconference with the TSOs;
 - 16 September: teleconference with the regulatory authorities and TSOs;
 - 24 September: discussion with the regulatory authorities during the AEWG;
 - 25 September: teleconference with the regulatory authorities and TSOs; and

³ ACER's platform for discussing all issues connected to the FCA Regulation with the regulatory authorities.

⁴ ACER's high level platform for discussing all issues connected to all network codes and guidelines

- 13 October: discussion with the regulatory authorities during the Board of Regulators' meeting.

3. ACER'S COMPETENCE TO DECIDE ON THE PROPOSAL

- (9) Pursuant to Article 4(1) of the FCA Regulation, the TSOs shall develop terms and conditions or methodologies and submit them for approval to the competent regulatory authorities.
- (10) According to Article 4(6)(g) of the FCA Regulation, the FRC methodology, pursuant to Article 61 of the FCA Regulation, shall be subject to approval by all regulatory authorities.
- (11) According to Article 5(2)(a) of Regulation (EU) 2019/942, proposals for terms and conditions or methodologies, based on network codes and guidelines adopted before 4 July 2019 (i.e. the FCA Regulation), which require the approval of all regulatory authorities, shall be submitted to ACER for revision and approval.
- (12) Accordingly, on 23 April 2020, all TSOs submitted the Proposal to ACER for revision and approval, thereby making ACER competent to adopt a decision in that respect.

4. SUMMARY OF THE PROPOSAL

- (13) The Proposal consists of the following elements:
 - (a) the 'Whereas' section and Title 1 containing Articles 1 and 2, which include the subject matter and scope as well as definitions and interpretation;
 - (b) Title 2, covering the specification of the cost sharing remuneration of LTTRs among TSOs, which includes Articles 3 and 4 that specify the sharing keys for the flow-based approach and for the coordinated net transmission capacity ('CNTC') approach;
 - (c) Title 3, covering the distribution of costs on bidding zone borders ('BZBs'), which includes Articles 5 and 6 that determine the split of costs for remuneration and rules for compensation of cost due to curtailment of LTTRs; and
 - (d) Title 4, covering final provisions in Articles 7 and 9 (Article 8 is missing) on the publication and implementation of the FRC methodology and the language.

5. SUMMARY OF THE OBSERVATIONS RECEIVED BY ACER

5.1. Consultation of all regulatory authorities and TSOs

- (14) All issues described in this decision were consulted with all regulatory authorities and all TSOs as stated in Recital (8) above.

5.2. Public consultation

- (15) On 22 June 2020, ACER launched a public consultation on the Proposal inviting all market participants to submit their comments by 12 July 2020. The consultation document asked stakeholders to provide views on a topic, which was deemed as the most relevant, i.e. the principles that should be used for sharing the costs ensuring remuneration of LTTRs by TSOs.
- (16) In the public consultation document, ACER described the legal background of the LTTR's remuneration and provided a summary of the Proposal. Further, ACER proposed an alternative solution for the sharing of the LTTR remuneration costs. The Proposal included a sequence of sharing steps where (i) firstly, day-ahead congestion income on the border and for a specific MTU is used, then (ii) the long term congestion income on the border and for the same MTU is used and then (iii) the day-ahead congestion income from all borders in a CCR remaining from the step (i) is used. ACER proposed an alternative that is reversing the second and third step of the cost sharing sequence and provided an explanation as to why such a solution would be more efficient and non-discriminatory.
- (17) The summary and evaluation of the responses received are presented in Annex II to this Decision. It presents the summary of stakeholders' concerns regarding some of the above mentioned issues and in particular on the questions raised by ACER.

5.3. Hearing phase

- (18) ACER initiated a hearing phase on 31 August 2020 by providing all TSOs and all regulatory authorities with a near final draft of Annex I to this Decision, as well as the reasoning for the introduced changes. The hearing phase lasted until 12 September 2020. During this time, ACER received four inputs – three from the regulatory authorities and one from all TSOs represented by ENTSO-E.
- (19) The Danish regulatory authority (DUR), although supporting ACER's amendments to the FRC methodology, raised in their submission a specific concern about the possibility that the TSOs might sell more LTTRs than what is physically realistic, if the socialization process of the day-ahead congestion income is used earlier in the sharing key for remuneration of LTTRs. The argument states that the TSOs would receive higher revenues from the LTTRs, while their costs for remuneration would be socialised.
- (20) The Polish regulatory authority (URE) supported the originally proposed FRC methodology because, in their view, the approach proposed by ACER will incentivise TSOs to oversell LTTRs. Moreover, URE would like to introduce a paragraph, which would trigger a re-evaluation of the FRC methodology, once all related methodologies are approved.
- (21) The Polish regulatory authority and all TSOs are not in favour of mentioning the transmission tariffs as an example of using 'other financial resources' for remunerating the LTTR holders.

- (22) The French regulatory authority (CRE) proposed to clarify the scope of the sharing of compensation costs in case of curtailment prior to day-ahead firmness deadline by adding explicitly that it concerns only the BZB level.
- (23) All TSOs reiterated their common position to use the originally proposed sharing key for the remuneration of LTTRs. All TSOs did not provide any new arguments besides those presented in the explanatory document accompanying the original submission of the Proposal.
- (24) All TSOs proposed to add a reference for the implementation of the FRC methodology to be subject to the revised version of the harmonised allocation rules ('HAR'), because the discussions on the costs sharing in extraordinary cases should happen together with the revision of the HAR and should be implemented at the same time.

6. ASSESSMENT OF THE PROPOSAL

6.1. Legal framework

- (25) Pursuant to Articles 4(6)(g) and 61(3) of the FCA Regulation, all TSOs are required to jointly develop the FRC methodology and submit it to ACER for revision and approval, as described in Chapter 3 above.
- (26) According to Article 61(1) of the FCA Regulation, the cost of ensuring firmness (including the cost of re-dispatching, countertrading and imbalance associated with compensating market participants) shall be borne by TSOs.
- (27) Article 61(2) of the FCA Regulation provides a guidance for the competent regulatory authorities that they should consider the compensation payments as eligible costs, while fixing or approving transmission tariffs or other mechanisms. Nevertheless, this Article does not constitute any legal base for the content of the FCR methodology.
- (28) According to Article 61(3) of the FCA Regulation, within six months after the approval of the methodology for sharing congestion income referred to in Article 57 of the FCA Regulation, all TSOs shall jointly develop the FRC methodology. This methodology shall be consistent with the methodology for sharing congestion income from forward capacity allocation as referred to in Article 57 of the FCA Regulation.
- (29) As a general requirement, Article 4(8) of the FCA Regulation requires that the proposal includes a proposed timescale for its implementation and a description of its impact on the objectives of the same Regulation.

6.2. Assessment of the legal requirements

6.2.1. Assessment of the requirements for the development and for the content of the proposal

6.2.1.1. Development of the proposal

- (30) The Proposal fulfils the requirements of Articles 4(1) and 4(6)(g) of the FCA Regulation, as all TSOs jointly developed the Proposal and submitted it to ACER for revision and approval, as described in Chapter 3 above.
- (31) The Proposal fulfils the requirements of Article 61(1), because it determines the scope of the application of the costs of ensuring firmness, which includes the cost of re-dispatching, countertrading and imbalance associated with compensating market participants.
- (32) The procedure for the development of the Proposal followed the requirements of the first sentence of Article 61(3), because all TSOs submitted the Proposal within six months after the approval of the methodology for sharing congestion income referred to in Article 57 of the FCA Regulation. Moreover, the Proposal fulfils the requirement of the second sentence of Article 61(3), because it is consistent with the methodology for sharing congestion income from forward capacity allocation as referred to in Article 57.

6.2.1.2. Proposed timescale for implementation

- (33) The Proposal fulfils the requirements of Article 4(8), because it contains, in its Article 7(2), a timeline for its implementation.

6.2.1.3. Description of the expected impact on the objectives of the FCA Regulation

- (34) The Proposal fulfils the requirement of Article 4(8) of the FCA Regulation on describing the expected impact of the objectives from Article 3(a) to (f) of the FCA Regulation, but it fails to provide the expected impact on the objective pursuant to Article 3(g). Therefore, to fulfil the requirement of Article 4(8) of the FCA Regulation, ACER amended Recital (15) of the Proposal to provide an explanation why it contributes to the efficient long-term operation and development of the electricity transmission system and electricity sector in the Union. Moreover, ACER deemed necessary to amend the reasoning describing the impact of objectives under Recitals (12) and (13), i.e. objectives stemming from Articles 3(c) to 3(e) of the FCA Regulation.

6.2.2. Assessment of the legal requirements for sharing costs incurred to ensure firmness and remuneration of LTTRs

- (35) Article 61(1) of the FCA Regulation requires that the Proposal covers cost of ensuring firmness that include costs incurred from compensation mechanisms associated with ensuring firmness of cross-zonal capacities as well as the cost of re-dispatching, countertrading and imbalance associated with compensating market participants.

- (36) In its Articles 3 and 4, the Proposal provides for the costs of remuneration of eligible LTTRs attributed to the implicit daily allocation process based on flow-based capacity calculation and coordinated net transmission capacity calculation.
- (37) Article 1(3) of the Proposal implicitly includes the provisions covering re-dispatching and countertrading; in particular it refers to ‘costly remedial actions’.
- (38) Article 2(4) of the Proposal provides for the provision covering costs for imbalance associated with compensating market participants.
- (39) Therefore, the Proposal complies with the provisions of Article 61(1) of the FCA Regulation, because it covers all requirements described in paragraphs (35) to (38) above.
- (40) Article 61(3) of the FCA Regulation requires that all TSOs submit the Proposal for revision and approval to ACER by within six month after the approval of the methodology for sharing congestion income referred to in Article 57 of the FCA Regulation and make it consistent with it. Therefore, the Proposal complies with Article 61(3) of the FCA Regulation, because of reasons described in paragraph (3) above and paragraph (32) above.

6.2.3. Assessment of the requirements for consultation, transparency and stakeholder involvement

- (41) The FCA Regulation does not contain any provisions on the necessity to consult the FRC Methodology and does not place any such obligation on the TSOs. Particularly, Article 6(1) of the FCA Regulation obliges the TSOs to run the consultation process only if the relevant articles explicitly request so.
- (42) Therefore, the TSOs were not obliged to consult the FRC methodology, because Article 61 of the FCA Regulation does not explicitly require a consultation.

6.3. Assessment of the compliance with the objectives of the FCA Regulation

- (43) All TSOs proposed the following structure for sharing the costs of remuneration of eligible LTTRs:
 - (a) **First:** The remuneration costs are covered by the day-ahead congestion income of the relevant BZB and MTU, according to the day-ahead congestion income distribution methodology, and the remaining day-ahead congestion income is calculated (i.e. the assigned day-ahead congestion income minus remuneration costs) for each border within a CCR.

- (b) **Second:** If there are remaining costs, they are covered by the long-term congestion income allocated to the same BZB and MTU.⁵
 - (c) **Third:** If there are still remaining costs on some bidding zone borders of a CCR, they are shared proportionally (weighted by the positive day-ahead congestion income) among bidding zone borders with positive remaining day-ahead congestion income calculated in the first step (in case of coordinated NTC approach this step includes only borders which are declared as interdependent).
- (44) In order to promote effective long-term cross-zonal trade for market participants, to optimise the allocation of long-term cross-zonal capacity, to ensure fair and non-discriminatory treatment of TSOs and to contribute to the efficient long-term operation of the electricity transmission system in the Union, i.e. to comply with the objectives of the FCA Regulation, ACER amended the rules that apply for remuneration of the eligible LTTRs by switching the Second and the Third step from the Proposal, i.e. the long-term congestion income is to be used later in the process of sharing costs for remuneration of LTTRs.
- (45) ACER is of the opinion that the Proposal, which uses the long-term congestion income before the day-ahead congestion income in a whole CCR is exhausted and questionable, because:
- (a) LTTR remuneration should be based on income generated during the re-allocation of capacities in the single day-ahead market coupling, i.e. remuneration costs should equal the congestion income from day-ahead re-allocation. In this sense, the remuneration costs and the day-ahead congestion income are fully correlated as they are driven by the same market fundamentals (allocated capacities multiplied by market spread in the day-ahead timeframe).
 - (b) Long-term congestion income is not correlated with the remuneration costs since the LTTRs are considered as hedging tools and the long-term congestion income received by the TSOs is a hedging premium that represents the expected average positive market spread, but not the realised market spread in each MTU.
 - (c) The early use of the long-term congestion income in the cost sharing process could also create a ‘discrimination’ between PTRs and FTRs. Some TSOs might start preferring PTRs, because the nominated PTRs would not represent a risk of depleting the long-term congestion income the TSOs collect in the long-term auctions (unlike the non-nominated PTRs and FTRs, which might require the long-term congestion income to cover the remuneration costs).

⁵ The TSOs’ proposal submitted to ACER does not mention the same MTU, but the intention and the meaning has been clarified and agreed with the TSOs during the consultation process.

- (46) Therefore, in ACER's view, for the reasons presented above, the day-ahead congestion income should be given priority in LTTR remuneration cost sharing process and the day-ahead congestion income of the whole CCR (of a particular MTU) should be spent completely before any long-term congestion income is used for remuneration of LTTRs.
- (47) Moreover, the early use of long-term congestion income in the cost sharing process might also reduce (and change the allocation of) the resources gathered from long-term congestion income used on specific BZBs for potential compensation of the LTTRs' curtailment, in accordance with Article 54 of the FCA Regulation. The compensation cap is determined by the total congestion income collected in a calendar year on a BZB in all timeframes and different sharing keys have different impact on the total congestion income spent on remuneration and curtailment on each specific BZB.
- (48) The Proposal does not clarify the cost sharing principles in case there are still remaining costs to be remunerated after the last step of the sharing key was applied.
- (49) Therefore, in order to comply with the objective of the FCA Regulation to promote effective hedging opportunities for market participants, ACER introduced one more paragraph (Article 3(5) of Annex I to this Decision), which follows after the last step of the cost sharing principles described above. This last step ensures that the holders of LTTRs are remunerated fully, because the FCA Regulation does not allow any application of caps. For that purpose, the TSOs should use any congestion income, which was not yet used in any previous steps of the cost sharing principles and if insufficient, any other income. ACER recognizes that the chance that this step will be applied is very low, nevertheless it deems it appropriate to introduce it for the sake of the completeness of the cost sharing principles.
- (50) For the reasons described by this chapter above, ACER deemed necessary to amend Article 4.4 of the Proposal, in order to apply analogous principles used for sharing of costs for remuneration on the cases of decoupling. If triggering the fallback procedures results in decoupling of some BZBs, these decoupled borders should not be part of the cost sharing mechanism, because they are not any longer part of the global welfare optimisation and capacity re-allocation during the single day-ahead coupling. Those borders that remain coupled constitute a CCR with reduced number of BZBs for the purpose of sharing the remuneration costs.

6.4. Assessment of other provisions

- (51) ACER deleted the last sentence of Recital (3), because the amendment procedure of the terms and conditions or methodologies is already provided by Article 4 of the FCA Regulation, therefore such a provision is redundant.
- (52) To improve the structure of the Proposal, ACER moved the content of Recital (5) to Article 1, because it determines the scope of the methodology, rather than interpretation of the content.
- (53) Article 30(7) of the FCA Regulation determines the scope of application of Article 61 of the FCA Regulation. Therefore, ACER amended Article 1(1) to better describe the scope

of the FRC methodology and to clarify the application of its provisions, i.e. to exclude those BZBs to which Article 61 of the FCA Regulation does not apply.

- (54) To improve the structure of the Proposal, ACER moved the content of Article 2(4) to Article 1(3) that determines the application of costly remedial actions, because it determines the scope of application of the methodology.
- (55) To enhance clarity of the Proposal, ACER redrafted the definition of the ‘bidding zone border’ in Article 2(3), nevertheless the meaning of the contents remains the same.
- (56) To enhance readability and to improve the structure of the document, ACER merged Articles 3 and 4 and applied a common structure of the cost sharing principles, i.e. ACER structured the cost sharing principles in a sequence of steps to be followed during the process of sharing the cost. The amended structure applies the same sequence of step to both capacity calculation approaches, i.e. to the flow-based approach and the CNTC approach.
- (57) ACER deleted Article 7(3), because the amendment procedure of the terms and conditions or methodologies is already provided by Article 4 of the FCA Regulation, therefore such a provision is redundant.

7. ASSESSMENT OF INPUTS RECEIVED DURING THE HEARING PHASE

- (58) All arguments concerning the different choice for the cost sharing principles are described in Chapter 6.3 above. On the specific issue raised by the Danish and Polish regulatory authorities that the TSOs would tend to over-sell long-term cross-zonal capacity, ACER believes that it should not constitute a critical issue concerning fairness and non-discriminatory principles as well as incentives for TSOs:
 - (a) Firstly, because there is no direct linear relation between the amount of auctioned capacity and the total income from the auction.
 - (b) Secondly, because the TSOs cannot predict (e.g. a year or a month ahead of the day-ahead timeframe) that their concerned BZB would not be subject to negative income (day-ahead income lowered by remuneration of LTTRs) after the day-ahead market coupling.
 - (c) Thirdly, in the current European framework, only the Core CCR uses the flow-based approach (Nordic CCR is out of scope of this methodology as it does not issue LTTRs) and includes the long-term capacity in its flow-based domain, which should prevent overselling the long-term capacity, once the forward capacity calculation, in accordance with Article 10 of the FCA Regulation, is implemented (which corresponds with the timeline of implementation of the FRC methodology).
- (59) ACER believes that amendment procedure of the FRC methodology is well described in Article 4 of the FCA Regulation, therefore, there is no need to include special paragraphs setting out the periodicity of review of the FRC methodology as requested by the Polish

regulatory authority and by all TSOs in their submission and their hearing input (précising that it should be connected to the HAR).

- (60) ACER agrees with the Polish regulatory authority and all TSOs' input that the 'transmission tariffs' do not need to be part of the description of the cost sharing principles, therefore, ACER deleted it.
- (61) ACER agrees with the French regulatory authority to provide more clarity on the scope, i.e. the BZB level, of the application of the cost sharing of curtailment of cross-zonal capacities, therefore, ACER added the BZB level in the text.

8. CONCLUSION

- (62) For all the above reasons, ACER considers the Proposal in line with the requirements of the FCA Regulation, provided that the amendments described in this Decision are integrated in the Proposal, as presented in Annex I.
- (63) Therefore, ACER approves the Proposal, subject to the necessary amendments and to the necessary editorial amendments. To provide clarity, Annex I to this Decision sets out the Proposal as amended and approved by ACER,

HAS ADOPTED THIS DECISION:

Article 1

The methodology for sharing costs incurred to ensure firmness and remuneration of long-term transmission rights, in accordance with Article 61 of Regulation (EU) 2016/1719 is adopted as set out in Annex I to this Decision.

Article 2

This Decision is addressed to all TSOs:

50Hertz Transmission GmbH
Amprion GmbH
Austrian Power Grid AG
AS Augstsprieguma tīkls
Baltic cable AB
BritNed Development Limited (NL)
BritNed Development Limited (UK)
C.N. Transelectrica S.A.
ČEPS, a.s.
Creos Luxembourg S.A.
EirGrid Interconnector DAC
EirGrid plc
ElecLink
Electroenergien Systemen Operator EAD
Elering AS
ELES, d.o.o.
Elia Transmission Belgium SA/NV
Energinet
Fingrid Oyj
HOPS d.o.o. - Croatian Transmission System Operator Ltd
Independent Power Transmission Operator S.A.
Kraftnät Åland Ab
Litgrid AB
MAVIR ZRt.
National Grid ESO
National Grid Interconnectors
Nemo Link Limited
Polskie Sieci Elektroenergetyczne S.A.
Red Eléctrica de España S.A.
Rede Eléctrica Nacional, S.A.
Réseau de Transport d'Electricité, S.A
Slovenská elektrizačná prenosová sústava, a.s.
SONI - System Operator for Northern Ireland Ltd;
Svenska Kraftnät
TenneT GER - TenneT TSO GmbH
TenneT TSO - TenneT TSO B.V.

Terna Rete Elettrica Nazionale S.p.A.
TransnetBW -TransnetBW GmbH
VÜEN - Vorarlberger Übertragungsnetz GmbH

Done at Ljubljana, on 23 October 2020.

- SIGNED -

*For the Agency
The Director*

C. ZINGLERSEN

Annexes:

Annex I – Methodology for sharing costs incurred to ensure firmness and remuneration of long-term transmission rights

Annex Ia (for information only) – Methodology for sharing costs incurred to ensure firmness and remuneration of long-term transmission rights – with track changes

Annex II (for information only) – Evaluation of responses to the public consultation on the Methodology for sharing costs incurred to ensure firmness and remuneration of long-term transmission rights

In accordance with Article 28 of Regulation (EU) 2019/942, the addressee may appeal against this Decision by filing an appeal, together with the statement of grounds, in writing at the Board of Appeal of the Agency within two months of the day of notification of this Decision.

In accordance with Article 29 of Regulation (EU) 2019/942, the addressee may bring an action for the annulment before the Court of Justice only after the exhaustion of the appeal procedure referred to in Article 28 of that Regulation.