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Reguleringsmyndigheten
for energi – RME

Vedlegg I

**Metode for unntak fra plikten til å tillate
overføring av aFRR-balansekapasitet i den
nordiske LFC-blokken**



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Whereas:

1. This document provides for Norway an exemption from the requirement to allow balancing service providers ('BSPs') to transfer their obligations to provide frequency restoration reserve with automatic activation ('aFRR') capacity pursuant to Article 34(1) of the Commission Regulation (EU) 2017/2195 of 23 November establishing a guideline on electricity balancing ('EB Regulation') for the geographic area covering the load-frequency control block of the Nordic synchronous area ('Nordic LFC Block'), as specified in accordance with Article 141(2) of the Commission Regulation (EU) 2017/1485 of 2 August 2017 establishing a guideline on electricity transmission system operation ('SO Regulation'). This document is hereinafter referred to as the 'Exemption'.
2. This Exemption applies to the transmission system operators of the Nordic LFC Block ('TSOs'), allowing BSPs to transfer their obligations to provide balancing capacity pursuant to Article 34(1) of the EB Regulation, for Norway. Where the Nordic LFC Block encompasses both European Economic Area ('EEA') and third country TSOs, all EEA TSOs in that synchronous area shall endeavour to conclude with the third country TSOs an agreement setting the basis for their cooperation.
3. This Exemption takes into account the general principles and goals set out in the EB Regulation as well as the SO Regulation, the Commission Regulation (EU) 2015/1222 of 24 July 2015 establishing a guideline on capacity allocation and congestion management ('CACM Regulation') and the Regulation (EC) 714/2009 of the European Parliament and of the Council of 13 July 2009 on the conditions for access to the network for cross-border exchanges in electricity ('Electricity Regulation').
4. The TSOs are mutually willing to exchange aFRR capacity within the Nordic synchronous area and have developed common and harmonised rules and processes for the exchange and procurement of aFRR capacity. The exchange of aFRR capacity in the Nordic synchronous area is based on a TSO-TSO model taking into account the available cross-zonal capacity ('CZC') and the frequency restoration reserves ('FRR') dimensioning rules in accordance with Article 157 of the SO Regulation.
5. This Exemption is based on the possibility for TSOs to request an exemption from the requirements of Article 34 of the EB Regulation regarding the transfer of BSPs' obligations to provide balancing capacity across bidding zones borders within the same geographical area in which the procurement of aFRR capacity takes place. TSOs can request an exemption from the requirement



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to allow BSPs to transfer balancing capacity bids when the contracting period is strictly less than one week. The contracting period for the aFRR capacity market in the Nordic synchronous area shall only be one day and this is expected to reduce the need for such flexibility among BSPs relative to a longer contracting period.

6. Article 5(5) of the EB Regulation requires that the expected impact of the Exemption on the objectives of the EB Regulation is described. The expected impact is presented below.
7. This Exemption contributes and does not hamper the achievement of the objectives of Article 3 of the EB Regulation. In particular, the Exemption serves the following objectives:
 - (a) This Exemption fosters effective competition, non-discrimination and transparency in balancing markets (Article 3(1)(a) of the EB Regulation). Specifically, it still allows the transfer of balancing capacity obligations within a bidding zone thereby not harming operational security. The ability to transfer obligations within a bidding zone gives potential BSPs greater flexibility in managing the risks of being unable to deliver and may encourage greater participation in the market by BSPs with limited alternative options for managing this risk in their own portfolio. This greater participation should foster competition in the balancing capacity market. It should also ensure that there is no competitive advantage for BSPs having a portfolio across different bidding zones, which might be able to manage the risk of non-delivery far better by effectively transferring capacity obligations within their portfolio. Finally, by establishing a common structure for the exemption across the whole Nordic aFRR capacity market and structuring the exemption rules based on bidding zone borders, a level playing field for balancing capacity providers across the Nordic synchronous area is ensured.
 - (b) The Proposal contributes to the objective of integrating balancing markets and promoting the possibilities for exchanges of balancing services while contributing to operational security (Article 3(1)(c) of the EB Regulation) because the method used to award aFRR capacity obligations, as defined in the methodology pursuant to Article 41(1) of the EB Regulation, ensures that sufficient CZC is reserved to allow for the automatic activation of the awarded capacity. If the cross-zonal transfers were allowed, the transfer of aFRR capacity obligations might result in a situation in which these obligations could not be fulfilled without violating operational security constraints
 - (c) This Exemption contributes to the efficient long-term operation and



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development of the electricity transmission system and electricity sector in the EEA while facilitating the efficient and consistent functioning of day-ahead, intraday and balancing markets (Article 3(1)(d) of the EB Regulation) because the method used to award aFRR capacity market obligations, as defined in the methodologies pursuant to Article 33(1) and Article 38(1) of the EB Regulation, accounts for the potential value of CZC to the day-ahead energy market. Allowing the cross-zonal transfers of aFRR capacity obligations would risk obliging TSOs to restrict or reverse the efficient use of CZC by the energy market in order to ensure operational security because BSPs exchanging aFRR capacity obligations do not face the cost of the changes in the actual allocation of CZC to this extra balancing capacity exchange needed to enable the transfer. Not allowing such transfers prevents such inefficient transfers from occurring.



TITLE 1

General provisions

Article 1

Subject matter and scope

1. This document establishes the exemption for the TSOs in the Nordic synchronous geographical area from the requirement to allow BSPs to transfer their obligations to provide aFRR capacity in accordance with Article 34(1) of the EB Regulation ('the Exemption'), while respecting the requirements of Article 32 of the EB Regulation.
2. The Exemption applies to all the bidding zone borders of the Nordic synchronous geographic area adjacent to the bidding zones in which TSOs of the Nordic LFC Block perform common procurement of aFRR capacity in accordance with Article 33(1) of the EB Regulation.

Article 2

Definitions and interpretation

1. For the purposes of this Exemption, terms used in this document shall have the meaning of the definitions included in Article 2 of the EB Regulation, Article 3 of the SO Regulation, Article 2 of the CACM Regulation, the Electricity Regulation, the Commission Regulation (EU) No 543/2013 of 14 June 2013 on the submission and publication of data in electricity markets and amending Annex I to Regulation (EC) No 714/2009 of the European Parliament and of the Council ('Transparency Regulation') and the Directive 2009/72/EC of the European Parliament and of the Council of 13 July 2009 concerning common rules for the internal market in electricity ('Electricity Directive'), as amended for the purposes of the EEA Agreement.
2. In the Exemption, unless the context requires otherwise:
 - (a) the singular indicates the plural and vice versa;
 - (b) the table of contents and headings are inserted for convenience only and do not affect the interpretation of this exemption;
 - (c) any reference to cross-zonal capacities shall include also the reference to allocation constraints as applied in the respective capacity calculation methodology pursuant to Article 20 of the CACM Regulation or Article 10 of the Commission Regulation (EU) 2016/1719 of 26 September 2016 establishing a guideline on forward capacity allocation ('FCA Regulation'); and
 - (d) any reference to an Article without an indication of the document shall



mean a reference to this methodology

TITLE 2

Exemption

Article 3

Exemption to transfer aFRR capacity obligations between bidding zones

1. A balancing service provider's obligation to provide aFRR capacity results from the selection of an aFRR capacity bid in the procurement of aFRR capacity pursuant to Article 33(1) of the EB Regulation.
2. A balancing service provider shall not be allowed to transfer the obligation pursuant to paragraph (1) across bidding zone borders.

TITLE 3

Final provisions

Article 4

Publications and implementation of the Exemption

1. The TSOs shall publish the Exemption without undue delay after the decision has been made in accordance with paragraph (2).
2. The TSOs shall implement the Exemption as soon as the decision has been taken by the EFTA Surveillance Authority in accordance with point 47(d) of Annex IV to the EEA Agreement and subject to and as soon as the Norwegian energy regulatory authority, NVE-RME, has taken the subsequent decision on implementation in Norwegian law and provided the common and harmonised rules and processes for the exchange of aFRR capacity in accordance with Article 33(1) of the EB Regulation are implemented by the TSOs of the Nordic LFC Block.

Article 5

Language

The reference language for this Exemption shall be English. For the avoidance of doubt, where TSOs need to translate the Exemption into their national language(s), in the event of inconsistencies between the English version published by TSOs in accordance with Article 7 of the EB Regulation and any version in another language, the relevant TSOs shall, in accordance with national legislation, provide the relevant national regulatory authorities with an updated translation of this Exemption.



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