

Derogation from 15 minutes ISP

NBM Reference Group Meeting

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Legal background

EB GL article 62:

2. A TSO may request a **derogation** from the following requirements:

(d) the harmonisation of the imbalance settlement period in **Article 53(1)**;

4. TSOs shall file a written request for derogation to the relevant regulatory authority **at the latest six months prior to** the day of application of the provisions from which the derogation is requested.

6. The relevant regulatory authority shall adopt a **decision** concerning any request for derogation within **six months from the day after it receives the request**. That time limit may be **extended by three months** before its expiry where the relevant regulatory authority requires further information from the TSO requesting the derogation. The additional period shall **begin when the complete information has been received**.

7. The TSO requesting the derogation **shall submit any additional information** requested by the relevant regulatory authority **within two months** of such request.

9. (...) Where the relevant regulatory authority grants a derogation, it shall specify its duration. The derogation may be granted only once and for a maximum period of two years, except for the derogations in paragraphs 2(c) and 2(d) which **may be granted until 1 January 2025**.

Potential timetable

	2019		2020											2020		
Activity	Nov	Dec	Jan	Feb	Mar	Apr	May	June	July	Aug	Sep	Oct	Nov	Dec	Jan	Feb
Develop request for derogation	■	■	■	■	■											
Send request for derogation					★											
Stand by, answer NRA questions						■	■	■	■	■	■	■				
Regulators request more information											★					
TSO prepare additional information												■	■			
TSOs submit additional information													★			
Regulators assess additional information														■	■	■
Regulators grant derogation																★

- Four national requests for derogations will be submitted in March at the latest
- We need to work together with regulators to get the most efficient process – requests for additional information must be avoided
- Can national regulations be amended in parallel with the derogation process?

Request for derogation

EBGL art. 62 (5)

5. The request for derogation shall include the following information:

(a) the provisions from which a derogation is requested;

(b) the requested derogation period;

(c) a detailed plan and timeline specifying how to address and ensure the implementation of the concerned provisions of this Regulation after expiration of the derogation period;

(d) an assessment of the consequences of requested derogation on adjacent markets;

(e) an assessment of the possible risks for the integration of balancing markets across Europe caused by the requested derogation.

Roadmap

Must be based on
existing analyses

Next steps in the implementation of 15 min ISP

- Once granted by regulators, the derogation will set the date for when we move to 15 minutes ISP in the Nordics
- Implementation is a national task, but NBM will monitor progress and we will have a dialogue with the regulators at both national and Nordic level
- The datahubs and eSett will be central points of contacts for the industry in addition to TSOs.