

# Public Consultation - Network Code on Demand Response

Fields marked with \* are mandatory.

## Introduction

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### 1. Objective

The objective of this consultation is to gather views and information from stakeholders regarding ACER's revisions on the EU DSO Entity's and ENTSO-E's proposal for a network code on demand response (related documents 'E' below). The input from the consultation will be used by ACER to further amend the draft network code and related legal framework before submitting the final recommendation to the European Commission by March 2025.

### 2. Target group

This consultation is addressed to Electricity Transmission System Operators (TSOs), electricity Distribution System Operators (DSOs), Regional Coordination Centres (RCCs), Nominated Electricity Market Operators (NEMOs), investors, network users, producers, suppliers, new market players, exchanges, balancing providers, public authorities, academics, think tanks, environmental groups, civic society and other interested parties.

### 3. Contact and deadline

You are kindly asked to submit your responses through the survey tool by **31 October 2024, 23:59 hrs (CET)**.

Apart from replying to the survey questions, expressing your level of agreement/disagreement with the revisions, and providing your comments, you are also welcome to submit proposed amendments to the public consultation documents, through the 'file upload' section of this survey. In this case, **please use the following Word files** (can be downloaded from Section 6 on this page):

- A. "20240905 DR NC ACER public consultation"** with ACER's revisions to the EU DSO Entity's and ENTSO-E's proposal for a network code on demand response;

**B. “20240905 EB Regulation amendments DR NC”** with ACER's revisions to the Commission Regulation (EU) 2017/2195 establishing a guideline on electricity balancing (Electricity Balancing Regulation);

**C. “20240905 SO Regulation amendments DR NC incl CACM 2.0”** with ACER's revisions to the Commission Regulation (EU) 2017/1485 establishing a guideline on electricity transmission system operation (System Operation Regulation); and

**D. “20240905 NC DC 2.0 amendments DR NC”** with ACER's revisions to the Commission Regulation (EU) 2016/1388 establishing a network code on demand connection (Demand Connection Regulation).

In this case, and while providing your suggested amendments in **track changes** mode, please **use as “Author”** for your edits the name of the organisation/association/company on behalf of which the survey submission is made (“**entity name**” in the survey fields). Also, please use this approach (i.e. uploading a file) to **only** propose amendments to the text, NOT for providing comments, as the comments should only be submitted through the survey fields. Correspondingly, the survey fields should NOT be used for proposing amendments to the text.

In case of submissions that do not respect any of the above rules, they will be rejected and not be taken into consideration.

In case of questions on the public consultation you may send a request for clarification to **ACER-ELE-2024-008@acer.europa.eu**.

## 4. Identification data and confidential information

\* Name of entity

European Energy Research Alliance (EERA) - Joint Programme on Smart Grids & Joint Programme on Digitalization for Energy

\* Name of the respondent

Mattia Cabiati (RSE)  
Rafael Mayo-Garcia (CIEMAT)  
Margherita Menon (EERA)  
Andrei Morch (SINTEF Energy Research)  
Aliene van der Veen (TNO)

\* Email

m.menon@eera-set.eu

\* Country of the entity's seat

- Austria
- Belgium

- Bulgaria
- Croatia
- Cyprus
- Czechia
- Denmark
- Estonia
- Finland
- France
- Germany
- Greece
- Hungary
- Ireland
- Italy
- Latvia
- Lithuania
- Luxembourg
- Malta
- Netherlands
- Norway
- Poland
- Portugal
- Romania
- Slovak Republic
- Slovenia
- Spain
- Sweden

\* Activity

- Trader (or association)
- Energy supplier (or association)
- Aggregator (or association)
- Generator (or association)
- Utility (or association)
- End-user (or association)
- Market operator (or association)
- Transmission network operator (or association)
- Distribution network operator (or association)
- Regulatory authority
- Other (please specify)

\* Please specify other activity

Low-carbon energy research community (membership-based and non-profit association)

\* Does your submission into this consultation contain confidential information?

- Yes
- No

## 5. Publication of responses and privacy

The Agency will publish all non-confidential responses, and it will process personal data of the respondents in accordance with Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, taking into account that this processing is necessary for performing the Agency's consultation task. For more details on how the contributions and the personal data of the respondents will be dealt with, please see the specific privacy statement attached to this consultation.

I confirm having read the [Data Protection Notice](#)

## 6. Consultation documents

**Consultation note (Important:** please read this document before responding to the survey)

[20240905\\_Note\\_on\\_public\\_consultation\\_on\\_DR\\_NC.pdf](#)

**A. “20240905 DR NC ACER public consultation”** with ACER's revisions to the EU DSO Entity's and ENTSO-E's proposal for a network code on demand response

[20240905\\_DR\\_NC\\_ACER\\_public\\_consultation.docx](#)

**B. “20240905 EB Regulation amendments DR NC”** with ACER's revisions to the Commission Regulation (EU) 2017/2195 establishing a guideline on electricity balancing (Electricity Balancing Regulation)

[20240905\\_EB\\_Regulation\\_amendments\\_DR\\_NC.docx](#)

**C. “20240905 SO Regulation amendments DR NC incl CACM 2.0”** with ACER's revisions to the Commission Regulation (EU) 2017/1485 establishing a guideline on electricity transmission system operation (System Operation Regulation)

[20240905\\_SO\\_Regulation\\_amendments\\_DR\\_NC\\_incl\\_CACM\\_2.0.docx](#)

**D. “20240905 NC DC 2.0 amendments DR NC”** with ACER's revisions to the Commission Regulation (EU) 2016/1388 establishing a network code on demand connection (Demand Connection Regulation).

[20240905\\_NC\\_DC\\_2.0\\_amendments\\_DR\\_NC.docx](#)

**E. Article mapping table** of the network code on demand response (consultation document 'A' vs related document 'E')

[Article\\_mapping\\_table\\_PC.xlsx](#)

## 7. Related documents

A. [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.

B. [Regulation \(EU\) 2019/943](#) of the European Parliament and of the Council of 5 June 2019 on the internal

market for electricity (recast).

C. [Directive \(EU\) 2019/944](#) of the European Parliament and of the Council of 5 June 2019 on common rules for the internal market for electricity and amending Directive (EU) 2012/27 (recast).

D. ACER [Framework Guideline](#) on Demand Response, 20 December 2022.

E. EU DSO entity and ENTSO-E [proposal for a network code on demand response](#) ([full proposal package](#))

## DR NC Articles 1-18 (Title I)

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What is your general opinion on the following Articles of ACER's revisions to the EU DSO Entity's and ENTSO-E's proposal for a network code on demand response?

Opinion table

	Strongly disagree	Disagree	Neutral	Agree	Strongly agree	No opinion
* Article 1	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* Article 2	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Article 3	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* Article 4	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Article 5	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Article 6	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* Article 7	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Article 8	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Article 9	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Article 10	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Article 11	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Article 12	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Article 13	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Article 14	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Article 15	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Article 16	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Article 17	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Article 18	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

If you wish, please explain your answers in the comment table below.

Comment table

	Comment
Article 1	The initial sections of this Regulation indicate that it defines rules concerning Aggregation. However, these rules do not seem to be addressed on the indicated level.
Article 2	Referring to definition of the market: to avoid misunderstanding we suggest to use name "Market for local services". It is unclear whether tendering procedures are a part of term "market-based procurement" or not, if so it is suggested to add this in the definition.
Article 3	
Article 4	Overall, the article appears well-structured. However, it could benefit from further clarification to ensure completeness. Notably, there seems to be ambiguity in the description of development and approval procedures within this article. For instance, terms such as 'All System Operators' and 'Competent System Operators' are used, but it is unclear how 'Competent System Operators' are defined or designated. Additionally, in cases involving numerous System Operators within certain countries, it would be helpful if the article specified whether decisions should be taken unanimously by 'All System Operators' or if a voting mechanism or any similar majority-based decision-making is applicable.
Article 5	This article introduces ambiguity in the requirements for submission. Specifically, the directive for 'all system operators of each Member State' to 'develop proposals for common national terms and conditions' and to 'jointly submit them' lacks clarity regarding the individual contributions of each system operator. It is unclear whether 'jointly submit' requires a consolidated proposal or if individual proposals are to be collectively submitted in a coordinated manner. Further clarification on this process would ensure uniform understanding and compliance with the submission requirements across Member States.
Article 6	
Article 7	
Article 8	To speed up the adoption process, it may be beneficial to include an obligation for system operators to communicate the common national terms and conditions to relevant stakeholders.

Article 9	The one-month minimum period stipulated for public consultation on common national terms and conditions may be insufficient, given the complexity and importance of these proposals. Extending this timeframe could allow for more thorough stakeholder review and input.
Article 10	We agree with this article, provided that Articles 14 and 15 are included as referenced.
Article 11	We agree with this article, provided that Articles 14 and 15 are included as referenced.
Article 12	We agree with this article, provided that Articles 14 and 15 are included as referenced.
Article 13	To speed up the adoption process, it may be beneficial to include an obligation for ENTSO-E and the EU DSO Entity to communicate the approved Union-wide methodologies directly to stakeholders.
Article 14	
Article 15	
Article 16	Regarding the delegation of tasks to third-party operators, adherence to tendering rules is essential for transparency and fair competition. Additionally, the current language appears overly broad, potentially allowing excessive delegation. To ensure accountability, certain core responsibilities should remain with system operators, preserving oversight and integrity in essential operations.
Article 17	The principle of "who causes costs should pay" should be considered alongside general cost distribution to promote fairness and potentially reduce the burden on all consumers. It is advisable that the regulation allows for flexibility in cost recovery methods, enabling Member States to adopt innovative approaches in grid tariff structures where appropriate. This article might benefit from less restrictive language to ensure it does not inadvertently constrain potential developments in grid cost recovery mechanisms.
Article 18	

## DR NC Articles 19-37 (Titles II, III)

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What is your general opinion on the following Articles of ACER's revisions to the EU DSO Entity's and ENTSO-E's proposal for a network code on demand response?

Opinion table

	Strongly disagree	Disagree	Neutral	Agree	Strongly agree	No opinion
* Article 19	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* Article 20	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Article 21	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* Article 22	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Article 23	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Article 24	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Article 25	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* Article 26	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* Article 27	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Article 28	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Article 29	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Article 30	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Article 31	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Article 32	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* Article 33	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Article 34	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* Article 35	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* Article 36	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* Article 37	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>

If you wish, please explain your answers in the comment table below.

Comment table

	Comment
Article 19	
Article 20	<p>The procedure for utilizing a sub-meter as outlined in Article 21 is currently unclear. While the article provides rules for the processes required to onboard the sub-meter into systems and processes, the decision-making criteria regarding the acceptability of using the sub-meter remain ambiguous.</p> <p>Furthermore, there are concerns regarding the functionality of this approach in larger portfolios of aggregated loads (SPGs). It is also noted that reliance on smart meters or similar devices may be ineffective if the method for calculating injections and withdrawals is not clearly defined within the regulatory framework.</p>
Article 21	
Article 22	<p>It is suggested that simpler baselines should be prioritized to minimize the need for significant investments by system operators and service providers. The pursuit of slightly improved accuracy at the cost of substantial additional ICT efforts may not be justified.</p>
Article 23	<p>The stipulation in Article 23.2 requiring the service provider to supply 'all data necessary' for validating service provision is recognized as valid. However, it is important that such requests be proportional to the effort required and made in a timely manner. The same considerations apply to Article 23.3.</p>
Article 24	
Article 25	<p>In Article 25.4, it is suggested that the provision stating 'no changes in the ICT system' should also encompass the tools and applications operating within the system.</p>
Article 26	<p>It is noted that the presentation at the webinar did not clarify whether the prequalification process is intended to be complementary to or a replacement for the verification process. This distinction is essential.</p>
Article 27	<p>Article 27.2 may restrict consumers' ability to stack value by utilizing the services of dedicated service providers. Evidence from the USEF Value Stacking white paper (2018) suggests that multiple activations can be settled. It is recommended that Member States be granted the flexibility to enable such arrangements when they provide sufficient benefits to the overall flexibility value chain.</p>
Article 28	

Article 29	There are concerns regarding the realism of the proposed time limits, particularly the requirement for all Distribution System Operators (DSOs) to develop a proposal within six months following the completion of the proposal by ENTSO-E.
Article 30	
Article 31	The status of prequalification, specifically the designation of 'Conditional Approval,' raises questions regarding whether the conditions associated with this status are static or dynamic. Clarification is needed on the frequency with which these conditions should be revised. The potential for Distribution System Operators (DSOs) to restrict service provision in their respective areas based on this status should also be considered.
Article 32	
Article 33	The proposal emphasizes the establishment of a 'one national system.' It may be beneficial to encourage the development of common systems for countries with existing well-established common frameworks, such as the Nordic countries.
Article 34	The article does not clearly specify which entity is responsible for maintaining the proposed national flexibility information system.
Article 35	
Article 36	
Article 37	

## DR NC Articles 38-53 (Titles IV, V, VI)

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What is your general opinion on the following Articles of ACER's revisions to the EU DSO Entity's and ENTSO-E's proposal for a network code on demand response?

Opinion table

	Strongly disagree	Disagree	Neutral	Agree	Strongly agree	No opinion
* Article 38	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Article 39	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Article 40	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Article 41	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Article 42	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Article 43	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Article 44	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Article 45	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Article 46	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Article 47	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Article 48	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Article 49	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Article 50	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Article 51	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Article 52	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Article 53	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

If you wish, please explain your answers in the comment table below.

Comment table

	Comment
Article 38	
Article 39	
Article 40	
Article 41	
Article 42	The proposed requirements may compel Distribution System Operators (DSOs) to rebalance activations for local services. For instance, if a photovoltaic (PV) plant is instructed to reduce its production due to congestion, the DSO would need to activate another resource to maintain the balance. This could lead to increased costs and complications for the DSO. Additionally, for certain types of services, such as post-fault responses, it may be nearly impossible for the DSO to timely rebalance activations. Similar approaches have been explored in the SmartNet project and were found to be suboptimal for DSO-TSO coordination.
Article 43	Referring to the webinar and the present text, the overall necessity and feasibility for involvement of System Operators into forwarding of the bids is unclear, especially considering their incentives, potential conflict of interests and interactions with the SPs. It is more reasonable to assign this responsibility to SPs.
Article 44	
Article 45	
Article 46	
Article 47	
Article 48	
Article 49	
Article 50	
Article 51	
Article 52	
Article 53	

## DR NC Articles 54-66 (Titles VII-XI)

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What is your general opinion on the following Articles of ACER's revisions to the EU DSO Entity's and ENTSO-E's proposal for a network code on demand response?

Opinion table

	Strongly disagree	Disagree	Neutral	Agree	Strongly agree	No opinion
* Article 54	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Article 55	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Article 56	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Article 57	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Article 58	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Article 59	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* Article 60	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* Article 61	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* Article 62	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Article 63	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Article 64	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Article 65	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Article 66	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

If you wish, please explain your answers in the comment table below.

Comment table

	Comment
Article 54	
Article 55	
Article 56	
Article 57	
Article 58	
Article 59	These articles discuss the importance of forecast capabilities, yet they do not address the need for mechanisms to check and verify whether these forecasting techniques are functioning effectively.
Article 60	
Article 61	
Article 62	
Article 63	
Article 64	
Article 65	The necessity for a new system may be overstated; an existing system could be upgraded to meet the new requirements.
Article 66	

## Revisions to Electricity Balancing (EB), System Operation (SO) and Demand Connection (DC) Regulations

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What is your general opinion on ACER's revisions to the Electricity Balancing (EB), System Operation (SO) and Demand Connection (DC) Regulations (per topic)?

### EB Regulation: Revision topics & related articles

Topic 1. Functions and responsibilities: Articles 15-18

Topic 2. Requirements for standard products: Articles 25 and 62

Topic 3. Settlement of balancing energy: Articles 45 and 49

Topic 4. Imbalance settlement: Articles 52 and 54

Topic 5. Financial transfer and compensation: Article 55A

### SO & DC Regulations: Revision topics & related articles

Topic 6. Moving provisions regarding demand units providing demand response from DC Regulation to SO Regulation: Articles 2, 52, 53, 54, 56, 81, 105, 107, 127, 154 and 156 (SO Regulation) / Articles 27-33, 41 and 45 (DC Regulation)

Topic 7. Consistency with demand response network code provisions regarding data exchange between TSOs and DSOs, in line with the DSO observability area: Articles 40, 51 (SO Regulation)

Topic 8. Consistency with demand response network code provisions regarding grid prequalification and temporary limits: Article 182 (SO Regulation)

Topic 9. Moving provisions regarding data exchange from system users from demand response network code to SO Regulation: Article 53 (SO Regulation)

### Opinion table

	Strongly disagree	Disagree	Neutral	Agree	Strongly agree	No opinion
* Topic 1	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Topic 2	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Topic 3	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Topic 4	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Topic 5	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Topic 6	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Topic 7	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* Topic 8	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Topic 9	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

If you wish, please explain your answers in the comment table below.

Comment table

	Comment
Topic 1	
Topic 2	
Topic 3	
Topic 4	
Topic 5	
Topic 6	
Topic 7	No hindcast verification is mentioned.
Topic 8	
Topic 9	

## General consultation topics and questions

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### Topic 1: Level of harmonisation

The aim of the new rules on demand response is to enable the participation of demand response including load, energy storage and distributed generation (individually or aggregated) in all electricity markets, contributing to market integration, non-discrimination, effective competition and the efficient functioning of the market. However, respecting the principle of proportionality, the new rules should not go beyond what is necessary to achieve this purpose. Following the requirements of the framework guideline, ACER tried to revise the proposal to achieve this balance, through the establishment of national TCMs, which will be further harmonised through European methodologies in the future.

### Consultation questions

1. Do you see any harmonisation requirements of the framework guideline not being covered by the demand response network code articles or the amendments to the existing regulations?

- Yes  
 No

2. Do you see any areas of the demand response network code where stronger requirements are needed when it comes to harmonisation?

- Yes  
 No

### Topic 2: Structure of terms and conditions or methodologies

As presented in Section 9.2 of the attached note on public consultation on DR NC, in the revised network code, ACER opted for splitting the various national TCMs, although the intention of the framework guideline was to have less TCMs. ACER considers that this merging should be the final goal, as it ensures higher consistency between the different TCMs and is beneficial for all involved parties: both administratively (development and approval of the respective proposal) and content wise (involvement of the stakeholders and implementation). Therefore, ACER considers potential merging and asks for the stakeholders' views on that.

### Consultation questions

3. Do you see benefit in further merging the different national TCMs?

- Yes  
 No

4. Do you consider that some topic should be addressed in a different national TCM?

- Yes  
 No

### Topic 3: Amendments to existing regulations

As mentioned in Section 9.3 of the attached note on public consultation on DR NC, ACER agrees with some of the system operators' proposed amendments to existing regulations, but further assesses the full

package, especially the amendments proposed by ENTSO-E alone. Although the stakeholders are invited to submit their views on the specific amendments proposed by ACER in the respective parts of the survey, below you are also invited to submit more general views on the amendment to existing regulations, as part of the new rules on demand response in the context of this process.

### Consultation questions

5. Do you see additional amendments needed in the System Operation Regulation?

- Yes  
 No

6. Do you see additional amendments needed in the Electricity Balancing Regulation?

- Yes  
 No

7. Title III of the DR NC covers the qualification of service providers, SPUs and SPGs, for balancing and local services procured in accordance with a market-based mechanism. Do you consider that part(s) of Title III should be transferred in another regulation?

- Yes  
 No

## File upload

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### Important reminder

Before uploading proposed amendments to the consultation documents, please make sure that:

- the name of the organisation/association/company on behalf of which the survey submission is made (“**entity name**” in the survey fields) appears as “**Author**” for all edits made to the documents; and
- the documents to be uploaded include only proposed amendments to the text and not comments, which should only be submitted through the survey fields.

Please upload your proposed amendments to file “**20240905 DR NC ACER public consultation**”

Only files of the type doc,docx are allowed

Please upload your proposed amendments to file “**20240905 EB Regulation amendments DR NC**”

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Please upload your proposed amendments to file “**20240905 SO Regulation amendments DR NC incl CACM 2.0**”

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Please upload your proposed amendments to file “**20240905 NC DC 2.0 amendments DR NC**”

Only files of the type doc,docx are allowed

## **Contact**

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