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Nimi / Namn / Name: LAMPONEN JARNO JUKKA TAPANI

Nimi / Namn / Name: Simo Nurmi

Pvm / Datum / Date: 01.02.2018

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EPEX SPOT SE
Dr. Wolfram Vogel
5 Boulevard Montmartre
F – 75002 Paris
FRANCE

Päätös komission asetuksen (EU) 2015/1222 kapasiteetin jakamista ja ylikuormituksen hallintaa koskevan suuntaviivan 36(3) artiklan mukaisesta varmistusmenetelmästä

Asianosainen

EPEX SPOT SE

Vireilletulo

14.2.2017

Selostus asiasta

Energiavirasto vastaanotti 14.2.2017 Nord Pool AS:ltä ja EPEX Spot SE:ltä kaikkien nimitettyjen sähkömarkkinaoperaattoreiden (jäljempänä NEMO) ehdotuksen Komission asetuksen (EU) 2015/1222 kapasiteetin jakamista ja ylikuormituksen hallintaa koskevien suuntaviivojen vahvistamisesta (jäljempänä CACM suuntaviivat) 36(3) artiklan mukaisesta varmistusmenetelmästä. Ennen ehdotuksen toimittamista NEMO:t olivat järjestäneet CACM suuntaviivojen 12 artiklan mukaisen kuulemisen ehdotuksestaan.

Kansallisten sääntelyviranomaisten yhteistyöfoorumissa, ERFissä, 25.7.2017 sovitun mukaisesti kansalliset sääntelyviranomaiset pyysivät NEMOja muuttamaan varmistusmenetelmää koskenutta ehdotustaan CACM suuntaviivan artiklan 9(12) nojalla. NEMO:t vastaanottivat viimeisen muutospyynnön 30.8.2017. Energiavirasto lähetti muutospyyntönsä NEMOille 16.8.2017. Energiavirasto vastaanotti muutetun ehdotuksen NEMOilta 13.11.2017. Viimeinen kansallinen sääntelyviranomaisen vastaanotti muutetun ehdotuksensa 1.12.2017.

Asiaan liittyvä lainsäädäntö

Komission asetukset (EU) 2015/1222 kapasiteetin jakamista ja ylikuormituksen hallintaa koskevien suuntaviivojen vahvistamisesta

Artiklan 36(3) mukaan kaikkien nimitettyjen sähkömarkkinaoperaattoreiden on viimeistään 18 kuukauden kuluttua tämän asetuksen voimaantulosta laadittava yhteistyössä siirtoverkonhaltijoiden kanssa ehdotus varmistusmenetelmästä 39 ja 52 artiklassa asetettujen velvoitteiden täyttämiseksi. Menetelmää koskevasta ehdotuksesta on järjestettävä kuuleminen 12 artiklan mukaisesti.



Artiklan 39 mukaan:

1. Tulosten tuottamiseksi hintakytkentäalgoritmissa on käytettävä
 - a) 23 artiklan 3 kohdan mukaisesti määriteltyjä kapasiteetin jakamisrajoituksia;
 - b) 30 artiklan mukaisesti vahvistettuja alueiden välisen kapasiteetin tuloksia;
 - c) 40 artiklan mukaisesti jätettyjä toimeksiantoja.
2. Hintakytkentäalgoritmin on tuotettava vähintään seuraavat tulokset samanaikaisesti kullekin markkina-aikayksikölle:
 - a) yksi selvityshinta kullekin tarjousalueelle ja markkina-aikayksikölle euroina megawattituntia kohti;
 - b) yksi nettotilanne kullekin tarjousalueelle ja markkina-aikayksikölle;
 - c) tiedot, joiden mukaisesti voidaan määrittellä toimeksiantojen toteutustila.
3. Kaikkien nimitettyjen sähkömarkkinaoperaattoreiden on varmistettava yhdellä hintakytkentäalgoritmillä tuotettujen tulosten tarkkuus ja tehokkuus.
4. Kaikkien siirtoverkonhaltijoiden on varmennettava, että hintakytkentäalgoritmin tulokset ovat yhdenmukaisia alueiden välisen kapasiteetin ja kapasiteetin jakamisrajoitusten kanssa.

Artiklan 52 mukaan:

1. Kaikkien nimitettyjen sähkömarkkinaoperaattoreiden on osana markkinoiden yhteenliittäjän tehtäväänsä varmistettava, että jatkuvan kaupankäynnin täsmäytysalgoritmillä tuotetaan vähintään seuraavat tulokset:
 - a) toimeksiantojen toteutustila ja hinnat kauppaa kohti;
 - b) yksi nettotilanne kullekin päivänsisäisten markkinoiden tarjousalueelle ja markkina-aikayksikölle.
2. Kaikkien nimitettyjen sähkömarkkinaoperaattoreiden on varmistettava jatkuvan kaupankäynnin täsmäytysalgoritmillä tuotettujen tulosten tarkkuus ja tehokkuus.
3. Kaikkien siirtoverkonhaltijoiden on varmennettava, että jatkuvan kaupankäynnin täsmäytysalgoritmin tulokset ovat yhdenmukaisia 58 artiklan 2 kohdan mukaisten alueiden välisen kapasiteetin ja kapasiteetin jakamisrajoitusten kanssa.

Artiklan 3 mukaan asetuksen tavoitteena on:

- a) edistää tehokasta kilpailua sähkön tuotannossa, kaupassa ja toimittamisessa;
- b) varmistaa siirtoinfrastruktuurin optimaalinen käyttö;
- c) varmistaa käyttövarmuus;
- d) optimoida alueiden välisen kapasiteetin laskenta ja jakaminen;



- e) varmistaa siirtoverkonhaltijoiden, nimitettyjen sähkömarkkinaoperaattoreiden, viraston, sääntelyviranomaisten ja markkinaosapuolten oikeudenmukainen ja syrjimätön kohtelu;
- f) varmistaa tietojen avoimuus ja luotettavuus ja parantaa niitä;
- g) edistää Euroopan sähkönsiirtoverkon ja sähköalan tehokasta toimintaa ja kehittämistä pitkällä aikavälillä;
- h) ottaa huomioon tarve taata oikeudenmukaiset ja säännönmukaisesti toimivat markkinat sekä oikeudenmukainen ja säännönmukainen hinnanmuodostus;
- i) luoda tasapuoliset toimintaedellytykset nimitetyille sähkömarkkinaoperaattoreille;
- j) tarjota syrjimätön pääsy alueiden väliseen kapasiteettiin.

Artiklan 9(9) mukaan ehtoja ja edellytyksiä tai menetelmiä koskevaan ehdotukseen on sisällyttävä ehdotettu täytäntöönpanoaikataulu ja kuvaus niiden odotetuista vaikutuksista tämän asetuksen tavoitteisiin. Ehtoja ja edellytyksiä tai menetelmiä koskevat ehdotukset, joille tarvitaan useiden tai kaikkien sääntelyviranomaisten hyväksyntä, on toimitettava virastolle samaan aikaan kuin ne annetaan sääntelyviranomaisten hyväksyttäväksi.

Artiklan 9(10) mukaan jos ehtoja ja edellytyksiä tai menetelmiä koskevan ehdotuksen hyväksyminen edellyttää useamman kuin yhden sääntelyviranomaisten päätöstä, toimivaltaisten sääntelyviranomaisten on kuultava toisiaan, tehtävä tiivistä yhteistyötä ja koordinoitava toimiaan sopimukseen pääsemiseksi. Toimivaltaisten sääntelyviranomaisten on soveltuviissa tapauksissa otettava huomioon viraston lausunto. Sääntelyviranomaisten on tehtävä 6, 7 ja 8 kohdan mukaisesti ehdotettuja ehtoja ja edellytyksiä tai menetelmiä koskevat päätökset kuuden kuukauden kuluessa siitä, kun sääntelyviranomaisen tai, soveltuviissa tapauksissa, viimeinen asianomainen sääntelyviranomaisen on vastaanottanut ehdot ja edellytykset tai menetelmät.

Artiklan 9(12) mukaan jos yksi tai useampi sääntelyviranomaisen vaatii 6, 7 ja 8 kohdan mukaisesti toimitettujen ehtojen ja edellytysten tai menetelmien muuttamista ennen hyväksymistä, asianomaisten siirtoverkonhaltijoiden tai nimitettyjen sähkömarkkinaoperaattoreiden on annettava ehdotus muutetuista ehdoista ja edellytyksistä tai menetelmistä kahden kuukauden kuluessa sääntelyviranomaisten vaatimuksen esittämisestä. Toimivaltaisten sääntelyviranomaisten on päätettävä muutetuista ehdoista ja edellytyksistä tai menetelmistä kahden kuukauden kuluessa niiden esittämisestä. Jos toimivaltaiset sääntelyviranomaiset eivät ole päässeet sopimukseen 6 ja 7 kohdan mukaisista yhteisistä ehdoista ja edellytyksistä tai menetelmistä kahden kuukauden määräajassa tai niiden yhteisestä pyynnöstä virasto tekee päätöksen muutetuista ehdoista ja edellytyksistä tai menetelmistä kuuden kuukauden kuluessa asetuksen (EY) N:o 713/2009 8 artiklan 1 kohdan mukaisesti. Jos asianomaiset siirtoverkonhaltijat tai nimitetyt sähkömarkkinaoperaattorit

eivät anna ehdotusta muutetuista ehdoista ja edellytyksistä tai menetelmistä, sovelletaan tämän artiklan 4 kohdassa säädettyä menettelyä.

Perustelut

CACM suuntaviivojen 36(3) mukainen varamenettelyjä koskeva ehdotus on artiklan 9(6) mukaan ehdotus, jonka kaikkien sääntelyviranomaisten tulee hyväksyä. Artiklan 9(10) mukaan jos ehtoja ja edellytyksiä tai menetelmiä koskevan ehdotuksen hyväksyminen edellyttää useamman kuin yhden sääntelyviranomaisten päätöstä, toimivaltaisten sääntelyviranomaisten on kuultava toisiaan, tehtävä tiivistä yhteistyötä ja koordinoitava toimiaan sopimukseen pääsemiseksi. Energiavirasto on tehnyt tämän päätöksen osalta tiivistä yhteistyötä muiden sääntelyviranomaisten kanssa arvioimalla NEMOjen ehdotuksia yhdessä.

Energiavirasto katsoo, että ehdotus varamenetelmiä koskevaksi metodologiaksi voidaan hyväksyä. Kansalliset sääntelyviranomaiset Energiavirasto mukaan lukien katsovat, että ehdotus täyttää CACM suuntaviivan artiklassa 9(9) asetetut sisällölliset vaatimukset vaikutusten arvioinnista suhteessa CACM suuntaviivojen 3 artiklan tavoitteisiin sekä implementointi-aikataulusta. NEMO:t ovat myös täyttäneet artiklassa 36(3) asetetun artiklan 12 mukaisen konsultaatiovelvoitteen.

Energiavirasto esitti myös muutospyyntönsä NEMOille pyynnön tehdä metodologiaan tiettyjä muutoksia ja tarkennuksia. Energiavirasto katsoo, että NEMO:t ovat toteuttaneet muutospyyntönsä esitetyt muutokset hyväksyttävällä tavalla.

Edellä mainituilla ja kaikkien sääntelyviranomaisten yhteisessä hyväksymisasiakirjasta ilmenevillä perusteilla Energiavirasto vahvistaa siten NEMOjen noudatettavaksi tämän päätöksen liitteenä olevan varamenettelyjä koskevan metodologian.

Ratkaisu

Energiavirasto vahvistaa EPEX SPOT SE:n noudatettavaksi päätöksen liitteenä olevan CACM suuntaviivojen 36(3) artiklan mukaisen varamenettelyjä koskevan metodologian.

Päätöstä on noudatettava muutoksenhausta huolimatta.

Sovelletut säännökset

CACM suuntaviivan artikkelit 36(3), 3, 9(9), 9(10) ja 9(12).

Laki sähkö- ja maakaasumarkkinoiden valvonnasta (590/2013) 36 §, 38 §.

Muutoksenhaku

Muutoksenhakua koskeva ohjeistus Markkinaoikeuteen liitteenä.



Liitteet Valitusosoitus,

Approved All NEMOs' proposal for the back-up methodology in accordance with Article 36(3) of the Commission Regulation (EU) 2015/1222 of 24 July 2015 establishing a guideline on capacity allocation and congestion management,

Approval by all Regulatory Authorities agreed at the Energy Regulators' Forum on the all NEMOs' Proposal for Back-up Methodology in accordance with Article 36(3) of Commission Regulation (EU) 2015/1222 of 24 July 2015 establishing a Guideline on Capacity Allocation and Congestion Management.

Jakelu EPEX SPOT SE

ACER

|

Valitusosoitus

1 Muutoksenhakuoikeus

Energiaviraston päätökseen saa hakea muutosta valittamalla siten kuin hallintolainkäyttölaissa (586/1996) säädetään. Valituskelpoisella päätöksellä tarkoitetaan toimenpidettä, jolla asia on ratkaistu tai jätetty tutkimatta.

Valitusoikeus on sillä, johon päätös on kohdistettu tai jonka oikeuteen, velvollisuuteen tai etuun päätös välittömästi vaikuttaa.

2 Valitusviranomainen

Valitusviranomainen Energiaviraston päätökseen on Markkinaoikeus.

3 Valitusaika

Valitus on tehtävä 30 päivän kuluessa päätöksen tiedoksisaannista. Valitusaikaa laskettaessa tiedoksisaantipäivää ei oteta lukuun.

4 Valituskirjelmän sisältö

Valitus tehdään kirjallisesti. Markkinaoikeudelle osoitetussa valituskirjelmässä on ilmoitettava:

- valittajan nimi ja kotikunta
- postiosoite ja puhelinnumero, joihin asiaa koskevat ilmoitukset valittajalle voidaan toimittaa
- päätös, johon haetaan muutosta
- miltä kohdin päätökseen haetaan muutosta ja mitä muutoksia siihen vaaditaan tehtäväksi sekä
- perusteet, joilla muutosta vaaditaan.

Valittajan, laillisen edustajan tai asiamiehen on allekirjoitettava valituskirjelmä. Jos valittajan puhevaltaa käyttää hänen laillinen edustajansa tai asiamiehensä tai jos valituksen laatijana on muu henkilö, on valituskirjelmässä ilmoitettava myös tämän nimi ja kotikunta.

5 Valituskirjelmän liitteet

Valituskirjelmään on liitettävä:

- muutoksenhaun kohteena oleva päätös alkuperäisenä tai jäljennöksenä
- todistus siitä, minä päivänä päätös on annettu tiedoksi tai muu selvitys valitusajan alkamisajankohdasta sekä
- asiakirjat, joihin valittaja vetoaa vaatimuksensa tueksi, jollei niitä ole jo aikaisemmin toimitettu Energiavirastolle tai markkinaoikeudelle.

Asiamiehen on liitettävä valituskirjelmään valtakirja, jollei päämies ole valtuuttanut häntä suullisesti valitusviranomaisessa. Asianajajan ja yleisen oikeusavustajan tulee esittää valtakirja ai-noastaan, jos valitusviranomaisen niin määrää.

7 Valituskirjelmän toimittaminen valitusviranomaiselle

Valituskirjelmä on toimitettava valitusajan kuluessa Markkinaoikeudelle, jonka osoite on:

Markkinaoikeus

Radanrakentajantie 5

00520 Helsinki

Faksi: 029 56 43300

Sähköposti: markkinaoikeus@oikeus.fi

**Approval by by all Regulatory Authorities
agreed at the Energy Regulators' Forum**

on

**the all NEMOs' Proposal for Back-up Methodology
in accordance with Article 36(3) of Commission
Regulation (EU) 2015/1222 of 24 July 2015
establishing a Guideline on Capacity Allocation and
Congestion Management**

23 January 2018

I. Introduction and legal context

This document elaborates an agreement of All Regulatory Authorities, agreed at the Energy Regulators' Forum on 23 January 2018, on the **All NEMOs' proposal for a Back-up Methodology submitted in accordance with Article 36(3) of the Commission Regulation (EU) 2015/1222 of 24 July 2015 establishing a Guideline on Capacity Allocation and Congestion Management** (hereafter "Regulation 2015/1222").

This agreement of All Regulatory Authorities shall provide evidence that a decision does not, at this stage, need to be adopted by the Agency for Cooperation of Energy Regulators (ACER) pursuant to Article 9(11) of Regulation 2015/1222. This agreement is intended to constitute the basis on which All Regulatory Authorities will each subsequently adopt the decision to back-up methodology pursuant Article 9(6)(f).

The legal provisions relevant to the submission and approval of the proposal and this All Regulatory Authority agreement on the proposal, can be found in Articles 3, 7, 9, 36, 39, and 52 of Regulation 2015/1222. They are set out here for reference.

Article 3 of Regulation 2015/1222:

This Regulation aims at:

- (a) Promoting effective competition in the generation, trading and supply of electricity;*
- (b) Ensuring optimal use of the transmission infrastructure;*
- (c) Ensuring operational security;*
- (d) Optimising the calculation and allocation of cross-zonal capacity;*
- (e) Ensuring fair and non-discriminatory treatment of TSOs, NEMOs, the Agency, regulatory authorities and market participants;*
- (f) Ensuring and enhancing the transparency and reliability of information;*
- (g) Contributing to the efficient long-term operation and development of the electricity transmission system and electricity sector in the Union;*
- (h) Respecting the need for a fair and orderly market and fair and orderly price formation;*
- (i) Creating a level playing field for NEMOs;*
- (j) Providing non-discriminatory access to cross-zonal capacity*

Article 7 of Regulation 2015/1222

1. *NEMOs shall act as market operators in national or regional markets to perform in cooperation with TSOs single day-ahead and intraday coupling. Their tasks shall include receiving orders from market participants, having overall responsibility for matching and allocating orders in accordance with the single day-ahead and intraday coupling results, publishing prices and settling and clearing the contracts resulting from the trades according to relevant participant agreements and regulations.*

With regard to single day-ahead and intraday coupling, NEMOs shall in particular be responsible for the following tasks:

- a. (...)

- b. (...)
- c. (...)
- d. (...)
- e. (...)
- f. (...)
- g. (...)
- h. *establishing jointly with relevant NEMOs and TSOs back-up procedures for national or regional market operation in accordance with Article 36(3) if no results are available from the MCO functions in accordance with Article 39(2), taking account of fallback procedures provided for in Article 44;*
- i. (...)
- j. (...)
- 2. (...)
- 3. (...)
- 4. (...)
- 5. (...)
- 6. (...)

Article 9 of Regulation 2015/1222

1. *TSOs and NEMOs shall develop the terms and conditions or methodologies required by this Regulation and submit them for approval to the competent regulatory authorities within the respective deadlines set out in this Regulation. Where a proposal for terms and conditions or methodologies pursuant to this Regulation needs to be developed and agreed by more than one TSO or NEMO, the participating TSOs and NEMOs shall closely cooperate. TSOs, with the assistance of ENTSO for Electricity, and all NEMOs shall regularly inform the competent regulatory authorities and the Agency about the progress of developing these terms and conditions or methodologies.*
2. (...)
3. (...)
4. (...)
5. *Each regulatory authority shall approve the terms and conditions or methodologies used to calculate or set out the single day-ahead and intraday coupling developed by TSOs and NEMOs. They shall be responsible for approving the terms and conditions or methodologies referred to in paragraphs 6, 7 and 8.*
6. *The proposals for the following terms and conditions or methodologies shall be subject to approval by all regulatory authorities:*
 - (a) (...)
 - (..) (...)
 - (f) *back-up methodology in accordance with Article 36(3);*
7. (...)
8. (...)
9. *The proposal for terms and conditions or methodologies shall include a proposed timescale for their implementation and a description of their expected impact on the objectives of this Regulation. Proposals on terms and conditions or methodologies subject to the approval by several or all regulatory authorities shall be submitted to the Agency at the same time that they are submitted to regulatory authorities. Upon request by the competent regulatory authorities, the Agency shall issue an opinion within three months on the proposals for terms and conditions or methodologies.*

10. *Where the approval of the terms and conditions or methodologies requires a decision by more than one regulatory authority, the competent regulatory authorities shall consult and closely cooperate and coordinate with each other in order to reach an agreement. Where applicable, the competent regulatory authorities shall take into account the opinion of the Agency. Regulatory authorities shall take decisions concerning the submitted terms and conditions or methodologies in accordance with paragraphs 6, 7 and 8, within six months following the receipt of the terms and conditions or methodologies by the regulatory authority or, where applicable, by the last regulatory authority concerned.*
11. (...)
12. *In the event that one or several regulatory authorities request an amendment to approve the terms and conditions or methodologies submitted in accordance with paragraphs 6, 7 and 8, the relevant TSOs or NEMOs shall submit a proposal for amended terms and conditions or methodologies for approval within two months following the requirement from the regulatory authorities. The competent regulatory authorities shall decide on the amended terms and conditions or methodologies within two months following their submission. Where the competent regulatory authorities have not been able to reach an agreement on terms and conditions or methodologies pursuant to paragraphs (6) and (7) within the two-month deadline, or upon their joint request, the Agency shall adopt a decision concerning the amended terms and conditions or methodologies within six months, in accordance with Article 8(1) of Regulation (EC) No 713/2009. If the relevant TSOs or NEMOs fail to submit a proposal for amended terms and conditions or methodologies, the procedure provided for in paragraph 4 of this Article shall apply.*

Article 36 of Regulation 2015/1222:

1. (...)
2. (...)
3. *By 18 months after the entry into force of this Regulation, all NEMOs shall in cooperation with TSOs develop a proposal for a back-up methodology to comply with the obligations set out in articles 39 and 52 respectively*
4. (...)

Article 39 of Regulation 2015/1222:

1. *In order to produce results, the price coupling algorithm shall use:*
 - a. *allocation constraints established in accordance with Article 23(3);*
 - b. *cross-zonal capacity results validated in accordance with Article 30;*
 - c. *orders submitted in accordance with Article 40..*
2. *The price coupling algorithm shall produce at least the following results simultaneously for each market time unit:*
 - a. *a single clearing price for each bidding zone and market time unit in EUR/MWh;*
 - b. *a single net position for each bidding zone and each market time unit;*
 - c. *the information which enables the execution status of orders to be determined.*
3. *All NEMOs shall ensure the accuracy and efficiency of results produced by the single price coupling algorithm.*
4. *All TSOs shall verify that the results of the price coupling algorithm are consistent with cross-zonal capacity and allocation constraints.*

Article 52 of Regulation 2015/1222:

1. *All NEMOs, as part of their MCO function, shall ensure that the continuous trading matching algorithm produces at least the following results:*
 - a. *the execution status of orders and prices per trade;*

- b. *a single net position for each bidding zone and market time unit within the intraday market.*
2. *All NEMOs shall ensure the accuracy and efficiency of results produced by the continuous trading matching algorithm.*
3. *All TSOs shall verify that the results of the continuous trading matching algorithm are consistent with cross-zonal capacity and allocation constraints in accordance with Article 58(2).*

II. The All NEMO Proposal

The All NEMO Back-up methodology proposal, dated 14 February 2017, was received by the last Regulatory Authority on 17 February 2017.

According to Article 9(10) of Regulation 2015/1222, all Regulatory Authorities shall approve or request amendments regarding terms and conditions or methodologies submitted by TSOs or NEMOs within 6 months after the receipt of the proposal. Therefore, the deadline for approving the Backup methodology or requesting amendments was on 17 August 2017. On 25 July 2017 all Regulatory Authorities at the Energy Regulators' Forum unanimously agreed to request an amendment to the Back-up methodology proposal submitted by All NEMOs. On this basis each Regulatory Authority took individual decisions and sent the request for amendment to their respective NEMO.

The request for amendment was received by the last NEMO on 30 August 2017.

The amended All NEMO's Back-up methodology proposal was received by the last NRA on 1 December 2017, after the deadline under Article 9(12) of Regulation 2015/1222.

The amended proposal includes proposed timescales for its implementation and a description of its expected impact on the objectives of Regulation 2015/1222 as requested by Article 9(9) of Regulation 2015/1222.

III. All Regulatory Authorities' position

All Regulatory Authorities requested NEMOs to modify the Back-up methodology proposal in accordance with the following elements:

1. To justify the timescale for implementation.
2. To properly define all the expressions used in the proposal.
3. To replace any ambiguous expression with a corresponding expression which makes the provision clearly enforceable.
4. To elaborate measures aiming at closing only the NEMO Trading Hub affected by an incident and at preventing the impact on other NEMO Trading Hubs.
5. To specify back-up procedures for any normal procedure mentioned in the proposal.
6. To specify in the algorithm proposal the deadline when fallback procedures shall be activated.
7. To introduce more flexibility in back-up communication for ID market.
8. To assign the responsibilities for analyzing the arising issues and for deciding to activate the corresponding back-up procedure.
9. In those instances where the fallback procedures developed by TSOs (according to Article 44 of Regulation 2015/1222, but also Articles 45 and 57 when relevant) describe national or regional coupling, the back-up methodology should include a general obligation for NEMOs to execute national and regional coupling in case of partial decoupling, in accordance with regional and local procedures developed by TSOs.

The amended Back-up methodology proposal is compliant with all the abovementioned requests. In particular:

1. The timescale for implementation is defined in Article 20 of the proposal. The date for the implementation of the Back-up methodology, envisaged immediately after the implementation of the MCO function and the implementation of the Multi NEMO Agreements, is considered appropriate.
2. Many previously missing definitions have been introduced. In particular, “intermediate timelines” are defined in Articles 3(5) and “extreme circumstances” are defined in Article 3(6)..
3. Many ambiguous expressions have been replaced. In particular, clear distinction between “local issue” and “global issue” is made in Article 2; the expression “local pre/post coupling issues” has been replaced by “local issues” in Article 3(3) and in Article 14(3). The wrong reference to Article 52 of Regulation 2015/1222 has been deleted from Article 3(7). Furthermore, the availability of a secondary datacenter on a voluntary basis has been set out more explicitly in Article 5(2). However the use of the word “area” in Article 18 might be still subject to alternative interpretations, since it has not been clearly defined.
4. The provision stating that the continuous trading in all areas /interconnectors not affected by the incident shall continue is introduced in Article 18(2).
5. Missing procedures have been specified. In particular, procedures in case of results rejection by NEMOs are specified in Article 10(3) and procedures in case of results rejection by TSOs are specified in Article 11(4).
6. With regard to the deadline when fallback procedures shall be activated, according to NRAs’ request it has to be mentioned in the Algorithm proposal, therefore it does not fall into the domain of the present approval procedure.
7. With regard to the request for more flexibility, the possibility of manual switch between primary and secondary communication is introduced in Article 15(3) and the possibility for TSOs to act as a backup for Capacity Calculation Coordinators or other TSOs is introduced in Article 15(4).
8. With regard to the assignment of responsibilities in case of backup procedures activation in DA, the obligation for the Coordinator to trigger the incident committee is set forth in Article 3(9) and in case of backup procedure activation in ID, the obligation for affected parties to contact the ID MCO Function Service Provider responsible for communication lines is set forth in Article 15(5).
9. With regard to partial decoupling, the methodology establishes that NEMOs commit to apply the fallback procedures developed by TSOs for the part of their competence.

IV. Conclusions

All Regulatory Authorities welcome the amended Backup methodology proposal and the significant improvements adopted by All NEMOs. All Regulatory Authorities have assessed, consulted and closely cooperated and coordinated to reach agreement that the Backup methodology meets the requirements of Regulation 2015/1222 and as such can be approved by All Regulatory Authorities.

All Regulatory Authorities must therefore make their decisions, to approve the Backup methodology submitted by their relevant NEMOs to them, reflecting the terms of this agreement, by 1 February 2018.

Following national decisions taken by each Regulatory Authority, All NEMOs will be required to publish the Back-up methodology on the internet in line with Article 9(14) of Regulation 2015/1222, and must meet the implementation deadlines required by Article 20 of the Backup methodology.

**All NEMOs' proposal for the back-up methodology in
accordance with Article 36(3) of the Commission Regulation
(EU) 2015/1222 of 24 July 2015 establishing a guideline on
capacity allocation and congestion management**

13 November 2017

All NEMOs, taking into account the following

Whereas

Background

- (1) This document is a common NEMO proposal developed in cooperation with the relevant TSOs and in accordance with article 36 of Commission Regulation (EU) 2015/1222 establishing a guideline on capacity allocation and congestion management (hereafter referred to as the “CACM Regulation”) for the back-up methodology for single day-ahead coupling (SDAC) and for the single intraday coupling (SIDC) (hereinafter referred to as the “Back-up Methodology”).
- (2) According to paragraph (21) of the recitals of the CACM Regulation *“Despite the creation of a reliable algorithm to match bids and offers and appropriate back-up processes, there may be situations where the price coupling process is unable to produce results. Consequently, it is necessary to provide for fallback solutions at a national and regional level to ensure capacity can still be allocated.”*
- (3) According to Article 36(3) of the CACM Regulation *“By 18 months after the entry into force of this Regulation, all NEMOs shall in cooperation with TSOs develop a proposal for a back-up methodology to comply with the obligations set out in articles 39 and 52 respectively”.*
- (4) According to Article 7(1)(h) of the CACM Regulation, NEMOs are responsible for establishing jointly with relevant TSOs back-up procedures for national or regional market operation in accordance with Article 36(3) of the CACM Regulation if no results are available from the MCO functions in accordance with Articles 39(2) and 52 of the CACM Regulation, taking into account fallback procedures provided for in Articles 44 and 50 of the CACM Regulation.
- (5) According to Article 36 of the CACM Regulation *“The proposal for a methodology shall be subject to consultation in accordance with Article 12”.*
- (6) The NEMOs proposal for a Backup Methodology is prepared in cooperation with TSOs, taking into account the comments from the consultation, and is submitted to the Regulatory Authorities for approval no later than 18 months after the entry into force of the CACM Regulation, i.e. 14 February 2017.
- (7) Decisions of the NEMO Committee in this proposal refers to decisions of All NEMOs coordinated via the NEMO Committee.

Impact on the objectives of CACM Regulation

- (1) The proposed Back-up Methodology takes into account the general objectives of capacity allocation and congestion management cooperation described in Article 3 of the CACM Regulation.
- (2) By requiring NEMOs to develop, implement and operate appropriate back-up procedures for each step of the day ahead (DA) and intraday (ID) market coupling process, the proposal aims at reducing the risk of market disruption associated with full or partial decoupling, and fulfils the requirement of “promoting effective competition in the generation, trading and supply of electricity”.
- (3) By requiring appropriate back-up procedures for the submission of cross-border capacity to the DA and ID MCO Function, and for appropriate NEMO and TSO validation of results, the proposed Back-up Methodology helps to promote the optimal allocation of cross-zonal capacity and to ensure the optimal use of the transmission infrastructure.
- (4) By requiring NEMOs to develop, implement and operate appropriate back-up procedures for each step of the DA and ID market coupling process, and to apply the fallback procedures developed by TSOs, the proposal fulfils the objective of “ensuring operational security”.

- (5) The proposal fulfils the objective of "ensuring fair and non-discriminatory treatment of TSOs, NEMOs, the Agency, regulatory authorities and market participants" by requiring all NEMOs that are operational to follow the common procedures required by this Back-up Methodology, and by identifying and ensuring appropriate delegation for those procedures that are best agreed and applied locally.
- (6) By requiring NEMOs to develop, implement and operate appropriate back-up procedures for each step of the DA and ID market coupling process, the proposal aims at maintaining the operational integrity of the single day-ahead and single intraday coupling and fulfils the objective of "contributing to the efficient long-term operation and development of the electricity transmission system and electricity sector in the Union".
- (7) The proposal fulfils the objective of "respecting the need for a fair and orderly market and fair and orderly price formation" by requiring NEMOs to develop, implement and operate appropriate back-up procedures for each step of the DA and ID market coupling process.
- (8) The proposal fulfils the objective of "creating a level playing field for NEMOs" by requiring all NEMOs that are operational to follow the common procedures required by this Back-up Methodology.
- (9) The proposal fulfils the objective "providing non-discriminatory access to cross-zonal capacity" by requiring all NEMOs that are operational to follow the common procedures required by this back-up methodology.

Article 1

Subject matter and scope

The back-up processes accommodated in SDAC and SIDC as determined in this Back-up Methodology Proposal are the common proposal by all NEMOs in accordance with Article 36 of CACM Regulation.

Article 2

Definitions

For the purposes of this proposal, the terms used shall have the meaning of the definitions included in Article 2 of Regulation 2015/1222, the other items of legislation referenced therein and MCO Plan. In addition, the following definitions shall apply:

1. **Market Coupling Session (MCS):** means the processes followed by the NEMOs to perform the single day-ahead coupling.
2. **DA MCO Function Service Provider:** mean external party who provide technical services such as common communication system, common market coupling session service application, the Price Coupling Algorithm and all approved common provided services.
3. **DA MCO Function System:** mean the system needed to perform the DA MCO Functions. It comprises the PCR Matcher Broker (PMB).
4. **Global issue:** means operational incident during the MCS which jeopardizes all Operators to carry out the MCO Functions. Such incident is managed by the DA/ID Coordinator using common procedures.
5. **Local issue:** means operational incident outside the scope of MCO Function or during the MCS which jeopardizes only a single Operator ability to carry out the MCO Functions Such incident is managed by the Operator or NEMOs/TSOs using local/regional procedures.
6. **CCC:** means the coordinated capacity calculator as defined in CACM Regulation.
7. **Central Admin:** means the NEMO role of performing operational tasks on the SOB module on behalf of the NEMOs collectively.
8. **ID Coordinator / IC Single Point of Contact (SPOC):** means the role that coordinates resolution of an operational incident on behalf of all NEMOs and TSOs.

9. **ID MCO Function Service Provider:** mean external party who provide technical services such as common communication system, common market coupling session service application, the Continuous Trading Matching Algorithm and all approved common provided services.
10. **ID MCO Function System:** mean the system needed to perform the ID MCO Functions.
11. **Partial / Full decoupling:** mean regional / local matching of orders under market conditions regulated by TSOs fallback procedures pursuant to Article 44 of the CACM Regulation.

Section 1

Single Day-ahead Coupling back-up procedures and steps

Article 3

General description of SDAC backup processes

1. The SDAC is based on a decentralized solution with a rotating Coordinator as responsible for leading the DA MCO Function procedures and where a rotating Backup Coordinator shall be able to take over the Coordinator role in any process of the Market Coupling Session. In addition, other Operators that are part of the Coordinator/Backup Coordinator rotation, are also able to take over the Coordinator role in any process of the Market Coupling Session, in order to minimise the possibility of interruption.
2. The procedures for the Market coupling Session are supported by the common backup methodologies and led by the Coordinator. Every Operator who will act as both Coordinator and Backup Coordinator according to an approved rotational scheme calendar must ensure the needed ability and technical resources to be able to fully perform these roles. Requirements for these common backup methodologies are described in this Back-up Methodology.
3. The resolution of the Local Issues shall follow local/regional NEMOs and TSOs procedures which are out of the scope of this Back-up Methodology.
4. NEMOS shall sufficiently assure the well-functioning of the backup methodology and operations with regular training tests. TSOs shall be also invited to participate in some of these training tests. Purpose of these trainings is a constant refresh of common procedures to be used by all Operational NEMOs as well as their improvement (preventive analysis of possible real situations during a Market Coupling Session). Test can be classified as follows:
 - a. *Regular NEMO training tests:* as preventative measure, all Operational NEMOs shall test the application of the backup procedures in real situations on testing installations of DA MCO Function Systems.
 - b. *Regular NEMO-TSOs training tests:* as preventative measure, all Operational NEMOs in cooperation with TSOs shall jointly test the application of the backup procedures in real situations on testing installations of the DA MCO Function Systems and TSO's systems.
 - c. *Regular communication tests with DA MCO Function Service Providers:* as preventative measure, Operational NEMOs, in cooperation with DA MCO Function Service Providers shall test technical services to assure well-functioning of the backup-methodology and operation of the MCO Function. Tests shall include technical services needed to complete SDAC processes on a daily basis such as common communication system, the PCR Matcher Broker, the Price Coupling Algorithm and all approved common provided services.

- d. Stress tests: Operational NEMOs will regularly perform stress tests in order to analyse proportional growth in the technical services, information to be used by the Price Coupling Algorithm as well as the results produced by the Price Coupling Algorithm.
5. Intermediate timelines are the timelines not defined by CACM but established by Operational NEMOs for other MCS sub processes such as but not limited to: the results calculation process, the operators result confirmation or the TSOs results confirmation. These timelines denote Operators from using normal procedures to the need to apply back-up procedures, if needed.
 6. During the MCS impacted parties may mutually agree derogations from the intermediate timelines in extreme circumstances if this can reasonably be expected to avoid a Partial or Full decoupling and to not jeopardize the nomination deadline. However, the deadlines established in CACM and any other approved Methodology must be always complied with. Extreme circumstances shall refer to situations when already applying backup procedures and the deadlines to apply fallback procedures are very close to be reached.
 7. To assess ex-post procedures according to a well-defined and transparent process, and as they cannot be accurately defined ex-ante, every incident which can impact the obligations set out in article 39 of the CACM Regulation, shall be presented in the relevant stakeholder forums organized in accordance with Article 11 of CACM Regulation. This ex-post analysis shall be used to improve the procedures in case they were not followed properly.
 8. The NEMOs shall maintain the procedures and make them available to NRAs on request. The provision and application of the day to day management of the single day-ahead and intraday coupling will follow as described in the NEMO "Algorithm proposal" document and specifically in Articles 8(1), 8(2) and 8(4).
 9. As a general rule for NEMOs, once a Global Issue during SDAC occurs the Coordinator is responsible for triggering an incident committee, during which the problem is discussed among Operational NEMOs and the DA MCO Function Service Providers may be invited to solve the problem, restoring the status of the system. In any case, should also TSO directly be involved in the occurrence, it is always on NEMO side the responsibility to communicate with the Coordinator and potentially apply the back-up procedure.
 10. In case of problems during the normal processes of the MCS, and before deadlines agreed with TSOs to make use of fallback procedures are reached, NEMOs shall apply, in cooperation/coordination with TSOs, backup procedures in order to maintain the coupled markets as much as possible.
 11. TSOs shall apply, in cooperation/coordination with NEMOs, fallback procedures as soon as it is clear that the single day-ahead coupling process (including backup processes) is unable to produce results, or decoupling deadlines agreed with NEMOs are reached. Delivery deadlines to produce results and details of cross-zonal capacity and allocation constraints to be respected shall be part of the NEMO "DA Algorithm Requirements" document in accordance with Article 37(1)(a) of the CACM Regulation and shall reflect a reasonable balance between the objective of maintaining the coupled markets where possible and the constraints on the post-coupling tasks, including nomination.
Decoupling deadlines shall be outlined in the relevant operational procedures included in the NEMO DA Operational Agreement referred to in section 5.1.2 point (b) of the MCO Plan and in the relevant local, regional or European agreements between NEMOs and TSOs on the management of the pre and post coupling process, referred to in section 5.1.4 point 2 of the MCO Plan.
 12. TSOs in coordination with NEMOs shall implement procedures for the monitoring and initiating of fallback procedures for Full and Partial decoupling.
All procedures that take place after a Partial or Full decoupling shall be operated by TSOs in each CCR pursuant to Art. 8.2(i) of the CACM Regulation and in accordance with fallback procedures established pursuant to Art. 44 of the CACM Regulation.

13. Article 39 of the CACM Regulation lists the main elements that are inputs or results of the Price Coupling Algorithm. They have been classified in four groups:
 - a. Information to be used by the Price Coupling Algorithm: allocation constraints established in accordance with Article 23(3) of CACM Regulation; cross-zonal capacity results validated in accordance with Article 30 of CACM Regulation and orders submitted in accordance with Article 40 of CACM Regulation.
 - b. Results to be produced by the Price Coupling Algorithm: a single clearing price for each bidding zone and market time unit in EUR/MWh; a single net position for each bidding zone and each market time unit and the information which enables the execution status of orders to be determined.
 - c. Processes to be performed by NEMOs to ensure the accuracy and the efficiency of the results.
 - d. Processes to be performed by TSOs to ensure that the results are consistent with cross-zonal capacity and allocation constraints.

14. The following requirements describe back-up measures regarding common communication systems, files exchanged during the Market Coupling Session, Price Coupling Algorithm and all processes needed by Operators to ensure that the information used by the Price Coupling Algorithm is available when something fails with the normal way of producing the information.

Article 4

Requirement for back-up common communication system

1. In a normal Market Coupling Session Operators shall establish communication among each other through a main file exchange mechanism.
2. All Operators shall establish at least one alternative connection among all Operators through back-up file exchange mechanism. If a problem occurs with the main file exchange mechanism the distribution of data files will be done with the primary back-up file exchange mechanism.
3. Different alternative mechanisms to exchange anonymous input and output data amongst Operators shall be established taking into account the technical solutions available.
4. Confidential data shall be always exchanged in a secured way.

Article 5

Requirement for back-up datacentre

1. In a normal Market Coupling Session Operators perform the MCO Functions in a primary datacentre, which shall be tested and certified by each Operator, to fulfil minimum performance requirements jointly established by all NEMOs in order to guarantee sufficient performance of the Price Coupling Algorithm.
2. Each Operator is entitled to establish a secondary datacentre on a voluntary basis.
3. If a problem occurs with the primary datacentre of an Operator and the secondary datacentre is established by this Operator, such Operator may switch to the secondary datacentre, to continue with the Market Coupling Session in automatic mode. The switch process shall be designed in a way to prevent data loss.
4. The relevant Operator shall test and certify the secondary datacentre in a same way as primary datacentre

in order to guarantee the same minimum performance as the primary datacentre.

Article 6

Requirement for Backup Coordinator

1. In a normal Market Coupling Session the operation of DA MCO Function is led by one Operator who shall act as a Coordinator while another Operator shall act as a Back-up Coordinator.
2. At any moment during the MCS, in case of inability of the Coordinator to continue the MCS the Backup Coordinator shall take over the Coordinator role.
3. In case the Backup Coordinator cannot take over the Coordinator role (for any reason), any other Operator having the Price Coupling Algorithm implemented may take over the Coordinator role. All Operators shall jointly decide which Operator shall take over the Coordinator role in such particular situation.

Article 7

Requirement for cross zonal capacities for allocation

1. The cross zonal capacities and/or allocation constraints shall be provided to Operators by corresponding TSOs. This step is performed on CCR level and therefore out of scope of this Back-up Methodology.
2. In a normal Market Coupling Session, each Operator shall establish communication between Operator and the DA MCO Function systems for delivery of cross zonal capacities or allocation constraints file.
3. All Operators shall establish at least one alternative connection between Operators and the DA MCO Function systems for delivery of cross zonal capacities or allocation constraints file through back-up file exchange mechanism. If a problem occurs with the cross zonal capacities or allocation constraints file delivery to DA MCO Function systems, the delivery shall be done with the back-up file exchange mechanism.
4. This alternative mechanism to deliver cross zonal capacities or allocation constraints file to DA MCO Function systems shall be established taking into account the technical solutions available.

Article 8

Requirement for aggregated anonymized order books

1. The anonymized aggregated order books per Bidding Zone and per NEMO are inputs that shall be provided by Operators. The steps of order reception and preparation of aggregated order books are performed by each NEMO locally and therefore out of scope of this Back-up Methodology.
2. In a normal Market Coupling Session, each Operator shall establish communication between Operator and the DA MCO Function systems for delivery of aggregated order books.
3. All Operators shall establish at least one alternative connection between Operators and the DA MCO Function systems for delivery of aggregated order books through back-up file exchange mechanism. If a problem occurs with the aggregated order book delivery to DA MCO Function systems, the delivery shall be done with the back-up file exchange mechanism.
4. This alternative mechanism to deliver aggregated order books to DA MCO Function systems shall be

established taking into account the technical solutions available and shall be secured in order to ensure full confidentiality.

Article 9

Requirement for algorithm results

1. The Coordinator and if needed with assistance of the relevant DA MCO Function Service Provider shall analyse any problem identified during the Price Coupling Algorithm computation process.
2. All MCS Operators and if needed with assistance of the relevant DA MCO Function Service Provider shall perform all reasonable actions in order to fixed any problem identified during the Price Coupling Algorithm computation process.
3. NEMOs based on DA MCO Function Service Provider recommendation and when there is a risk that the Price Coupling Algorithm is not able to produce results may use an *alternative pre-tested configuration*. *Alternative pre-tested configurations* correspond with different prepared Price Coupling Algorithm configurations as further described in the NEMO “DA Algorithm Requirements” document.
4. DA MCO Function Service Provider shall test and provide Alternative pre-tested configurations to all Operators in advance.

Article 10

Requirement for Operators results confirmation

1. The confirmation/rejection is a validation that assures the accuracy and the efficiency of the Price Coupling Algorithm results.
2. Each Operator is responsible for the validation of its own results in and linked to the bidding zones where they are active and have order books.
3. In a normal Market Coupling Session, each Operator shall establish communication between Operator and the DA MCO Function systems for delivery of confirmation/rejection.

When a NEMO rejects the Results common agreed procedures are available for checking the reasons of rejection. The relevant operational procedures included in the DA procedures agreed by all NEMOs referred to in section 5.1.2 point (b) of the MCO Plan, and in the relevant local, regional or European agreements between NEMOs and TSOs on the management on the pre and post coupling process, referred to in section 5.1.4 point 2 of the MCO Plan, provide possible identified reasons of rejection and procedural steps to apply in these situations.

4. All Operators shall establish at least one alternative connection between Operators and the DA MCO Function systems for delivery of confirmation/rejection through back-up file exchange mechanism. If a problem occurs with the confirmation/rejection delivery to DA MCO Function systems, the delivery shall be done with the back-up file exchange mechanism.
5. This alternative mechanism to deliver confirmation/rejection to DA MCO Function systems shall be established taking into account the technical solutions available.

Article 11

Requirement for TSOs results confirmation

1. The TSO confirmation/rejection is a TSO or Market Participant validation that assure that the Price Coupling Algorithm results are consistent with cross-zonal capacity and allocation constraints.
2. The TSO confirmation/rejection shall be provided to Operators by corresponding TSOs. This step is performed on CCR level and therefore out of scope of this Back-up Methodology.
3. In a normal Market Coupling Session, each Operator shall establish communication between Operator and the DA MCO Function systems for delivery of TSO confirmation/rejection.
4. When a TSO rejects the Results common agreed procedures are available for checking the reasons of rejection. The relevant operational procedures included in the NEMO DA Operational Agreement referred to in section 5.1.2 point (b) of the MCO Plan, and in the relevant local, regional or European agreements between NEMOs and TSOs on the management on the pre and post coupling process, referred to in section 5.1.4 point 2 of the MCO Plan, provide possible identified reasons of rejection and procedural steps to apply in these situations.
5. All Operators shall establish at least one alternative connection between Operators and the DA MCO Function systems for delivery of TSO confirmation/rejection through back-up file exchange mechanism. If a problem occurs with the TSO confirmation/rejection delivery to DA MCO Function systems, the delivery shall be done with the back-up file exchange mechanism.
6. This alternative mechanism to deliver TSO confirmation/rejection to DA MCO Function systems shall be established taking into account the technical solutions available.

Article 12

Requirement for timings

1. Latest times to perform backup procedures described in this Backup methodology are jointly established by all Operational NEMOs and where relevant all TSOs in the operational procedures, but also established in the CACM Regulation, and shall be defined at least for the following deadlines:
 - a. Deadline established according to Art. 46 of the CACM Regulation to receive the capacity allocation information for all the interconnections needed.
 - b. Deadline established according to Art. 47 of the CACM Regulation to receive the bids and offers.
 - c. Deadline established in the procedures for algorithm start. The results calculation process is started at a predefined moment agreed by all Operators.
 - d. Deadline established in the procedures for Operators results confirmation. At an agreed time, the Operators submit the results confirmation.
 - e. Deadline established in the procedures for TSOs results confirmation. At an agreed time, the Operators submit the results confirmation.
 - f. Deadline established according to Art. 48 of the CACM Regulation to publish the results.
 - g. Deadline to deliver the results, as specified in algorithm requirements established pursuant to Art. 48 of CACM Regulation.
 - h. Deadline for calculating scheduled exchanges is established according to Art. 43(2) of the CACM Regulation.

Article 13

Requirements for technical support

1. In a normal Market Coupling Session, each Operator shall be ready to carry out the DA MCO Functions without additional technical support from any DA MCO Function Service Provider.

Section 2

Single Intraday Coupling back-up procedures and steps

Article 14

General description of SIDC backup processes

1. The SIDC is defined as a (largely) centralized solution. This architecture, which differs from the DA architecture, results in a different set of back-up procedures compared to those used for SDAC.
2. The resolution of the Global Issues shall be carried out according to the common back-up methodologies described in this Backup Methodology.
3. The resolution of the Local Issues shall follow local/regional NEMOs and TSOs procedures which are out of the scope of this Back-up Methodology.
4. NEMOS shall sufficiently assure the well-functioning of the backup methodology and operations with regular tests. TSOs shall be also invited to participate in some of these training tests. Purpose of these tests is a constant refresh of common procedures to be used by all NEMOs as well as their improvement (preventive analysis of possible real situations during a Market Coupling Session). Test can be classified as follows:
 - a. *Regular NEMO training tests*: as preventative measure, all Operational NEMOs shall test the application of the backup procedures in real situations on testing installations of ID MCO Function Systems.
 - b. *Regular NEMO-TSOs training tests*: as preventative measure, all Operational NEMOs in cooperation with TSOs shall jointly test the application of the backup procedures in real situations on testing installations of the ID MCO Function Systems and TSO's systems.
 - c. *Regular communication tests with ID MCO Function Service Providers*: as preventative measure, Operational NEMOs, in cooperation with ID MCO Function Service Providers shall test technical services to assure well-functioning of the backup-methodology and operation of the MCO Function. Tests shall include technical services needed to complete SIDC processes on a daily basis such as common communication system, common market coupling session service application, the Continuous Trading Matching Algorithm and all approved common provided services.
 - d. *Stress tests*: Operational NEMOs will regularly perform stress tests in order to analyse proportional growth in the technical services, information to be used by the Continuous Trading Matching Algorithm as well as the results produced by the Continuous Trading Matching Algorithm.
5. To assess ex-post procedures according to a well-defined and transparent process, and as they cannot be accurately defined ex-ante, every incident which can impact the obligations set out in article 52 in the

CACM Regulation, shall be presented in the relevant stakeholder forums organized in accordance with Article 11 of CACM Regulation. This ex-post analysis shall be used to improve the procedures in case they were not followed properly.

6. The NEMOs shall maintain the procedures and make them available to NRAs on request.
7. As a general rule for NEMOs, once a Global Issue during SIDC occurs the ID Coordinator is responsible for triggering an incident committee, during which the problem is discussed among Operational NEMOs and the ID MCO Function Service Providers may be invited to solve the problem, restoring the status of the system. In any case, should also TSO directly be involved in the occurrence, it is always on NEMO side the responsibility to communicate with the ID Coordinator and potentially apply the back-up procedure.
8. Reason to request support of the ID MCO Function Service Providers are outlined in the relevant procedures included in the NEMO ID Operational Agreement and in the relevant local, regional or European agreements between NEMOs and TSOs on the management on the pre and post coupling process, referred to in section 5.2.4 point 4 of the MCO Plan.
9. If the party that performs the Central Admin or ID Coordinator role experiences difficulties performing this role, then another party capable of assuming this role shall take over relevant role. All Operators shall jointly decide which party shall take over the relevant role in such situation.
10. For every regular operational procedure at least one backup operational procedure or process shall be available (which may include local procedures), which shall be followed in case the regular procedure cannot be followed.

Article 15

Requirement for back-up communications

1. This section describes how to solve technical problems that may occur in the main communication line between the related parties and the ID MCO Function Service Provider responsible for hosting of the ID MCO Function System.
2. According to the centralized architecture of the SDAC, all NEMOs, their CCPs, CCCs and TSOs (from now on “parties”) shall be connected to the central ID hosting service provider through both a primary and secondary communication line to ensure redundancy.
3. An automatic or manual switch between primary and secondary communication line will be done by the affected party when an error is detected in the primary line.
4. As an additional backup measure, TSOs can act as a backup for the relevant CCCs or for other TSOs following local arrangements.
5. For the Global Issues during SIDC related to communication, the support of the ID Coordinator and/or the Central Admin will be requested. The affected parties shall analyse the communication problem and shall contact the ID MCO Function Service Provider responsible for communication lines.

Article 16

Requirement for back-up datacentre

1. During normal operation, Operators will perform the ID MCO functions in a primary data centre.
2. If a problem occurs with the primary datacentre, the ID MCO Function Service Provider responsible for hosting of the ID MCO Function System shall automatically switch to the secondary datacentre to continue with operations. The switch process shall be designed in a way to prevent data loss.
3. The secondary data centre shall have the same performance as the primary data centre.

Article 17

Requirement for database back-up

1. Backups of the database of the ID MCO Function System are made at regular intervals.
2. If a problem occurs with the database on the ID MCO Function System which affects database both in the primary datacentre and the secondary datacentre the ID MCO Function Service Provider responsible for shall restore latest database backup.

Article 18

Requirement for Closing Areas or Interconnectors

1. In case when an issue occurs that is confined to one or more, but not all, areas or to one or more, but not all, interconnectors of such incidents, the concerned NEMOs shall close the affected area from the SOB and/or the relevant TSO(s) may close the interconnectors of the affected area in order to isolate the problem and prevent its proliferation.
2. In such situation the continuous trading in all other areas, that are not affected by the issue and on all other interconnectors that are not affected by the issue shall continue.

Section 3

General requirements

Article 19

General obligation in the event of Partial or Full decoupling

1. In those instances, where the fallback procedures developed by TSOs (according to Article 44 of Regulation 2015/1222, but also Articles 45 and 57 when relevant) describe national or regional coupling (in form of Partial or Full decoupling), NEMOs commit to apply the above mentioned procedures.

Article 20

Timescale for implementation

1. Upon approval of the present methodology, each NEMO shall publish it on the internet in accordance with Article 9(14) of CACM Regulation.
2. The NEMOs shall implement the Back-up Methodology Proposal in a Bidding Zone with respect to the implementation of the SDAC/SIDC immediately after the approval by the NRAs of the Back-up Methodology Proposal, and with respect to the amendment and operation of the SDAC/SIDC immediately after:
 - a. the MCO function has been implemented in accordance with Article 7(3) of the CACM Regulation, and,
 - b. the arrangements to accommodate more than one NEMO developed in accordance with Articles 45 and 57 of the CACM Regulation, are implemented in relevant Bidding Zone where more than one NEMO is designated and/or offers trading services.

Article 21

Language

1. The reference language for this proposal shall be English. For the avoidance of doubt, where NEMOs need to translate this proposal into their national language(s), in the event of inconsistencies between the English version published by the NEMOs in accordance with Article 9(14) of the CACM Regulation and any version in another language, the relevant NEMOs shall be obliged to dispel any inconsistencies by providing a revised translation of this proposal to their relevant national regulatory authorities.