

Febeliec answer to the Elia consultation on the rules for suspension and restoration of market activities and rules for settlement in case of suspension of market activities

Febeliec would like to thank Elia for this consultation on the rules for suspension and restoration of market activities and rules for settlement in case of suspension of market activities. Febeliec greatly appreciates the effort that has been done since the previous (non-approved) version of these rules by taking into account the comments from stakeholders as well as clarifying the processes.

Febeliec understands and even supports the need for a pragmatic approach for crisis management, with often unexpected issues, but also wants to insist that every party remains responsible for their actions and decisions and that there are thus limits to the level of pragmatism that can be applied. Elia tries to strike this balance by making a distinction between binding rules and guidelines, but as indeed not all situations can be ex ante described it is necessary to keep a certain level of agility and flexibility, yet constrained by an obligation to limit as much as possible risks, damages and costs.

On the reduced scope of the number of market activities that can be suspended by Elia, Febeliec follows the reasoning and can accept the reduction to the described 7 activities. Concerning the other activities which can be suspended by Regional Control Centers (RCCs), Febeliec can again understand the approach but wants to insist that the safety of the Belgian grid and its users should be at the center of what is allowed and that it should be clear that the related costs and potentially damages should be limited as much as possible and not be unduly and adversely borne by the Belgian grid users. Also the pragmatic approach regarding decision moments for suspension of market activities can be supported by Febeliec, to avoid rigidity which could result in an even bigger negative outcome in case of an incident.

Concerning the provision of information during TSO controlled dispatch, Febeliec understands the reflection made by Elia on best efforts, yet remains worried as the text does not provide a lot of clarity on how market actors' information flows will be evaluated to fulfill this best effort principle over the duration of the period (e.g. when moving towards the end of the TSO controlled dispatch period, when they should be slowly reverting towards normal procedures). It remains largely unclear which obligations (and potentially penalties) would be applicable at each of the steps of the TSO controlled dispatch period.

Concerning the specific restoration tariff, Febeliec considers this formula to strike a good balance, while of course not being perfectly reflective of actual conditions. In any case, it provides a clear and upfront known market signal for all market parties. Febeliec would suggest that the quarter hourly outcome of the restoration tariff formula should also be published by Elia and/or CREG in order to ensure that there is no ambiguity whatsoever on which are the correct price levels to be applied. Concerning the two alternative options proposed by Elia for invoicing the restoration tariff, Febeliec is rather in favor for invoicing via the BRP, as the alternative proposal via the access holders comes with many risks and pitfalls, such as risk of double invoicing which would be unacceptable for Febeliec. Moreover, according to Febeliec this second option could lead to issues in the DSO grids as (some) Grid Users in the DSO grids can also be their own access holder, which would even create further problems to be solved in this alternative approach.