Commission Implementing Decision (EU) 2020/1479 of 14 October 2020 establishing priority lists for the development of network codes and guidelines for electricity for the period from 2020 to 2023 and for gas in 2020 (Text with EEA relevance)

COMMISSION IMPLEMENTING DECISION (EU) 2020/1479

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establishing priority lists for the development of network codes and guidelines for electricity for the period from 2020 to 2023 and for gas in 2020

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EC) No 715/2009 of the European Parliament and of the Council of 13 July 2009 on conditions for access to natural gas transmission networks and repealing Regulation (EC) No 1775/2005[(1)], and in particular Article 6(1) thereof,

Having regard to Regulation (EU) 2019/943 of the European Parliament and of the Council of 5 June 2019 on the internal market for electricity[(2)], and in particular Article 59(3) thereof,

Whereas:

(1) The development and implementation of network codes and guidelines are essential in order to have a fully integrated internal energy market. The electricity and gas internal market rules create an institutional set-up for developing network codes. This institutional set-up has been recently improved through the new Electricity Market Design, in particular with the adoption of Regulation (EU) 2019/943 as part of the Clean Energy for All Europeans Package[(3)]. For this purpose, the Agency for the Cooperation of Energy Regulators ('ACER'), the European Networks of Transmission System Operators ('ENTSOs'), the European entity for distribution system operators ('EU DSO entity') and the Commission work in close cooperation with all relevant stakeholders.

(2) The areas in which network codes can be developed are set out in Article 59(1) and (2) of Regulation (EU) 2019/943 and in Article 8(6) of Regulation (EC) No 715/2009. Besides the possibility to develop network codes, the Commission can develop guidelines on its own initiative. The areas in which guidelines can be developed are set out in Article 61(2) of Regulation (EU) 2019/943 and Article 23(1) of Regulation (EC) No 715/2009. In accordance with Article 59(3) of Regulation (EU) 2019/943 and Article 6(1) of Regulation (EC) No 715/2009, the Commission is to first establish priority lists identifying the areas to be included in the development of network codes. Priority lists are to be established every three years for the electricity sector and every year for the gas sector.

Changes to legislation: *There are currently no known outstanding effects for the Commission Implementing Decision (EU) 2020/1479. (See end of Document for details)*

(3) The Commission has already adopted harmonised electricity rules on capacity allocation and congestion management, connection of generators, demand connection, high voltage direct current, forward capacity allocation, system operation, emergency and restoration requirements and procedures, and balancing.

(4) In addition, harmonised gas rules on congestion management procedures, capacity allocation, balancing, interoperability and data exchange, harmonised transmission tariff structures have been adopted.

(5) In the targeted stakeholder consultation[4], the majority of stakeholders supported the development of harmonised electricity rules regarding cybersecurity and regarding demand-side flexibility. Regarding gas, stakeholders supported the prioritisation of the work already started and emphasised the importance of a proper and well-coordinated implementation of network codes and guidelines.

(6) Acknowledging the responses of stakeholders and having regard to the new challenges regarding cybersecurity as well as the need for transparent and non-discriminatory flexibility market, the priority list for electricity for 2020-2023 includes harmonised electricity rules on cybersecurity and on demand-side flexibility.

(7) Moreover, acknowledging the responses of stakeholders and having regard to the ongoing implementation of existing gas rules, no new areas are identified for the development of network codes and guidelines for gas for 2020,

HAS ADOPTED THIS DECISION:

Article 1

The priority list for the development of harmonised electricity rules for the period from 2020 to 2023 shall be the following:

(a) sector-specific rules for cyber security aspects of cross-border electricity flows, including rules on common minimum requirements, planning, monitoring, reporting and crisis management;

(b) rules regarding demand side flexibility, including rules on aggregation, energy storage and demand curtailment rules.

Article 2

No new areas have been identified for the development of network codes and guidelines for gas in 2020.

Article 3

This Decision shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.