

European Commission
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Kontakt
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DW
211

Unser Zeichen
AG – 23/2013

Ihr Zeichen

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Public Consultation ACER evaluation
Comments by Oesterreichs Energie (Register ID number: 80966174852-38)

Dear Madam,
Dear Sir,

Oesterreichs Energie, the Association of Austrian Electricity Companies, welcomes the opportunity to comment on the Public Consultation: ACER evaluation under Article 34 of Regulation 713/2009, 18 June 2013. Oesterreichs Energie represents more than 140 energy companies active in generation, trading, transmission, distribution and sales which in total cover more than 90 per cent of the Austrian electricity generation and the entire distribution.

GENERAL INFORMATION:

1. Please specify which institution/organization you represent:

e) Industry representatives (companies, associations)

2. Please specify which area of work of the Agency you are aware of/familiar with?

We are aware of all areas of work of the Agency and particularly familiar with the following areas:

- a) Development of Framework Guidelines and Network Codes for gas and electricity
- b) Regional Initiatives
- d) Monitoring and reporting on the electricity and gas sectors
- e) Monitoring of wholesale energy trading and market integrity (under REMIT)

WORKING METHODS:

7. Suggestions for improvement to ACER's working methods

a) Do you have any suggestions for improvement to ACER's working methods?

Oesterreichs Energie welcomes ACER's new format of stakeholders' integration /new communication tool "REMIT Roundtable" which will start in September 2013.

The consultation format actually practiced by ENTSO-E on Network Codes e.g. seems not to be sufficiently biased to represent stakeholders' views.

Therefore Oesterreichs Energie prefers consultation papers which are focused on key issues and include questions which allow individual answers. Workshops and tools allowing the Agency to listen to the views and to obtain information from different stakeholders are appreciated as well.

In terms of ACER's resources we would like to illustrate the necessary achievements by the Agency:

The Third Energy Package aims at a unified, single electricity market. The intended well-functioning and efficient single electricity market will only be established if harmonized rules for all market participants are implemented in all member states.

Therefore ACER's activities should on the one hand focus on the harmonized implementation of wholesale market regulation in order to guarantee equal conditions for market participants in a real level-playing field all over the EU.

On the other hand ACER's activities should focus on the rules' design and developing. Only a coherent framework offering the most efficient solution for market participants will result in the intended well-functioning internal electricity market.

Recent developments and ideas like obligatory double-reporting because of different/extensive interpretation of REMIT by NRAs or the idea of splitting functioning markets into smaller price/bidding zones (corresponding recent ACER consultation) are opposing the goal of a unified, single electricity market.

ACER's resources should allow the Agency to achieve both objectives: goal-oriented design and development of rules for the intended unified, single market; and the review/check of national implementation and interpretation of European rules independent of NRAs.

Thank you for taking our comments into consideration. If you have any further questions, please do not hesitate to contact us.

Yours sincerely,

DI Dr. Peter Layr
President

Dr. Barbara Schmidt
Secretary General