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Datum
10.04.2014

Contribution by Oesterreichs Energie, Austria
EUROPEAN COMMISSION PUBLIC CONSULTATION ON THE ESTABLISHMENT OF
PRIORITY LIST FOR THE DEVELOPMENT OF NETWORK CODES FOR 2012 AND
BEYOND

Dear Madam,
Dear Sir,

the Association of Austrian Electricity Companies (Oesterreichs Energie) appreciates the opportunity to comment on „European Commission Public Consultation on the Establishment of the priority list for the development of network codes for 2012 and beyond“.

Oesterreichs Energie represents actively more than 130 energy companies in generation, trading, transmission, distribution and sales which is more than 90 percent of the Austrian electricity generation and the entire distribution.

We wish to make the following comments:

Introductory remarks

Oesterreichs Energie supports the priorities proposed by the European Commission for 2012 in the Consultation document. We particularly emphasizes the importance to continue the work started in this year 2011 as regards the developing of Network Codes both for Electricity and Gas

Regarding the new priority areas for 2012 Oesterreichs Energie agrees the ones proposed by the Commission. Third-party access rules and rules on harmonised transmission tariff structures in electricity and operational procedures in an emergency, security and reliability rules, data exchange and settlement rules and rules for trading in gas.

Oesterreichs Energie considers that the longer-term priorities for 2013 fit very well with the areas defined by the Commission as essential for market integration in 2014 in accordance with European Council target. These areas refer to the several Network Codes on Capacity Allocation Mechanisms. Grid connection, System operation and balancing to be developed by ENTSO-E.

Oesterreichs Energie supports, in principle, both approaches followed by ENTSO-E and ENTSO-G respectively regarding Network Codes development. Both approaches should be viable, ENTSO-E proposing several network codes for a single framework guideline, while ENTSO-G is developing only one code per framework guideline. What is important is to see if in both cases the several Network Codes together or the single Network Code addressed all topics included in the Framework Guideline.

As regards the procedure for the development of network codes (Annex 3), the codes will be drafted by ENTSO-E, it means by the TSOs. Oesterreichs Energie would like to take this opportunity to address the need of DSOs to be actively involved in the drafting process of the network codes, when there are provisions that affect distribution networks operation. This is the case with the following Network Codes to be drafted by ENTSO-E:

- NC on grid connection
 - NC on DSO and industrial load connection
 - NC on connection procedures
 - NC on operational security
- Third Party access
 - NC on third party access
 - NC on data exchange and settlement
- Tariffs
 - NC on tariffs
 - Energy efficiency regarding networks
 - NC Energy efficiency regarding networks

DSOs have a central role as both system operator and grid user and are directly affected but the Network Codes but they can not take part directly in the drafting process. DSOs can not be only consulted as all other stakeholders, when the code directly affects the operation of the distribution network. It is too late for DSOs to react and to contribute with their inputs to the Network Code, if we are only consulted at the same time and way as all other stakeholders. It is not appropriate that only the TSOs should draft provisions on the operation of DSOs

networks. DSOs are also responsible for the operation of the network and for assuring security of supply.

Therefore OESTERREICH'S ENERGIE asks to integrate DSOs in the drafting process of Network Codes in these provisions that directly affect operation of distribution networks.

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

Kind regards,

Dr. Barbara Schmidt
Secretary General

DI Ursula Tauschek
Head of Grids