Directives and Regulations

Directive 2003/54 – Electricity Internal Market
Directive 2005/89 - Security of Electricity Supply and Infrastructure Investment
Regulation 1228/2003 – Cross Border Exchange of Electricity
Directive 2003/54 – Electricity
Internal Market

Article 1
• Covers generation, transmission distribution and supply of electricity

Article 2
• Definitions
Article 3 – PSOs

- Non-discriminatory, subsidiary, exhaustive
- Universal service – [For small businesses?]
- Supplier of last resort?
- Vulnerable customers
- Economic and social cohesion
Art. 4 Monitoring of Security of Supply
Art. 5 Technical Rules (UCTE)
Art. 6 Authorisation of new capacity (mandatory)
Art. 7 Tendering for new capacity (in the event authorisation does not secure supply)
Transmission System Operator
Art. 8 Designation
Art. 9 Tasks – system stability
Art. 10 Unbundling – legal, safeguards/minimum requirements, interpretative note
Art. 11 Dispatching and balancing – non-discrimination
Art. 12 Confidentiality
Directive 2003/54 – Electricity
Internal Market

Distribution System Operators
Art. 13 Designation
Art. 14 Tasks
Art. 14 Unbundling
Art. 15 Confidentiality
Art. 16 Combined Operator – TSO/DSO
Directive 2003/54 – Electricity
Internal Market

Unbundling and Transparency

Art. 18 Right of access to accounts
Art. 19 Unbundling - Audit and transparency
Directive 2003/54 – Electricity
Internal Market

Third Party Access
Art. 20 TPA on published Tariffs, prior approval by regulator / Refusal of access for congestion
Art. 21 Market opening – 1 July 2007 all customers, reciprocity of opening
Art. 22 Direct lines
Art. 23 Regulators, NB primarily for TPA
Directive 2003/54 – Electricity
Internal Market

Art. 24 Safeguards
Art. 25 Monitoring of imports (mandatory)
Art. 26 Derogations – isolated systems / classes of customers
Art. 27 Review
Art. 28 Reporting
Art. 29/30/31/32 Repeals / implementation / entry into force / addresses
Directive 2005/89 - Security of Electricity Supply and Infrastructure Investment

Art. 1 – Scope – preservation of generating margin, supply/demand balance, interconnections

Art. 2 Definitions

Art. 3 Definition of roles of market participants in order to maintain investment – who does what
Directive 2005/89 - Security of Electricity Supply and Infrastructure Investment

Art. 4 Operational Network Security – minimum rules, technical transmission reserve capacity, stochastic provision, justifiable curtailment in event of unforeseen event

Art. 5 Supply and demand balance – wholesale markets, technical generation reserve capacity, contract based fuel rationing
Directive 2005/89 - Security of Electricity Supply and Infrastructure Investment

Art. 6 Network Investment – long-term price signals from regulatory stability
Art. 7 Reporting – additional requirements for Art. 4 of electricity directive
Art. 8 Transposition
Art. 9 Commission reporting on implementation – 2010
Art. 10/11 Entry into force/addresses
Regulation 1228/2003 – Cross Border Exchange of Electricity

Art. 1 – Scope - Fair rules for cross border trade, including compensation mechanism

Art. 2 Definitions

Art. 3 Inter – Transmission System operator (TSO) Compensation mechanism (CBT) = TSO CBT – Cost based, not a profit centre

Art. 4 Charges – Transparency / Locational signals / non-contract based
Regulation 1228/2003 – Cross Border Exchange of Electricity

Art. 5 Information on interconnector capacity – ‘available transfer capacities’ (ATC) must be published

Art. 6 Congestion Management – non-transaction based solutions (no examination of contracts) / UIOLI (‘use it or lose it’)

Art. 7 New Interconnectors – Exemptions form Third party access (like gas directive Art. 22)
Regulation 1228/2003 – Cross Border Exchange of Electricity

Art. 8 Guidelines – not yet used, but ideal for detailed setting of TSO CBT charges

Art. 9 Regulatory authorities – primary authority

Art. 10 Provision of information and confidentiality

Art. 11 Right of MS to have more detailed measures
Regulation 1228/2003 – Cross Border Exchange of Electricity

Art. 12 Penalties
Art. 13 Committee
Art. 14 Commission Report
Art. 15 Entry into force