



2016/0379(COD)

25.9.2017

AMENDMENTS 1117 - 1360

Draft report

Krišjānis Kariņš

Internal market for electricity (recast)

Proposal for a regulation

(COM(2016)0861 – C8-0492/2016 – 2016/0379(COD))

Amendment 1117

Claude Turmes

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 25 – paragraph 1

Text proposed by the Commission

1. Transmission system operators shall cooperate at Union level through the ENTSO for Electricity, in order to promote the completion and functioning of the internal market in electricity and cross-border trade and to ensure the optimal management, coordinated operation and sound technical evolution of the European electricity transmission network.

Amendment

1. Transmission system operators shall cooperate at Union level through the ENTSO for Electricity, in order to promote the completion and functioning of the internal market in electricity and cross-border trade and to ensure the optimal management, coordinated operation and sound technical evolution of the European electricity transmission network ***under the supervision of the Agency.***

Or. en

Justification

This AM is intrinsically linked to the provisions of the ACER Regulation, as well as several provisions on monitoring and control functions of the Agency in this Regulation, such as for example in Article 29 or 19 (6).

Amendment 1118

Claude Turmes

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 25 – paragraph 2

Text proposed by the Commission

2. In performing its functions under EU law, the ENTSO for Electricity shall act for the European good and independent from individual national interests or the national interests of transmission system operators, and shall contribute to the efficient and sustainable achievement of the objectives set out in the policy framework for climate and energy covering the period from 2020 to 2030, in particular by contributing to the efficient integration

Amendment

2. In performing its functions under EU law, the ENTSO for Electricity shall act for the European good and independent from individual national interests or the national interests of transmission system operators, and shall contribute to the efficient and sustainable achievement of the objectives set out in the policy framework for climate and energy covering the period from 2020 to 2030, in particular by contributing to the efficient integration

of electricity generated from renewable energy sources and to increases in energy efficiency.

of electricity generated from renewable energy sources and to increases in energy efficiency. ***In particular, it shall ensure that the mobilisation of human resources from national transmission system operators does not trigger situations of conflict of interest. The Agency shall be responsible to monitor the compliance of the ENTSO for Electricity with the principles outlined in this Article.***

Or. en

Justification

With existing and new tasks conferred to ENTSO-E through this Regulation (for example according to Article 27), transparency and accountability of the body must be increased to ensure that functions are carried out independent from national or commercial interests.

Amendment 1119

Carolina Punset, Gerben-Jan Gerbrandy

Proposal for a regulation

Article 25 – paragraph 2

Text proposed by the Commission

2. In performing its functions under EU law, the ENTSO for Electricity shall act for the European good and independent from individual national interests or the national interests of transmission system operators, and shall contribute to the efficient and sustainable achievement of the objectives set out in the policy framework for climate and energy covering the period from 2020 to 2030, in particular by contributing to the efficient integration of electricity generated from renewable energy sources and to increases in energy efficiency.

Amendment

2. In performing its functions under EU law, the ENTSO for Electricity shall act for the European good and independent from individual national interests or the national interests of transmission system operators, and shall contribute to the efficient and sustainable achievement of the objectives set out in the policy framework for climate and energy covering the period from 2020 to 2030, in particular by contributing to the efficient integration of electricity generated from renewable energy sources ***in combination with energy storage and demand response*** and to increases in energy efficiency.

Or. en

Justification

ENTSO-e's role is also to ensure sources of flexibility are developed and deployed to the benefit of the system.

Amendment 1120

Paul Rübzig

Proposal for a regulation

Article 25 – paragraph 2

Text proposed by the Commission

2. In performing its functions under EU law, the ENTSO for Electricity shall act for the European good and independent from individual national interests or the national interests of transmission system operators, and shall contribute to the efficient and sustainable achievement of the objectives set out in the policy framework for climate and energy covering the period from 2020 to 2030, in particular by contributing to the efficient integration of electricity generated from renewable energy sources and to increases in energy efficiency.

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Or. en

Amendment 1121

Martina Werner, Flavio Zanonato, Jeppe Kofod, Carlos Zorrinho, Miapetra Kumpula-Natri, Miroslav Poche, Soledad Cabezón Ruiz, José Blanco López, Edouard Martin

Proposal for a regulation

Article 27 – paragraph 1 – point a

Text proposed by the Commission

(a) elaborate network codes ***in the areas set out in Article 55(1)*** with a view to achieving the objectives set out in Article 25 .

Amendment

(a) elaborate network codes ***for technical details of Union legislative acts providing the general political framework*** with a view to achieving the objectives set out in Article 25.

Or. en

Amendment 1122

Claude Turmes

on behalf of the Verts/ALE Group

Proposal for a regulation
Article 27 – paragraph 1 – point a

Text proposed by the Commission

(a) **elaborate** network codes in the areas set out in Article 55(1) with a view to achieving the objectives set out in Article 25 .

Amendment

(a) **contribute to the elaboration of** network codes in the areas set out in Article 55(1) with a view to achieving the objectives set out in Article 25 .

Or. en

Justification

This Amendment is linked to the Articles on network codes and the roles for DSOs, notably in Article 54 of this Regulation.

Amendment 1123

Claude Turmes

on behalf of the Verts/ALE Group

Proposal for a regulation
Article 27 – paragraph 1 – point b

Text proposed by the Commission

(b) adopt and publish a non-binding Union -wide ten-year network development plan, (Union -wide network development plan), every two years;

Amendment

(b) adopt and publish a non-binding Union -wide ten-year network development plan, (Union -wide network development plan), every two years, **based on independent modelling and calculations under the supervision of the Agency, while underlying assumptions, criteria and indicators are defined by targets enshrined in EU law, including on interconnection capacity and greenhouse gas emissions;The plan shall include different options, notably a high-renewables uptake and a high efficiency scenario;**

Or. en

Justification

These provisions are intrinsically linked to Articles 19 (6) and 29 of this Regulation, as well as other Union legislation.

Amendment 1124
Dario Tamburrano, David Borrelli

Proposal for a regulation
Article 27 – paragraph 1 – point c a (new)

Text proposed by the Commission

Amendment

(c a) define the methodology for calculating future system flexibility requirements;

Or. en

Amendment 1125
Claude Turmes
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 27 – paragraph 1 – point c a (new)

Text proposed by the Commission

Amendment

(c a) define the methodology for calculating future system flexibility requirements;

Or. en

Justification

These provisions are intrinsically linked to Articles 19 (6) and 29 of this Regulation, as well as other Union legislation.

Amendment 1126
Claude Turmes
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 27 – paragraph 1 – point c b (new)

Text proposed by the Commission

Amendment

(c b) define guidance for establishing targets and trajectories for the

development of demand response;

Or. en

Justification

These provisions are intrinsically linked to Articles 19 (6) and 29 of this Regulation, as well as other Union legislation.

Amendment 1127

Dario Tamburrano, David Borrelli

Proposal for a regulation

Article 27 – paragraph 1 – point c b (new)

Text proposed by the Commission

Amendment

(c b) define guidance for establishing targets and trajectories for the development of demand response;

Or. en

Amendment 1128

Zdzisław Krasnodębski

Proposal for a regulation

Article 27 – paragraph 1 – point e

Text proposed by the Commission

Amendment

(e) adopt a framework for the cooperation and coordination between regional *operational centres*;

(e) adopt a framework for the cooperation and coordination between regional *security coordinators*;

(This amendment applies throughout the text. Adopting it will necessitate corresponding changes throughout)

Or. en

Amendment 1129

Angelika Niebler, Sven Schulze

Proposal for a regulation

Article 27 – paragraph 1 – point e

PE610.740v01-00

8/123

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Text proposed by the Commission

Amendment

(e) adopt a framework for **the** cooperation and coordination between **regional operational centres**;

(e) adopt a framework for cooperation and coordination between **transmission system operators**;

Or. de

Justification

The ENTSO for Electricity should coordinate cooperation between transmission system operators as effectively as possible.

Amendment 1130

Zdzisław Krasnodębski

Proposal for a regulation

Article 27 – paragraph 1 – point f

Text proposed by the Commission

Amendment

(f) **adopt a proposal defining the system operation region covered by each regional operational centre**;

deleted

Or. en

Amendment 1131

Kaja Kallas, Fredrick Federley, Morten Helveg Petersen, Angelika Mlinar, Carolina Punset, Gerben-Jan Gerbrandy

Proposal for a regulation

Article 27 – paragraph 1 – point new (h a (new))

Text proposed by the Commission

Amendment

new (h a) standardisation, in cooperation with the EU DSO entity, of relevant data formats and protocols to facilitate crossborder exchange of data ;

Or. en

Amendment 1132

Barbara Kappel, Angelo Ciocca, Lorenzo Fontana

Proposal for a regulation

Article 27 – paragraph 1 – point j a (new)

Text proposed by the Commission

Amendment

(j a) cooperate with EU DSO entity and adopt best practice on the coordinated operation and planning of transmission and distribution systems including issues such as exchange of data between operators and coordination of distributed energy resources;

Or. en

Amendment 1133

Martina Werner, Peter Kouroumbashev, Carlos Zorrinho, Miapetra Kumpula-Natri, Edouard Martin

Proposal for a regulation

Article 27 – paragraph 1 – point j a (new)

Text proposed by the Commission

Amendment

(j a) to promote digitalisation of transmission systems to ensure, inter alia, efficient real time data acquisition and use and smart substations;

Or. en

Amendment 1134

Martina Werner, Peter Kouroumbashev, Carlos Zorrinho, Miapetra Kumpula-Natri, Edouard Martin

Proposal for a regulation

Article 27 – paragraph 1 – point j b (new)

Text proposed by the Commission

Amendment

(j b) to promote data management, cyber security and data protection in cooperation with relevant authorities and regulated entities;

Amendment 1135

Martina Werner, Jeppe Kofod, Carlos Zorrinho, Miapetra Kumpula-Natri, Eugen Freund, Miroslav Poche, Soledad Cabezón Ruiz, José Blanco López, Dan Nica

Proposal for a regulation

Article 27 – paragraph 1 – point j c (new)

Text proposed by the Commission

Amendment

(j c) to develop demand response in cooperation with DSOs.

Amendment 1136

Pavel Telička

Proposal for a regulation

Article 27 – paragraph 2

Text proposed by the Commission

Amendment

2. The ENTSO for Electricity shall report to the Agency on shortcomings identified regarding the establishment and performance of regional **operational** centres.

2. The ENTSO for Electricity shall report to the Agency on shortcomings identified regarding the establishment and performance of regional **coordination** centres.

(This amendment applies throughout the text. Adopting it will necessitate corresponding changes throughout.)

Amendment 1137

Miroslav Poche

Proposal for a regulation

Article 28 – paragraph 1

Text proposed by the Commission

Amendment

1. While preparing the proposals pursuant to the tasks referred to in Article

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27(1), the ENTSO for Electricity shall conduct an extensive consultation process, at an early stage and in an open and transparent manner, involving all relevant stakeholders, and, in particular, the organisations representing all stakeholders, in accordance with the rules of procedure referred to in Article 26. That consultation shall also involve national regulatory authorities and other national authorities, supply and generation undertakings, system users including customers, distribution system operators, including relevant industry associations, technical bodies and stakeholder platforms. It shall aim at identifying the views and proposals of all relevant parties during the decision-making process.

27(1) the ENTSO for Electricity shall conduct an extensive consultation process, at an early stage and in an open and transparent manner, involving all relevant stakeholders and, in particular, the organisations representing all stakeholders, in accordance with the rules of procedure referred to in Article 26. That consultation shall also involve national regulatory authorities and other national authorities, supply and generation undertakings, system users including customers **and their representatives**, distribution system operators, including relevant industry associations, technical bodies and stakeholder platforms. It shall aim at identifying the views and proposals of all relevant parties during the decision-making process.

An Independent Advisory Council of stakeholder representatives, in particular system users and final customers, shall be established to provide independent advice to the Board of the ENTSO for Electricity on:

(a) the elaboration of network codes as set out in Article 27(1) (a) (i) the Union wide development plans as set out in Article 27(1)(b)

(b) the annual work-programme as set out in Article 27(1)(h) and

(c) the annual report as set out in Article 27 (1)(i).

Or. en

Justification

A greater focus is required within the stakeholder consultation process to ensure that investments offer the greatest value for consumers. The process must take into account the limited resources and technical expertise of many system users as well as the importance of designing in consumer needs from the outset.

Amendment 1138

Claude Turmes

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 28 – paragraph 1

PE610.740v01-00

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Text proposed by the Commission

1. While preparing the **proposals** pursuant to the tasks referred to in Article 27(1), the ENTSO for Electricity shall conduct an extensive consultation process, at an early stage and in an open and transparent manner, involving all relevant stakeholders, and, in particular, the organisations representing all stakeholders, in accordance with the rules of procedure referred to in Article 26. That consultation shall also involve national regulatory authorities and other national authorities, supply and generation undertakings, system users including customers, distribution system operators, including relevant industry associations, technical bodies and stakeholder platforms. It shall aim at identifying the views and proposals of all relevant parties during the decision-making process.

Amendment

1. While preparing the **opinions** pursuant to the tasks referred to in Article 27(1), the ENTSO for Electricity shall conduct an extensive consultation process, at an early stage and **structured in a way to enable accommodating stakeholder comments before final adoption and** in an open and transparent manner, involving all relevant stakeholders, and, in particular, the organisations representing all stakeholders, in accordance with the rules of procedure referred to in Article 26. That consultation shall also involve national regulatory authorities and other national authorities, supply and generation undertakings, system users including customers **and their representatives**, distribution system operators, including relevant industry associations, technical bodies and stakeholder platforms. It shall aim at identifying the views and proposals of all relevant parties during the decision-making process.

Or. en

Justification

This Amendment is necessary to enable fulfilling the obligations of paragraph 3 of this Article.

Amendment 1139

Claude Turmes

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 28 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1 a. An Independent Advisory Council of stakeholder representatives, in particular system users and final customers, shall be formally established to provide independent advice to the Board of the ENTSO for Electricity on:

- (a) the elaboration of network codes as set out in Article 27(1) (a);*
- (b) the Union wide development plans as set out in Article 27(1);*
- (c) the annual work-programme as set out in Article 27 (1)(h) and*
- (d) the annual report as set out in Article 27 (1)(i).*

Or. en

Justification

This amendment is intrinsically linked to Article 27 and 28 of this Regulation to formalise existing consultations, as well as the advisory body that have been established to concretise the consultation process required by the provisions of this Article.

Amendment 1140

Claude Turmes

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 28 – paragraph 3

Text proposed by the Commission

3. Before adopting the **proposals** pursuant to Article 27(1) the ENTSO for Electricity shall indicate how the observations received during the consultation have been taken into consideration. It shall provide reasons where observations have not been taken into account.

Amendment

3. Before adopting the **opinions** pursuant to Article 27(1) the ENTSO for Electricity shall indicate how the observations received during the consultation have been taken into consideration. It shall provide reasons where observations have not been taken into account.

Or. en

Amendment 1141

Evžen Tošenovský

Proposal for a regulation

Article 31

Text proposed by the Commission

Article 31

Amendment

deleted

Regional cooperation of transmission system operators

1. Transmission system operators shall establish regional cooperation within the ENTSO for Electricity to contribute to the activities referred to in Article 27(1), (2) and (3). In particular, they shall publish a regional investment plan every two years, and may take investment decisions based on that regional investment plan. The ENTSO for Electricity shall promote cooperation between transmission system operators at regional level ensuring interoperability, communication and monitoring of regional performance in those areas which are not yet harmonised at Union level.

2. Transmission system operators shall promote operational arrangements in order to ensure the optimum management of the network and shall promote the development of energy exchanges, the coordinated allocation of cross-border capacity through non-discriminatory market-based solutions, paying due attention to the specific merits of implicit auctions for short-term allocations, and the integration of balancing and reserve power mechanisms.

3. For the purposes of achieving the goals set in paragraphs 1 and 2 of this Article, the geographical area covered by each regional cooperation structure may be defined by the Commission, taking into account existing regional cooperation structures. Each Member State shall be allowed to promote cooperation in more than one geographical area. The Commission is empowered to adopt delegated acts in accordance with Article 63 concerning the geographical area covered by each regional cooperation structure. For that purpose, the Commission shall consult the Agency and the ENTSO for Electricity.

Or. en

Proposal for a regulation
Article 31

Text proposed by the Commission

Amendment

Article 31

deleted

***Regional cooperation of transmission
system operators***

1. Transmission system operators shall establish regional cooperation within the ENTSO for Electricity to contribute to the activities referred to in Article 27(1), (2) and (3). In particular, they shall publish a regional investment plan every two years, and may take investment decisions based on that regional investment plan. The ENTSO for Electricity shall promote cooperation between transmission system operators at regional level ensuring interoperability, communication and monitoring of regional performance in those areas which are not yet harmonised at Union level.

2. Transmission system operators shall promote operational arrangements in order to ensure the optimum management of the network and shall promote the development of energy exchanges, the coordinated allocation of cross-border capacity through non-discriminatory market-based solutions, paying due attention to the specific merits of implicit auctions for short-term allocations, and the integration of balancing and reserve power mechanisms.

3. For the purposes of achieving the goals set in paragraphs 1 and 2 of this Article, the geographical area covered by each regional cooperation structure may be defined by the Commission, taking into account existing regional cooperation structures. Each Member State shall be allowed to promote cooperation in more than one geographical area. The Commission is empowered to adopt delegated acts in accordance with Article

63 concerning the geographical area covered by each regional cooperation structure. For that purpose, the Commission shall consult the Agency and the ENTSO for Electricity.

Or. en

Justification

It is our position that Articles 31 to 44 and all reference regarding ROCs in the Clean Energy Package to All Europeans shall be deleted without any substitution. It is of particular concern that establishment of ROCs violates subsidiarity and proportionality principle according to art. 194 SFEU

Amendment 1143

Kateřina Konečná, Evžen Tošenovský

Proposal for a regulation

Article 31 – paragraph 1

Text proposed by the Commission

1. Transmission system operators shall establish regional cooperation within the ENTSO for Electricity to contribute to the activities referred to in Article 27(1), (2) and (3). In particular, they shall publish a regional investment plan every two years, and may take investment decisions based on that regional investment plan. ***The ENTSO for Electricity shall promote cooperation between transmission system operators at regional level ensuring interoperability, communication and monitoring of regional performance in those areas which are not yet harmonised at Union level.***

Amendment

1. Transmission system operators shall establish regional cooperation within the ENTSO for Electricity to contribute to the activities referred to in Article 27(1), (2) and (3). In particular, they shall publish a regional investment plan every two years, and may take investment decisions based on that regional investment plan.

Or. en

Amendment 1144

Paul Rübzig

Proposal for a regulation

Article 31 – paragraph 3

Text proposed by the Commission

3. For the purposes of achieving the goals set in paragraphs 1 and 2 of this Article, the geographical area covered by each regional cooperation structure may be defined by the Commission, taking into account existing regional cooperation structures. Each Member State shall be allowed to promote cooperation in more than one geographical area. ***The Commission is empowered to adopt delegated acts in accordance with Article 63 concerning the geographical area covered by each regional cooperation structure. For that purpose, the Commission shall consult the Agency and the ENTSO for Electricity.***

Amendment

3. For the purposes of achieving the goals set in paragraphs 1 and 2 of this Article, the geographical area covered by each regional cooperation structure may be defined by the Commission, taking into account existing regional cooperation structures. Each Member State shall be allowed to promote cooperation in more than one geographical area.

Or. en

Amendment 1145

Kateřina Konečná, Evžen Tošenovský

Proposal for a regulation

Article 31 – paragraph 3

Text proposed by the Commission

3. For the purposes of achieving the goals set in paragraphs 1 and 2 of this Article, the geographical area covered by each regional cooperation structure may be defined by the Commission, taking into account existing regional cooperation structures. Each Member State shall be allowed to promote cooperation in more than one geographical area. ***The Commission is empowered to adopt delegated acts in accordance with Article 63 concerning the geographical area covered by each regional cooperation structure.*** For that purpose, the Commission shall consult the Agency and the ENTSO for Electricity.

Amendment

3. For the purposes of achieving the goals set in paragraphs 1 and 2 of this Article, the geographical area covered by each regional cooperation structure may be defined by the Commission, taking into account existing regional cooperation structures. Each Member State shall be allowed to promote cooperation in more than one geographical area. For that purpose, the Commission shall consult the Agency and the ENTSO for Electricity.

Or. en

Amendment 1146

Claude Turmes

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 31 – paragraph 3

Text proposed by the Commission

3. For the purposes of achieving the goals set in paragraphs 1 and 2 of this Article, the geographical area covered by each regional cooperation structure may be defined by the Commission, taking into account existing regional cooperation structures. Each Member State shall be allowed to promote cooperation in more than one geographical area. The Commission is empowered to adopt delegated acts in accordance with Article 63 concerning the geographical area covered by each regional cooperation structure. For that purpose, the Commission shall consult the Agency and the ENTSO for Electricity.

Amendment

3. ***Without prejudice to Articles 32 to 44 of this Regulation and*** for the purposes of achieving the goals set in paragraphs 1 and 2 of this Article, the geographical area covered by each regional cooperation structure may be defined by the Commission, taking into account existing regional cooperation structures. Each Member State shall be allowed to promote cooperation in more than one geographical area. The Commission is empowered to adopt delegated acts in accordance with Article 63 concerning the geographical area covered by each regional cooperation structure. For that purpose, the Commission shall consult the Agency and the ENTSO for Electricity.

Or. en

Amendment 1147

Martina Werner, Jeppe Kofod, Carlos Zorrinho, Miapetra Kumpula-Natri, Miroslav Poche, Soledad Cabezón Ruiz, José Blanco López, Dan Nica, Edouard Martin

Proposal for a regulation

Article 31 – paragraph 3

Text proposed by the Commission

3. For the purposes of achieving the goals set in paragraphs 1 and 2 of this Article, the geographical area covered by each regional cooperation structure may be defined by the Commission, taking into account existing regional cooperation structures. Each Member State shall be allowed to promote cooperation in more than one geographical area. The Commission is empowered to adopt delegated acts in accordance with Article

Amendment

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63 concerning the geographical area covered by each regional cooperation structure. For that purpose, the Commission shall consult the Agency and the ENTSO for Electricity.

63 concerning the geographical area covered by each regional cooperation structure. For that purpose, the Commission shall consult the **regulatory authorities of Member States, the** Agency and the ENTSO for Electricity.

Or. en

Amendment 1148

Kateřina Konečná, Evžen Tošenovský

Proposal for a regulation

Article 32

Text proposed by the Commission

Amendment

Article 32

deleted

Establishment and mission of regional operational centres

1. By [OP: twelve months after entry into force], all transmission system operators shall establish regional operational centres in accordance with the criteria set out in this chapter. Regional operational centres shall be established in the territory of one of the Member States of the region where it will operate.

2. Regional operational centres shall be organised in a legal form as referred to in Article 1 of Directive 2009/101/EC of the European Parliament and of the Council.³⁶

3. Regional operational centres shall complement the role of transmission system operators by performing functions of regional relevance. They shall establish operational arrangements in order to ensure the efficient, secure and reliable operation of the interconnected transmission system.

³⁶ *Directive 2009/101/EC of the European Parliament and of the Council of 16 September 2009 on coordination of safeguards which, for the protection of*

the interests of members and third parties, are required by Member States of companies within the meaning of the second paragraph of Article 48 of the Treaty, with a view to making such safeguards equivalent (OJ L 258, 1.10.2009, p. 11).

Or. en

Amendment 1149
Angelika Niebler, Sven Schulze

Proposal for a regulation
Article 32

Text proposed by the Commission

Amendment

Article 32

deleted

Establishment and mission of regional operational centres

1. By [OP: twelve months after entry into force], all transmission system operators shall establish regional operational centres in accordance with the criteria set out in this chapter. Regional operational centres shall be established in the territory of one of the Member States of the region where it will operate.

2. Regional operational centres shall be organised in a legal form as referred to in Article 1 of Directive 2009/101/EC of the European Parliament and of the Council.³⁶ genannten Rechtsformen.

3. Regional operational centres shall complement the role of transmission system operators by performing functions of regional relevance. They shall establish operational arrangements in order to ensure the efficient, secure and reliable operation of the interconnected transmission system.

³⁶ *Directive 2009/101/EC of the European Parliament and of the Council of 16 September 2009 on coordination of*

safeguards which, for the protection of the interests of members and third parties, are required by Member States of companies within the meaning of the second paragraph of Article 48 of the Treaty, with a view to making such safeguards equivalent (OJ L 258, 1.10.2009, p. 11).

Or. de

Justification

It is not at all clear how much value would be added by creating regional operational centres. The ENTSO for electricity is an existing grouping of transmission system operators at EU level. An additional body would result in a disproportionately high administrative and bureaucratic burden. Duplicate structures must be avoided. Areas such as central security of supply or risk-preparedness should remain the responsibility of the Member States and the transmission system operators. The reference to regional operational centres should be deleted from the proposal for a regulation.

Amendment 1150
Jaromír Kohlíček

Proposal for a regulation
Article 32

Text proposed by the Commission

Amendment

Article 32

deleted

Establishment and mission of regional operational centres

1. By [OP: twelve months after entry into force], all transmission system operators shall establish regional operational centres in accordance with the criteria set out in this chapter. Regional operational centres shall be established in the territory of one of the Member States of the region where it will operate.

2. Regional operational centres shall be organised in a legal form as referred to in Article 1 of Directive 2009/101/EC of the European Parliament and of the Council.³⁶

3. Regional operational centres shall complement the role of transmission

system operators by performing functions of regional relevance. They shall establish operational arrangements in order to ensure the efficient, secure and reliable operation of the interconnected transmission system.

³⁶ *Directive 2009/101/EC of the European Parliament and of the Council of 16 September 2009 on coordination of safeguards which, for the protection of the interests of members and third parties, are required by Member States of companies within the meaning of the second paragraph of Article 48 of the Treaty, with a view to making such safeguards equivalent (OJ L 258, 1.10.2009, p. 11).*

Or. en

Amendment 1151
Françoise Grossetête

Proposal for a regulation
Article 32 – title

Text proposed by the Commission

Amendment

Establishment and mission of regional *operational* centres

Establishment and mission of regional *coordination* centres

(This amendment applies throughout the text. Adopting it will necessitate corresponding changes throughout.)

Or. en

Justification

This modification should apply to all references made to "regional operational centres".

Amendment 1152
Claude Turmes
on behalf of the Verts/ALE Group

Proposal for a regulation

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23/123

PE610.740v01-00

EN

Article 32 – title

Text proposed by the Commission

Amendment

Establishment **and mission** of regional operational centres

Establishment of regional operational centres

Or. en

Amendment 1153

Martina Werner, Jeppe Kofod, Carlos Zorrinho, Miapetra Kumpula-Natri, Miroslav Poche, Soledad Cabezón Ruiz, José Blanco López, Edouard Martin

Proposal for a regulation Article 32 – paragraph 1

Text proposed by the Commission

Amendment

1. By [OP: twelve months after entry into force], all transmission system operators shall **establish** regional **operational centres** in accordance with the criteria set out in this chapter. Regional operational centres **shall be established in the territory of one of the Member States of the region where it will operate.**

1. By [OP: twelve months after entry into force], **regional coordination centres shall replace regional security coordinators established in accordance with the Commission Regulation establishing a Guideline on Electricity Transmission System Operation pursuant to the criteria set out in this chapter. Regional coordination centers shall cover all the functions of the regional security coordinators established in accordance with Regulation ... [The Commission Regulation establishing a guideline on Electricity Transmission System Operation] by 1 January 2022.** All transmission system operators shall **adhere to a regional coordination centre. If a region is not covered by an existing or planned regional security coordinator, the transmission system operators of that region shall establish a regional coordination centre. To this effect they shall submit to the regulatory authorities of the region a proposal for the establishment of a regional coordination centre** in accordance with the criteria set out in this chapter. **The proposal shall include the following requirements:**
(a) Member State where the regional coordination centre will be located;

- (b) the organisational, financial and operational arrangements necessary to ensure the efficient, secure and reliable operation of the interconnected transmission system;*
- (c) an implementation plan for the entry into operation of the regional coordination centres;*
- (d) the statutes and rules of procedure of regional coordination centres;*
- (e) a description of cooperative processes in accordance with Article 35;*
- (f) a description of the arrangements concerning the liability of regional coordination centres in accordance with Article 44.*

Or. en

Amendment 1154
Pavel Telička

Proposal for a regulation
Article 32 – paragraph 1

Text proposed by the Commission

1. By [OP: twelve months after entry into force], all transmission system operators shall **establish** regional **operational** centres in accordance with the criteria set out in this chapter. **Regional operational centres shall be established in the territory of one of the Member States of the region where it will operate.**

Amendment

1. By [OP: twelve months after entry into force], all transmission system operators **of a system operation region** shall **submit to the regulatory authorities of the region for a review a proposal for the establishment of** regional **coordination** centres in accordance with the criteria set out in this chapter. **The proposal shall include the following information:**

- (a) Member State where the regional coordination centre will be located;**
- (b) the organisational, financial and operational arrangements necessary to ensure the efficient, secure and reliable operation of the interconnected transmission system;**
- (c) an implementation plan for the entry into operation of the regional coordination centres;**
- (d) the statutes and rules of procedure of regional coordination centres;**

(e) a description of cooperative processes in accordance with Article 35;
(f) a description of the arrangements concerning the liability of regional coordination centres in accordance with Article 44.

Or. en

Amendment 1155

Claude Turmes

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 32 – paragraph 1

Text proposed by the Commission

1. By [OP: twelve months after entry into force], all transmission system operators shall **establish** regional operational centres in accordance with the criteria set out in this chapter. Regional operational **centres shall** be established **in the territory of** one of the Member States of the region where it will operate.

Amendment

1. By [OP: twelve months after entry into force], all transmission system operators **of a system operation region** shall **submit to the regulatory authorities of the region a proposal for the establishment of** regional operational centres in accordance with the criteria set out in this chapter. **The proposal shall include at least:**

- (a) The Member State where the regional operational centre will be established, which shall be one of the Member States of the region where it will operate.**
- (b) The statutes and rules of procedure of regional operational centres;**
- (c) The cooperative decision-making processes in accordance with Article 35;**
- (d) The arrangements concerning the liability of regional operational centres in accordance with Article 44.**

Or. en

Amendment 1156

Zdzisław Krasnodębski, Edward Czesak, Nikolay Barekov

Proposal for a regulation

Article 32 – paragraph 1

PE610.740v01-00

26/123

AM\1134739EN.docx

Text proposed by the Commission

1. By [OP: twelve months after entry into force], all transmission system operators shall establish regional **operational centres** in accordance with the criteria set out in this chapter. Regional **operational centres** shall be established in the territory of one of the Member States of the region where it will operate.

Amendment

1. By [OP: twelve months after entry into force], all transmission system operators shall establish regional **security coordinators** in accordance with the criteria set out in this chapter. Regional **security coordinators** shall be established in the territory of one of the Member States of the **capacity calculation** region where it will operate.

Or. en

Justification

The existing TSO' Regional Security Coordination Initiatives have proved to establish an effective way to cooperate at the regional level thus the RSCs should be created instead of ROCs, which are unnecessary also in light of the proportionality principle. The transfer of the key functions of TSOs to ROCs would in fact be substitutive thus in contradiction to the principle of subsidiarity.

Amendment 1157

Claude Turmes

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 32 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1 a. Regional operational centres shall enter into operation by [insert deadline OP:12 months after the entry into force]. Regional operational centres shall supersede the regional security coordinators established in accordance with [Commission Regulation establishing a guideline on electricity transmission system operation].

Or. en

Amendment 1158

Martina Werner, Carlos Zorrinho, Miapetra Kumpula-Natri, Soledad Cabezón Ruiz, José Blanco López, Edouard Martin, Dan Nica

Proposal for a regulation
Article 32 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2 a. Regional coordination centres shall enter into operation by 1 January 2022. Regional coordination centres shall replace the regional security coordinators established in accordance with Regulation ... [The Commission Regulation establishing a guideline on Electricity Transmission System Operation].

Or. en

Amendment 1159

Claude Turmes

on behalf of the Verts/ALE Group

Proposal for a regulation
Article 32 – paragraph 3

Text proposed by the Commission

Amendment

3. Regional operational centres shall complement the role of transmission system operators by performing functions of regional relevance. They shall establish operational arrangements in order to ensure the efficient, secure and reliable operation of the interconnected transmission system.

deleted

Or. en

Amendment 1160

Pavel Telička

Proposal for a regulation
Article 32 – paragraph 3

Text proposed by the Commission

Amendment

3. Regional **operational** centres shall complement the role of transmission system operators by performing functions

3. Regional **coordination** centres shall complement the role of transmission system operators by performing functions

of regional relevance. *They shall establish operational arrangements in order to ensure the efficient, secure and reliable* operation of the *interconnected* transmission system.

of regional relevance. *The transmission system operators shall be responsible for managing electricity flows and ensuring a secure, reliable and efficient electricity system in accordance with Article 40 of the [recast of Directive 2009/72/EC as proposed by COM(2016) 864/2]. Effective operation of the transmission system shall be the responsibility of each transmission system operator.*

Or. en

Amendment 1161

Martina Werner, Carlos Zorrinho, Miapetra Kumpula-Natri, Edouard Martin, Dan Nica

Proposal for a regulation Article 32 – paragraph 3

Text proposed by the Commission

3. Regional *operational* centres shall complement the role of transmission system operators by performing functions of regional relevance. *They shall establish operational arrangements in order to ensure* the efficient, secure and reliable operation of the interconnected transmission system.

Amendment

3. Regional *coordination* centres shall complement the role of transmission system operators by performing functions of regional relevance. *Transmission system operators shall be responsible for ensuring* the efficient, secure and reliable operation of the interconnected transmission system. *The effective operation of the transmission system shall be the responsibility of each transmission system operator.*

Or. en

Amendment 1162

Zdzisław Krasnołęski, Edward Czesak, Nikolay Barekov

Proposal for a regulation Article 32 – paragraph 3

Text proposed by the Commission

3. Regional *operational centres* shall *complement the role of* transmission system operators by performing *functions*

Amendment

3. Regional *security coordinators* shall *support* transmission system operators by performing *advisory services*

of regional relevance. They shall ***establish operational arrangements*** in order to ensure the efficient, secure and reliable operation of the interconnected transmission system.

of regional relevance. They shall ***advise and issue recommendations*** in order to ensure the efficient, secure and reliable operation of the interconnected transmission system.

Or. en

Amendment 1163

Martina Werner, Peter Kouroumbashev, Carlos Zorrinho, Miapetra Kumpula-Natri, Edouard Martin, Dan Nica

Proposal for a regulation

Article 32 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3 a. In performing its functions under EU law, the regional coordination centres shall act independently from individual national interests or the national interests of transmission system operators, and shall contribute to the efficient and sustainable achievement of the objectives set out in the policy framework for climate and energy covering the period from 2020 to 2030, in particular by contributing to the efficient integration of electricity generated from renewable energy sources and to increases in energy efficiency.

Or. en

Amendment 1164

Claude Turmes

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 32 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3 a. Regional operational centres shall submit individually to the Agency their draft statutes and rules of procedure taking into account the guidelines and recommendations issued by the Agency

pursuant to paragraph 3. Within two months, the Agency shall decide to approve the statutes and rules of procedure, or propose amendments.

Or. en

Amendment 1165
Claude Turmes
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 32 – paragraph 3 b (new)

Text proposed by the Commission

Amendment

3 b. By [OP:six months after entry into force], the Agency shall issue guidelines and recommendations to the TSOs of the system operation region for the elaboration of the statutes and rules of procedure proposal referred to in paragraph 41 with a view to ensuring consistent, efficient and effective functioning of the regional operational centres and the common and consistent application of Union law. Recommendations referred to in this paragraph may be general to all regional operational centres or specific to one or more several regional operational centres if they address cross-border relevant issues.

Or. en

Amendment 1166
Claude Turmes
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 32 – paragraph 3 c (new)

Text proposed by the Commission

Amendment

3 c. During the development of the proposal referred to in paragraph 1 (3a),

the transmission system operators of each system operation region shall take into account the guidelines and recommendations issued by the Agency. Within two months after submission, the Agency shall decide to approve the statutes and the rules of procedure, or to propose amendments.

Or. en

Amendment 1167
Claude Turmes
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 32 a (new)

Text proposed by the Commission

Amendment

Article 32 a

Mission of regional operational centres

1. Regional operational centres shall complement the role of transmission system operators by performing functions of regional relevance. They shall establish operational arrangements in order to ensure the efficient, secure and reliable operation of the interconnected transmission system.

2. Regional operational centres shall act in the interest of the system and the market operation of the region over the interests of any single entity, and independently from national interests or the interests of an individual transmission system operator.

3. In performing their functions, regional operational centres shall contribute to the achievement of the 2030 and 2050 objectives set out in the climate and energy policy framework.

Or. en

Justification

It seems more logic to split the provisions on establishment and on mission of the regional operational centres. Additionally, ROCs should adhere to similar principles than ENTSO-E, which is why certain provisions applicable to the latter are repeated here (especially Articles 25-27).

Amendment 1168

Kateřina Konečná, Evžen Tošenovský

Proposal for a regulation

Article 33

Text proposed by the Commission

Amendment

Article 33

deleted

Geographical scope of regional operational centres

1. By [OP: six months after entry into force of this Regulation] the ENTSO for Electricity shall submit to the Agency a proposal defining system operation regions covered by regional operational centres, taking into account existing regional security coordinators, on the basis of the following criteria:

(a) The grid topology, including the degree of interconnection and of interdependency of the power systems in terms of flows;

(b) the synchronous connection of the systems;

(c) the size of the region, which shall cover at least one capacity calculation region;

(d) the geographical optimization of balancing reserves.

2. Within three months of receipt, the Agency shall either approve the proposal defining the system operation regions or propose amendments. In the latter case, the Agency shall consult the ENTSO for Electricity before adopting the amendments. The adopted proposal shall be published on the Agency's website.

Amendment 1169

Jaromír Kohlíček

Proposal for a regulation

Article 33

Text proposed by the Commission

Amendment

Article 33

deleted

***Geographical scope of regional
operational centres***

1. By [OP: six months after entry into force of this Regulation] the ENTSO for Electricity shall submit to the Agency a proposal defining system operation regions covered by regional operational centres, taking into account existing regional security coordinators, on the basis of the following criteria:

(a) The grid topology, including the degree of interconnection and of interdependency of the power systems in terms of flows;

(b) the synchronous connection of the systems;

(c) the size of the region, which shall cover at least one capacity calculation region;

(d) the geographical optimization of balancing reserves.

2. Within three months of receipt, the Agency shall either approve the proposal defining the system operation regions or propose amendments. In the latter case, the Agency shall consult the ENTSO for Electricity before adopting the amendments. The adopted proposal shall be published on the Agency's website.

Justification

It is our position that Articles 31 to 44 and all reference regarding ROCs in the Clean Energy Package to All Europeans shall be deleted without any substitution. It is of particular concern that establishment of ROCs violates subsidiarity and proportionality principle according to art. 194 SFEU

Amendment 1170

Zdzisław Krasnodębski

Proposal for a regulation

Article 33 – paragraph 1

Text proposed by the Commission

Amendment

- 1. By [OP: six months after entry into force of this Regulation] the ENTSO for Electricity shall submit to the Agency a proposal defining system operation regions covered by regional operational centres, taking into account existing regional security coordinators, on the basis of the following criteria:**
- (a) The grid topology, including the degree of interconnection and of interdependency of the power systems in terms of flows;**
- (b) the synchronous connection of the systems;**
- (c) the size of the region, which shall cover at least one capacity calculation region;**
- (d) the geographical optimization of balancing reserves.**
- deleted*

Or. en

Amendment 1171

Anneleen Van Bossuyt

Proposal for a regulation

Article 33 – paragraph 1 – introductory part

Text proposed by the Commission

Amendment

- 1. By [OP: six months after entry into AM\1134739EN.docx**

1. 35/123

- By [OP: six months after entry into PE610.740v01-00**

force of this Regulation] the ENTSO for Electricity shall submit to the Agency a proposal defining system operation regions ***covered by regional operational centres***, taking into account existing regional security coordinators, on the basis of the following criteria:

force of this Regulation] the ENTSO for Electricity shall submit to the Agency a proposal defining system operation regions ***for which a cooperative process as described in Art. 62 of [directive on common rules for the internal market in electricity recast, COM (2016)864] is established***, taking into account existing regional security coordinators, on the basis of the following criteria:

Or. en

Amendment 1172

Pilar del Castillo Vera, Pilar Ayuso, Francesc Gambús

Proposal for a regulation

Article 33 – paragraph 1 – introductory part

Text proposed by the Commission

1. By [OP: six months after entry into force of this Regulation] the ***ENTSO for Electricity*** shall submit to the ***Agency a proposal*** defining system operation regions covered by regional ***operational*** centres, taking into account existing regional security coordinators, on the basis of the following criteria:

Amendment

1. By [OP: six months after entry into force of this Regulation] the ***transmission system operators*** shall submit ***a proposal*** to the ***relevant Member States*** defining system operation regions covered by regional ***coordination*** centres, taking into account existing regional security coordinators, on the basis of the following criteria:

Or. en

Amendment 1173

Anneleen Van Bossuyt

Proposal for a regulation

Article 33 – paragraph 1 – point b

Text proposed by the Commission

(b) the synchronous connection of the ***systems***;

Amendment

(b) the synchronous connection of the ***region***;

Or. en

Amendment 1174
Anneleen Van Bossuyt

Proposal for a regulation
Article 33 – paragraph 1 – point c

Text proposed by the Commission

(c) the size of the region, ***which shall cover at least one capacity calculation region;***

Amendment

(c) the size of the region;

Or. en

Amendment 1175
Anneleen Van Bossuyt

Proposal for a regulation
Article 33 – paragraph 1 – point d

Text proposed by the Commission

(d) the ***geographical optimization of balancing reserves.***

Amendment

(d) the ***relationship to the capacity calculation regions.***

Or. en

Amendment 1176
Claude Turmes
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 33 – paragraph 1 – point d a (new)

Text proposed by the Commission

Amendment

(d a) the macro-regional partnerships as defined in the [Governance Regulation].

Or. en

Amendment 1177
Claude Turmes
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 33 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1 a. *The proposal in paragraph 1 shall at least specify which transmission system operators, load frequency control blocks, load frequency control areas and bidding zone borders are covered by each of the system operation regions. Where a transmission system operator is responsible for bidding zone borders belonging to different system operation regions, it may be covered by more than one regional operational centre.*

Or. en

Amendment 1178
Zdzisław Krasnodębski

Proposal for a regulation
Article 33 – paragraph 2

Text proposed by the Commission

Amendment

2. *Within three months of receipt, the Agency shall either approve the proposal defining the system operation regions or propose amendments. In the latter case, the Agency shall consult the ENTSO for Electricity before adopting the amendments. The adopted proposal shall be published on the Agency's website.*

deleted

Or. en

Amendment 1179
Pilar del Castillo Vera, Pilar Ayuso, Francesc Gambús

Proposal for a regulation
Article 33 – paragraph 2

Text proposed by the Commission

Amendment

2. Within **three** months of receipt, the

2. Within **six** months of receipt, the

Agency shall either approve the proposal defining the system operation regions or propose amendments. In the latter case, the Agency shall consult the ENTSO for Electricity before adopting the amendments. The adopted proposal shall be published on the Agency's website.

relevant Member States shall come to a unanimous decision. Other Member States may submit comments. The decision shall be reasoned, in accordance with relevant Union law. The relevant Member States shall notify the Commission and the Agency their decision. The adopted proposal shall be published on the Agency's website.

Or. en

Amendment 1180

Claude Turmes

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 33 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2 a. The Agency may request the ENTSO for Electricity to review the system operation regions covered by regional operational centres. ENTSO for Electricity shall submit to the Agency a proposal to maintain or amend the system operation regions covered by regional operational centres within six months. Within three months of receipt, the Agency shall either approve, reject or propose amendments to the proposal in accordance with the procedure referred to in paragraph 2.

Or. en

Amendment 1181

Jaromír Kohlíček

Proposal for a regulation

Article 34

Text proposed by the Commission

Amendment

[...]

deleted

Justification

It is our position that Articles 31 to 44 and all reference regarding ROCs in the Clean Energy Package to All Europeans shall be deleted without any substitution. It is of particular concern that establishment of ROCs violates subsidiarity and proportionality principle according to art. 194 SFEU

Amendment 1182**Kateřina Konečná, Evžen Tošenovský****Proposal for a regulation****Article 34***Text proposed by the Commission**Amendment***[...]****deleted**

Or. en

Amendment 1183**Anneleen Van Bossuyt****Proposal for a regulation****Article 34 – paragraph 1 – introductory part***Text proposed by the Commission**Amendment*

1. *Each regional **operational centre** shall **perform** all the following **functions** in the system operation region where **it is** established **and regional operational centres shall perform at least the following functions, set out in more detail in Annex I:***

1. Regional **coordination centres** shall **provide** all the following **services** in the system operation region where **they are** established:

Or. en

Amendment 1184**Zdzisław Krasnodębski****Proposal for a regulation****Article 34 – paragraph 1 – introductory part**

Text proposed by the Commission

Amendment

1. Each regional **operational centre** shall perform **all** the following **functions** in the **system operation** region where it is established **and regional operational centres shall perform at least the following functions, set out in more detail in Annex I:**

1. Each regional **security coordinator** shall perform the following **services** in the **capacity calculation** region where it is established:

Or. en

Amendment 1185

Miapetra Kumpula-Natri

Proposal for a regulation

Article 34 – paragraph 1 – introductory part

Text proposed by the Commission

Amendment

1. **Each regional operational centre** shall perform **all** the following functions **in the system operation region where it is established and regional operational centres shall perform at least the following functions**, set out in more detail in Annex I:

1. **In the system operation region, the Transmission System Operators** shall perform **at least** the following functions **jointly, within the scope of regional security centres**, regional operational centres **or other format for joint operations**, set out in more detail in Annex I:

Or. en

Justification

While enhanced regional operations are needed, it is questionable whether the common regional operations require the new entities (ROCs), and with such detailed description. Instead the TSOs should be given the possibility to work together within a systems operating region when it comes to tasks listed in 34 (1).

Amendment 1186

Martina Werner, Carlos Zorrinho, Miapetra Kumpula-Natri, Dan Nica

Proposal for a regulation

Article 34 – paragraph 1 – point a

Text proposed by the Commission

Amendment

(a) coordinated capacity calculation;

(a) coordinated capacity calculation **in**

accordance with the methodologies developed pursuant to Regulation (EU) 2015/1222;

Or. en

Amendment 1187

Martina Werner, Carlos Zorrinho, Miapetra Kumpula-Natri, Dan Nica

Proposal for a regulation

Article 34 – paragraph 1 – point b

Text proposed by the Commission

(b) coordinated security analysis;

Amendment

(b) coordinated security analysis *in accordance with the methodologies developed pursuant to Regulation ... [The Commission Regulation establishing a Guideline on electricity transmission system operation]*;

Or. en

Amendment 1188

Anneleen Van Bossuyt

Proposal for a regulation

Article 34 – paragraph 1 – point c

Text proposed by the Commission

(c) creation of common **system** models;

Amendment

(c) creation of common **grid** models *in accordance with the methodologies and procedures developed pursuant to Articles 68 - 70 and 79 of Regulation ... [The Commission Regulation establishing a Guideline on electricity transmission system operation]*;

Or. en

Amendment 1189

Martina Werner, Carlos Zorrinho, Miapetra Kumpula-Natri, Miroslav Poche, Soledad Cabezón Ruiz, José Blanco López

Proposal for a regulation
Article 34 – paragraph 1 – point c

Text proposed by the Commission

(c) creation of common system models;

Amendment

(c) creation of common system models ***in accordance with the methodologies and procedures developed pursuant to Regulation ... [The Commission Regulation establishing a Guideline on electricity transmission system operation];***

Or. en

Amendment 1190

Martina Werner, Carlos Zorrinho, Miapetra Kumpula-Natri, Miroslav Poche, Soledad Cabezón Ruiz, José Blanco López

Proposal for a regulation
Article 34 – paragraph 1 – point d

Text proposed by the Commission

(d) consistency assessment of transmission system operators' defense plans and restoration plans;

Amendment

(d) consistency assessment of transmission system operators' defense plans and restoration plans ***in accordance with the procedure set out in Regulation ... [The Commission Regulation establishing a network code on electricity emergency and restoration];***

Or. en

Amendment 1191

Anneleen Van Bossuyt

Proposal for a regulation
Article 34 – paragraph 1 – point e

Text proposed by the Commission

(e) ***coordination and optimization of regional restoration;***

Amendment

deleted

Or. en

Amendment 1192
Zdzisław Krasnodębski

Proposal for a regulation
Article 34 – paragraph 1 – point e

Text proposed by the Commission

Amendment

(e) coordination and optimization of regional restoration; **deleted**

Or. en

Amendment 1193
Zdzisław Krasnodębski

Proposal for a regulation
Article 34 – paragraph 1 – point f

Text proposed by the Commission

Amendment

(f) post-operation and post-disturbances analysis and reporting; **deleted**

Or. en

Amendment 1194
Jaromír Kohlíček

Proposal for a regulation
Article 34 – paragraph 1 – point g

Text proposed by the Commission

Amendment

(g) regional sizing of reserve capacity; **deleted**

Or. en

Justification

Based on recently approved guideline on electricity balancing, national TSOs shall take into account contribution of other than national balancing reserves providers into account when setting their size. TSOs also have right to procure part of balancing capacity in the region, closely cooperating with other TSOs. This provides for possibility for optimization of balancing reserves and capacity, as well as sufficient space for TSOs to decide whether it is more efficient and safe to procure the capacity regionally or domestically.

Amendment 1195
Zdzisław Krasnodebski

Proposal for a regulation
Article 34 – paragraph 1 – point g

Text proposed by the Commission

Amendment

(g) regional sizing of reserve capacity; deleted

Or. en

Amendment 1196
Anneleen Van Bossuyt

Proposal for a regulation
Article 34 – paragraph 1 – point g

Text proposed by the Commission

Amendment

(g) regional sizing of reserve capacity; deleted

Or. en

Amendment 1197
Anneleen Van Bossuyt

Proposal for a regulation
Article 34 – paragraph 1 – point h

Text proposed by the Commission

Amendment

(h) facilitate the regional procurement of balancing capacity; deleted

Or. en

Amendment 1198
Françoise Grossetête

Proposal for a regulation
Article 34 – paragraph 1 – point h

Text proposed by the Commission

Amendment

(h) facilitate the regional procurement of balancing capacity; *deleted*

Or. en

Amendment 1199
Jaromír Kohlíček

Proposal for a regulation
Article 34 – paragraph 1 – point h

Text proposed by the Commission

Amendment

(h) facilitate the regional procurement of balancing capacity; *deleted*

Or. en

Justification

Based on recently approved guideline on electricity balancing, national TSOs shall take into account contribution of other than national balancing reserves providers into account when setting their size. TSOs also have right to procure part of balancing capacity in the region, closely cooperating with other TSOs. This provides for possibility for optimization of balancing reserves and capacity, as well as sufficient space for TSOs to decide whether it is more efficient and safe to procure the capacity regionally or domestically.

Amendment 1200
Zdzisław Krasnodebski

Proposal for a regulation
Article 34 – paragraph 1 – point h

Text proposed by the Commission

Amendment

(h) facilitate the regional procurement of balancing capacity; *deleted*

Or. en

Amendment 1201
Kaja Kallas, Fredrick Federley, Morten Helveg Petersen, Angelika Mlinar, Carolina Punset, Gerben-Jan Gerbrandy

Proposal for a regulation
Article 34 – paragraph 1 – point h

Text proposed by the Commission

(h) facilitate the regional procurement of balancing capacity;

Amendment

(h) facilitate the ***crossborder and*** regional procurement of balancing capacity;

Or. en

Amendment 1202
Anneleen Van Bossuyt

Proposal for a regulation
Article 34 – paragraph 1 – point i

Text proposed by the Commission

(i) regional week ahead ***to intraday*** system adequacy forecasts and preparation of risk reducing actions;

Amendment

(i) regional week ahead ***up to day ahead*** system adequacy forecasts and preparation of risk reducing actions ***in accordance with the methodology set out Article 8 of [Regulation on risk preparedness as proposed by COM(2016) 862] and the procedures set out in Article 81 of [The Commission Regulation establishing a Guideline on electricity transmission system operation]***;

Or. en

Amendment 1203
Martina Werner, Carlos Zorrinho, Miapetra Kumpula-Natri, Miroslav Poche, Soledad Cabezón Ruiz, José Blanco López, Edouard Martin

Proposal for a regulation
Article 34 – paragraph 1 – point i

Text proposed by the Commission

(i) regional week ahead to intraday system adequacy forecasts and preparation of risk reducing actions;

Amendment

(i) regional week ahead to intraday system adequacy forecasts and preparation of risk reducing actions ***in accordance with the methodology set out Article 8 of [Regulation on risk preparedness as***

proposed by COM(2016)862] and the procedures set out in Article 81 of [The Commission Regulation establishing a Guideline on electricity transmission system operation];

Or. en

Amendment 1204

Martina Werner, Carlos Zorrinho, Miapetra Kumpula-Natri, Miroslav Poche, Soledad Cabezón Ruiz, José Blanco López, Edouard Martin

Proposal for a regulation

Article 34 – paragraph 1 – point j

Text proposed by the Commission

(j) outage planning coordination;

Amendment

(j) outage planning coordination *in accordance with the procedures set out in Article 80 of Regulation ... [Commission Regulation establishing a Guideline on electricity transmission system operation];*

Or. en

Amendment 1205

Zdzisław Krasnodebski

Proposal for a regulation

Article 34 – paragraph 1 – point k

Text proposed by the Commission

(k) *optimisation of compensation mechanisms between transmission system operators;*

Amendment

deleted

Or. en

Amendment 1206

Zdzisław Krasnodebski

Proposal for a regulation

Article 34 – paragraph 1 – point l

Text proposed by the Commission

Amendment

(l) **training and certification;** **deleted**

Or. en

Amendment 1207

Françoise Grossetête

Proposal for a regulation

Article 34 – paragraph 1 – point l

Text proposed by the Commission

Amendment

(l) training **and certification;** (l) training;

Or. en

Amendment 1208

Zdzisław Krasnodębski

Proposal for a regulation

Article 34 – paragraph 1 – point m

Text proposed by the Commission

Amendment

(m) **identification of regional crisis scenarios according to Article 6(1) of [Regulation on risk preparedness as proposed by COM(2016) 862] if this task is delegated by ENTSO for Electricity;** **deleted**

Or. en

Amendment 1209

Barbara Kappel, Angelo Ciocca, Lorenzo Fontana

Proposal for a regulation

Article 34 – paragraph 1 – point m

Text proposed by the Commission

Amendment

(m) identification of regional crisis scenarios according to Article 6(1) of [Regulation on risk preparedness as (m) **upfront** identification of **potential** regional crisis scenarios according to Article 6(1) of [Regulation on risk

proposed by COM(2016) 862] if this task is delegated by ENTSO for Electricity;

preparedness as proposed by COM(2016) 862] if this task is delegated by ENTSO for Electricity, ***tore the original Commission's text.***

Or. en

Amendment 1210

Claude Turmes

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 34 – paragraph 1 – point m

Text proposed by the Commission

(m) identification of regional crisis scenarios according to Article 6(1) of [Regulation on risk preparedness as proposed by COM(2016) 862] ***if this task is delegated by ENTSO for Electricity;***

Amendment

(m) identification of regional crisis scenarios according to Article 6(1) of [Regulation on risk preparedness as proposed by COM(2016) 862];

Or. en

Amendment 1211

Zdzisław Krasnodębski

Proposal for a regulation

Article 34 – paragraph 1 – point n

Text proposed by the Commission

(n) ***preparation and carrying out of yearly crisis simulations in cooperation with competent authorities pursuant to Article 12(3) of [Regulation on risk preparedness as proposed by COM(2016) 862];***

Amendment

deleted

Or. en

Amendment 1212

Zdzisław Krasnodębski

Proposal for a regulation

PE610.740v01-00

50/123

AM\1134739EN.docx

Article 34 – paragraph 1 – point o

Text proposed by the Commission

Amendment

(o) tasks related to the identification of regional crisis scenarios if and to the extent they are delegated to the regional operational centres pursuant to Article 6(1) of [Regulation on risk preparedness as proposed by COM(2016) 862]; *deleted*

Or. en

Amendment 1213

Claude Turmes

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 34 – paragraph 1 – point o

Text proposed by the Commission

Amendment

(o) tasks related to the identification of regional crisis scenarios if and to the extent they are delegated to the regional operational centres pursuant to Article 6(1) of [Regulation on risk preparedness as proposed by COM(2016) 862]; *deleted*

Or. en

Amendment 1214

Zdzisław Krasnodebski

Proposal for a regulation

Article 34 – paragraph 1 – point p

Text proposed by the Commission

Amendment

(p) tasks related to the seasonal adequacy outlooks if and to the extent they are delegated to the regional operational centres pursuant to Article 9(2) of [Regulation on risk preparedness as proposed by COM(2016) 862]; *deleted*

Or. en

Amendment 1215

Claude Turmes

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 34 – paragraph 1 – point p

Text proposed by the Commission

(p) tasks related to the seasonal adequacy outlooks ***if and to the extent they are delegated to the regional operational centres*** pursuant to Article 9(2) of [Regulation on risk preparedness as proposed by COM(2016) 862];

Amendment

(p) tasks related to the seasonal adequacy outlooks pursuant to Article 9(2) of [Regulation on risk preparedness as proposed by COM(2016) 862];

Or. en

Amendment 1216

Claude Turmes

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 34 – paragraph 1 – point p a (new)

Text proposed by the Commission

Amendment

(p a) tasks related to the development of a methodology for identifying the most relevant electricity crisis scenarios in a regional context pursuant to Article 5(4) of [Regulation on risk preparedness as proposed by COM (2016) 862

Or. en

Amendment 1217

Claude Turmes

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 34 – paragraph 1 – point p b (new)

Text proposed by the Commission

Amendment

(p b) tasks related to the development of a methodology for short-term adequacy assessments pursuant to Article 8(2) of [Regulation on risk preparedness as proposed by COM(2016) 862]

Or. en

Amendment 1218

Claude Turmes

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 34 – paragraph 1 – point p c (new)

Text proposed by the Commission

Amendment

(p c) co-ordination of the harmonisation of regional measures to be included in the national risk-preparedness plans of Member States concerned pursuant Articles 10(4) and 12(2) of [Regulation on risk preparedness as proposed by COM(2016) 862]

Or. en

Amendment 1219

Zdzisław Krasnodębski

Proposal for a regulation

Article 34 – paragraph 1 – point q

Text proposed by the Commission

Amendment

(q) calculate the maximum entry capacity available for the participation of foreign capacity in capacity mechanisms pursuant to Article 21(6).

deleted

Or. en

Amendment 1220

Françoise Grossetête

Proposal for a regulation
Article 34 – paragraph 1 – point q

Text proposed by the Commission

Amendment

(q) calculate the maximum entry capacity available for the participation of foreign capacity in capacity mechanisms pursuant to Article 21(6).

deleted

Or. en

Amendment 1221

Claude Turmes

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 34 – paragraph 1 – point q a (new)

Text proposed by the Commission

Amendment

(q a) tasks related to support transmission system operators on the identification of transmission capacity needs.

Or. en

Amendment 1222

Zdzisław Krasnodebski

Proposal for a regulation

Article 34 – paragraph 2

Text proposed by the Commission

Amendment

2. The Commission may add other functions to the regional operational centres, not involving decision making power, pursuant to Chapter VII of this Regulation.

deleted

Or. en

Amendment 1223

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Claude Turmes
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 34 – paragraph 2

Text proposed by the Commission

2. The Commission may add other functions to the regional operational centres, ***not involving decision making power***, pursuant to Chapter VII of this Regulation.

Amendment

2. The Commission may add other functions to the regional operational centres pursuant to Chapter VII of this Regulation.

Or. en

Amendment 1224
Zdzisław Krasnodębski

Proposal for a regulation
Article 34 – paragraph 3

Text proposed by the Commission

3. Transmission system operators shall provide their regional ***operational centre*** with the information necessary to carry out its ***functions***.

Amendment

3. Transmission system operators shall provide their regional ***security coordinator*** with the information necessary to carry out its ***services***.

Or. en

Amendment 1225
Martina Werner, Carlos Zorrinho, Miapetra Kumpula-Natri, Edouard Martin, Dan Nica

Proposal for a regulation
Article 34 – paragraph 4

Text proposed by the Commission

4. Regional ***operational*** centres shall provide transmission system operators of the system operation region with all the information necessary to ***implement the decisions and recommendations proposed by the regional operational centres***.

Amendment

4. Regional ***coordination*** centres shall provide transmission system operators of the system operation region with all the information necessary to ***ensure system stability and security of supply***.

Amendment 1226
Zdzisław Krasnodębski

Proposal for a regulation
Article 34 – paragraph 4

Text proposed by the Commission

4. Regional **operational centres** shall provide transmission system operators of the **system operation** region with all the information necessary to implement **the decisions and** recommendations proposed by the regional **operational centres**.

Amendment

4. Regional **security coordinators** shall provide transmission system operators of the **capacity calculation** region with all the information necessary to implement recommendations proposed by the regional **security coordinators**.

Or. en

Amendment 1227
Claude Turmes
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 34 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4 a. Upon request of the Commission, the regional operational centres shall give their views to the Commission on the adoption of the guidelines referred in Article 54.

Or. en

Amendment 1228
Jaromír Kohlíček

Proposal for a regulation
Article 35

Text proposed by the Commission

Amendment

Article 35

deleted

Cooperation within regional operational centres

1. The day-to-day operation of regional operational centres shall be managed through cooperative decision-making. The cooperative-decision making process shall be based on:

(a) working arrangements to address planning and operational aspects related to the functions, in accordance with Article 36;

(b) a procedure for consulting the transmission system operators of the system operation region in the exercise of its operational duties and tasks, in accordance with Article 37;

(c) a procedure for the adoption of decisions and recommendations in accordance with Article 38;

(d) a procedure for the revision of decisions and recommendations adopted by regional operational centres in accordance with Article 39.

Or. en

Justification

It is our position that Articles 31 to 44 and all reference regarding ROCs in the Clean Energy Package to All Europeans shall be deleted without any substitution. It is of particular concern that establishment of ROCs violates subsidiarity and proportionality principle according to art. 194 SFEU

Amendment 1229

Kateřina Konečná, Evžen Tošenovský

Proposal for a regulation

Article 35

Text proposed by the Commission

Amendment

Article 35

deleted

Cooperation within regional operational centres

1. The day-to-day operation of regional operational centres shall be managed

*through cooperative decision-making.
The cooperative-decision making process
shall be based on:*

*(a) working arrangements to address
planning and operational aspects related
to the functions, in accordance with
Article 36;*

*(b) a procedure for consulting the
transmission system operators of the
system operation region in the exercise of
its operational duties and tasks, in
accordance with Article 37;*

*(c) a procedure for the adoption of
decisions and recommendations in
accordance with Article 38;*

*(d) a procedure for the revision of
decisions and recommendations adopted
by regional operational centres in
accordance with Article 39.*

Or. en

Amendment 1230
Zdzisław Krasnodebski

Proposal for a regulation
Article 35 – title

Text proposed by the Commission

Amendment

Cooperation within *regional operational
centres*

Cooperation within *capacity calculation
regions*

Or. en

Amendment 1231
Pavel Telička

Proposal for a regulation
Article 35 – paragraph 1 – introductory part

Text proposed by the Commission

Amendment

1. The day-to-day operation of
regional *operational* centres shall be

1. The day-to-day operation of
regional *coordination* centres shall be

managed through cooperative decision-making. The cooperative-decision making process shall be based on:

managed through cooperative decision-making ***with active involvement of transmission system operators of the region***. The cooperative-decision making process shall be based on:

Or. en

Amendment 1232
Zdzisław Krasnodębski

Proposal for a regulation
Article 35 – paragraph 1 – introductory part

Text proposed by the Commission

1. The day-to-day ***operation of regional operational centres*** shall be managed through cooperative decision-making. The cooperative-decision making process shall be based on:

Amendment

1. The day-to-day ***coordination within capacity calculation region*** shall be managed through cooperative decision-making ***process between transmission system operators of such region***. The cooperative-decision making process shall be based on:

Or. en

Amendment 1233
Martina Werner, Carlos Zorrinho, Miapetra Kumpula-Natri, Edouard Martin, Dan Nica

Proposal for a regulation
Article 35 – paragraph 1 – introductory part

Text proposed by the Commission

1. The day-to-day operation of regional ***operational*** centres shall be managed through cooperative decision-making. The cooperative-decision making process shall be based on:

Amendment

1. The day-to-day operation of regional ***coordination*** centres shall be managed through cooperative decision-making ***amongst transmission system operators***. The cooperative-decision making process shall be based on:

Or. en

Amendment 1234

Zdzisław Krasnodębski

Proposal for a regulation
Article 35 – paragraph 1 – point a

Text proposed by the Commission

(a) working arrangements to address planning and operational aspects *related to the functions, in accordance with Article 36*;

Amendment

(a) working arrangements to address planning and operational aspects *relevant for the services referred to in Article 34(1), including arrangements for coordination established between regional security coordinators, if required*;

Or. en

Amendment 1235

Kaja Kallas, Pavel Telička, Fredrick Federley, Morten Helveg Petersen, Angelika Mlinar, Carolina Punset

Proposal for a regulation
Article 35 – paragraph 1 – point b

Text proposed by the Commission

(b) a procedure for consulting the transmission system operators of the system operation region in the exercise of its operational duties and tasks, in accordance with Article 37;

Amendment

(b) a procedure for consulting, *in an efficient and inclusive manner*, the transmission system operators of the system operation region in the exercise of its operational duties and tasks, in accordance with Article 37;

Or. en

Amendment 1236

Martina Werner, Peter Kouroumbashev, Carlos Zorrinho, Miapetra Kumpula-Natri, Edouard Martin, Dan Nica

Proposal for a regulation
Article 35 – paragraph 1 – point b

Text proposed by the Commission

(b) a procedure for consulting the transmission system operators of the system operation region in the exercise of its operational duties and tasks, in

Amendment

(b) a procedure for consulting the transmission system operators *and relevant stakeholders* of the system operation region in the exercise of its operational

accordance with Article 37;

duties and tasks, in accordance with Article 37;

Or. en

Amendment 1237

Zdzisław Krasnodębski

Proposal for a regulation

Article 35 – paragraph 1 – point b

Text proposed by the Commission

(b) a procedure for *consulting the transmission system operators of the system operation region in the exercise of its operational duties and tasks, in accordance with Article 37;*

Amendment

(b) a procedure for *sharing analysis and consulting the regional security coordinator's proposals with transmission system operators of the capacity calculation region;*

Or. en

Amendment 1238

Kaja Kallas, Fredrick Federley, Morten Helveg Petersen, Angelika Mlinar, Carolina Punset

Proposal for a regulation

Article 35 – paragraph 1 – point c

Text proposed by the Commission

(c) a procedure for the adoption of decisions and recommendations in accordance with Article 38;

Amendment

(c) a procedure for the adoption of decisions and recommendations in accordance with Article 38 *that ensures equitable treatment between members of the regional operational centre ;*

Or. en

Amendment 1239

Zdzisław Krasnodębski

Proposal for a regulation

Article 35 – paragraph 1 – point c

Text proposed by the Commission

(c) a procedure for the adoption of decisions **and** recommendations **in accordance with Article 38**;

Amendment

(c) a procedure for the adoption of **transmission system operators'** decisions **considering the** recommendations **from regional security coordinators**;

Or. en

Amendment 1240
Pavel Telička

Proposal for a regulation
Article 35 – paragraph 1 – point c

Text proposed by the Commission

(c) a procedure for the adoption **of decisions and** recommendations in accordance with Article 38;

Amendment

(c) a procedure for the adoption **and revision of** recommendations in accordance with Article 38;

Or. en

Amendment 1241
Pavel Telička

Proposal for a regulation
Article 35 – paragraph 1 – point d

Text proposed by the Commission

(d) **a procedure for the revision of decisions and recommendations adopted by regional operational centres in accordance with Article 39.**

Amendment

deleted

Or. en

Amendment 1242
Martina Werner, Carlos Zorrinho, Miapetra Kumpula-Natri, Soledad Cabezón Ruiz, José Blanco López, Edouard Martin

Proposal for a regulation
Article 35 – paragraph 1 – point d

Text proposed by the Commission

(d) a procedure for the revision of decisions and recommendations adopted by regional **operational** centres in accordance with Article 39.

Amendment

(d) a procedure for the **adoption and** revision of decisions and recommendations adopted by regional **cooperation** centres in accordance with Article 39.

Or. en

Amendment 1243

Zdzisław Krasnodębski

Proposal for a regulation

Article 35 – paragraph 1 – point d

Text proposed by the Commission

(d) a procedure for the revision of **decisions and** recommendations adopted by regional **operational centres** in accordance with Article 39.

Amendment

(d) a procedure for the revision of recommendations adopted by regional **security coordinators** in accordance with Article 39.

Or. en

Amendment 1244

Claude Turmes

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 35 a (new)

Text proposed by the Commission

Amendment

Article 35 a

Cooperation between regional operational centres

1. Regional operational centres shall cooperate at Union level in order to ensure the coordinated operation and efficient and secure performance of the electricity systems across the Union. For this purpose, regional operational centres shall set up efficient cooperation structures to:

(a) share existing tools, methods and

procedures.

(b) carry out their coordination functions alternately or cooperatively;

(c) jointly optimise the execution of functions and tools for transmission system operators and develop new ones.

2. By [OP: eighteen months after entry into force of this Regulation], regional operational centres shall develop, in close cooperation with transmission system operators and the ENTSO for Electricity, and submit to the Agency, a proposal for the cooperation and coordination between regional operational centres in accordance with the criteria in paragraph 1.

Within three months of receipt, the Agency shall, after formally consulting the organisations representing all stakeholders, either decide to approve the proposal or propose amendments.

3. The proposal referred to in paragraph 2 shall be submitted to the Agency in case of significant changes.

Or. en

Justification

In order to achieve and further implement the internal energy market, regional operational centres have to cooperate. This Article is hence a logical continuation of the previous provisions on ROCs.

Amendment 1245

Zdzisław Krasnodębski

Proposal for a regulation

Article 36

Text proposed by the Commission

Amendment

Article 36

deleted

Working arrangements

1. Regional operational centres shall develop working arrangements to address planning and operational aspects related

to the functions to be performed, taking into account, in particular, the specificities and requirements of those functions as specified in Annex I.

2. Regional operational centres shall ensure that the working arrangements contain rules for the notification of parties concerned.

Or. en

Amendment 1246
Kateřina Konečná, Evžen Tošenovský

Proposal for a regulation
Article 36

Text proposed by the Commission

Amendment

Article 36

deleted

Working arrangements

1. Regional operational centres shall develop working arrangements to address planning and operational aspects related to the functions to be performed, taking into account, in particular, the specificities and requirements of those functions as specified in Annex I.

2. Regional operational centres shall ensure that the working arrangements contain rules for the notification of parties concerned.

Or. en

Amendment 1247
Jaromír Kohlíček

Proposal for a regulation
Article 36

Text proposed by the Commission

Amendment

Article 36

deleted

Working arrangements

1. Regional operational centres shall develop working arrangements to address planning and operational aspects related to the functions to be performed, taking into account, in particular, the specificities and requirements of those functions as specified in Annex I.

2. Regional operational centres shall ensure that the working arrangements contain rules for the notification of parties concerned.

Or. en

Justification

It is our position that Articles 31 to 44 and all reference regarding ROCs in the Clean Energy Package to All Europeans shall be deleted without any substitution. It is of particular concern that establishment of ROCs violates subsidiarity and proportionality principle according to art. 194 SFEU

Amendment 1248

Kaja Kallas, Fredrick Federley, Morten Helveg Petersen, Angelika Mlinar, Carolina Punset

Proposal for a regulation Article 36 – paragraph 1

Text proposed by the Commission

1. Regional operational centres shall develop working arrangements to address planning and operational aspects related to the functions to be performed, taking into account, in particular, the specificities and requirements of those functions as specified in Annex I.

Amendment

1. Regional operational centres shall develop working arrangements ***that are efficient, inclusive, and facilitate consensus***, to address planning and operational aspects related to the functions to be performed, taking into account, in particular, the specificities and requirements of those functions as specified in Annex I.

Or. en

Amendment 1249

Claude Turmes

on behalf of the Verts/ALE Group

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Proposal for a regulation
Article 36 – paragraph 1

Text proposed by the Commission

1. Regional operational centres shall develop working arrangements to address planning and operational aspects related to the functions to be performed, taking into account, in particular, the specificities and requirements of those functions as specified in Annex I.

Amendment

1. ***With the support of the Agency,*** regional operational centres shall develop working arrangements to address planning and operational aspects related to the functions to be performed, taking into account, in particular, the specificities and requirements of those functions as specified in Annex I.

Or. en

Amendment 1250
Pavel Telička

Proposal for a regulation
Article 36 – paragraph 2

Text proposed by the Commission

2. Regional ***operational*** centres shall ensure that the working arrangements contain rules for the notification of parties concerned.

Amendment

2. Regional ***coordination*** centres shall ensure that the working arrangements contain rules for the notification of parties concerned.

Or. en

Amendment 1251
Jaromír Kohlíček

Proposal for a regulation
Article 37

Text proposed by the Commission

Article 37

Consultation procedure

Regional operational centres shall develop a procedure to organise, in the exercise of their daily operational duties and tasks, the appropriate and regular

Amendment

deleted

consultation of transmission system operators and of relevant stakeholders. In order to ensure that regulatory issues can be addressed, regulatory authorities shall be involved when required.

Or. en

Justification

It is our position that Articles 31 to 44 and all reference regarding ROCs in the Clean Energy Package to All Europeans shall be deleted without any substitution. It is of particular concern that establishment of ROCs violates subsidiarity and proportionality principle according to art. 194 SFEU

Amendment 1252

Kateřina Konečná, Evžen Tošenovský

Proposal for a regulation

Article 37

Text proposed by the Commission

Amendment

Article 37

deleted

Consultation procedure

Regional operational centres shall develop a procedure to organise, in the exercise of their daily operational duties and tasks, the appropriate and regular consultation of transmission system operators and of relevant stakeholders. In order to ensure that regulatory issues can be addressed, regulatory authorities shall be involved when required.

Or. en

Amendment 1253

Zdzisław Krasnodębski

Proposal for a regulation

Article 37

Text proposed by the Commission

Amendment

Article 37

deleted

Consultation procedure

Regional operational centres shall develop a procedure to organise, in the exercise of their daily operational duties and tasks, the appropriate and regular consultation of transmission system operators and of relevant stakeholders. In order to ensure that regulatory issues can be addressed, regulatory authorities shall be involved when required.

Or. en

Amendment 1254

Claude Turmes

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 37 – paragraph 1

Text proposed by the Commission

Regional operational centres shall develop a procedure to organise, in the exercise of their daily operational duties and tasks, the appropriate and regular consultation of transmission system operators and of relevant stakeholders. ***In order to ensure that regulatory issues can be addressed, regulatory authorities shall be involved when required.***

Amendment

Regional operational centres shall develop a procedure to organise, in the exercise of their daily operational duties and tasks, the appropriate and regular consultation of transmission system operators and of relevant stakeholders.

Or. en

Amendment 1255

Martina Werner, Carlos Zorrinho, Miapetra Kumpula-Natri, Dan Nica

Proposal for a regulation

Article 37 – paragraph 1

Text proposed by the Commission

Regional ***operational*** centres shall develop a procedure to organise, in the exercise of their daily ***operational*** duties and tasks, the appropriate and regular consultation of transmission system operators and of

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Amendment

Regional ***coordination*** centres shall develop a procedure to organise, in the exercise of their daily duties and tasks, the appropriate and regular consultation of transmission system operators and of

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relevant stakeholders. In order to ensure that regulatory issues can be addressed, regulatory authorities shall be involved when required.

relevant stakeholders. In order to ensure that regulatory issues can be addressed, regulatory authorities shall be involved when required.

Or. en

Amendment 1256

Claude Turmes

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 37 a (new)

Text proposed by the Commission

Amendment

Article 37 a

Transparency

1. Regional operational centres shall organise a process for stakeholder involvement and organise regular meetings with stakeholders to discuss matters relating to the efficient, secure and reliable operation of the interconnected system as well as to identify shortcomings and propose improvements;

2. ENTSO for electricity and regional operational centres shall operate in full transparency towards stakeholders and the general public. All relevant documentation shall be published on the website of the respective regional operation centre. This paragraph shall apply to the proposals, justifications and decisions adopted pursuant to Articles 32, 33 and 35(a) 38 of this Regulation.

Or. en

Justification

This Article is a logical continuation of the previous provisions on ROCs.

Amendment 1257

Kateřina Konečná, Evžen Tošenovský

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Proposal for a regulation
Article 38

Text proposed by the Commission

Amendment

Article 38

deleted

***Adoption of decisions and
recommendations***

1. Regional operational centres shall develop a procedure for the adoption of decisions and recommendations.

2. Regional operational centres shall adopt binding decisions addressed to the transmission system operators in respect of the functions referred to in points (a), (b), (g) and (q) of Article 34(1).

Transmission system operators shall implement the binding decisions issued by the regional operational centres except in cases when the safety of the system will be negatively affected.

3. Regional operational centres shall adopt recommendations addressed to the transmission system operators for the functions referred to in points (c) to (f) and (h) to (p) of Article 34(1).

4. The regulatory authorities of a system operation region may jointly decide to grant binding decision-making powers to the regional operational centre for one or more of the functions provided for in points (c) to (f) and (h) to (l) of Article 34(1).

Or. en

Amendment 1258
Jaromír Kohlíček

Proposal for a regulation
Article 38

Text proposed by the Commission

Amendment

Article 38

deleted

Adoption of decisions and recommendations

- 1. Regional operational centres shall develop a procedure for the adoption of decisions and recommendations.*
- 2. Regional operational centres shall adopt binding decisions addressed to the transmission system operators in respect of the functions referred to in points (a), (b), (g) and (q) of Article 34(1). Transmission system operators shall implement the binding decisions issued by the regional operational centres except in cases when the safety of the system will be negatively affected.*
- 3. Regional operational centres shall adopt recommendations addressed to the transmission system operators for the functions referred to in points (c) to (f) and (h) to (p) of Article 34(1).*
- 4. The regulatory authorities of a system operation region may jointly decide to grant binding decision-making powers to the regional operational centre for one or more of the functions provided for in points (c) to (f) and (h) to (l) of Article 34(1).*

Or. en

Justification

It is our position that Articles 31 to 44 and all reference regarding ROCs in the Clean Energy Package to All Europeans shall be deleted without any substitution. It is of particular concern that establishment of ROCs violates subsidiarity and proportionality principle according to art. 194 SFEU

Amendment 1259
Pavel Telička

Proposal for a regulation
Article 38 – paragraph 1

Text proposed by the Commission

1. *Regional operational centres shall develop a procedure for the adoption of*

Amendment

1. *The transmission system operators of a system operation region shall develop*

decisions and recommendations.

a procedure for the adoption *and revision of recommendations put forward by regional coordination centres in accordance with the criteria set out in paragraphs 2 and 3.*

Or. en

Amendment 1260

Kaja Kallas, Fredrick Federley, Morten Helveg Petersen, Angelika Mlinar, Carolina Punset, Gerben-Jan Gerbrandy

Proposal for a regulation

Article 38 – paragraph 1

Text proposed by the Commission

1. Regional operational centres shall develop a procedure for the adoption of decisions and recommendations.

Amendment

1. Regional operational centres shall develop a procedure for the adoption of decisions and recommendations, *that ensures geographically balanced representation and equitable treatment between members of the Regional operational centre.*

Or. en

Amendment 1261

Zdzisław Krasnodębski

Proposal for a regulation

Article 38 – paragraph 1

Text proposed by the Commission

1. *Regional operational centres* shall *develop* a procedure for the adoption of *decisions and recommendations.*

Amendment

1. *Transmission system operators of the capacity calculation region* shall *establish* a procedure for the adoption of *recommendations by regional security coordinators.*

Or. en

Amendment 1262

Kathleen Van Brempt

Proposal for a regulation
Article 38 – paragraph 1

Text proposed by the Commission

1. Regional operational centres shall develop a procedure for the adoption of decisions and recommendations.

Amendment

1. Regional operational centres, **together with the Commission and the Agency**, shall develop a procedure for the adoption of decisions and recommendations.

Or. en

Amendment 1263

Martina Werner, Carlos Zorrinho, Miapetra Kumpula-Natri, Edouard Martin

Proposal for a regulation
Article 38 – paragraph 1

Text proposed by the Commission

1. Regional **operational** centres shall develop a procedure for the adoption of decisions and recommendations.

Amendment

1. **The transmission system operators of each** regional **coordination** centres shall develop a procedure for the adoption of decisions and recommendations.

Or. en

Amendment 1264

Claude Turmes

on behalf of the Verts/ALE Group

Proposal for a regulation
Article 38 – paragraph 1

Text proposed by the Commission

1. Regional operational centres shall develop a procedure for the adoption of decisions and recommendations.

Amendment

1. **With the support of the Agency**, regional operational centres shall develop a procedure for the adoption of decisions and recommendations.

Or. en

Amendment 1265
Françoise Grossetête

Proposal for a regulation
Article 38 – paragraph 2

Text proposed by the Commission

Amendment

2. Regional operational centres shall adopt binding decisions addressed to the transmission system operators in respect of the functions referred to in points (a), (b), (g) and (q) of Article 34(1). Transmission system operators shall implement the binding decisions issued by the regional operational centres except in cases when the safety of the system will be negatively affected. *deleted*

Or. en

Amendment 1266
Zdzisław Krasnodebski

Proposal for a regulation
Article 38 – paragraph 2

Text proposed by the Commission

Amendment

2. Regional operational centres shall adopt binding decisions addressed to the transmission system operators in respect of the functions referred to in points (a), (b), (g) and (q) of Article 34(1). Transmission system operators shall implement the binding decisions issued by the regional operational centres except in cases when the safety of the system will be negatively affected. *deleted*

Or. en

Amendment 1267
Claude Turmes
on behalf of the Verts/ALE Group

Proposal for a regulation

Article 38 – paragraph 2

Text proposed by the Commission

2. Regional operational centres shall adopt binding decisions addressed to the transmission system operators in respect of the functions referred to in **points (a), (b), (g) and (q)** of Article 34(1). **Transmission system operators shall implement the binding decisions issued by the regional operational centres except in cases when the safety of the system will be negatively affected.**

Amendment

2. Regional operational centres shall adopt binding decisions addressed to the transmission system operators in respect of the functions referred to in **the relevant points** of Article 34(1).

Or. en

Justification

check final references

Amendment 1268

Ashley Fox

Proposal for a regulation Article 38 – paragraph 2

Text proposed by the Commission

2. Regional operational centres shall adopt **binding** decisions addressed to the transmission system operators in respect of the functions referred to in points (a), (b), (g) and (q) of Article 34(1). **Transmission system operators shall implement the binding decisions issued by the regional operational centres except in cases when the safety of the system will be negatively affected.**

Amendment

2. Regional operational centres shall adopt decisions addressed to the transmission system operators in respect of the functions referred to in points (a), (b), (g) and (q) of Article 34(1). **If a transmission system operator decides not to implement any decision issued by a regional operational centre, the transmission system operator shall provide a reasoned justification based on system security and efficiency in writing to the regional operational centre and copied to the Commission, the Agency and the ENTSO for Electricity.**

Or. en

Amendment 1269

Paul Rübige

Proposal for a regulation
Article 38 – paragraph 2

Text proposed by the Commission

2. Regional **operational** centres shall adopt **binding** decisions addressed to the transmission system operators in respect of the functions referred to in points (a), (b), (g) and (q) of Article 34(1). **Transmission system operators shall implement the binding decisions issued by the regional operational centres except in cases when the safety of the system will be negatively affected.**

Amendment

2. Regional **coordination** centres shall **have the competence to** adopt decisions addressed to the transmission system operators in respect of the functions referred to in points (a) **and (b)** of Article 34(1).

Or. en

Amendment 1270
Pavel Telička

Proposal for a regulation
Article 38 – paragraph 2

Text proposed by the Commission

2. Regional **operational** centres shall adopt **binding decisions** addressed to the transmission system operators in respect of the functions referred to in **points (a), (b), (g) and (q) of** Article 34(1). Transmission system operators shall **implement the binding decisions issued by the regional operational centres except in cases when the safety of the system will be negatively affected.**

Amendment

2. Regional **coordination** centres shall adopt **recommendations** addressed to the transmission system operators in respect of the functions referred to in Article 34(1). Transmission system operators shall **do their utmost to follow those recommendations.**

Or. en

Amendment 1271
Martina Werner, Carlos Zorrinho, Miapetra Kumpula-Natri, Dan Nica, Edouard Martin

Proposal for a regulation
Article 38 – paragraph 2

Text proposed by the Commission

2. Regional **operational** centres shall adopt binding decisions addressed to the transmission system operators in respect of the functions referred to in points (a), (b), **(g)** and (q) of Article 34(1). Transmission system operators shall implement the binding decisions issued by the regional **operational** centres except in cases when the safety of the system will be negatively affected.

Amendment

2. Regional **coordination** centres shall adopt binding decisions addressed to the transmission system operators **only** in respect of the functions referred to in points (a), (b) and (q) of Article 34(1). Transmission system operators shall implement the binding decisions issued by the regional **coordination** centres except in cases when the safety of the system will be negatively affected. **Transmission system operators shall justify why the safety of the system is negatively affected.**

Or. en

Amendment 1272

Claude Turmes

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 38 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2 a. Transmission system operators may not implement the binding decisions issued by the regional operational centres where the implementation of the decisions would result in a violation of operational security limits defined by each TSO in accordance with Article 25 of Regulation [The Commission Regulation establishing a guideline on Electricity Transmission System Operation].

When a transmission system operator decides not to implement a decision for the reason referred to in this paragraph, it shall notify it to the regional operational centre within the shortest delay possible, together with a justification. The regional operational centre shall assess the impact of the deviation on the other transmission system operators of the region and may propose a different set of decisions.

Regional operational centres shall report

the instances where a transmission system operator decides not to implement a decision, together with the justification provided, to the regulatory authorities of the system operation region within the following two days.

Regional operational centres may request the Agency or one or more national regulatory authorities of the geographical area where they are established to assess whether a justification invoked by a transmission system operator pursuant to paragraph 3 qualifies as a violation of operational security limits

Or. en

Justification

The provisions and decision making procedures have to be laid out in detail as these new entities are created under Articles 30-44.

Amendment 1273

Claude Turmes

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 38 – paragraph 3

Text proposed by the Commission

3. Regional operational centres shall adopt recommendations addressed to the transmission system operators for the functions referred to in *points (c) to (f) and (h) to (p) of Article 34(1)*.

Amendment

3. Regional operational centres shall adopt recommendations addressed to the transmission system operators for the functions *listed in Article 34(1) which are not* referred to in *paragraph 2 of this Article. Every 6 months, regional operational centres shall publish a comprehensive report presenting all cases where decisions and recommendations where not applied, and detailing proposals for improving the procedures.*

Or. en

Amendment 1274

Zdzisław Krasnodębski

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Proposal for a regulation
Article 38 – paragraph 3

Text proposed by the Commission

3. Regional **operational centres** shall adopt recommendations addressed to the transmission system operators **for the functions referred to in points (c) to (f) and (h) to (p) of Article 34(1).**

Amendment

3. Regional **security coordinators** shall adopt recommendations addressed to the transmission system operators **with regard to the services referred to in Article 34(1).**

Or. en

Amendment 1275
Françoise Grossetête

Proposal for a regulation
Article 38 – paragraph 3

Text proposed by the Commission

3. Regional operational centres shall adopt recommendations addressed to the transmission system operators for the functions referred to in points (c) to **(f) and (h) to (p)** of Article 34(1).

Amendment

3. Regional operational centres shall adopt recommendations addressed to the transmission system operators for the functions referred to in points (c) to **(q)** of Article 34(1).

Or. en

Amendment 1276
Zdzisław Krasnodębski

Proposal for a regulation
Article 38 – paragraph 4

Text proposed by the Commission

4. **The regulatory authorities of a system operation region may jointly decide to grant binding decision-making powers to the regional operational centre for one or more of the functions provided for in points (c) to (f) and (h) to (l) of Article 34(1).**

Amendment

deleted

Or. en

Amendment 1277

Pavel Telička

Proposal for a regulation

Article 38 – paragraph 4

Text proposed by the Commission

Amendment

4. The regulatory authorities of a system operation region may jointly decide to grant binding decision-making powers to the regional operational centre for one or more of the functions provided for in points (c) to (f) and (h) to (l) of Article 34(1).

deleted

Or. en

Amendment 1278

Françoise Grossetête

Proposal for a regulation

Article 38 – paragraph 4

Text proposed by the Commission

Amendment

4. The regulatory authorities of a system operation region may jointly decide to grant binding decision-making powers to the regional operational centre for one or more of the functions provided for in points (c) to (f) and (h) to (l) of Article 34(1).

4. The regulatory authorities of a system operation region may jointly decide to grant binding decision-making powers to the regional operational centre for one or more of the functions provided for in points (a) to (q) of Article 34(1). This decision shall define precisely for such functions the respective responsibilities of regional coordination centres and of transmission system operators, in particular in cases when the safety of the system could be negatively affected.

Or. en

Amendment 1279

Claude Turmes

on behalf of the Verts/ALE Group

Proposal for a regulation
Article 38 – paragraph 4

Text proposed by the Commission

4. The regulatory authorities of a system operation region may jointly decide to grant binding decision-making powers to the regional operational centre for one or more of the functions ***provided for in points (c) to (f) and (h) to (l) of Article 34(1).***

Amendment

4. The regulatory authorities of a system operation region may jointly decide to grant binding decision-making powers to the regional operational centre for one or more of the functions ***listed in Article 34(1) and which are not referred to in paragraph 2 of this Article.***

Or. en

Amendment 1280
Ashley Fox

Proposal for a regulation
Article 38 – paragraph 4

Text proposed by the Commission

4. The regulatory authorities of a system operation region may jointly decide to grant ***binding*** decision-making powers to the regional operational centre for one or more of the functions provided for in points (c) to (f) and (h) to (l) of Article 34(1).

Amendment

4. The regulatory authorities of a system operation region may jointly decide to grant decision-making powers to the regional operational centre for one or more of the functions provided for in points (c) to (f) and (h) to (l) of Article 34(1).

Or. en

Amendment 1281
Pavel Telička

Proposal for a regulation
Article 38 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4 a. Where the transmission system operator does not implement the binding decision in accordance with Article 38 (2), it shall submit a detailed justification to the regional coordination centre and other transmission operators in the

region.

Or. en

Amendment 1282

Claude Turmes

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 38 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4 a. Other functions may be assigned to the regional coordination centres, when it is deemed efficient and so agreed by all relevant parties.

Or. en

Amendment 1283

Jaromír Kohlíček

Proposal for a regulation

Article 39

Text proposed by the Commission

Amendment

Article 39

deleted

Revision of decisions and recommendations

- 1. Regional operational centres shall develop a procedure for the revision of decisions and recommendations.***
- 2. The procedure shall be triggered at the request of one or more of the transmission system operators of the system operation region. Following the revision of the decision or recommendation, regional operational centres shall confirm or modify the measure.***
- 3. Where the measure subject to revision is a binding decision in accordance with Article 38(2), the request for revision shall not suspend the decision except in cases***

when the safety of the system will be negatively affected.

4. Where the measure subject to revision is a recommendation in accordance with Article 38(3) and following its revision a transmission system operator decides to deviate from the recommendation, the transmission system operator shall submit a detailed justification to the regional operational centre and to the other transmission system operators of the system operation region.

Or. en

Justification

It is our position that Articles 31 to 44 and all reference regarding ROCs in the Clean Energy Package to All Europeans shall be deleted without any substitution. It is of particular concern that establishment of ROCs violates subsidiarity and proportionality principle according to art. 194 SFEU

Amendment 1284
Pavel Telička

Proposal for a regulation
Article 39

Text proposed by the Commission

Amendment

Article 39

deleted

Revision of decisions and recommendations

- 1. Regional operational centres shall develop a procedure for the revision of decisions and recommendations.*
- 2. The procedure shall be triggered at the request of one or more of the transmission system operators of the system operation region. Following the revision of the decision or recommendation, regional operational centres shall confirm or modify the measure.*
- 3. Where the measure subject to revision is a binding decision in accordance with Article 38(2), the request for revision shall not suspend the decision except in cases*

when the safety of the system will be negatively affected.

4. Where the measure subject to revision is a recommendation in accordance with Article 38(3) and following its revision a transmission system operator decides to deviate from the recommendation, the transmission system operator shall submit a detailed justification to the regional operational centre and to the other transmission system operators of the system operation region.

Or. en

Amendment 1285

Kateřina Konečná, Evžen Tošenovský

Proposal for a regulation

Article 39

Text proposed by the Commission

Amendment

Article 39

deleted

Revision of decisions and recommendations

- 1. Regional operational centres shall develop a procedure for the revision of decisions and recommendations.*
- 2. The procedure shall be triggered at the request of one or more of the transmission system operators of the system operation region. Following the revision of the decision or recommendation, regional operational centres shall confirm or modify the measure.*
- 3. Where the measure subject to revision is a binding decision in accordance with Article 38(2), the request for revision shall not suspend the decision except in cases when the safety of the system will be negatively affected.*
- 4. Where the measure subject to revision is a recommendation in accordance with Article 38(3) and following its revision a transmission system operator decides to*

deviate from the recommendation, the transmission system operator shall submit a detailed justification to the regional operational centre and to the other transmission system operators of the system operation region.

Or. en

Amendment 1286
Kathleen Van Brempt

Proposal for a regulation
Article 39 – title

Text proposed by the Commission

Revision of decisions and recommendations

Amendment

Appeal against decisions and revision of decisions and recommendations

Or. en

Amendment 1287
Françoise Grossetête

Proposal for a regulation
Article 39 – title

Text proposed by the Commission

Revision of *decisions and* recommendations

Amendment

Revision of recommendations

Or. en

Amendment 1288
Kathleen Van Brempt

Proposal for a regulation
Article 39 – paragraph 1

Text proposed by the Commission

1. Regional operational centres shall develop a procedure for the revision of

Amendment

1. Regional operational centres, *together with the Commission and*

decisions and recommendations.

the Agency, shall develop a procedure for **appeal against binding decisions and for** the revision of decisions and recommendations.

In the case of an appeal, it is the Commission that will take a final decision. The Commission shall do so after consultation of the involved transmission system operator(s) and the regional operational center and after taken advice from the Agency. The Commission can decide to maintain, suspend, withdraw or alter the contested decision.

Or. en

Amendment 1289
Françoise Grossetête

Proposal for a regulation
Article 39 – paragraph 1

Text proposed by the Commission

1. Regional **operational** centres shall develop a procedure for the revision of **decisions and** recommendations.

Amendment

1. Regional **coordination** centres **and transmission system operators** shall **jointly** develop a procedure for the revision of recommendations.

Or. en

Amendment 1290
Claude Turmes
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 39 – paragraph 1

Text proposed by the Commission

1. Regional operational centres shall develop a procedure for the revision of decisions **and recommendations**.

Amendment

1. **With the support of the Agency**, regional operational centres shall develop a procedure for the revision of decisions.

Or. en

Amendment 1291
Zdzisław Krasnodebski

Proposal for a regulation
Article 39 – paragraph 1

Text proposed by the Commission

1. Regional **operational centres** shall develop a procedure for the revision of **decisions and** recommendations.

Amendment

1. Regional **security coordinators** shall develop a procedure for the revision of recommendations.

Or. en

Amendment 1292
Kathleen Van Brempt

Proposal for a regulation
Article 39 – paragraph 2

Text proposed by the Commission

2. **The procedure** shall be triggered at the request of one or more of the transmission system operators of the system operation region. **Following the** revision of **the** decision or recommendation, regional operational centres shall confirm or modify the measure.

Amendment

2. **These procedures** shall be triggered at the request of one or more of the transmission system operators of the system operation region. **In the case of a** revision of **a** decision or recommendation, regional operational centres shall confirm or modify the measure.

Or. en

Amendment 1293
Zdzisław Krasnodebski

Proposal for a regulation
Article 39 – paragraph 2

Text proposed by the Commission

2. The procedure shall be triggered at the request of one or more of the transmission system operators of the **system operation** region. Following the

Amendment

2. The procedure shall be triggered at the request of one or more of the transmission system operators of the **capacity calculation** region. Following the

revision of the *decision or recommendation*, regional *operational centres* shall confirm or modify the measure.

revision of the recommendation, regional *security coordinators* shall confirm or modify the measure.

Or. en

Amendment 1294

Claude Turmes

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 39 – paragraph 2

Text proposed by the Commission

2. The procedure shall be triggered at the request of one or more of the transmission system operators of the system operation region. Following the revision of the decision *or recommendation*, regional operational centres shall confirm or modify the measure.

Amendment

2. The procedure shall be triggered at the request of one or more of the transmission system operators of the system operation region. Following the revision of the decision, regional operational centres shall confirm or modify the measure.

Or. en

Amendment 1295

Françoise Grossetête

Proposal for a regulation

Article 39 – paragraph 3

Text proposed by the Commission

3. *Where the measure subject to revision is a binding decision in accordance with Article 38(2), the request for revision shall not suspend the decision except in cases when the safety of the system will be negatively affected.*

Amendment

deleted

Or. en

Amendment 1296

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Claude Turmes
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 39 – paragraph 3

Text proposed by the Commission

3. *Where the measure subject to revision is a binding decision in accordance with Article 38(2), the request for revision shall not suspend the decision except in cases when the safety of the system will be negatively affected.*

Amendment

3. *The request for revision shall not suspend the decision except in cases when the implementation of the binding decision will result in a violation of operational security limits defined by each TSO in accordance with Article 25 of Regulation [The Commission Regulation establishing a guideline on Electricity Transmission System Operation] at the time of implementing the decision.*

Or. en

Amendment 1297
Zdzisław Krasnodebski

Proposal for a regulation
Article 39 – paragraph 3

Text proposed by the Commission

3. Where *the measure subject to revision is a binding decision in accordance with Article 38(2), the request for revision shall not suspend the decision except in cases when the safety of the system will be negatively affected.*

Amendment

3. Where, *following recommendation, a transmission system operator decides to deviate from such recommendation, the transmission system operator shall submit a detailed justification to the regional security coordinator and to the other transmission system operators of the capacity calculation region.*

Or. en

Amendment 1298
Claude Turmes
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 39 – paragraph 4

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Text proposed by the Commission

Amendment

4. Where the measure subject to revision is a recommendation in accordance with Article 38(3) and following its revision a transmission system operator decides to deviate from the recommendation, the transmission system operator shall submit a detailed justification to the regional operational centre and to the other transmission system operators of the system operation region. *deleted*

Or. en

Amendment 1299
Zdzisław Krasnodebski

Proposal for a regulation
Article 39 – paragraph 4

Text proposed by the Commission

Amendment

4. Where the measure subject to revision is a recommendation in accordance with Article 38(3) and following its revision a transmission system operator decides to deviate from the recommendation, the transmission system operator shall submit a detailed justification to the regional operational centre and to the other transmission system operators of the system operation region. *deleted*

Or. en

Amendment 1300
Françoise Grossetête

Proposal for a regulation
Article 39 – paragraph 4

Text proposed by the Commission

Amendment

4. Where *the measure subject to revision is a recommendation in accordance with Article 38(3) and following its revision* a transmission system operator decides to deviate from the recommendation, the transmission system operator shall submit a detailed justification to the regional *operational* centre and to the other transmission system operators of the system operation region.

4. Where a transmission system operator decides to deviate from the recommendation, the transmission system operator shall submit a detailed justification to the regional *coordination* centre and to the other transmission system operators of the system operation region. *This justification shall be publicly disclosed soon after declining the recommendation.*

Or. en

Amendment 1301

Kateřina Konečná, Evžen Tošenovský

Proposal for a regulation

Article 40

Text proposed by the Commission

Amendment

Article 40

deleted

Management board of regional operational centres

1. In order to adopt measures related to their governance and to monitor their performance, the regional operational centres shall establish a management board.

2. The management board shall be composed of members representing the transmission system operators and of observers representing the regulatory authorities of the system operation region. The representatives of the regulatory authorities shall have no voting rights.

3. The management board shall be responsible for:

(a) drafting and endorsing the statutes and rules of procedure of the regional operational centre;

(b) deciding upon and implementing the organisational structure;

(c) preparing and endorsing the annual budget;

(d) developing and endorsing the cooperative decision-making processes in accordance with Article 35.

4. The competences of the management board shall exclude those that are related to the day-to-day activities of regional operational centres and the performance of its functions.

Or. en

Amendment 1302
Jaromír Kohlíček

Proposal for a regulation
Article 40

Text proposed by the Commission

Amendment

Article 40

deleted

Management board of regional operational centres

1. In order to adopt measures related to their governance and to monitor their performance, the regional operational centres shall establish a management board.

2. The management board shall be composed of members representing the transmission system operators and of observers representing the regulatory authorities of the system operation region. The representatives of the regulatory authorities shall have no voting rights.

3. The management board shall be responsible for:

(a) drafting and endorsing the statutes and rules of procedure of the regional operational centre;

(b) deciding upon and implementing the organisational structure;

(c) preparing and endorsing the annual budget;

(d) developing and endorsing the cooperative decision-making processes in

accordance with Article 35.

4. The competences of the management board shall exclude those that are related to the day-to-day activities of regional operational centres and the performance of its functions.

Or. en

Justification

It is our position that Articles 31 to 44 and all reference regarding ROCs in the Clean Energy Package to All Europeans shall be deleted without any substitution. It is of particular concern that establishment of ROCs violates subsidiarity and proportionality principle according to art. 194 SFEU

Amendment 1303

Martina Werner, Carlos Zorrinho, Miapetra Kumpula-Natri, Dan Nica

**Proposal for a regulation
Article 40 – paragraph 2**

Text proposed by the Commission

2. The management board shall be composed of members representing the transmission system operators **and of observers representing the regulatory authorities of the system operation region.** *The representatives of the regulatory authorities shall have no voting rights.*

Amendment

2. The management board shall be composed of members representing the transmission system operators.

Or. en

Amendment 1304

Claude Turmes

on behalf of the Verts/ALE Group

**Proposal for a regulation
Article 40 – paragraph 2**

Text proposed by the Commission

2. The management board shall be composed of members representing the transmission system operators **and of observers representing the regulatory**

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Amendment

2. The management board shall be composed of members representing the transmission system operators.

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*authorities of the system operation region.
The representatives of the regulatory
authorities shall have no voting rights.*

Or. en

Amendment 1305
Zdzisław Krasnodębski

Proposal for a regulation
Article 40 – paragraph 2

Text proposed by the Commission

2. The management board shall be composed of members representing the transmission system operators and of observers representing the regulatory authorities of the **system operation** region. The representatives of the regulatory authorities shall have no voting rights.

Amendment

2. The management board shall be composed of members representing the transmission system operators and of observers representing the regulatory authorities of the **capacity calculation** region. The representatives of the regulatory authorities shall have no voting rights.

Or. en

Amendment 1306
Pavel Telička

Proposal for a regulation
Article 40 – paragraph 2

Text proposed by the Commission

2. The management board shall be composed of members representing the transmission system operators and of observers representing the regulatory authorities of the system operation region. **The representatives of the regulatory authorities shall have no voting rights.**

Amendment

2. The management board shall be composed of members representing the transmission system operators and of observers representing the regulatory authorities of the system operation region. **Composition of the management board shall be geographically balanced.**

Or. en

Amendment 1307

Kaja Kallas, Fredrick Federley, Morten Helveg Petersen, Angelika Mlinar, Carolina Punset

**Proposal for a regulation
Article 40 – paragraph 2 a (new)**

Text proposed by the Commission

Amendment

2 a. The Management board shall ensure that the functioning of the Regional operational centre is inclusive, ensures geographically- balanced representation and equitable treatment in the procedures and decision-making processes between members of Regional operational centre.

Or. en

**Amendment 1308
Zdzisław Krasnodębski**

**Proposal for a regulation
Article 40 – paragraph 3 – point a**

Text proposed by the Commission

Amendment

(a) drafting and endorsing the statutes and rules of procedure of the regional *operational centre*;

(a) drafting and endorsing the statutes and rules of procedure of the regional *security coordinator*;

Or. en

**Amendment 1309
Zdzisław Krasnodębski**

**Proposal for a regulation
Article 40 – paragraph 3 – point b**

Text proposed by the Commission

Amendment

(b) *deciding upon and* implementing the organisational structure;

(b) implementing the organisational structure;

Or. en

Amendment 1310
Zdzisław Krasnodębski

Proposal for a regulation
Article 40 – paragraph 3 – point d

Text proposed by the Commission

Amendment

(d) *developing and endorsing the cooperative decision-making processes in accordance with Article 35.* **deleted**

Or. en

Amendment 1311

Kaja Kallas, Pavel Telička, Fredrick Federley, Morten Helveg Petersen, Angelika Mlinar, Carolina Punset

Proposal for a regulation
Article 40 – paragraph 3 – point d

Text proposed by the Commission

Amendment

(d) developing and endorsing the cooperative decision-making processes in accordance with Article 35.

(d) developing and endorsing the cooperative **and inclusive** decision-making processes in accordance with Article 35.

Or. en

Amendment 1312

Zdzisław Krasnodębski

Proposal for a regulation
Article 40 – paragraph 4

Text proposed by the Commission

Amendment

4. The competences of the management board shall exclude those that are related to the day-to-day activities of regional **operational centres** and the performance of its **functions**.

4. The competences of the management board shall exclude those that are related to the day-to-day activities of regional **security coordinators** and the performance of its **services**.

Or. en

Amendment 1313

Jaromír Kohlíček

Proposal for a regulation

Article 41

Text proposed by the Commission

Amendment

Article 41

deleted

Organisational structure

1. Regional operational centres shall set up and manage their organisation according to a structure that supports the safety of their functions. Their organisational structure shall specify:

(a) the authority, duties and responsibilities of the management personnel;

(b) the relationship and reporting lines between different parts and processes of the organisation.

2. Regional operational centres may set up regional desks to address local specificities or back-up operational centres for the efficient and reliable exercise of their functions.

Or. en

Justification

It is our position that Articles 31 to 44 and all reference regarding ROCs in the Clean Energy Package to All Europeans shall be deleted without any substitution. It is of particular concern that establishment of ROCs violates subsidiarity and proportionality principle according to art. 194 SFEU

Amendment 1314

Kateřina Konečná, Evžen Tošenovský

Proposal for a regulation

Article 41

Text proposed by the Commission

Amendment

Article 41

deleted

Organisational structure

1. Regional operational centres shall set up and manage their organisation according to a structure that supports the safety of their functions. Their organisational structure shall specify:

(a) the authority, duties and responsibilities of the management personnel;

(b) the relationship and reporting lines between different parts and processes of the organisation.

2. Regional operational centres may set up regional desks to address local specificities or back-up operational centres for the efficient and reliable exercise of their functions.

Or. en

Amendment 1315

Claude Turmes

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 41 – paragraph 1 – introductory part

Text proposed by the Commission

1. Regional operational centres shall set up and manage their organisation according to a structure that supports the safety of their functions. Their organisational structure shall specify:

Amendment

1. Regional operational centres shall set up and manage their organisation according to a structure that supports the safety of their functions **and that they exercise their powers independent from any market players. Regional operational centres shall ensure that their staff and the persons responsible for their management act independently from any market interest and do not seek or take direct instructions from any government or other public or private entity when carrying out their tasks.** Their organisational structure shall specify:

Or. en

Amendment 1316
Zdzisław Krasnodębski

Proposal for a regulation
Article 41 – paragraph 1 – introductory part

Text proposed by the Commission

1. **Regional operational centres** shall **set up and** manage their organisation according to a structure that supports the safety of their **functions**.
Their organisational structure shall specify:

Amendment

1. **Transmission system operators of the capacity calculation region** shall **establish the necessary arrangements for regional security coordinators to** manage their organisation according to a structure that supports the safety of their **services**.

Or. en

Amendment 1317
Martina Werner, Peter Kouroumbashev, Carlos Zorrinho, Miapetra Kumpula-Natri, Miroslav Poche

Proposal for a regulation
Article 41 – paragraph 1 – introductory part

Text proposed by the Commission

1. **Regional operational centres** shall set up and manage their organisation according to a structure that supports the safety of their functions.
Their organisational structure shall specify:

Amendment

1. **The transmission system operators of a system operation region** shall set up and manage their organisation according to a structure that supports the safety of their functions. Their organisational structure shall specify:

Or. en

Amendment 1318
Zdzisław Krasnodębski

Proposal for a regulation
Article 41 – paragraph 1 – point a

Text proposed by the Commission

(a) the authority, duties and responsibilities of the management personnel;

Amendment

deleted

Amendment 1319

Zdzisław Krasnodębski

Proposal for a regulation

Article 41 – paragraph 1 – point b

Text proposed by the Commission

Amendment

(b) the relationship and reporting lines between different parts and processes of the organisation.

deleted

Or. en

Amendment 1320

Martina Werner, Carlos Zorrinho, Miapetra Kumpula-Natri, Edouard Martin

Proposal for a regulation

Article 41 – paragraph 2

Text proposed by the Commission

Amendment

2. Regional **operational centres** may set up regional desks to address local specificities or back-up **operational centres** for the efficient and reliable exercise of their functions.

2. Regional **coordination centers** may set up regional desks to address local specificities or back-up **coordination centres** **only where this is needed** for the efficient and reliable exercise of their functions **and only if this does not lead to an increase of network tariffs.**

Or. en

Amendment 1321

Zdzisław Krasnodębski

Proposal for a regulation

Article 41 – paragraph 2

Text proposed by the Commission

Amendment

2. Regional **operational centres** may set up regional desks to address local specificities **or back-up operational centres** for the efficient and reliable

2. Regional **security coordinators** may set up regional desks to address local specificities for the efficient and reliable

exercise of their *functions*.

exercise of their *services*.

Or. en

Amendment 1322

Kateřina Konečná, Evžen Tošenovský

Proposal for a regulation

Article 42

Text proposed by the Commission

Amendment

Article 42

deleted

Equipment and staff

Regional operational centres shall be equipped with all the human, technical, physical and financial resources necessary for fulfilling their obligations under this Regulation and carrying out their functions.

Or. en

Amendment 1323

Jaromír Kohlíček

Proposal for a regulation

Article 42 – paragraph 1

Text proposed by the Commission

Amendment

Regional operational centres shall be equipped with all the human, technical, physical and financial resources necessary for fulfilling their obligations under this Regulation and carrying out their functions.

deleted

Or. en

Justification

It is our position that Articles 31 to 44 and all reference regarding ROCs in the Clean Energy Package to All Europeans shall be deleted without any substitution. It is of particular concern that establishment of ROCs violates subsidiarity and proportionality principle according to art. 194 SFEU

Amendment 1324

Martina Werner, Carlos Zorrinho, Miapetra Kumpula-Natri, Miroslav Poche, Soledad Cabezón Ruiz, José Blanco López

Proposal for a regulation

Article 42 – paragraph 1

Text proposed by the Commission

Regional **operational** centres shall be equipped with all the human, technical, physical and financial resources necessary for fulfilling their obligations under this Regulation and carrying out their functions.

Amendment

Regional **coordination** centres shall be equipped with all the human, technical, physical and financial resources necessary for fulfilling their obligations under this Regulation and carrying out their functions. ***The human, technical, physical and financial resources for regional coordination centres shall not go beyond what is strictly necessary for the fulfilment of its tasks.***

Or. en

Amendment 1325

Kaja Kallas, Fredrick Federley, Morten Helveg Petersen, Angelika Mlinar, Carolina Punset

Proposal for a regulation

Article 42 – paragraph 1

Text proposed by the Commission

Regional operational centres shall be equipped with all the human, technical, physical and financial resources necessary for fulfilling their obligations under this Regulation and carrying out their functions.

Amendment

Regional operational centres shall be equipped with all the human, technical, physical and financial resources necessary for fulfilling their obligations under this Regulation and carrying out their functions, ***ensuring in particular geographically balanced representation and equitable treatment between members of Regional operational centre.***

Or. en

Amendment 1326

Pavel Telička

Proposal for a regulation
Article 42 – paragraph 1

Text proposed by the Commission

Regional **operational** centres shall be equipped with all the human, technical, physical and financial resources necessary for fulfilling their obligations under this Regulation and carrying out their functions.

Amendment

Regional **coordination** centres shall be equipped with all the human, technical, physical and financial resources necessary for fulfilling their obligations under this Regulation and carrying out their functions, **ensuring in particular geographically balanced representation and equitable treatment between members.**

Or. en

Amendment 1327
Claude Turmes
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 42 – paragraph 1

Text proposed by the Commission

Regional operational centres shall be equipped with all the human, technical, physical and financial resources necessary for fulfilling their obligations under this Regulation and carrying out their functions.

Amendment

Regional operational centres shall be equipped with all the human, technical, physical and financial resources necessary for fulfilling their obligations under this Regulation and carrying out their functions **independently and impartially.**

Or. en

Amendment 1328
Zdzisław Krasnodębski

Proposal for a regulation
Article 42 – paragraph 1

Text proposed by the Commission

Regional **operational centres** shall be equipped with all the human, technical, physical and financial resources necessary

Amendment

Regional **security coordinators** shall be equipped with all the human, technical, physical and financial resources necessary

for *fulfilling their obligations under this Regulation and carrying out their functions.*

for *performance of their services.*

Or. en

Amendment 1329

Jaromír Kohlíček

Proposal for a regulation

Article 43

Text proposed by the Commission

Amendment

Article 43

deleted

Monitoring and reporting

1. Regional operational centres shall establish a process for the continuous monitoring of at least:

(a) their operational performance;

(b) the decisions and recommendations issued and the outcome achieved;

(c) the effectiveness and efficiency of each of the functions for which they are responsible.

2. Regional operational centres shall submit to the Agency and to the regulatory authorities of the system operation region the data resulting from their continuous monitoring at least annually.

3. Regional operational centres shall establish their costs in a transparent manner and report them to the Agency and to the regulatory authorities of the system operation region.

4. Regional operational centres shall submit an annual report concerning their performance to ENTSO for Electricity, the Agency, the regulatory authorities of the system operation region and the Electricity Coordination Group established pursuant to Article 1 of Commission Decision 2012/C 353/02³⁷.

5. Regional operational centres shall report shortcomings identified in the monitoring process under paragraph 1 to ENTSO for electricity, the regulatory authorities of the system operation region, the Agency and the competent authorities of Member States responsible for the prevention and management of crisis situations.

³⁷ **Commission Decision of 15 November 2012 setting up the Electricity Coordination Group (OJ C 353, 17.11.2012, p.2).**

Or. en

Justification

It is our position that Articles 31 to 44 and all reference regarding ROCs in the Clean Energy Package to All Europeans shall be deleted without any substitution. It is of particular concern that establishment of ROCs violates subsidiarity and proportionality principle according to art. 194 SFEU

Amendment 1330
Kateřina Konečná, Evžen Tošenovský

Proposal for a regulation
Article 43

Text proposed by the Commission

Amendment

Article 43

deleted

Monitoring and reporting

1. Regional operational centres shall establish a process for the continuous monitoring of at least:

(a) their operational performance;

(b) the decisions and recommendations issued and the outcome achieved;

(c) the effectiveness and efficiency of each of the functions for which they are responsible.

2. Regional operational centres shall submit to the Agency and to the regulatory authorities of the system

operation region the data resulting from their continuous monitoring at least annually.

3. Regional operational centres shall establish their costs in a transparent manner and report them to the Agency and to the regulatory authorities of the system operation region.

4. Regional operational centres shall submit an annual report concerning their performance to ENTSO for Electricity, the Agency, the regulatory authorities of the system operation region and the Electricity Coordination Group established pursuant to Article 1 of Commission Decision 2012/C 353/02³⁷.

5. Regional operational centres shall report shortcomings identified in the monitoring process under paragraph 1 to ENTSO for electricity, the regulatory authorities of the system operation region, the Agency and the competent authorities of Member States responsible for the prevention and management of crisis situations.

³⁷ *Commission Decision of 15 November 2012 setting up the Electricity Coordination Group (OJ C 353, 17.11.2012, p.2).*

Or. en

Amendment 1331
Claude Turmes
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 43 – title

Text proposed by the Commission

Amendment

Monitoring and reporting

Reporting

Or. en

Amendment 1332

Claude Turmes

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 43 – paragraph 1 – introductory part

Text proposed by the Commission

1. Regional operational centres shall ***establish a process for the continuous monitoring of*** at least:

Amendment

1. Regional operational centres shall ***submit to the Agency and to the regulatory authorities of the system operation region the data underlying the task they perform and an activity report at least annually. The data and report shall cover*** at least:

Or. en

Amendment 1333

Zdzisław Krasnodębski

Proposal for a regulation

Article 43 – paragraph 1 – point b

Text proposed by the Commission

(b) the ***decisions and*** recommendations issued and the outcome achieved;

Amendment

(b) the recommendations issued and the outcome achieved;

Or. en

Amendment 1334

Zdzisław Krasnodębski

Proposal for a regulation

Article 43 – paragraph 1 – point c

Text proposed by the Commission

(c) the effectiveness and efficiency of each of ***the functions for which they are responsible.***

Amendment

(c) the effectiveness and efficiency of each of ***their services.***

Or. en

Amendment 1335

Martina Werner, Carlos Zorrinho, Miapetra Kumpula-Natri, Dan Nica

Proposal for a regulation

Article 43 – paragraph 2

Text proposed by the Commission

Amendment

2. **Regional operational centres shall submit to the Agency and to the regulatory authorities of the system operation region the data resulting from their continuous monitoring at least annually.** **deleted**

Or. en

Amendment 1336

Zdzislaw Krasnodebski

Proposal for a regulation

Article 43 – paragraph 2

Text proposed by the Commission

Amendment

2. Regional **operational centres** shall submit to the Agency and to the regulatory authorities of the **system operation** region the data resulting from their continuous monitoring at least annually.

2. Regional **security coordinators** shall submit to the Agency and to the regulatory authorities of the **capacity calculation** region the data resulting from their continuous monitoring at least annually.

Or. en

Amendment 1337

Claude Turmes

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 43 – paragraph 3

Text proposed by the Commission

Amendment

3. Regional operational centres shall establish their costs in a transparent

3. Regional operational centres shall establish their costs in a transparent

manner and report them to the Agency and to the regulatory authorities of the system operation region.

manner and report them to the Agency and to the regulatory authorities of the system operation region ***at least annually***.

Or. en

Amendment 1338
Zdzislaw Krasnodebski

Proposal for a regulation
Article 43 – paragraph 3

Text proposed by the Commission

3. Regional ***operational centres*** shall establish their costs in a transparent manner and report them to the Agency and to the regulatory authorities of the ***system operation*** region.

Amendment

3. Regional ***security coordinators*** shall establish their costs in a transparent manner and report them to the Agency and to the regulatory authorities of the ***capacity calculation*** region.

Or. en

Amendment 1339
Martina Werner, Carlos Zorrinho, Miapetra Kumpula-Natri, Miroslav Poche

Proposal for a regulation
Article 43 – paragraph 4

Text proposed by the Commission

4. Regional ***operational*** centres shall submit an annual report ***concerning*** their performance to ENTSO for Electricity, the Agency, the regulatory authorities of the system operation region and the Electricity Coordination Group established pursuant to Article 1 of Commission Decision 2012/C 353/02³⁷.

Amendment

4. Regional ***coordination*** centres shall submit an annual report ***with the data resulting from their continuous monitoring pursuant to paragraph 1 and on*** their performance to ENTSO for Electricity, the Agency, the regulatory authorities of the system operation region and the Electricity Coordination Group established pursuant to Article 1 of Commission Decision 2012/C 353/02.

³⁷ Commission Decision of 15 November 2012 setting up the Electricity Coordination Group (OJ C 353, 17.11.2012, p.2).

Amendment 1340
Zdzisław Krasnodębski

Proposal for a regulation
Article 43 – paragraph 4

Text proposed by the Commission

4. Regional **operational centres** shall submit an annual report concerning their performance to ENTSO for Electricity, the Agency, the regulatory authorities of the **system operation** region and the Electricity Coordination Group established pursuant to Article 1 of Commission Decision 2012/C 353/02³⁷.

³⁷ Commission Decision of 15 November 2012 setting up the Electricity Coordination Group (OJ C 353, 17.11.2012, p.2).

Amendment

4. Regional **security coordinators** shall submit an annual report concerning their performance to ENTSO for Electricity, the Agency, the regulatory authorities of the **capacity calculation** region and the Electricity Coordination Group established pursuant to Article 1 of Commission Decision 2012/C 353/02³⁷.

³⁷ Commission Decision of 15 November 2012 setting up the Electricity Coordination Group (OJ C 353, 17.11.2012, p.2).

Amendment 1341
Claude Turmes
 on behalf of the Verts/ALE Group

Proposal for a regulation
Article 43 – paragraph 5

Text proposed by the Commission

5. Regional operational centres shall report shortcomings identified in the monitoring process under paragraph 1 to ENTSO for electricity, the regulatory authorities of the system operation region, the Agency and the competent authorities of Member States responsible for the prevention and management of crisis situations.

Amendment

5. Regional operational centres shall report **annually** shortcomings identified in the monitoring process under paragraph 1 to ENTSO for electricity, the regulatory authorities of the system operation region, the Agency and the competent authorities of Member States responsible for the prevention and management of crisis situations.

Amendment 1342
Zdzisław Krasnodebski

Proposal for a regulation
Article 43 – paragraph 5

Text proposed by the Commission

5. Regional **operational centres** shall report shortcomings identified in the monitoring process under paragraph 1 to ENTSO for electricity, the regulatory authorities of the **system operation** region, the Agency and the competent authorities of Member States responsible for the prevention and management of crisis situations.

Amendment

5. Regional **security coordinators** shall report shortcomings identified in the monitoring process under paragraph 1 to ENTSO for electricity, the regulatory authorities of the **capacity calculation** region, the Agency and the competent authorities of Member States responsible for the prevention and management of crisis situations.

Or. en

Amendment 1343
Jaromír Kohlíček

Proposal for a regulation
Article 44

Text proposed by the Commission

Article 44

Liability

Regional operational centres shall take the necessary steps to cover liability related to the execution of their tasks, in particular, where they adopt decisions binding on transmission system operators. The method employed to provide the cover shall take into account the legal status of the regional operational centre and the level of commercial insurance cover available.

Amendment

deleted

Or. en

Justification

It is our position that Articles 31 to 44 and all reference regarding ROCs in the Clean Energy Package to All Europeans shall be deleted without any substitution. It is of particular concern that establishment of ROCs violates subsidiarity and proportionality principle according to art. 194 SFEU

Amendment 1344

Kateřina Konečná, Evžen Tošenovský

Proposal for a regulation

Article 44

Text proposed by the Commission

Amendment

Article 44

deleted

Liability

Regional operational centres shall take the necessary steps to cover liability related to the execution of their tasks, in particular, where they adopt decisions binding on transmission system operators. The method employed to provide the cover shall take into account the legal status of the regional operational centre and the level of commercial insurance cover available.

Or. en

Amendment 1345

Martina Werner, Carlos Zorrinho, Miapetra Kumpula-Natri

Proposal for a regulation

Article 44 – paragraph 1

Text proposed by the Commission

Amendment

Regional ***operational centres*** shall ***take the necessary steps*** to cover liability related to the execution of their tasks, in particular, where they adopt decisions binding on transmission system operators. The method employed to provide the cover shall take into account the legal status of the regional ***operational*** centre and the level of

Regional ***coordination centers*** shall ***establish an arrangement*** to cover liability related to the execution of their tasks, in particular, where they adopt decisions binding on transmission system operators ***and include this arrangement in the proposal for the establishment of regional coordination centres in accordance with Article 32.*** The method employed to

commercial insurance cover available.

provide the cover shall take into account the legal status of the regional **coordination** centre and the level of commercial insurance cover available.

Or. en

Amendment 1346

Zdzisław Krasnodębski

Proposal for a regulation

Article 44 – paragraph 1

Text proposed by the Commission

Regional **operational centres** shall take the necessary steps to cover liability related to the execution of their **tasks**, in particular, where they **adopt decisions binding on** transmission system operators. The method employed to provide the cover shall take into account the legal status of the regional **operational centre** and the level of commercial insurance cover available.

Amendment

Regional **security coordinators** shall take the necessary steps to cover liability related to the execution of their **services**, in particular, where they **issue recommendations addressed to the** transmission system operators. The method employed to provide the cover shall take into account the legal status of the regional **security coordinator** and the level of commercial insurance cover available.

Or. en

Amendment 1347

Miapetra Kumpula-Natri

Proposal for a regulation

Article 45 – paragraph 1 – subparagraph 2 – point a

Text proposed by the Commission

(a) **build on** national investment plans, **taking into account** regional investment plans as referred to in Article 12(1), and, if appropriate, Union aspects of network planning as set out in Regulation (EU) No 347/2013 of the European Parliament and of the Council³⁸ ; it shall be subject to a cost-benefit analysis using the methodology established as set out in Article 11 of that Regulation;

Amendment

(a) **set basis for** national investment plans **and** regional investment plans as referred to in Article 12(1), and, if appropriate, Union aspects of network planning as set out in Regulation (EU) No 347/2013 of the European Parliament and of the Council³⁸ ; it shall be subject to a cost-benefit analysis using the methodology established as set out in Article 11 of that Regulation;

³⁸ Regulation (EU) No 347/2013 of the European Parliament and of the Council of 17 April 2013 on guidelines for trans-European energy infrastructure (OJ L 115, 25.4.2013, p. 39).

³⁸ Regulation (EU) No 347/2013 of the European Parliament and of the Council of 17 April 2013 on guidelines for trans-European energy infrastructure (OJ L 115, 25.4.2013, p. 39).

Or. en

Justification

As of today the TYNDPs remain merely a collection of national plans and miss European aspect. There's a lot of potential in the TYNDP process, starting from common European scenarios and European investments' needs. However, today the content of investment plans relies too much on already existing plans.

Amendment 1348

Barbara Kappel, Angelo Ciocca, Lorenzo Fontana

Proposal for a regulation

Article 45 – paragraph 1 – subparagraph 2 – point c

Text proposed by the Commission

(c) identify investment gaps, notably with respect to cross-border capacities.

Amendment

(c) identify investment gaps, notably with respect to cross-border capacities **by analysing target values in MW for transfer capacity at bidding zone boundaries.**

Or. en

Justification

The amendment is necessary for pressing reasons relating to the internal logic of the text

Amendment 1349

Dario Tamburrano, David Borrelli

Proposal for a regulation

Article 45 – paragraph 1 – subparagraph 2 – point c a (new)

Text proposed by the Commission

Amendment

(c a) identify any inconsistencies in the TSOs' approach to calculating future system flexibility requirements and

demand response capacity. It should also identify any cross-border implications created from potential deficiencies in system flexibility and provide advice to National Regulatory Authorities on best practices to develop additional flexibility resources.

Or. en

Justification

This amendment is intrinsically linked to other amendments tabled to provisions which have been modified by the Commission

Amendment 1350

Claude Turmes

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 45 – paragraph 1 – subparagraph 2 – point c a (new)

Text proposed by the Commission

Amendment

(c a) include a scenario where the penetration of renewable energy sources exceeds EU targets by a significant magnitude.

Or. en

Justification

This amendment is linked to the provisions on integrating increasing shares of renewable energy, that has an impact for example in Article 51 (1 a) and 55 (3).

Amendment 1351

Claude Turmes

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 45 – paragraph 1 – subparagraph 2 – point c b (new)

Text proposed by the Commission

Amendment

(c b) identify any inconsistencies in the TSOs approach to calculating future system flexibility requirements and

demand response capacity. It should also identify any cross-border implications created from potential deficiencies in the system flexibility and provide to National Regulatory Authorities best practices to develop additional flexibility resources.

Or. en

Justification

This Amendment is intrinsically linked to the provisions on flexibility requirements related to Article 3 (1 e, f), Article 16 (2, 8), Article 18 (3), 19 (4 b), 25 (2) and 55 (1,l) and ensures an implementation of the concerned provisions through the TYNDP.

Amendment 1352

Barbara Kappel, Angelo Ciocca, Lorenzo Fontana

Proposal for a regulation

Article 45 – paragraph 1 – point 1 (new)

Text proposed by the Commission

Amendment

(1) The draft Union-wide network plan shall be submitted to the Agency for an opinion. The ENTSO-E shall amend the Union-wide network development plan in accordance with this opinion and resubmit the amended plan to the Agency. The agency shall recommend the Union-wide network development plan to the Commission, if deemed adequate.

Or. en

Justification

The amendment is necessary for pressing reasons relating to the internal logic of the text

Amendment 1353

Barbara Kappel, Angelo Ciocca, Lorenzo Fontana

Proposal for a regulation

Article 45 – paragraph 2

Text proposed by the Commission

Amendment

2. The Agency shall provide an
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The Agency shall provide an
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opinion on the national ten-year network development plans to assess their consistency with the Union -wide network development plan. If the Agency identifies inconsistencies between a national ten-year network development plan and the Union -wide network development plan, it shall recommend amending the national ten-year network development plan or the Union -wide network development plan as appropriate. If such national ten-year network development plan is elaborated in accordance with Article 51 of [recast of Directive 2009/72/EC as proposed by COM(2016) 864/2], the Agency shall recommend that the competent national regulatory authority amend the national ten-year network development plan in accordance with Article 51(7) of that Directive and inform the Commission thereof.

opinion on the national ten-year network development plans to assess their consistency with the **draft** Union -wide network development plan. If the Agency, ***in consultation with the concerned national regulatory authority***, identifies inconsistencies between a national ten-year network development plan and the Union -wide network development plan, it shall, ***in close cooperation with all concerned regulatory authorities***, recommend amending the national ten-year network development plan or the **draft** Union -wide network development plan as appropriate. If such national ten-year network development plan is elaborated in accordance with Article 51 of [recast of Directive 2009/72/EC as proposed by COM(2016) 864/2], the Agency shall recommend that the competent national regulatory authority amend the national ten-year network development plan in accordance with Article 51(7) of that Directive and inform the Commission thereof. ***An investment which is objected by the Agency, after having consulted the concerned national regulatory authorities, shall not be part of the Union-wide network development plan.***

Or. en

Justification

The amendment is necessary for pressing reasons relating to the internal logic of the text

Amendment 1354

Claude Turmes

on behalf of the Verts/ALE Group

Proposal for a regulation

Article 47 – paragraph 4

Text proposed by the Commission

4. Transmission system operators shall publish relevant data on aggregated forecast and actual demand, on availability and actual use of generation and load

Amendment

4. Transmission system operators shall publish relevant data on aggregated forecast and actual demand, on availability and actual use of generation and load

assets, on availability and use of the networks and interconnections, and on balancing power and reserve capacity. For availability and actual use of small generation and load units, aggregated estimate data may be used.

assets, on availability and use of the networks and interconnections, and on balancing power and reserve capacity. ***They shall collaborate with national regulatory authorities around the monitoring of demand-side flexibility available in the system, including existing and potential flexibility from generation, demand-side, interconnections, and storage, pursuant to Article 58 of [Electricity Directive].*** For availability and actual use of small generation and load units, aggregated estimate data may be used.

Or. en

Justification

This Amendment details information provisions to all relevant flexibility possibilities, including those mentioned in Article 58 of the [Electricity Directive].

Amendment 1355

Kaja Kallas, Pavel Telička, Fredrick Federley, Morten Helveg Petersen, Angelika Mlinar, Carolina Punset, Gerben-Jan Gerbrandy

Proposal for a regulation Article 47 – paragraph 4

Text proposed by the Commission

4. Transmission system operators shall publish relevant data on aggregated forecast and actual demand, on availability and actual use of generation and load assets, on availability and use of the networks and interconnections, **and** on balancing power and reserve capacity. For availability and actual use of small generation and load units, aggregated estimate data may be used.

Amendment

4. Transmission system operators shall publish relevant data on aggregated forecast and actual demand, on availability and actual use of generation and load assets, on availability and use of the networks and interconnections, on balancing power and reserve capacity **and on the availability of flexibility**. For availability and actual use of small generation and load units, aggregated estimate data may be used.

Or. en

Justification

This amendment is intrinsically linked to other amendments tabled to provisions which have been modified by the Commission

Amendment 1356
Paul Rübige

Proposal for a regulation
Article 47 – paragraph 5

Text proposed by the Commission

Amendment

5. The market participants concerned shall provide the transmission system operators with the relevant data. **deleted**

Or. en

Justification

This obligation for market participant is very wide ranging. Any disproportionate administrative and financial effort should be avoided.

Amendment 1357
Claude Turmes
on behalf of the Verts/ALE Group

Proposal for a regulation
Article 47 – paragraph 5

Text proposed by the Commission

Amendment

5. The market participants concerned shall provide the transmission system operators with the relevant data.

5. The market participants concerned shall provide the transmission system operators with the relevant data. *All power plants using renewable energy sources, with an installed electricity capacity of more than 1 MW shall provide the transmission system operators with real time information at least of their net production so as to allow TSOs to comply with their obligations under Article 40 (1) (i), and (k).*

Or. en

Justification

When TSO are required to comply with their obligations under Article 40, which are intrinsically linked to this provisions, they have to receive the relevant consumption information from the power plant operators, including from renewable energy sources.

Amendment 1358

Pilar del Castillo Vera, Pilar Ayuso, Francesc Gambús

Proposal for a regulation

Article 47 – paragraph 5 a (new)

Text proposed by the Commission

Amendment

5 a. All power plants using renewable energy sources with an installed electricity capacity of more than 1 MW shall provide the transmission system operators with real time information at least of their net production so as to allow transmission system operators to comply with their obligations under Article 40 of [recast of Directive 2009/72/EC as proposed by COM(2016) 864].

Or. en

Justification

This amendment is intrinsically linked to other amendments tabled to provisions which have been modified by the Commission

Amendment 1359

Paul Rübiger

Proposal for a regulation

Article 47 – paragraph 6

Text proposed by the Commission

Amendment

6. Generation undertakings which own or operate generation assets, where at least one generation asset has an installed capacity of at least 250 MW, or which have a portfolio comprising at least 400 MW of generation assets, shall keep at the disposal of the national regulatory authority, the national competition authority and the Commission, for five years all hourly data per plant that is necessary to verify all operational dispatching decisions and the bidding behaviour at power exchanges,

deleted

interconnection auctions, reserve markets and over-the-counter-markets. The per-plant and per hour information to be stored shall include, but shall not be limited to, data on available generation capacity and committed reserves, including allocation of those committed reserves on a per-plant level, at the times the bidding is carried out and when production takes place.

Or. en

Justification

This obligation for market participant is very wide ranging. Any disproportionate administrative and financial effort should be avoided.

Amendment 1360
Cornelia Ernst

Proposal for a regulation
Article 49

Text proposed by the Commission

Amendment

Article 49

deleted

European entity for distribution system operators

Distribution system operators which are not part of a vertically integrated undertaking or which are unbundled according to the provisions of Article 35 [recast of Directive 2009/72/EC as proposed by COM(2016) 864/2], shall cooperate at Union level through a European Entity for Distribution system operators ("EU DSO entity"), in order to promote the completion and functioning of the internal market in electricity, and to promote optimal management and a coordinated operation of distribution and transmission systems. Distribution system operators who wish to participate in the EU DSO entity shall become registered members of the entity.

Or. en

Justification

The creation of a new EU DSO entity contains significant risks of obstructing competition and discrimination on sensitive issues (in particular on issues relating to consumers and treatment of distributed energy resources, such as solar PV and demand response). In addition, EU unbundling rules for DSOs are not very stringent, which would allow large DSOs connected to parent utilities to exert undue influence via the DSO entity. In order to eliminate any risks of conflicts of interests and obstruction of competition, the proposed EU DSO entity should be rejected.