

**Question for written answer E-001449/2024
to the Commission**

Rule 144

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Subject: Barriers to aggregator access to the electricity market in Italy

Directive (EU) 2019/944¹ stipulates that ‘Member States shall allow final customers, including those offering demand response through aggregation, to participate alongside producers in a non-discriminatory manner in all electricity markets.’ It also requires them to ‘ensure that transmission system operators and distribution system operators, when procuring ancillary services’, treat such aggregators ‘in a non-discriminatory manner alongside producers on the basis of their technical capabilities.’

In Italy the directive was transposed by way of Legislative Decree No 210 of 8 November 2021².

However, the 2023 ACER report on barriers to demand response³ notes that the Italian legislative and regulatory framework only allows residential consumers to access the dispatching services market via pilot projects. Furthermore, electricity operators have reported that the scope of the UVAM (virtually-aggregated mixed units) pilot project has been reduced⁴.

In view of the above, can the Commission answer the following questions:

1. Does it consider that Italy has properly implemented Article 17 of Directive (EU) 2019/944, given the limited access aggregators have to the dispatching market and the limited possibilities for consumers to conclude aggregation contracts?
2. What steps will it take to ensure that Italian citizens can participate in flexibility mechanisms through aggregation contracts?

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¹ Article 17 – ‘Demand response through aggregation’ <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32019L0944>

² Article 12 – ‘Aggregation contracts and demand response by means of aggregation’: <https://www.normattiva.it/uri-res/N2Ls?urn:nir:stato:decreto.legislativo:2021-11-08;210>

³ Source: https://www.acer.europa.eu/sites/default/files/documents/Publications/ACER_MMR_2023_Barriers_to_dem_and_response.pdf

⁴ The European association that represents the demand response industry (smartEn) reports that, in 2023, Terna awarded just 24 MW in flexibility compared to 269 MW in 2022. Source: smartEn, 2023 Market Monitor for Demand Side Flexibility, available online at: https://smarten.eu/wp-content/uploads/2024/03/Flex-Market-Monitor-2024_v05_DIGITAL-2.pdf