



Proposal for a contribution to the costs of single day ahead and intraday coupling in accordance with Art. 76 of the Commission Regulation (EU) 2015/1222 of 24 July 2015 establishing a Guideline on Capacity Allocation and Congestion Management

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THE AUSTRIAN TRANSMISSION SYSTEM OPERATOR, TAKING INTO ACCOUNT THE FOLLOWING,

Whereas

- (1) Commission Regulation (EU) 2015/1222 establishes a guideline on capacity allocation and congestion management (hereinafter “CACM Regulation”) entered into force on 14 August 2015.
- (2) Costs of establishing, amending and operating single day-ahead and intraday coupling shall be borne by NEMOs in accordance with Article 76(1) of CACM Regulation. TSOs may make a contribution to these costs subject to approval by the relevant regulatory authorities in accordance with Article 76(2) of CACM Regulation.
- (3) According to Article 77(1) of CACM Regulation all clearing and settlement costs incurred by central counter parties and shipping agents shall be recoverable by means of fees or other appropriate mechanisms if they are reasonable and proportionate.
- (4) Article 80(3) of CACM Regulation defines the principles for cost sharing between NEMOs and TSOs in different Member States.
- (5) All relevant NEMOs and TSOs shall provide a yearly report to the regulatory authorities in accordance with Article 80(1) of CACM Regulation. The costs shall be broken down into:
 - a. common costs resulting from coordinated activities of all NEMOs or TSOs participating in the single day-ahead and intraday coupling;
 - b. regional costs resulting from activities of NEMOs or TSOs cooperating in a certain region;
 - c. national costs resulting from activities of the NEMOs or TSOs in that Member State.
- (6) This proposal applies to all NEMOs being designated in Austria by the regulatory authority in accordance with Article 4(1) of CACM Regulation or providing trading services in Austria in accordance with Article 4(5) of CACM Regulation and sharing costs assigned to Austria according to the cost sharing principles stipulated under the applicable European and regional contracts.
- (7) In accordance with Article 4(1) of CACM Regulation, three entities have been designated as NEMOs in Austria at the moment of submission of this proposal.
- (8) This proposal has been developed in agreement with all NEMOs designated in Austria.
- (9) This proposal is subject to approval in accordance with Article 9(8)(e) of CACM Regulation.

SUBMITS THE FOLLOWING PROPOSAL TO E-CONTROL AUSTRIA:

Article 1

Subject matter and scope

1. This document is the proposal of APG for the contribution to costs for establishing, amending and operating single day-ahead and intraday coupling, which shall be borne by NEMOs in accordance with Article 76 of CACM Regulation.

Article 2

Definitions and interpretations

1. For the purposes of this proposal, terms used in this document shall have the meaning of the definitions included in Article 2 of the CACM Regulation.

Article 3

Basic principle for cost contribution

1. Equal treatment of all NEMOs designated in Austria will be ensured with this proposal.
2. Costs taken into account for cost recovery under this proposal must be transparent, documented and auditable for APG.
3. Only NEMO costs related to the tasks of establishing, amending and operating the single day-ahead and intraday coupling according to Article 76 of CACM Regulation are subject to cost contribution under this proposal.
4. Equal principles for cost contribution shall be applied for costs of single day ahead coupling and single intraday coupling.
5. Sufficient incentives for NEMOs to fulfil their obligations under the CACM Regulation as cost-efficiently as possible shall be ensured.

Article 4

Cost contribution by APG

1. APG will recover the NEMO shares of
 - a. common costs resulting from coordinated activities of all NEMOs and all TSOs according to Article 80(2)(a) of CACM Regulation for establishing, updating or further developing the price coupling algorithm and single day-ahead coupling;
 - b. common costs resulting from coordinated activities of all NEMOs and all TSOs according to Article 80(2)(a) of CACM Regulation for establishing, updating or further developing the continuous trading matching algorithm and single intraday coupling;
 - c. regional costs resulting from activities of NEMOs and TSOs cooperating in a certain region according to Article 80(2)(b) of CACM Regulation for establishing, updating or further developing the price coupling algorithm and single day-ahead coupling, which

are shared according to the CACM sharing key stipulated under Article 80(3) of CACM Regulation or according to a different sharing key according to Article 80(4) of CACM Regulation that allows for an explicit attribution of costs to Austria

- d. regional costs resulting from activities of NEMOs or TSOs cooperating in a certain region according to Article 80(2)(b) of CACM Regulation for establishing, updating or further developing the continuous trading matching algorithm and single intraday coupling, which are shared according to the CACM sharing key stipulated under Article 80(3) of CACM Regulation or according to a different sharing key according to Article 80(4) of CACM Regulation that allows for an explicit attribution of costs to Austria attributed to Austria according to the sharing keys defined in the Day-Ahead Operational Agreement (DAOA), the Intraday Operational Agreement (IDOA) and other applicable regional agreements.
2. In case sharing keys are updated by decision of the joint decision bodies established under the applicable contracts, the updated sharing keys for the respective years will be used.
 3. Based on the provision of Article 4(1), cost recovery will be applied for all costs incurred as of 14 February 2017, that are shared in accordance with the principles of Article 80(3) of CACM Regulation. For the avoidance of doubt, for costs incurred between 14 February 2017 and the entry into force of the applicable contracts referred to under Article 4(1) and that were subject to resettlement, this means that APG will recover the NEMO shares as stipulated under Article 4(1) after the resettlement of these costs and according to the cost sharing principles of Article 80(3) of CACM Regulation.
 4. APG will not recover any costs for operating the single day ahead and intraday coupling.
 5. APG will not recover NEMO-only costs resulting from the cooperation of NEMOs to fulfil their obligations under the CACM Regulation.
 6. APG will not recover individual NEMO under this cost recovery proposal.

Article 5 **Cost approval**

1. Costs must be classified as common or regional joint TSO-NEMO costs according to the categories stipulated under Article 4(1) by the relevant joint decision bodies under the DAOA and the IDOA and the relevant joint decision bodies established under applicable regional projects.
2. Cost recovery by APG will be based on the approval of the costs and the invoicing process by the relevant joint decision bodies under the DAOA and the IDOA and the relevant joint decision bodies established under applicable regional projects.

Article 6 **Payment and invoicing**

1. Each NEMO shall issue the invoices for its respective NEMO share to be recovered by APG on a yearly basis.

2. After the relevant costs for the preceding year have been approved by the relevant joint decision bodies, each NEMO shall provide an overview of the cost items incurred during the preceding year which are recoverable under this proposal in line with the provisions of Article 4, no later than by the end of March.
3. APG will verify the amounts within thirty (30) days after reception of the cost overview referred to in Article 6(2).
4. Historical costs under the DAOA, the IDOA and other applicable regional agreements that are listed in Annex I can be invoiced by the NEMOs to APG the month following regulatory approval of this cost recovery proposal.
5. NEMOs should issue separate invoices for costs incurred under the DAOA, IDOA and for each other applicable regional agreement, respectively.
6. Payment will be executed by APG within 30 days upon reception of the invoice, given that it fulfils the above requirements and is not objected by APG.

Article 7 **Additional provisions**

1. APG's contribution to NEMO costs under this proposal shall be capped with a total yearly amount of 200.000 EUR. This cap applies to each calendar year in which the costs were incurred. In case this cap is reached, it will be applied proportionally to each NEMO.
2. This cost recovery mechanism is applicable until 31 December 2025. It will be automatically extended each year, if neither APG nor the NEMOs nor E-Control request a termination or amendment prior the end of each year.
3. Should the regulatory authority not approve part of the costs incurred by the NEMOs until 31 December of the year following the year when costs have been invoiced (e.g. costs invoiced in 2018 will be (dis)approved by NRAs until 31 December 2019), a resettlement of the implicated amount paid by APG has to be provided by the NEMOs within thirty (30) days.

Article 8 **Language**

1. The reference language for this cost contribution proposal shall be English.

Annex I

NEMO costs eligible for cost recovery for the year 2017, 2018 and 2019

Year	DA ID	Region	Description of the cost	Validated amount [k€]	Sharing key AT (%)	Share of costs AT	NEMO share	EPEX share	EXAA share	EMCO share
2017	DA	SDAC	SDAC - Joint TSOs-NEMOs common costs for establishing and amending the SDAC (MRC)	11,69	2,232%	261,01	130,51	98,98	16,81	14,72
2017	DA	SDAC	SDAC-MNA - Joint TSOs-NEMOs common costs for establishing and amending the SDAC (MNA)	192,64	2,232%	4.299,68	2.149,84	1.630,44	276,90	242,50
2017	DA	CWE	SDAC-CWE - Joint TSOs-NEMOs regional costs for establishing and amending the CWE	65,18	7,020%	4.575,50	2.287,75	1.735,03	294,66	258,06
2017	DA	Core	SDAC-Core- Joint TSOs-NEMOs regional costs for establishing and amending SDAC	89,59	7,070%	6.333,94	4.750,46	1.583,49	1.583,49	1.583,49
2017	ID	SIDC	SIDC - Joint TSOs-NEMOs common costs for establishing and amending the SIDC	2.846,09	2,350%	66.883,21	33.441,60	25.362,11	4.307,28	3.772,21
Cost contribution 2017						82.353,34	42.760,15	30.410,04	6.479,13	5.870,98
2018	DA	SDAC	SDAC - Joint TSOs-NEMOs common costs for establishing and amending the SDAC	304,45	2,239%	6.816,64	3.408,32	2.584,87	438,99	384,46
2018	DA	SDAC	SDAC-MNA - Joint TSOs-NEMOs common costs for establishing and amending the SDAC	597,81	2,239%	13.384,95	6.692,48	5.075,57	861,99	754,91
2018	DA	CWE	SDAC-CWE - Joint TSOs-NEMOs regional costs for establishing and amending the CWE	274,27	7,120%	19.528,25	9.764,13	7.405,11	1.257,62	1.101,39
2018	DA	Core	SDAC-Core- Joint TSOs-NEMOs regional costs for establishing and amending SDAC	55,10	7,070%	3.895,85	2.921,89	973,96	973,96	973,96
2018	ID	SIDC	SIDC - Joint TSOs-NEMOs common costs for establishing and amending the SIDC	4.853,79	2,334%	113.263,28	56.631,64	42.949,44	7.294,16	6.388,05
2018	ID	LIP 15	SIDC - Joint TSOs-NEMOs regional costs for establishing and amending the SIDC	14,22	9,770%	1.389,26	646,84	563,07	0,00	83,77
Cost contribution 2018						158.278,23	80.065,29	59.552,02	10.826,72	9.686,55
2019	DA	SDAC	SDAC - Joint TSOs-NEMOs common costs for establishing and amending the SDAC	1.368,93	2,263%	30.978,89	15.489,44	11.747,19	1.995,04	1.747,21
2019	DA	CWE	SDAC-CWE - Joint TSOs-NEMOs regional costs for establishing and amending the CWE	709,91	7,120%	50.545,24	25.272,62	19.166,75	3.255,11	2.850,75
2019	DA	Core	SDAC-Core- Joint TSOs-NEMOs regional costs for establishing and amending SDAC	166,23	7,070%	11.752,67	8.814,50	2.938,17	2.938,17	2.938,17
2019	ID	SIDC	SIDC - Joint TSOs-NEMOs common costs for establishing and amending the SIDC	3.779,65	2,369%	89.543,69	44.771,84	33.954,97	5.766,61	5.050,26
2019	ID	LIP 15	SIDC - Joint TSOs-NEMOs regional costs for establishing and amending the SIDC	1,47	9,770%	144,06	67,08	58,39	0,00	8,69
Cost contribution 2019						182.964,54	94.415,48	67.865,47	13.954,94	12.595,08

