

**DECISION OF THE CENTRAL EUROPE REGULATORY  
AUTHORITIES**

**on**

**THE PROPOSAL FOR A DAY-AHEAD CAPACITY  
CALCULATION METHODOLOGY OF THE CENTRAL  
EUROPE CAPACITY CALCULATION REGION**

**in accordance with Articles 20ff. of the Commission  
Regulation (EU) 2015/1222 of 24<sup>th</sup> July 2015 establishing  
a guideline on capacity allocation and congestion  
management**

**17 September 2025**

## 1. Introduction and legal context

This document elaborates an agreement of the Central Europe (hereafter: “CE”) Regulatory Authorities (hereafter: “CE NRAs”), agreed on 17 September 2025 at the CE Energy Regulators’ Regional Forum (hereafter: “CEERRF”) on the CE Transmission System Operators (hereafter: “CE TSOs”) proposal for a Day-Ahead Capacity Calculation Methodology of the Central Europe Capacity Calculation Region (hereafter: “CE DA CCM Proposal”). The CE DA CCM Proposal was submitted in accordance with Articles 20ff. of the Commission Regulation (EU) 2015/1222 of 24 July 2015 establishing a guideline on capacity calculation and congestion management as amended by Commission implementing regulation (EU) 2021/280 of 22 February 2021 amending Regulations (EU) 2015/1222, (EU) 2016/1719, (EU) 2017/2195 and (EU) 2017/1485 in order to align them with Regulation (EU) 2019/943 (hereafter: “CACM Regulation”).

The proposal was received by the last regulatory authority on 20 March 2025.

Article 9(10) of the CACM Regulation requires CE NRAs to consult and closely cooperate and coordinate with each other in order to reach an agreement and make a decision within six months following receipt of submission of the proposal to the last CE NRA. A decision is therefore required to be made by CE NRAs by 20 September 2025 at the latest.

This agreement of the CE NRAs (ACM, AGEN-RS, ANRE, ARERA, BNetzA, CRE, CREG, CRU, E-Control, ERU, HERA, ILR, MEKH, URE, URSO) shall provide evidence that a decision on the CE DA CCM Proposal does not, at this stage, need to be adopted by ACER pursuant to Article 9(11) of the CACM Regulation. It is intended to constitute the basis on which the CE NRAs will each subsequently issue a national decision to approve the CE DA CCM Proposal pursuant to Article 9(10) of the CACM Regulation. In the framework of the cooperation with third countries where currently the Swiss TSO Swissgrid is considered as integrated Technical Counterparty, the positions and opinions of this document have been discussed with ElCom and its views are included.

The legal provisions that lie at the basis of the CE DA CCM Proposal and this CE NRAs’ agreement on the methodology can be found in Articles 3, 9 and 20ff of the CACM Regulation, Article 5 of the Regulation (EU) 2019/942 of the European Parliament and of the Council of 5 June 2019 establishing a European Union Agency for the Cooperation of Energy Regulators (hereafter: “ACER Regulation”). These articles are set out below for reference.

### 1.1 CACM Regulation

#### **Article 3**

#### **Objectives of capacity allocation and congestion management cooperation**

*This Regulation aims at:*

- (a) promoting effective competition in the generation, trading and supply of electricity;*
- (b) ensuring optimal use of the transmission infrastructure;*
- (c) ensuring operational security;*
- (d) optimising the calculation and allocation of cross-zonal capacity;*
- (e) ensuring fair and non-discriminatory treatment of TSOs, NEMOs, the Agency, regulatory authorities and market participants;*
- (f) ensuring and enhancing the transparency and reliability of information;*
- (g) contributing to the efficient long-term operation and development of the electricity transmission system and electricity sector in the Union;*
- (h) respecting the need for a fair and orderly market and fair and orderly price formation;*
- (i) creating a level playing field for NEMOs;*

(j) providing non-discriminatory access to cross-zonal capacity.

## **Article 9 as amended by Regulation 2021/280**

### **Adoption of terms and conditions or methodologies**

1. TSOs and NEMOs shall develop the terms and conditions or methodologies required by this Regulation and submit them for approval to the Agency or the competent regulatory authorities within the respective deadlines set out in this Regulation. In exceptional circumstances, notably in cases where a deadline cannot be met due to circumstances external to the sphere of TSOs or NEMOs, the deadlines for terms and conditions or methodologies may be prolonged by the Agency in procedures pursuant to paragraph 6, jointly by all competent regulatory authorities in procedures pursuant to paragraph 7, and by the competent regulatory authority in procedures pursuant to paragraph 8.

(...)

5. Each regulatory authority or where applicable the Agency, as the case may be, shall approve the terms and conditions or methodologies used to calculate or set out the single day-ahead and intraday coupling developed by TSOs and NEMOs. They shall be responsible for approving the terms and conditions or methodologies referred to in paragraphs 6, 7 and 8. Before approving the terms and conditions or methodologies, the Agency or the competent regulatory authorities shall revise the proposals where necessary, after consulting the respective TSOs or NEMOs, in order to ensure that they are in line with the purpose of this Regulation and contribute to market integration, non-discrimination, effective competition and the proper functioning of the market.

6. The proposals for the following terms and conditions or methodologies and any amendments thereof shall be subject to approval by the Agency:

(...)

(e) the proposal for a harmonised capacity calculation methodology in accordance with Article 21(4);

(...)

9. The proposal for terms and conditions or methodologies shall include a proposed timescale for their implementation and a description of their expected impact on the objectives of this Regulation. Proposals for terms and conditions or methodologies subject to the approval by several regulatory authorities in accordance with paragraph 7 shall be submitted to the Agency within 1 week of their submission to regulatory authorities. Proposals for terms and conditions or methodologies subject to the approval by one regulatory authority in accordance with paragraph 8 may be submitted to the Agency within 1 month of their submission at the discretion of the regulatory authority while they shall be submitted upon the Agency's request for information purposes in accordance with Article 3 paragraph 2 of the Regulation (EU) 2019/942 if the Agency considers the proposal to have a cross-border impact. Upon request by the competent regulatory authorities, the Agency shall issue an opinion within 3 months on the proposals for terms and conditions or methodologies.

10. Where the approval of the terms and conditions or methodologies in accordance with paragraph 7 or the amendment in accordance with paragraph 12 requires a decision by more than one regulatory authority, the competent regulatory authorities shall consult and closely cooperate and coordinate with each other in order to reach an agreement. Where applicable, the competent regulatory authorities shall take into account the opinion of the Agency. Regulatory authorities or, where competent, the Agency shall take decisions concerning the submitted terms and conditions or methodologies in accordance with paragraphs 6, 7 and 8, within 6 months following the receipt of the terms and conditions or methodologies by the Agency or the regulatory authority or, where applicable, by the last regulatory authority concerned. The period shall begin on the day following that on which the proposal was submitted to the Agency in accordance with paragraph 6, to the last regulatory authority concerned in accordance with paragraph 7 or, where applicable, to the regulatory authority in accordance with paragraph 8.

11. Where the regulatory authorities have not been able to reach agreement within the period referred to in paragraph 10, or upon their joint request, or upon the Agency's request according to the third subparagraph of Article 5(3) of Regulation (EU) 2019/942, the Agency shall adopt a decision concerning the submitted proposals for terms and conditions or methodologies within 6 months, in accordance with Article 5(3) and the second subparagraph of Article 6(10) of Regulation (EU) 2019/942.

12. In the event that the Agency, or all competent regulatory authorities jointly, or the competent regulatory authority request an amendment to approve the terms and conditions or methodologies submitted in accordance with paragraphs 6, 7 and 8 respectively, the relevant TSOs or NEMOs shall submit a proposal for amended terms and conditions or methodologies for approval within 2 months following the request from the Agency or the competent regulatory authorities or the competent regulatory authority. The Agency or the competent regulatory authorities or the competent regulatory

authority shall decide on the amended terms and conditions or methodologies within 2 months following their submission. Where the competent regulatory authorities have not been able to reach an agreement on terms and conditions or methodologies pursuant to paragraph 7 within the 2-month deadline, or upon their joint request, or upon the Agency's request according to the third subparagraph of Article 5(3) of Regulation (EU) 2019/942, the Agency shall adopt a decision concerning the amended terms and conditions or methodologies within 6 months, in accordance with Article 5(3) and the second subparagraph of Article 6(10) of Regulation (EU) 2019/942. If the relevant TSOs or NEMOs fail to submit a proposal for amended terms and conditions or methodologies, the procedure provided for in paragraph 4 of this Article shall apply.

13. The Agency, or all competent regulatory authorities jointly, or the competent regulatory authority, where they are responsible for the adoption of terms and conditions or methodologies in accordance with paragraphs 6, 7 and 8, may respectively request proposals for amendments of those terms and conditions or methodologies and determine a deadline for the submission of those proposals. TSOs or NEMOs responsible for developing a proposal for terms and conditions or methodologies may propose amendments to regulatory authorities and the Agency.

The proposals for amendment to the terms and conditions or methodologies shall be submitted to consultation in accordance with the procedure set out in Article 12 and approved in accordance with the procedure set out in this Article.

14. TSOs and NEMOs responsible for establishing the terms and conditions or methodologies in accordance with this Regulation shall publish them on the internet after approval by the Agency or the competent regulatory authorities or, if no such approval is required, after their establishment, except where such information is considered as confidential in accordance with Article 13.'

## **Article 21**

### **Capacity calculation methodology**

1. The proposal for a common capacity calculation methodology for a capacity calculation region determined in accordance with Article 20(2) shall include at least the following items for each capacity calculation time-frame:

(a) methodologies for the calculation of the inputs to capacity calculation, which shall include the following parameters:

- (i) a methodology for determining the reliability margin in accordance with Article 22;
- (ii) the methodologies for determining operational security limits, contingencies relevant to capacity calculation and allocation constraints that may be applied in accordance with Article 23;
- (iii) the methodology for determining the generation shift keys in accordance with Article 24;
- (iv) the methodology for determining remedial actions to be considered in capacity calculation in accordance with Article 25.

(b) a detailed description of the capacity calculation approach which shall include the following:

- (i) a mathematical description of the applied capacity calculation approach with different capacity calculation inputs;
- (ii) rules for avoiding undue discrimination between internal and cross-zonal exchanges to ensure compliance with point 1.7 of Annex I to Regulation (EC) No 714/2009;
- (iii) rules for taking into account, where appropriate, previously allocated cross-zonal capacity;
- (iv) rules on the adjustment of power flows on critical network elements or of cross-zonal capacity due to remedial actions in accordance with Article 25;
- (v) for the flow-based approach, a mathematical description of the calculation of power transfer distribution factors and of the calculation of available margins on critical network elements;
- (vi) for the coordinated net transmission capacity approach, the rules for calculating cross-zonal capacity, including the rules for efficiently sharing the power flow capabilities of critical network elements among different bidding zone borders;
- (vii) where the power flows on critical network elements are influenced by cross-zonal power exchanges in different capacity calculation regions, the rules for sharing the power flow capabilities of critical network elements among different capacity calculation regions in order to accommodate these flows.

(c) a methodology for the validation of cross-zonal capacity in accordance with Article 26.

2. For the intraday capacity calculation timeframe, the capacity calculation methodology shall also state the frequency at which capacity will be reassessed in accordance with Article 14(4), giving reasons for the chosen frequency.

3. The capacity calculation methodology shall include a fallback procedure for the case where the initial capacity calculation does not lead to any results.

4. All TSOs in each capacity calculation region shall, as far as possible, use harmonised capacity calculation inputs. By 31 December 2020, all regions shall use a harmonised capacity calculation methodology which shall in particular provide for a harmonised capacity calculation methodology for the flow-based and for the coordinated net transmission capacity approach. The harmonisation of capacity calculation methodology shall be subject to an efficiency assessment concerning the harmonisation of the flow-based methodologies and the coordinated net transmission capacity methodologies that provide for the same level of operational security. All TSOs shall submit the assessment with a proposal for the transition towards a harmonised capacity calculation methodology to all regulatory authorities within 12 months after at least two capacity calculation regions have implemented common capacity calculation methodology in accordance with Article 20(5).

## 1.2 ACER Regulation

### Article 5

#### Tasks of ACER as regards the development and implementation of network codes and guidelines

(...)

3. Where one of the following legal acts provides for the development of proposals for terms and conditions or methodologies for the implementation of network codes and guidelines which require the approval of all the regulatory authorities of the region concerned, those regulatory authorities shall agree unanimously on the common terms and conditions or methodologies to be approved by each of those regulatory authorities:

(a) a legislative act of the Union adopted under the ordinary legislative procedure;

(b) network codes and guidelines that were adopted before 4 July 2019 and subsequent revisions of those network codes and guidelines; or

(c) network codes and guidelines adopted as implementing acts pursuant to Article 5 of Regulation (EU) No 182/2011.

(...)

6. Before approving the terms and conditions or methodologies referred to in paragraphs 2 and 3, the regulatory authorities, or, where competent, ACER, shall revise them where necessary, after consulting the ENTSO for Electricity, the ENTSO for Gas or the EU DSO entity, in order to ensure that they are in line with the purpose of the network code or guideline and contribute to market integration, non-discrimination, effective competition and the proper functioning of the market. ACER shall take a decision on the approval within the period specified in the relevant network codes and guidelines. That period shall begin on the day following that on which the proposal was referred to ACER.

## 2. The CE TSOs' proposal

Following the ACER's decision 4-2024 of 21<sup>st</sup> March 2024 that established the Central Europe Capacity Calculation Region (hereafter: "CE CCR"), CE TSOs submitted a proposal for a CE DA CCM, pursuant to art. 20ff of CACM Regulation.

The draft CE DA CCM proposal was consulted by CE TSOs from 17 October 2024 until 17 November 2024 in accordance with the requirements of Article 12 of the CACM Regulation. This public consultation was organized through the ENTSO-E Consultation Platform.

CE NRAs provided the CE TSOs with their opinion on the draft CE DA CCM Proposal through a shadow opinion, which was commonly endorsed and submitted for the CE TSOs' consideration on 15 November 2024.

The CE DA CCM proposal consists of several documents:

- The CE DA CCM proposal itself;
- A public consultation report;
- An explanatory document.

The CE DA CCM proposal consists of 31 articles, divided into 7 titles, and 4 annexes.

Following the official submission, the CE TSOs submitted informal amendments to CE NRAs with a revised article, related to the calculation of capacities for integrated technical counterparties, and several editorial changes with the aim of clarifying the content of the methodology. These amendments have been taken into account by CE NRAs during the decision process and integrated in the revised document.

### **3. The CE NRAs' position**

CE NRAs thoroughly assessed the proposal and the additional amendments informally submitted by TSOs and identified a number of elements to be amended. CE NRAs unanimously decided to amend those changes themselves.

The draft version of the CE DA CCM amended by CE NRA was also sent to CE TSOs on 30 June 2025, with the request to provide feedback on the proposed changes by 25 July 2025. One informal meeting between project leads of TSOs and NRAs took place on 30 June 2025, where NRAs presented to TSOs the draft revised version. CE TSOs have shared their feedback on 25 July 2025. Their feedback included several modification proposals in the draft revised version and a dedicated document to respond to CE NRAs draft revised version.

The following paragraphs explain the main amendments introduced by CE NRAs and the reasons behind the changes.

#### **3.1 Post go-live studies**

The CE DA CCM proposal foresees the development of post go-live studies with the following deadlines:

- List of internal network elements defined as CNECs (Article 5): 24 months after the implementation of the methodology;
- Application of FRM calculation and proposal for amendments to improve the process (Article 8): 60 months after the implementation of the methodology;
- Proposal for harmonization of GSK (Article 9): 42 months after the implementation of the methodology;

CE NRAs consider that the methodology should be more ambitious, as experience was gained within Core CCR, and unanimously decide to set shorter deadlines, still considering the complexity of different post go-live studies. The new deadlines set by CE NRAs are:

- 18 months for the CNECs list;
- 36 months for the FRM study and proposal for amendments;
- 24 months for the proposal to harmonize GSKs.

In their feedback, CE TSOs reiterate their position regarding the deadline of the post go-live studies. However, CE NRAs consider the revised deadlines ambitious but feasible. CE NRAs will closely collaborate with CE TSOs

to meet these deadlines, drawing on the experience gained within Core CCR. In particular, the CE GSK study should be the extension of the Core GSK study.

Moreover, CE NRAs set a clearer commitment regarding the introduction of dynamic limits in Article 6. In particular, in addition to the general provision to annually report the status of operation limits, CE NRAs introduce a firm commitment to conduct every two years an analysis on the efficiency of implementing dynamic limits; acknowledging the difficulty voiced by CE TSOs in defining the methodology assessment ex ante due to unharmonised approaches on DLR, the amendment allows CE TSOs and NRAs to define the most appropriate method for this assessment in the course of the methodology implementation. This provision enters into force 24 months after the implementation of the methodology.

### **3.2 Report on the allocation constraints**

CE NRAs consider that the provisions for transparency and report on the usage of allocation constraints are not sufficient. According to Article 7 of the CE DA CCM proposal, the concerned TSOs are only bound to prepare data to be included in the biennial report prepared by ENTSO-E pursuant to Article 31(2) of the CACM Regulation. CE NRAs decide to amend the text to include:

- the publication every 6 months of the calculated allocation constraints;
- a dedicated half-yearly report instead of the original provision to include data in the biennial report by ENTSO-E.

In their feedback, CE TSOs stated that a half-year-based report could represent an additional effort on TSOs' side and could be not representative enough since it does not encompass all the significant periods. Despite this, CE NRAs decide to keep their amendment. CE NRAs consider that it is important to have frequent reporting on a mechanism impacting the welfare optimisation. Furthermore, CE NRAs remark that Core TSOs are currently providing quarterly reports on allocation constraints thus a half-year-based report in the CE CCM alleviates their reporting obligations.

### **3.3 Third country consideration**

CE NRAs decide to amend the CE DA CCM proposal to better clarify the role of third country TSOs and their consideration. In particular, definitions and Article 13 are amended to clarify that a third country TSO becomes an integrated Technical Counterparty (iTCP) by signing an agreement with CE TSOs that binds iTCP to the methodology and to the same obligations as the ones binding CE TSOs. CE NRAs clarify in the text that the integrated technical counterparty agreement and all its amendments shall enter into force only if and insofar as they are validated by all CE NRAs and the iTCP regulatory authority.

### **3.4 Coordinated validation**

CE NRAs decide to amend the timeline for the application of the coordinated validation process described in Article 20. In the CE DA CCM proposal, TSOs originally proposed a gradual implementation with a transitional phase of 42 months where the coordination is limited to the exchange of common information. CE NRAs consider that the timeline shall be more ambitious, considering also that the coordinated validation process relies on the same process currently under implementation in the Core region. Therefore, CE NRAs amended the text by removing the transitional phase and aligning the deadline with the implementation of the methodology.

In their feedback, CE TSOs highlighted the remaining uncertainties regarding the coordinated validation implementation. They consider that the coordinated validation should not endanger the CE DA CC go-live or should not be less ambitious to guarantee a timely CE DA CC go-live. CE NRAs acknowledge CE TSOs' concerns and reintroduced the principle that CE TSOs and iTCP shall reuse any development already carried out in the Core region as much as possible.

### **3.5 Capacity calculation for integrated Technical Counterparty (iTCP)**

CE NRAs decide to introduce the changes proposed by TSOs in Article 23 via the informal submission. These changes are precisising how the Central Europe flow-based domain should be split with a Relative Sharing Key (RSK) based on the thermal capacities at the borders and improving the ATC extraction method ensuring a better balance between Central Europe and iTCP capacities based on the RSK. However, CE NRAs did not introduce a requirement to guarantee 20% of remaining available margin for exchanges during SDAC within the CE CCR and the subsequent safeguards for the iTCP capacities. CE NRAs consider that it introduces a difference of treatment between the iTCP and the CE TSOs while the iTCP agreement should be based on equal rights and obligations and introduces an additional complex layer of requirement and exception. Nevertheless, during the implementation phase CE NRAs will monitor the ATC extraction results and discuss with CE TSOs to ensure that the capacity calculation deliver a sufficient level of capacities (considering the potential relieving effect of NTC) which is also balanced for the CE and iTCP borders.

### **3.6 Update of remaining cross-zonal capacities after SDAC to be used for intraday**

CE NRAs decide to introduce the changes proposed by TSOs via the informal submission. These changes in Article 25 are mainly a revised set of information to be published by TSOs and the addition of the possibility to use ramping constraints and constraints limiting the sum of import/export from/to a set of interconnectors. CE NRAs also clarify the update of remaining cross-zonal capacities after SDAC and the interaction with the Core and Italy North intraday capacity calculation methodologies.

### **3.7 Publication and monitoring**

CE NRAs amend the publication and monitoring requirements to introduce requirements regarding the calculation of capacities for iTCP and the long-term capacities nominated on iTCP borders. These requirements will increase the transparency for market participants. In addition, CE NRAs amend Article 27 and Article 29 to incorporate the modifications introduced on the allocation constraints monitoring and the CNEC list publication.

### **3.8 Timeline**

CE NRAs agree to amend the deadline for the implementation of the methodology. The original implementation timeline set by TSOs in the submitted proposal envisaged September 2027, but later TSOs provided an informal update, based on recent estimation of the roadmap for implementation, proposing April 2028, based on timing constraints at Terna. CE NRAs accept a revised deadline, however, CE NRAs decide to set the deadline to 15 January 2028; this date is considered ambitious but still feasible and provide incentive to TSOs to keep a high level of engagement on the implementation project.

### **3.9 Other changes**

CE NRAs agree on the introduction of the following elements:



- In the Whereas, the inclusion of a recital to ensure that approval of the forthcoming amendment of the Core DA CCM will entail the submission of a corresponding amendment to the CE DA CCM;
- In Article 5 related to the list of CNECs, the inclusion of a paragraph referring to the pending Court Case BNetzA v ACER (T-600/23) to ensure consistency between the legal findings applicable to the Core DA CCM and the CE DA CCM. In their feedback, CE TSOs identified a remaining inconsistency regarding the inclusion of new CNECs in the CNEC list. Therefore, CE NRAs amended the proposal to remove this inconsistency.
- In Article 26, the inclusion of a paragraph regarding the required coordination between CE TSOs and the iTCP.

In addition, CE NRAs decide to amend the methodology on several parts to improve the wordings, introduce definitions, clarifications, and corrections (references, numbering, errors). Some additions have been introduced following CE TSOs feedback provided on 25 July 2025.

## 4. Conclusions

Central Europe NRAs have consulted, closely cooperated, and coordinated to jointly agree that they shall revise the Central Europe DA CCM Proposal in accordance with the concrete amendments as presented in the document attached to this position paper before approving it. The legal basis for the direct amendments by CE NRAs lies in Article 5(6) of the ACER Regulation and in Article 9(5) of the CACM Regulation. Central Europe NRAs will issue their national decisions to approve the (revised) CE DA CCM Proposal on the basis of this agreement.

## 5. Annex

- **Proposal of the Day-Ahead Capacity Calculation Methodology of the Central Europe Capacity Calculation Region** in accordance with Articles 20ff of the Commission Regulation (EU) 2015/1222 of 24<sup>th</sup> July 2015 establishing a guideline on capacity allocation and congestion management as amended by CE NRAs.