

Order 152/2020 approving the rules for financial compensation of dispatchable resources committed for the purpose of re-dispatching or marketing in a coordinated counterpart that is not market-driven and amending some electricity rules

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Order 152/2020 approving the rules for financial compensation of non-market based resources committed for the purpose of re-dispatching or marketing in a co-ordinated counterpart

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Issuer: National Energy Regulatory Authority

Having regard to the provisions of Article 13 of Regulation (EU) 2019/943 of the European Parliament and of the Council of 5 June 2019 on the internal market in electricity and Article 35 of Commission Regulation (EU) 2015/1.222 of 24 July 2015 laying down guidelines on capacity allocation and congestion management,

Under the provisions of Art. 5 par. (1) letter c) and Art. 9 par. (1) letter h) of the Government Emergency Ordinance no. 33/2007 on the organisation and functioning of the National Energy Regulatory Authority, approved with amendments and additions by Law no. 160/2012, with subsequent amendments and additions,

the President of the National Energy Regulatory Authority shall issue the following order:

Art. 1

(1) The National Electric Energy Transport Company “Transelectrica” – S.A. grants financial compensation to market participants responsible for dispatchable units or dispatchable consumers or dispatchable storage facilities that receive and comply with provisions for growth or reduction of active power outside the balancing market in order to resolve network restrictions or ensure system safety by means of re-dispatch or through coordinated counterpart marketing.

(2) The closing date for payment of the financial compensation referred to in paragraph 1 shall be the deadline laid down in the Rules of operation and settlement of the balancing market, approved by the Order of the President of the National Energy Regulatory Authority No 61/2020 for the approval of the Regulation on the programming of dispatchable production units, dispatchable consumers and dispatchable storage facilities, the rules governing the operation and settlement of the balancing market and of the imbalances in respect of the unbalanced and the unbalanced arrangements.

(3) The unit amount of the financial compensation referred to in paragraph 1 shall be applied for electricity actually delivered related to transactions determined in accordance with the provisions of the Regulation on the operation and settlement of the balancing market, approved by the Order of the President of the National Energy Regulatory Authority no. 61/2020, expressed in lei/MWh and calculated as follows:

a) in the case of sales transactions to the National Electric Energy Transmission Company “Transelectrica” – S.A., expressed by provisions to increase the power produced or reduce consumption, the unit compensation shall be equal to:

(i) the highest of the day-ahead market closure price of that settlement interval and the value of the average unit

fuel cost of the dispatchable unit concerned, for dispatchable production units;

(ii) the day-ahead market closure price of that settlement interval for dispatchable storage facilities;

(iii) zero, for dispatchable consumers;

b) in the case of purchase transactions from the National Electric Energy Transmission Company “Transelectrica” – S.A., expressed by provisions to reduce the power produced or increase consumption, the unit compensation shall be equal to:

(i) for dispatchable units of producers of electricity from renewable energy sources beneficiaries of the support scheme with green certificates: the value of the green certificates to which the dispatchable unit would have been entitled for each MWh delivered to networks in accordance with the accreditation decision, valued at the level of the price of green certificates on the spot market at the last trading meeting or the day-ahead closing price of the respective settlement interval, if higher;

(ii) for dispatchable units consisting of high-efficiency cogeneration installations: the unit cost resulting from the reporting of the additional costs of producing heat from their own production plants separately from the production in high-efficiency cogeneration installations to the electricity corresponding to the maximum power of high-efficiency cogeneration installations or the day-ahead market closure price of that settlement interval, if higher;

(iii) for dispatchable consumers: the day-ahead market closure price of that settlement interval;

(iv) zero, for dispatchable storage facilities and dispatchable units not falling within the categories of points (i) and (ii).

Art. 2

(1) All market participants who have in operation dispatchable units within the meaning of Article 4 shall transmit to the National Electric Energy Transmission Company “Transelectrica” – S.A. all the information necessary to determine the unitary financial compensation, according to Article 1, on the fifth working day of each calendar month, to be applied in the following calendar month.

(2) In the case of dispatchable units aggregating generating units beneficiary of the support scheme with accredited green certificates to receive different numbers of green certificates per MWh, the amount of the unit financial compensation taken into account for dispatching order outside the balancing market shall be determined as a weighted average of the number of green certificates by the quantities made by the component generating groups in the month corresponding to that of the year of application previously, and the unit financial compensation actually granted shall be determined on the basis of the weighted average of the quantities broken down according to the measurements by each component group, which comprises the actual electricity delivered from transactions outside the balancing market during the month of application.

(3) By way of derogation from Article 1(3), during the first calendar month of application, the unit financial compensation shall be deemed to be zero for all dispatchable units, dispatchable consumers and dispatchable storage facilities.

Art. 3

(1) In situations where, despite the fulfilment by the National Electric Energy Transport Company “Transelectrica” – S.A. of all the tasks and actions necessary to ensure the necessary balancing resources based on market mechanisms, they are not sufficient to ensure system safety, it uses outside the balancing market, with compensation, and the remaining available capacities of the dispatchable units, the electricity consumers and the electricity storage facilities responsive to the unconditioned and the unconditioned provisions of the system, and the availability of the unconditional system.

(2) In the situations referred to in paragraph (1) the provisions of the Rules of operation and settlement of the balancing market and of the Regulation for the calculation and settlement of imbalances of the parties

responsible for balancing shall apply, approved by the Order of the President of the National Energy Regulatory Authority No. 61/2020, with the following differences:

- a) marginal prices shall only be applied for the settlement of transactions carried out on the balancing market and determined only accordingly;
- b) transactions with financial compensation outside the balancing market resulting from the dispatcher provisions on growth or reduction shall be taken into account as final transactions with the quantity determined in accordance with the applicable provisions and the price equal to the unit compensation, with a positive sign in the case of growth transactions and with a negative sign in the case of reduction transactions, thus being included in the calculation of imbalance prices and the additional costs or revenues resulting from the balancing of the system;
- c) no penalties for partial supply of balancing energy shall apply to transactions with financial compensation.

Art. 4

The programming regulation of dispatchable production units, dispatchable consumers and dispatchable storage facilities, approved by the Order of the President of the National Energy Regulatory Authority no. 61/2020, published in the Official Gazette of Romania, Part I, no. 287 and 287a of 6 April 2020, is amended and supplemented as follows:

1. In Article 6(2), paragraphs 3, 20 and 38 are amended and shall read as follows: “3. Dispatchable consumer – One or more places of consumption aggregated with orderable consumption, whose active power consumed can be modified at the disposal of OTS, a capability confirmed by OTS 20. Dispatchable storage facility – One or more aggregated storage facilities, the power of which injected into the grid and whose electricity consumption on the grid can be modified at the disposal of OTS, a capability confirmed by OTS 38. Dispatchable unit – One or more aggregated generating units, the active power of which may be modified at the disposal of OTS, capability confirmed by OTS’
2. In Article 6(2), point 17 is repealed.
3. In Article 6(2), a new point, point 381¹ is inserted after point 38 with the following wording: “381-Generating unit – A synchronous generator group or generator module in the composition of a power plant or power plant consisting of generator modules.’;
4. Article 10 shall be amended and shall read as follows:
“Art. 10
EPPs aggregating UD or CD or FDI shall assume the responsibility for balancing for transactions carried out on their behalf in a single EPR in the respective TEs.’;
5. In Article 12(1), the letter d) shall be amended and shall read as follows:
‘d) motivations and details (including the approved dispatcher request number) on the availability reductions of each UD/CD/FDI as a result of: any previous accidental stops or planned stops for maintenance, release into service before the approved deadline, the operating schedule agreed with the National Administration of Romanian Waters etc.;
6. In Article 24, after point a) a new letter, letter a1¹ is inserted, with the following wording: ‘a1) in the case of the issue by TSOs of a dispatcher outside the EP corresponding to a clearing transaction for the resolution of a network restriction; ’
7. In Article 29, point e) shall be amended and shall read as follows:
‘e) energy exchanges with other systems (export and import) shall comply with the notifications on the use of the exchange capacity allocated to the respective PRE members on each border and direction; ’

Art. 5

The Regulation on the functioning and settlement of the balancing market, approved by the Order of the President of the National Energy Regulatory Authority no. 61/2020, published in the Official Gazette of Romania, Part I, no. 287 and 287a of 6 April 2020, is amended and supplemented as follows:

1. In Article 4(1), point 12 is repealed.

2. In Article 4(1), paragraphs 26 and 27 shall be amended and shall read as follows:

“26. Rapid tertiary adjustment – Adjustment of the active powers of some UD/CD/FDI in order to restore the secondary adjustment reserve

27. Slow tertiary adjustment – Adjustment of the active powers of some UD/CD/FDI in order to restore the rapid tertiary adjustment reserve.’

3. Article 7 shall be amended and shall read as follows:

“Art. 7

Any EPP shall have the right to offer on the EP the available capacity of the UD/CD/FDI it operates. If a CD has had transactions in a previous PE market with delivery in an ID, on that ID it is no longer permitted to bid on the EP on the basis of its task.’

4. Article 21 shall be amended and shall read as follows: “Art. 21

Market participants shall have the confirmation of TSOs of the capability of the production/consumption units/storage facilities for which they are responsible and for which they wish to participate in the EP to be considered as UD/CD/ISD for the supply of balancing energy corresponding to slow, tertiary rapid tertiary regulation and/or secondary adjustment, as appropriate, on the basis of OTS qualification, certification or assimilated procedures.’

5. Article 22 shall be amended and shall read as follows:

“Art. 22

(1) Market participants who are responsible for qualified UD/CD/FDI shall register in advance as EPP if they wish to participate in the EP or if they wish to participate in the procurement process carried out by TSOs for ensuring STS in the form of balancing capacity.

(2) The EPP registration made prior to the entry into force of this Regulation shall remain valid and documents issued by TSOs confirming their technical capabilities shall remain valid until a new assessment carried out in accordance with applicable TSO procedures is made.’;

6. Article 67 shall be amended and shall read as follows:

“Art. 67

After all bids have been validated, but no later than the end of the ID, the TSOs shall transmit the validated offers to the ODPE.’;

7. Article 141 shall be amended and shall read as follows:

“Art. 141

(1) In any ID where there is equilibrium at SEN level and in order of merit to growth there is a price-quantity pair at price below the price of a price-quantity pair in order of merit at declining order, TSOs are entitled to accept these countermeasures, within the smallest quantity of these price-quantity pairs.

(2) TSOs may partially revoke the acceptance of a price-quantity pair only for the remainder of an ID if the meaning of the adjustment requirement changes during the respective ID.’;

8. After Article 143, a new Article 1431 is inserted with the following wording:

“Art. 1431

Where the TSOs find that there is no offer in the balancing market by which to replace the balancing energy lost by the cancellation of a transaction committed under the terms of Article 143 (a), it shall establish a transaction outside the EP with a DU or a CD or FDI which does not lead to the emergence of a network restriction, on the basis of the lowest financial compensation which it is required to pay, subject to compliance with the EU rules of priority dispatching and re-dispatching of the European Parliament, and not on the basis of the internal market rules laid down in Article 5 of the European Parliament, and not on the basis of the internal market rules laid down in the European Parliament.

9. Article 144 shall be amended and shall read as follows:

“Art. 144

After the conclusion of the IDs for which the TSOs carried out the operations referred to in Article 143, it

shall restore the process of establishing the transactions committed for each type of adjustment in the event that the price/quantity pair(s) had not been cancelled, marked as cancelled/undone due to a network restriction, without including transactions outside the EP with compensation, and the resulting marginal price for each type of adjustment and meaning shall be used as a marginal price for transactions engaged in accordance with the provisions of Articles 136 and 101,.’;

10. Article 145 shall be amended and shall read as follows:

“Art. 145

Each of the quantity-price pairs selected to replace the balancing energy lost as a result of the cancellation of a transaction in accordance with Article 143 and which are in addition to those resulting in Article 144 shall establish a transaction committed between the TSOs on the one hand and the EPP which has transmitted that offer, at the price specified in the price/quantity pair and the accepted quantity, which will be identified as the replacement transaction of the cancelled one; transactions carried out in accordance with Article.

1431^{shall} be identified as replacement transactions with compensation, automatically modify the approved NF of the PRE to which the relevant SU/CD/FDI is a party and are recorded separately with the committed quantity and as a price, with the corresponding unit compensation, which is assigned a positive sign in the case of rearing provisions and a negative sign for the provisions on reduction.’;

11. After Article 146, a new Article 1461 is inserted with the following wording:

“Art. 1461

If the TSOs find that there is no offer in the balancing market which would avoid network restrictions resulting from accepted NFs transmitted by the EPP, it shall establish a transaction/transactions outside the EP with UD/CD/ISD, whatever the meaning, which does not lead to/does not lead to a network restriction, on the basis of the lowest financial compensation that they have to pay to it/the latter under the conditions of compliance with the rules of priority dispatching of the European Union and the re-issuing of the internal market of the European Parliament, and the re-improvement of the internal market. each of these transactions shall be identified as the compensation transaction used to resolve network restrictions, automatically modify the approved NF of the RRP to which the respective SU/CD/FDI is a party and are recorded separately with the amount committed and the corresponding unit compensation, which is assigned a positive sign in the case of growth provisions and negative sign in case of provisions on reduction provisions.’;

12. Article 147 shall be amended and shall read as follows:

“Art. 147

After the conclusion of the ID for which the TSOs carried out the operations referred to in Article 146, it shall restore the process of establishing the transactions engaged in each type of adjustment if the marked/marked price/quantity pair(s) had not been selected as being used/used to resolve network restrictions or would not have carried out transactions identified as compensation transactions used to resolve network restrictions, and the resulting marginal price for each type of adjustment and meaning, without the price being used, shall be used in accordance with the provisions of the EP 113 and the non-return transactions.’;

13. Article 151 shall be amended and shall read as follows:

“Art. 151

Transactions committed to the EP and/or outside the EP to compensate for the resolution of network restrictions that are concluded in accordance with provisions relating to the selection of offers on the EP or the management of network restrictions and which are not cancelled in accordance with the provisions of this Regulation shall be executed by the TSOs by issuing the corresponding dispatcher provisions to the respective EPP/market participant responsible for the UD/CD/ISD in accordance with the provisions of the RET Code.’;

14. Article 152 shall be amended and shall read as follows:

“Art. 152

Compliance with the dispatcher provisions issued by TSOs is mandatory for PE participants/market participants responsible for the UD/CD/ISD concerned.”

15. Article 153 shall be amended and shall read as follows:

“Art. 153

On the first working day following the relevant delivery day, TSOs shall prepare committed transaction confirmations for all committed balancing energy transactions that have been concluded on the EP and/or outside the EP with compensation for the resolution of network restrictions. For each delivery day and for each DU, CD or FDI, as appropriate, it shall provide separate committed transaction confirmations to the EPP/market participant responsible for the relevant UD/CD/ISD.’;

16. Article 155 shall be amended and shall read as follows:

“Art. 155

In committed transaction confirmations, TSOs shall distinguish between each replacement transaction, including, where appropriate, and marking each compensatory transaction in accordance with Article 145, as well as each transaction used to resolve network restrictions in accordance with the provisions of Article 146, including, where appropriate, and marking each compensation transaction used to resolve network restrictions in accordance with the provisions of Article 146.’;

17. Article 156 shall be amended and shall read as follows:

“Art. 156

With the transmission to the EPP/market participant responsible for the UD/CD/ISD, the committed transaction confirmations shall be transmitted by the TSOs and to the ODPE. TSOs shall also transmit to the ODPE engaged transaction confirmations for each transaction in the EP that has been cancelled in accordance with the provisions relating to the resolution of network restrictions, including its marking as cancelled.’;

18. Article 185 shall be amended and shall read as follows:

“Art. 185

Subject to the conditions laid down in this Section, the TSOs shall develop detailed procedures for calculating the amounts of balancing energy to be delivered by an EPP/market participant responsible for UD/CD/ISD in accordance with committed transactions concluded on the EP/non-EP and for the calculation, on the basis of the measured values of electricity delivered/consumed by each DU, CD or FDI, of the quantities of balancing energy actually delivered by a DU, by a CD or by an ISD. TSOs shall publish these procedures and any changes thereto on their own website.’;

19. Article 186 shall be amended and shall read as follows:

“Art. 186

The amount of balancing energy to be delivered by an EPP/market participant responsible for the UD/CD/ISD shall be determined taking into account any transaction in which the respective EPP/market participant in charge of the UD/CD/FDI entered into in accordance with the transactions engaged in the committed transaction confirmations, separately for each ID and for each UD, CD or FDI, as applicable.’;

20. Article 190 shall be amended and shall read as follows:

“Art. 190

The amount of balancing energy actually delivered by a UD, a CD or an FDI shall be determined by the TSOs on the basis of NFA prior to the selection for the supply of balancing energy in the EP and/or outside the EP of UD or FDI or the net electricity consumption corresponding to the reference EP of CD, the amount of balancing energy contained in the committed transaction confirmations and the net production or net consumption of that DU, CD or ISD, after the case, The amount of balancing energy actually delivered

to each ID shall be determined separately for each DU, CD or FDI, as appropriate.’;

21. Article 192 shall be amended and shall read as follows:

“Art. 192

The quantities of balancing energy for power increase or actual power reduction delivered by a UD for tertiary adjustment within the EP and/or outside the EP with compensation shall be determined on the basis of the following rules:

- a) if on the ID respectively UD has been selected for secondary adjustment, to the amount on ID of electricity resulting from the NFA before any selection on PE//non-EP with compensation, the balance of electricity from the secondary adjustment shall be added, which shall be determined by considering all the provisions received by UD from the central frequency-power regulator as recorded;
- b) if the difference between the measured value of the electricity delivered by UD in the respective ID and the resulting value under subparagraph a) is positive and the algebraic sum of the quantities accepted in the EP for rapid and/or slow tertiary adjustment and/or disposed outside the EP with compensation in the respective ID is positive, then the lowest value of the two shall be considered as effective balancing energy delivered at growth for tertiary adjustment by UD;
- c) if the difference between the measured value of the electricity delivered by UD in the respective ID and the resulting value under subparagraph a) is positive and the algebraic sum of the quantities accepted in the EP for rapid and/or slow tertiary adjustment and/or disposed outside the EP with compensation in the respective ID is negative, then the balancing energy actually delivered at subtraction for tertiary adjustment by UD shall be considered as zero;
- d) if the difference between the measured value of the electricity delivered by UD in the respective ID and the resulting value under subparagraph a) is negative and the algebraic sum of the quantities accepted in the EP for rapid and/or slow tertiary adjustment and/or disposed outside the EP with compensation in the respective ID is positive, then the balancing energy actually delivered at growth for tertiary adjustment by UD shall be considered as zero;
- e) if the difference between the measured value of electricity delivered by UD in the respective ID and the value resulting from the provisions of point a) is negative and the algebraic sum of the quantities accepted in the EP for rapid and/or slow tertiary adjustment and/or disposed outside the EP with compensation in the respective ID is negative, then the lowest value in the mode between the two shall be considered as effective balancing energy delivered at subtraction for tertiary adjustment by UD.’;

22. Article 193 shall be amended and shall read as follows:

“Art. 193

The quantities of balancing energy for power increase or actual power reduction delivered by a tertiary adjustment CD within the EP and/or outside the EP with compensation shall be determined on the basis of the following rules:

- a) if the DI and CD have been selected for secondary adjustment, to the net electricity consumption corresponding to that of the reference EP, the balance of electricity from the secondary adjustment shall be added, which shall be determined by taking into account all the provisions received by the CD from the central frequency-power regulator, as recorded;
- b) if the difference between the measured value of the net electricity consumption of CD in the respective TE and the resulting value under subparagraph a) is negative and the algebraic sum of the quantities accepted in the EP for rapid and/or slow tertiary adjustment and/or disposed outside the EP with compensation in the respective ID is positive, then the lowest value of the two, compared in absolute value, shall be considered as balancing energy actually delivered for growth for tertiary adjustment by CD with positive sign;
- c) if the difference between the measured value of the net electricity consumption of CD in the respective TE and the resulting value in accordance with point a) is negative and the algebraic sum of the quantities accepted in the EP for rapid and/or slow tertiary adjustment and/or disposed outside the EP with compensation in the respective ID is negative, then the balancing energy actually delivered at decrease for

tertiary adjustment by CD shall be considered zero;

d) if the difference between the measured value of the net electricity consumption of CD in the respective TE and the resulting value under subparagraph a) is positive and the algebraic sum of the quantities accepted in the EP for rapid and/or slow tertiary adjustment and/or disposed outside the EP with compensation in the respective ID is positive, then the balancing energy actually delivered at growth for tertiary adjustment by CD shall be considered as zero;

e) if the difference between the measured value of the net electricity consumption of CD in the respective TE and the resulting value under subparagraph a) is positive and the algebraic sum of the quantities accepted in the EP for rapid and/or slow tertiary adjustment and/or disposed outside the EP with compensation in the respective ID is negative, then the lowest value of the two, compared in absolute value, shall be considered as balancing energy actually delivered for tertiary adjustment by CD with a negative sign.'

23. Article 194 shall be amended and shall read as follows:

"Art. 194

Where the CD is the result of aggregation of several places of consumption and has participated in the EP through an EPP involved in the aggregation, then the net consumption values referred to in Article 193 shall be determined by summing up the measured net consumption of the respective EPP offer and the net consumption corresponding to that of the EP reference shall be determined by summing up the respective consumer places'.

24. Article 195 shall be amended and shall read as follows:

"Art. 195

The quantities of balancing energy for power increase or actual power reduction delivered by an FDI for tertiary adjustment in the EP and/or outside the EP with compensation shall be determined on the basis of the following rules:

a) if the FDI or FDI has been selected for secondary adjustment at net production, considered positive, or the net consumption, considered with a negative sign, of electricity, as appropriate, from NFAs prior to any selection on PE//non-EP with compensation, algebraically the balance of electricity made in secondary adjustment, which shall be determined to be satisfied, shall be considered to have all the provisions received by FDI from the central frequency-power regulator as recorded;

b) if both the value determined in accordance with point (a) is production and the measured value of electricity is production and if:

i. the algebraic sum of the quantities accepted in the EP for rapid and/or slow and/or arranged outside the EP with compensation in the respective ID is positive and the difference between the measured value of electricity delivered by FDI and the resulting value under the provisions of point a) is positive, then the lowest value of the two algebraic amounts is considered as balancing energy actually delivered at growth for tertiary adjustment by ISD with positive sign;

ii. the algebraic sum of the quantities accepted in the EP for rapid and/or slow tertiary adjustment and/or disposed outside the EP with compensation in the respective ID is positive and the difference between the measured value of electricity delivered by FDI and the resulting value under subparagraph a) is negative, then the balancing energy actually delivered at growth for tertiary adjustment by ISD shall be considered as zero;

iii. the algebraic sum of the quantities accepted in the EP for rapid and/or slow tertiary adjustment and/or disposed outside the EP with compensation in the respective ID is negative and the difference between the measured value of electricity delivered by FDI and the resulting value under subparagraph a) is positive, then the balancing energy actually delivered at subtraction for tertiary adjustment by ISD shall be considered zero;

iv. the algebraic sum of the quantities accepted in the EP for rapid and/or slow tertiary adjustment and/or disposed outside the EP with compensation in the respective ID is negative and the difference between the measured value of electricity delivered by FDI and the resulting value under the provisions of point a) is negative, then the lowest value of the two algebraic amounts, compared in absolute value, is considered as

balancing energy actually delivered at subtraction for tertiary adjustment by ISD, with negative sign;

c) if the value determined in accordance with point (a) is production and the measured value of electricity is of consumption and if:

- i. the algebraic sum of the quantities accepted in the EP for rapid and/or slow tertiary adjustment and/or disposed outside the EP with compensation in the respective ID is positive, then the balancing energy actually delivered at growth for tertiary adjustment by FDI shall be considered zero;
- ii. the algebraic sum of the quantities accepted in the EP for rapid and/or slow tertiary adjustment and/or disposed outside the EP with compensation in the respective ID is negative, then the lowest value between it and the sum of the measured absolute value of the electricity consumed by FDI and the resulting value under the provisions of point a), compared in absolute value, is considered as effective balancing energy delivered at subtraction for tertiary adjustment by ISD with negative sign;

d) if both the value determined in accordance with point (a) represents consumption and the measured value of electricity shall be of consumption and if:

- i. the algebraic sum of the quantities accepted in the EP for rapid and/or slow tertiary adjustment and/or disposed outside the EP with compensation in that TE is positive and the difference between the measured value of the net electricity consumption of FDI and the resulting value under subparagraph a) is positive, then the balancing energy actually delivered at growth for tertiary adjustment by FDI the lowest of the two algebraic amounts with positive sign;
- ii. the algebraic sum of the quantities accepted in the EP for rapid and/or slow tertiary adjustment and/or disposed outside the EP with compensation in the respective TE is positive and the difference between the measured value of the net electricity consumption of FDI and the resulting value under subparagraph a) is negative, then the balancing energy actually delivered at growth for tertiary adjustment by FDI shall be considered zero;
- iii. the algebraic sum of the quantities accepted in the EP for rapid and/or slow and/or arranged outside the EP with compensation in the respective TE is negative and the difference between the measured value, in absolute value, of the net electricity consumption of FDI and the resulting value under the provisions of point (a) in absolute value is positive, then it is considered to be effective balancing energy delivered at subtraction for tertiary adjustment by FDI the lowest value of the two negative algebraic amounts compared to the absolute value;
- iv. the algebraic sum of the quantities accepted in the EP for rapid and/or slow and/or arranged outside the PE with compensation in the respective ID is negative and the difference between the measured value in absolute value of the electricity consumed by FDI and the resulting value under the provisions point a), in absolute value, is negative, then the balancing energy actually delivered at subtraction for tertiary adjustment by FDI shall be considered zero;

e) if the value determined in accordance with point (a) is consumption and the measured value of electricity is production and if:

- i. the algebraic sum of the quantities accepted in the EP for rapid and/or slow tertiary adjustment and/or disposed outside the EP with compensation in the respective ID is positive, then it is considered to be effective balancing energy delivered at growth for tertiary adjustment by FDI, which is the lowest of the above algebraic sum and the sum of the measured value of electricity delivered by the FDI and the value resulting under point a) with a positive sign;
- ii. the algebraic sum of the quantities accepted in the EP for rapid and/or slow tertiary adjustment and/or disposed outside the EP with compensation in the respective ID is negative and the measured value of the electricity is of production, then the balancing energy actually delivered at subtraction for tertiary adjustment by FDI shall be considered zero.'

25. Article 196 shall be amended and shall read as follows:

“Art. 196

Where the quantity corresponding to the increase in tertiary adjustment power actually delivered in an ID by a DU, a CD or an FDI, as applicable, is less than the quantity to be delivered in accordance with the provisions of Articles 192 or 193, only those transactions to deliver the power increase for tertiary adjustment quickly and/or slowly from the lowest marginal price determined in accordance with Articles 101 and 125 shall be considered to be carried out only those transactions for the delivery of the power increase for rapid and/or slow-moving transactions with the lowest marginal price determined in accordance with Articles 101 and 125 and/or price actually placed on offer for the amount of the increase in realisation.’;

26. Article 197 shall be amended and shall read as follows:

“Art. 197

Where the DU/CD/FDI concerned has also had growth transactions ordered outside the EP with compensation, the method provided for in Article 196 shall be used taking into account as a price and the corresponding unit compensation with a positive sign, determined taking into account the quantities actually delivered by each component of the DU in the case of aggregated participation.’;

27. Article 198 shall be amended and shall read as follows:

“Art. 198

Where the quantity corresponding to the power reduction actually delivered in a DUI, CD or FDI, as applicable, is less than the quantity to be delivered in accordance with the provisions of Articles 192 or 193, only those transactions to deliver the power reduction for tertiary adjustment quickly and/or slowly starting with the highest marginal price determined in accordance with Articles 113 and 136 and/or bid shall be deemed to have been carried out in the event of the actual amount of replacement transactions being carried out, or the amount of the network being effectively delivered with the corresponding amount of networking; or for the purposes of this Article only, the quantity corresponding to the power reduction shall be expressed in positive terms.’;

28. Article 199 shall be amended and shall read as follows:

“Art. 199

Where the UD/CD/FDI concerned has also had discounted transactions ordered outside the EP with compensation, the method provided for in Article 198 shall be used taking into account as a price and the corresponding unit compensation with a negative sign, determined taking into account the quantities actually delivered by each component of the DU in the case of aggregated participation.’;

29. Article 200 shall be amended and shall read as follows:

“Art. 200

The quantities corresponding to the power increase and the power reduction referred to in Articles 191 to 194 shall be expressed in MWh to 3 decimal places.’;

30. Article 201 shall be amended and shall read as follows:

“Art. 201

The quantities of balancing energy for power increase or actual power reduction delivered by a DU, CD or FDI, as appropriate, shall be considered as the balancing energy quantities related to the final transactions on the balancing market or outside the EP with compensation, together with the prices determined in accordance with Articles 196 to 199, respectively with the corresponding unit compensation.’;

31. Article 202 shall be amended and shall read as follows:

“Art. 202

The quantities and prices corresponding to the final transactions per EP and/or outside the EP with determined compensation for each ID for each DU, CD or FDI shall be transmitted monthly by the TSOs to each PPE/market participant responsible for them and to the ODPE included in the monthly EP regularisation notes provided for in Article 206, no later than 2 working days after the deadline for receiving the measured values of electricity delivered by each DU/CD/ISD established in accordance with the

measuring rules.’;

32. Article 206 shall be amended and shall read as follows:

“Art. 206

For each EPP/market participant responsible for the UD/CD/ISD, the TSOs shall draw up a monthly EP regularisation note, comprising all the balancing energy quantities that were required to be delivered according to the committed transaction confirmations and those actually delivered by that EPP/market participant responsible for UD/CD/ISD’s, as well as the corresponding marginal prices, or, in the case of transactions marked as used to resolve the relevant network restrictions, and the respective network restrictions, where the relevant network restrictions are to be resolved by the relevant network restrictions. The monthly EP regularisation note shall contain at least the following information:

- a) the amount of balancing energy to be delivered by the respective EPP/market participant responsible for the UD/CD/ISD to TSOs, determined in accordance with Articles 187 and 188; this quantity is broken down by type of balancing energy, separately for power increase and power reduction, for each committed transaction that the EPP/market participant responsible for UD/CD/ISD has concluded on the EP/outside EP with compensation during the month of delivery and for each ID of the month of delivery; For each transaction entered into, the price fixed in accordance with Articles 85, 101, 113, 125 and 136, in conjunction with the provisions of Articles 144 and 145 and/or Articles 146 and 147, where appropriate, as well as the corresponding unit compensation, as appropriate, determined in accordance with the provisions of Articles 145 and 146¹ shall be specified and in addition, Wet, CD or FDI corresponding;
- b) The amount of balancing energy that has actually been delivered by that EPP/market participant responsible for the UD/CD/ISD to TSOs resulting from the algorithm provided for in Article 191¹⁹⁵; this quantity is broken down by type of balancing energy, for each final transaction that the EPP/market participant responsible for UD/CD/ISD has concluded on the EP/outside the EP with compensation during the delivery month and for each ID of the month of delivery; for each definitive transaction it shall be specified the price, fixed in accordance with Articles 196 to 199, as appropriate, and whether it has resulted from a transaction which has been used to resolve network restrictions carried out in the EP or outside the EP with compensation and, in addition, the *corresponding DU, CD or FDI*;
- c) the information referred to in point (a), aggregated on a monthly basis on each UD, CD or FDI of the EPP, as appropriate;
- d) the information referred to in (b) aggregated on a monthly basis by each UD, CD or FDI of the EPP, as appropriate.’;

33. Article 207 shall be amended and shall read as follows:

“Art. 207

The TSOs shall transmit the EPP/market participants responsible for the UD/CD/ISD the monthly regularisation notes on the EP referred to in Article 206, within 2 working days of receipt of the measured values.’;

34. Article 208 shall be amended and shall read as follows:

“Art. 208

Each EPP/market participant responsible for UD/CD/ISD shall verify the monthly EP regularisation notes referred to in Article 206 and, if it finds non-conformities with the applicable provisions and/or measured values and/or erroneous calculations, shall submit to TSOs within one working day of receipt reasoned complaints on the monthly regularisation notes.’;

35. Article 209 shall be amended and shall read as follows:

“Art. 209

The TSOs shall analyse the challenge of the EPP/market participant responsible for the UD/CD/ISD and

respond to it, reasoned, within one working day of receipt, by refocusing the calculations and correcting the incorrect monthly regularisation notes.”

36. Article 210 shall be amended and shall read as follows:

“Art. 210

The TSOs shall transmit to the EPP/market participant responsible for the UD/CD/ISD corresponding the monthly EP regularisation note provided for in Article 206, which shall contain the corrections resulting from the analysis of the complaints received, and to the ODPE all monthly regularisation notes within the time limit laid down in Article 209; for the EPP/market participants responsible for UD/CD/FDI that have not submitted any complaints, the monthly regularisation notes submitted to the original deadline shall be deemed valid.’

37. Article 212 shall be amended and shall read as follows:

“Art. 212

Separately for each calendar day of the delivery month and for each EPP, the ODPE shall determine the amount of the daily amounts payable and separately of those receivables corresponding to the final EP electricity transactions of that EPP as follows:

$$DZI_d = \sum_{j=1}^{NID} (\sum_{t=1}^{NID} p_{i,t} * q_{i,t}), \text{ respectiv } OZP_d = \sum_{s=1}^{NID} (\sum_{s=1}^{NID} p_{i,s} * q_{i,s}),$$

where:

- DZI_d represents the value of daily collection rights/daily payment obligations for day d from definitive growth transactions following participation in the EP;
- OZP_d represents the value of daily payment obligations/daily collection rights for day d from definitive discount transactions following participation in the EP;
- $PI_{i,t}$ is the marginal/offered price for the final transaction t for the supply of growth balancing energy by the EPP in Id_i day d , determined in accordance with Article 196;
- $PI_{i,s}$ is the marginal/offered price for the final transaction s for the supply of equilibration energy at reduction by the EPP in Id_i day d , determined in accordance with Article 198;
- $Q_{i,t}$ means the quantity of balancing energy actually delivered on growth by the EPP under the EP resulting from the algorithm provided for in Articles 191 and 192 or Articles 193 and 194 or Article 195 in the final transaction t for the supply of balancing energy in Id_i day d , in accordance with the monthly EP regularisation note provided for in Article 206 transmitted by TSOs;
- $Q_{i,s}$ means the quantity of balancing energy actually delivered on EPP reduction resulting from the algorithm provided for in Articles 191 and 192 or Articles 193 and 194 or Article 195 in the final transaction s for the delivery of balancing energy in Id_i day d , in accordance with the monthly EP regularisation note provided for in Article 206 transmitted by TSOs;
- NID is the ID number on day d .’

38. Article 214 shall be amended and shall read as follows:

“Art. 214

For each ID in which, according to the monthly EP regularisation note referred to in Article 206, the quantity actually delivered per EP is less than the quantity to be delivered to the EP, the EPP which is responsible for the respective DU/CD/FDI concerned/is a penalty for the partial supply of balancing energy, P(lei), calculated separately for the energy not delivered on growth or reduction, as follows:

$$P_{d,i}^{cres} = k_{d,i}^{cres} * q_{d,i}^{ech,nelivrat}$$

$$P_{d,i}^{red} = k_{d,i}^{red} * | q_{d,i}^{ech,nelivrat} |,$$

where:

- $k_{d,i}^{cres}, k_{d,i}^{red}$ – the specific penalty applied for the partial delivery of balancing energy on day d and in IDi, on growth and reduction respectively;
- $QD, i_{ech, not delivered}$ — undelivered balancing energy equal to the difference between the electricity to be delivered to the EP in IDi since day d, determined by summing up the quantities determined in accordance with Articles 187 and 188, provided for in the monthly adjustment note on the EP in accordance with Article 206 and the electricity actually delivered to the EP on day d by UD or CD, as determined by the summation of the quantities determined in accordance with Articles 191 and 206 and and of the provisions of Articles and and, and.’;

39. In Article 217, letters a) and d) are amended and shall read as follows:

A) the monthly situation regarding the amount of balancing energy delivered by the EPP to TSOs, broken down by type of balancing energy, separately for power increase and power reduction, as well as the corresponding values;

the penalties to be paid by the respective EPP for the partial delivery of the balancing energy to the EP, separately for each ID of each calendar day of the month of delivery and summed separately for each day of the month of delivery, determined in accordance with Article 214.

Art. 6

The Regulation on the calculation and settlement of imbalances of the parties responsible for balancing, approved by the Order of the President of the National Energy Regulatory Authority no. 61/2020, published in the Official Gazette of Romania, Part I, No. 287 and 287a of 6 April 2020, is amended and supplemented as follows:

1. In Article 4 paragraph (1), paragraphs 25 and 27 shall be amended and shall read as follows:

“25. Committed transaction – Transaction established between TSOs and an EPP by accepting by TSOs an offer made by the EPP respectively on the EP for a UD/a CD/CD/ISD it operates, at the marginal price or, in the case of those used to resolve network restrictions, the one specified in the accepted price/quantity pair and for the quantity accepted, according to the provisions of the EP Regulation; for simplification, this Regulation also corresponds to the expected result of a dispatcher provision outside the EP with financial compensation 27. Final transaction – Transaction established between TSOs and an EPP after determining the quantity actually delivered in an ID by UD/CD/ISD whose tender had been accepted by the TSOs, by modifying the quantity of the corresponding committed transaction and bringing it to the level of the actual delivered and by setting the price in accordance with the rules of the EP Regulation; for simplification, this Regulation also corresponds to the actual result of a dispatcher provision outside the EP, with financial compensation.’

2. In Article 4(1), a new point, point 281· is inserted after point 28 with the following wording:

“281·Replacement transaction – Transaction committed by TSOs on or outside the EP with compensation,

by which it replaces the balancing energy lost due to the cancellation of a transaction committed to the EP that would have led to the emergence of a network restriction’

3. In Article 4(1), paragraphs 29 and 30 shall be amended and shall read as follows:

“29. Transaction used to resolve a network restriction – Transaction committed by TSOs to the EP or outside the EP with compensation, which avoids the emergence of a foreseeable network restriction following the analysis of physical notifications submitted by the EPP related to the availability of network elements, regardless of the meaning of the SEN imbalance in the TIs concerned. 30 Virtual transaction – Transaction/Transactions that would have been concluded/completed on the basis of the offer(s) on the merit order of the respective ID, in addition to those registered in the EP system, if an offer marked as used to resolve network restrictions in accordance with the provisions of the EP Regulation would not have been accepted in advance.’

4. After Article 80, a new Article 801 is inserted with the following wording:

“Art. 801

Definitive replacement or used to resolve network restrictions concluded by TSOs outside the EP with compensation are contractual obligations that are dealt, for the purpose of determining PRE imbalances, similar to the contractual obligations on the EP of the respective DU/CD/FDI participant.’;

5. Article 88 shall be amended and shall read as follows:

“Art. 88

The amounts notified shall correspond to contractual commitments which market participants have assumed prior to the TE and/or following the conclusion of final transactions on the EP and/or those outside the final EP with compensation for the purpose of resolving the network restrictions and/or the energy transfer of transactions made on each market on account of consumption, and measured values shall be considered to be the production, consumption and exchanges that have taken place physically during the TI.’.

6. In Article 92, paragraph 1 shall be amended and shall read as follows:

“Art. 92

(1) The determination of the notified net contractual position of each PRE is based on all contractual exchanges of electricity notified as SBs established with other RPs, including transactions carried out through SIP and PI, import and/or export transactions in this context which have in this context the significance of contractual exchanges with PRE-SN, as well as the final transactions of the EPP on the EP and the final ones with compensation concluded by OTS outside the EP for the resolution of network restrictions. The transfer of energy between the supplier of a consumer and the aggregator that trades energy in any market on its behalf shall be notified as SB between the corresponding ERPs in accordance with the provisions of the PD Regulation and this Regulation and shall be based on a binding contract between them, at the electricity price corresponding to the respective IDs laid down in the supply contract, which does not contain the value of network and system tariffs, contributions/bonuses of any type, green certificates and any fees and excise duties applied by the supplier.’;

7. In Article 94, after the letter d) a new letter, letter d1) is inserted, with the following wording:

‘d1) The amounts of electricity actually delivered on power increase by a market participant’s UD/CD/ISD, corresponding to the final transactions committed by TSOs to resolve network restrictions outside the EP, with compensation determined in accordance with the provisions of the EP Regulation.’;

8. In Article 94, after the letter e) a new letter, letter e1) is inserted, with the following wording:

‘e1) The quantities of electricity actually delivered at power reduction by the UD/CD/ISD of a market participant corresponding to the definitive transactions committed by TSOs to resolve network restrictions outside the EP determined in accordance with the provisions of the EP Regulation.’;

9. Article 95 shall be amended and shall read as follows:

“Art. 95

For each PRE, the ODPE shall determine separately for each ID:

a) the net contractual position PN_{contr} of a PRE, other than PRE-SN, with the formula:

$PN_{contr} = (2 SBlivr - 2 SBprim) + (\Delta EX - 2 IM) + (2 Ecresech - 2 Eredech) + (\pi Ecrescompens - \wedge$
 I'm teaching you)
 compensated

b) PRE-SN's net contractual position, with the formula:

$PN_{contr} = (\pi EX - 2 IM) + (EaPzu/PI - Evpzu/PI)$, where:

PN_{contr} is the net contractual position of the PRE;

$SBlivr$ is SB which the PRE notified as sales to another PRE in accordance with the provisions of the PD Regulation;

$SBprim$ is SB which the PRE notified as acquisitions from another ERP, in accordance with the provisions of the PD Regulation;

$Ecresech/Eredech$ is the quantities of balancing energy actually delivered upon growth/reduction of power in the EP by the EPP, for which the ERP has assumed responsibility for balancing according to their final EP transactions;

$Ecrescompens/Ered$ Compens are the quantities of electricity actually delivered on growth/power reduction outside the EP with compensation for the settlement by TSOs of network restrictions by the market participant for which the ERP has assumed responsibility for balancing; $EaPZU/PI/EvPZU/PI$ is the electricity purchased/sold by TSOs on PZU and/or PI for the insurance/delivery of electricity related to the return of damage aid/unplanned exchanges granted/received in previous periods or to the delivery/receiving of damage aid;

Ex is the exports of PRE NFs other than those related to compensation/return/granting programmes for unplanned damage aid/changes; The pre-SN comprises in NF all notified exports of all other RRP in the national tendering area as well as those resulting from notified transits, and from the implementation of the imbalance compensation process, export through this process, resulting from the integration of all positive correction values determined by the regional IT platform to compensate for imbalances;

Im means imports covered by the NF of the RRP other than those related to compensation/refoules/return/receiving of unplanned damage aid/changes; The pre-SN shall include in NF all notified imports of all other RRP in the national bidding area as well as those resulting from notified transits, and from the implementation of the imbalance compensation process, the import through this process, resulting from the integration of all negative correction values determined by the regional IT platform to compensate for imbalances.'

10. Article 97 shall be amended and shall read as follows:

"Art. 97

The quantities contracted shall be expressed in MWh to 3 decimal places.'

11. Article 105 shall be amended and shall read as follows:

"Art. 105

The measured deliveries relating to each ID shall be expressed in MWh to 3 decimal places.'

12. Article 113 shall be amended and shall read as follows:

"Art. 113

The system imbalance on each ID shall be determined as follows:

- the aggregate amount corresponding to the power reduction that has actually been delivered in this TE, both on the EP and outside the EP with compensation, plus $k \Delta f$, if it means power reduction,
- minus the aggregate amount corresponding to the power increase that has actually been delivered in this TE, both on the EP and outside the EP with compensation, plus $k \Delta f$, if it means power increase,
- minus the value of unplanned exchanges with all interconnected external parts, where $k \Delta f$ is the estimation of the primary adjustment activated in the ID.'

13. In Article 119, point a) shall be amended and shall read as follows:

'a) costs corresponding to final transactions which have been concluded on or outside the EP with compensation as a consequence of the cancellation of a previous transaction in the order of merit, marked as

cancelled for the resolution of a network restriction or, where appropriate, concluded on the EP or outside the EP with compensation and marked as being used for the management of network restrictions; ’

14. In Article 120(1), point b) shall be amended and shall read as follows: ‘b) the final transactions concluded on or outside the EP with compensation as a consequence of the cancellation of a transaction due to a network restriction referred to in Article 119 a) shall be additional definitive transactions marked as replacement, highlighted following the recovery of the process of establishing the transactions committed to each type of adjustment in the event that the TSOs would not have annulled the price/quantity pair(s) marked/marked as being cancelled/annulled for the purpose of resolving the network restrictions and the replacement of the EPP/non-regulation Regulations.’;

15. In Article 120, paragraph 2 shall be amended and shall read as follows:

“(2) For situations where in a TE there are definitive transactions marked as used for the management of network restrictions or compensation transactions used to resolve network restrictions outside the EP, the avoided costs referred to in Article 119 b) shall be the consideration of the offers that would have resulted in committed transactions marked as virtual, additional to those registered in the EP system and which are highlighted following the re-establishment of the process of establishing the transactions committed to each type of network under which the OTS would not be used in accordance with the price-restrictions of the EP/network rules.’

16. Article 121 shall be amended and shall read as follows:

“Art. 121

The ODPE shall determine the cost surplus resulting from the management of network restrictions, separately for each ID during the month of delivery, with the formulas:

A) $SCCon, i = (q_i, jDefCres' \text{ instead } * p_i, jDefCres^{inloc}) - (q_i, kAngajCres, year * p_i, kAngajCres, Year)$ which applies in situations where tenders selected for growth have been cancelled because it would have created a

network restriction,

where:

- $SCCon, i$ is the cost surplus resulting from the management of network restrictions in Idi ;
- $Q i, j DefCres' \text{ instead}$ represents the quantity corresponding to each definitive transaction j for the provision of power increase in Idi , identified as the replacement transaction of cancelled transactions engaged in growth in Idi , or the amount corresponding to each definitive transaction j for the provision of power increase in Idi , identified as a compensatory replacement transaction, in accordance with the provisions of the EP Regulation;
- $P_i, j DefCres' \text{ instead}$ is the price of the bid-price pair corresponding to the final transaction j for the provision of power increase in Idi , identified as the replacement transaction of cancelled transactions engaged for growth in Idi , or the unit compensation corresponding to each definitive transaction j for the provision of power increase in Idi , identified as a replacement transaction with compensation, in accordance with the provisions of the EP Regulation;
- $Q i, k AngajCres' Year, p_i, k AngajCres, The year$ represents the quantity, i.e. the marginal price, corresponding to transactions committed k to provide power growth in Idi , marked as cancelled due to a network restriction, in accordance with the provisions of the EP Regulation; And/or b) $SCCon, i = (q i, l DefCres' Con*, L DefCres, Con) - (q i, mVirtCres * p^i, mVirtCres)$,

which applies in situations where tenders selected for growth have been marked as used for the management of network restrictions and/or where TSOs established outside the EP growth transactions with compensation used to resolve network restrictions, where:

- $Q i, l DefCres' Con, p_i, l DefCres, Con$ is the quantity and price corresponding to the definitive transactions l for the provision of power increase in Idi marked as used for the management of a network restriction or the quantity and unit compensation corresponding to each final transaction j for the provision of power increase in Idi , identified as a transaction marked as used outside the EP to resolve a network restriction with compensation, in accordance with the provisions of the EP Regulation;

- $Q_{i, m}^{VirtCres}$ is the quantity corresponding to transactions identified as virtual m to provide power growth in Idi, which would have been completed in addition to those registered in the EP system, highlighted in accordance with the provisions of the EP Regulation;
- $PI_{i, m}^{VirtCres}$ is the marginal price resulting from the recovery of the process of establishing the transactions committed to each type of adjustment if the TSOs had not selected the marked/marked price/quantity pair(s) as being used/used to resolve network restrictions, used as a marginal price for committed transactions, and/or would not establish outside the EP compensation transactions used to resolve network restrictions.

All quantities shall be considered as positive values, expressed in MWh, to 3 decimal places.'

17. Article 122 shall be amended and shall read as follows:

"Art. 122

The ODPE determines the revenue gap resulting from the management of network restrictions, separately for each Idi during the delivery month, with the formulas:

A) $DVCon_i = (q_{i, j}^{DefRed} \cdot instead * p_{i, j}^{DefRed, instead}) - (q_{i, k}^{AngajRed, Year} * p_{i, k}^{AngajRed, Year})$ which applies if selected offers at discount have been cancelled because it would have created a network restriction,

where:

- $DVCon_i$ is the revenue gap arising from the management of network restrictions in Idi;
- $Q_{i, j}^{DefRed, instead}$ is the quantity corresponding to the definitive transactions j for the provision of power reduction in Idi, identified as the replacement transaction of cancelled transactions committed at discount in Idi, or the amount corresponding to the definitive transactions j identified as a substitute for the provision of power reduction in Idi, in accordance with the provisions of the EP Regulation;
- $PI_{i, j}^{DefRed, instead}$ represents the price-quantity pair of the offer corresponding to the final transaction j for the provision of power reduction in Idi, identified as the replacement transaction of cancelled transactions committed at discount in Idi, or the unit compensation, considered with the minus sign, corresponding to the definitive transactions identified as a substitute for the provision of power reduction in Idi, in accordance with the provisions of the EP Regulation;
- $Q_{i, k}^{AngajRed, Year}$ and respectively $p_{i, k}^{AngajRed, Year}$ represents the quantity, i.e. the marginal price, corresponding to transactions committed k for the provision of power reduction in Idi, marked as cancelled due to a network restriction, in accordance with the provisions of the EP Regulation; And/or b) $DVCon_i = (q_{i, l}^{DefRed, Con} * p_{i, l}^{DefRed, Con}) - (q_{i, m}^{VirtRed} * p_{i, m}^{VirtRed})$, which applies in situations where selected discount offers have been marked as used for the management of network restrictions and/or where TSOs established outside the EP discount transactions with compensation used to resolve network restrictions, where:

- $Q_{i, l}^{DefRed, con}$, $p_{i, l}^{DefRed, con}$ is the quantity, i.e. the price, corresponding to the definitive transactions l for the provision of power reduction in Idi, marked as used for the management of a network restriction, and/or the unit compensation, respectively, considered with the minus sign, corresponding to each definitive transaction j for the provision of power reduction in Idi, identified as a compensation transaction used to resolve network restrictions, in accordance with the provisions of the EP Regulation;
- $Q_{i, m}^{VirtRed}$ is the quantity corresponding to transactions identified as virtual m for the provision of power reductions in Idi, which would have been completed in addition to those registered in the EP system, resulting in the provisions of the EP Regulation;
- $PI_{i, m}^{VirtRed}$ is the marginal price resulting from the recovery of the process of establishing committed transactions on each type of adjustment if the TSOs had not selected the marked/marked price/quantity pair(s) as being used/used to resolve network restrictions, used as a marginal price for committed transactions, and/or not established outside the EP compensation transactions used to resolve network

restrictions.

All quantities shall be considered as positive values, expressed in MWh, to 3 decimal places.'

18. Article 123 shall be amended and shall read as follows:

"Art. 123

No later than the deadline at which OTS transmits the measured values of the measured net positions of the ERPs to the ODPE under the Measurement Rules, the OTS shall transmit to the ODPE separately for each ID the details of all virtual transactions referred to in Articles 121 and 122, determined in accordance with the EP Regulation, those of the transactions cancelled for the resolution of network restrictions, those of the definitive replacement transactions used for the compensation.';

19. In Article 125, paragraph 1 shall be amended and shall read as follows:

"Art. 125

(1)The ODPE shall determine the costs for balancing the system, separately for each Idi during the month of delivery, with the formula:

$$CEchSist,i = 2 (q_{i,j}Cres * p_{ij}Cres) + CMCD,imp - SCCon,$$

where:

- CEchSist,i is the costs for balancing the system in Idi, used under this name and in cases where they have a negative value;
- $Q_{ij}Cres^{is}$ the amount of energy actually delivered corresponding to the final transaction j for the provision of power increase in Idi, including, where appropriate, the amount of energy actually delivered corresponding to definitive growth transactions concluded outside the EP with compensation for the resolution of network restrictions highlighted as used or replacement; $QyCres^{will}$ be considered as a positive value in MWh to 3 decimal places;
- $P_{ij}Cres^{is}$ the price for the final transaction j for the provision of power increase in Idi, including, where appropriate, the unit compensation corresponding to definitive growth transactions concluded outside the EP with compensation for the resolution of network restrictions highlighted as used or replacement;
- $CMCD,imp^{represents}$ the costs resulting from the rules of the imbalance compensation mechanism, after its implementation, in Idi.

20. Article 126 shall be amended and shall read as follows:

"Art. 126

The ODPE shall determine the revenue resulting from the balancing of the system, separately for each Idi during the month of delivery, with the formula:

$$VEchSist,i = (q_{i,x}Red * P_{i,x}Red) + VMCD,ieXp - DVCon' i,$$

where:

- VEchSist,i is revenue from the system balancing in Idi, used under this name and in cases where they have a negative value;
- $Q_{i,x}Red^{is}$ the amount of energy actually delivered corresponding to the final transaction x for the provision of power reduction in Idi, including, where appropriate, the amount of energy actually delivered corresponding to final discount transactions concluded outside the EP with compensation for the resolution of network restrictions highlighted as used or replacement;
- $PI_{i,x}Red^{is}$ the price for the final transaction x for the provision of power reduction in Idi, including, where appropriate, the unit compensation, considered with the minus sign, corresponding to definitive discount transactions concluded outside the EP with compensation for the resolution of network restrictions highlighted as used or replacement;

$VMCD, iexp^{represents}$ incomes resulting from the rules of the imbalance compensation process, after its implementation, in Idi."

21. Article 127 shall be amended and shall read as follows:

“Art. 127

After determining the costs and revenues resulting from the balancing of the system, the ODPE shall determine the actual costs of balancing the system, separately for each Idi during the month of delivery, with the formula:

$$CEEchSist,i = 2 (q_{i,j}Cres * p_{ij}Cres) - 2 (q_{i,x}Red * p^i_{/ed}) + CMCD,imp - VMCD \cdot iexp - CCon,i,$$
where:

- CEEchSist,i represents the actual costs of balancing the system in Idi;
- CCon,i shall represent the costs for the management of the network restrictions for Idi determined in accordance with Article 124.’;

22. Article 132 shall be amended and shall read as follows:

“Art. 132

If TSOs have ordered the delivery of power growth in an ID, the price for energy deficit in this Idi is determined with the formula:

$PDefi = CEchSisti / (^{q_{ij}Cres})$, where:

- PDefi is the price for energy deficit in Idi;
- CEchSist,i shall represent the costs for balancing the system in Idi, determined in accordance with Article 125;
- $Q_{ij}Cres^{is}$ the quantity actually delivered, corresponding to the final transaction j for the provision of power increase in Idi; $QyCres^{is}$ considered as a positive value, expressed in MWh, to 3 decimal places.’

23. Article 134 shall be amended and shall read as follows:

“Art. 134

Where TSOs have ordered the delivery of power reductions in an ID, the price for excess energy in this Idi shall be determined with the formula:

$PExci = VEchSisti / (\pi q_{ij}Red)$, where:

- PExci is the price for excess energy in Idi;
- The VEchSist represents the income resulting from the balancing of the system in Idi, determined in accordance with the provisions of Article 126;
- $Q_{ij}Red^{is}$ the quantity actually delivered, corresponding to the final transaction j for the provision of power reduction in Idi; $QyRed^{is}$ considered as a positive value, expressed in MWh, to 3 decimal places.’

Art. 7

The commercial rules on the collection, processing and transmission of measured values of electricity, approved by the Order of the President of the National Energy Regulatory Authority no. 62/2020, published in the Official Gazette of Romania, Part I, no. 271 of 1 April 2020, are amended as follows:

1. Article 2 shall read as follows:

“Art. 2

These rules set out the framework for collecting, summing up and transmitting the data necessary to determine payment obligations/receiving rights related to EP transactions and payment obligations related to provisions with financial compensation established outside the EP, imbalances of market participants and imbalances aggregated at ERP level and redistribution of additional costs or revenues on the EP, based on VM/VMA.

2. Article 10(1) shall read as follows:

“Art. 10

(1) ON shall transmit to the PPE/OR in law and to non-registered market participants as EPP responsible for

UD/CD/ISD which are located in the area of responsibility of the OM and whose identification data are transmitted to OM by OTS, as well as to OMEPA, as the data is available, UD/CD/ISD related securities on each ID within 4 working days from the beginning of the month following delivery.’

Art. 8

The programme for implementing the necessary measures to ensure settlement conditions within 15 minutes, approved by the Order of the President of the National Energy Regulatory Authority no. 63/2020, published in the Official Gazette of Romania, Part I, no. 269 of 31 March 2020, is amended as follows:

In point 12, the field ‘Measure’ shall be amended and shall read as follows:

“Implementation of changes to determine the single settlement price of PRE imbalances and for the establishment of payment obligations/receiving rights, at national level, related to transactions in electricity carried out by balancing service providers”

Art. 9

The Company Operator of the Electric Energy and Natural Gas Market “OPCOM” – S.A. and the National Electric Energy Transport Company “Transelectrica” – S.A. updates and/or elaborates its own operational procedures for the implementation of the provisions of this Order and forward them to the National Energy Regulatory Authority for information.

Art. 10

Economic operators in the electricity sector, National Energy Transmission Company Electrical “Transelectrica” – S.A. and the Company Operator of the Electric Energy and Natural Gas Market “OPCOM” – S.A. comply with the provisions of this order.

Art. 11

The specialised directorates of the National Energy Regulatory Authority shall follow the observance of the provisions of this Order.

Art. 12

This order shall be published in the Official Gazette of Romania, Part I, and shall enter into force on 1 September 2020.

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President of the National Energy Regulatory Authority,

Dumitru Chirita

Published in the Official Gazette No. 779 of 26 August 2020