

Order 127/2021 approving the Regulation on clauses and conditions for balancing service providers and for frequency stabilization reserve providers and the Regulation on clauses and conditions for parties responsible for balancing and for amending and repealing orders of the President of the National Balancing Service Energy Regulation

Order 127/2021 of 2021.12.17 Status: Acts in force Version from: 17 December 2021 Year

Come into force:

December 17, 2021 An

Order 127/2021 approving the Regulation on the terms and conditions for balancing service providers and balancing service providers frequency stabilization reserve and the Regulation on the terms and conditions for the parties responsible for balancing and for amending and repealing orders of the President of the National Regulatory Authority in Energy field

Date of document: 8-Dec-2021

Issuer: National Energy Regulatory Authority

*) ATTENTION! According to art. 7, this order enters into force on the date of publication and shall apply from October 1, 2022, except for art. 3 and 4, which shall apply from the date of entry into force.

Considering the provisions of art. 5 para. (4) lit. c), of art. 16, of art. 17 para. (1) and of art. 18 of Regulation (EU) 2017 / 2.195 of the Commission of 23 November 2017 establishing a guideline on balancing the electricity system, as well as of art. 6 para. (4) lit. f) and g), of art. 154 paragraph (4), of art. 158 and of art. 159 of Regulation (EU) 2017 / 1,485 Decision of 2 August 2017 establishing a guideline for the operation of the electricity transmission system,

Pursuant to the provisions of art. 5 para. (1) lit. c) and of art. 9 para. (1) lit. h) of the Government Emergency Ordinance no. 33/2007 on the organization and functioning of the National Energy Regulatory Authority, approved with amendments and completions by Law no. 160/2012, with subsequent amendments,

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

Article 1

It is approved Regulation on terms and conditions for balancing service providers and frequency stabilization reserve providers, provided in annex no. 1 which is an integral part of this order.

Article 2

It is approved Regulation on terms and conditions for balancing parties, provided in annex no. 2 which is an integral part of this order.

Article 3

(1) For the period December 1, 2021-September 1, 2022, the imbalance settlement operator responsible for balancing shall make monthly simulations for the calculation of the settlement of imbalances of the parties responsible for balancing resulting from the application of the provisions of the regulation provided in art. 2.

- (2) For the period provided in par. (1), the information related to the final final imbalance prices, the final deficit and surplus prices, the value imbalances for each settlement interval of the parties responsible for balancing and the additional revenues / costs from balancing the system calculated according to the provisions of art. 2 shall be transmitted by the imbalance settlement operator to the parties responsible for balancing to the National Energy Regulatory Authority and to the transmission and system operator, and to the parties responsible for balancing the information on their settlement, by e-mail, by the end the calendar month following the month of delivery.
- (3) When applying the provisions of art. 168 para. (1) of the Regulation for the calculation and settlement of imbalances of the parties responsible for balancing - single imbalance price, approved by the Order of the President of the National Energy Regulatory Authority no.213/2020, published in the Official Gazette of Romania, Part I no. 1201 and 1201 bis of 9 December 2020, with subsequent amendments and completions, ODDPRE verifies the closing of the electricity balance, corresponding to final transactions on the EP, with PRE imbalances, with the volume of unintended exchanges, with the volume of planned energy exchanges as a result of dedicated European platform, with the volume of planned energy exchanges due to frequency stabilization, with the volume of planned energy exchanges due to the period of balance change, transmitted by TSO to ODDPRE, including the quantities of electricity delivered by production capacities / electricity storage facilities during the trial period.

Article 4

The technical qualification procedure for the provision of system services, approved by the Order of the President of the National Energy Regulatory Authority no. 89/2021, published in the Official Gazette of Romania, Part I, no. 716 and 716 bis of July 21, 2021, is amended as follows:

1. Article 9 is amended to read as follows:

"Article 9

In order to ensure the operational safety of SEN, TSO has the right to exclude generating units, consumables with controllable consumption, storage facilities belonging to a GFR from the technical qualification process for the supply of RSF or for one or more reserves of balancing on the basis of technical arguments, such as the geographical distribution of GFR components. "

2. In Article 33, letter a) and the value of the parameter "Maximum value of RRFa" in table no. 1 - The characteristic standard parameters and their values for RRFa are modified and will have the following content:

"a) the activation of the RRFa at the control of the central frequency-power regulator is shown in figure no.

2;.....

Maximum value of RRFa	9999 MW
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"

3. In Article 38, letter a), introductory part, the explanation of figure no. 3 and table no. 2, as well as letter d) are amended and will have the following content:

"a) the activation of the RRFm is shown in Figure 3, in

which:

- - Pmax - maximum active power, if any, is:

- the active installed power specified in the CfR or ATR of the generating unit, of the place of consumption with controllable consumption, of the storage installation when the UFR consists of one / only one generating unit / place of consumption with controllable consumption / installation storage;

- the sum of the installed active powers, specified in CfR or ATR, calculated in positive and negative direction, respectively, depending on the generating / consuming character of the generating units, of the consumption places with controllable consumption and of the storage installations that compose a UFR, respectively a GFR qualified on the basis of the individual qualification of the generating units / places of consumption with controllable consumption / component storage installations;

- the sum of the installed active powers specified in CfR or ATR, calculated in positive and negative direction, respectively, depending on the generating / consuming character of the generating units, of the consumption places with controllable consumption and of the storage installations that compose a UFR, respectively a GFR qualified based on the set of generating units / places of consumption with controllable consumption / component storage installations;

- - DeltaP - active power, activated during 12.5 minutes representing the value of RRFm;

- - to - time to request RRFm activation;

- t1 - the initial delay called the preparation time having a value specific to the UFR / GFR structure (specific to the type of generating units / consumption places with controllable consumption / component storage facilities contained) and fulfilling the condition $t1 + t2 \leq 12.5$ minutes;
- t2 - power variation time;
- t3 - full activation time (TAC) of maximum 12.5 minutes;
- tit - delivery time of at least 5 minutes;
- td - RRFm deactivation time;
- z - reserve mobilization tolerance (in active power response) of $\pm 5\%$ of P_n for synchronous generators, respectively $\pm 5\%$ P_{MAX} for generating modules if it is less than 20 MW, of $\pm 2\%$ P_n or $\pm 2\%$ P_{MAX} if it is greater than and equal to 20 MW and less than 100 MW and $\pm 1\%$ P_n or $\pm 1\%$ P_{MAX} if it is greater than or equal to 100 MW.

Table no. 2 - Standard characteristic parameters and their values for RRFm

Activation mode	Manual
Preparation time	specific value of the UFR / GFR structure (specific to the type of generating units / places of consumption with consumption controllable / component storage facilities contained), provided that the sum of the preparation time and the power variation time ≤ 12.5 minutes
Power variation time	≤ 12.5 minutes, provided that the sum between the preparation time and the power variation time ≤ 12.5 minutes
Full activation time (TAC)	12.5 minutes
Deactivation time	≤ 12.5 minutes
Minimum value of RRFm	1 MW
Granularity	1 MW
Maximum value of RRFm	9999 MW
Minimum delivery time	5 minutes
Maximum delivery time of the maximum quantity required	15 minutes for scheduled activation
	30 minutes for direct activation
Minimum time between a deactivation and a successive activation	Determined by the ESF

d) UFR or GFR providing RRFm, respectively, may have a delay ($t1$) in activating the reserve which must meet the condition that the sum of the load variation time ($t2$) is less than or equal to the value of 12.5 minutes (the full activation time value). "

Article 5

- (1) The economic operators in the electricity sector carry out the provisions of this order.
- (2) In the period between the date of entry into force and the date of application of this order, the National Electricity Transmission Company "Transelectrica" - SA shall submit a report to the National Energy Regulatory Authority no later than the 10th day of each month regarding the stage of evolution of the implementation process of this order.

Article 6

The specialized directorates within the National Energy Regulatory Authority follow the observance of the provisions of this order.

Article 7

- (1) This order shall be published in the Official Gazette of Romania, Part I, shall enter into force on the date of publication and shall apply from October 1, 2022, except for art. 3 and 4, which shall apply from the date of entry into force.
- (2) On October 1, 2022, the following shall be repealed:
- a) Articles 1-3, 6, 9 and 15 of the Order of the President of the National Energy Regulatory Authority no. 213/2020 for approving the Regulation for calculating and settling imbalances of the parties responsible for balancing - single imbalance price and for amending some orders of the President of the National Energy Regulatory Authority, published in the Official Gazette of Romania, Part I, no. 1,201 and no. 1,201 bis of December 9, 2020, with subsequent amendments and completions;
 - b) Articles 1-3 and 8 of the Order of the President of the National Energy Regulatory Authority no. 152/2020 for approving the rules for financial compensation of dispatchable resources employed for the purpose of redispatching or trading in a coordinated counterpart that is not based on the market and for amending some rules in the field of electricity, published in the Official Gazette of Romania, Part I, no. 779 of August 26, 2020, with subsequent amendments;
 - c) Order of the President of the National Energy Regulatory Authority no. 61/2020 for approval Regulations for the dispatch of dispatchable production units, dispatchable consumers and dispatchable storage facilities, a Balancing market operation and settlement regulations and Regulation for the calculation and settlement of imbalances of the parties responsible for balancing, published in the Official Gazette of Romania, Part I, no. 287 and 287 bis of April 6, 2020, with subsequent amendments and completions;
 - d) Order of the President of the National Energy Regulatory Authority no. 21/2007 on approval The framework contract for the sale and purchase of system technology services between [the system technology service provider] and the transmission system operator, published in the Official Gazette of Romania, Part I, no. 520 of August 1, 2007, as subsequently amended and supplemented;
 - e) Chapter 8 of the Annex to the Order of the President of the National Energy Regulatory Authority no. 25/2004 for the approval of the Commercial Code of the wholesale electricity market, published in the Official Gazette of Romania, Part I, no. 989 of October 27, 2004, as subsequently amended.

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President of the National Regulatory Authority in the Field
Energy,

Dumitru Chiriță

ANNEX no. 1:

REGULATION on terms and conditions for balancing service providers and frequency stabilization reserve providers

ANNEX no. 2:

REGULATION on terms and conditions for balancing parties

Published in the Official Gazette number 1196 of December 17, 2021

2021 Regulation on Terms and Conditions for Balancing Service Providers and Frequency Stabilization Reserve Providers

Regulation of 2021 of 2021.12.17 Status: Act not in force Version from: 17 December 2021 Year to 30 September 2022 Year

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2021 Regulation on terms and conditions for providers of balancing services and for stabilization reserve providers frequency

Date of document: 8-Dec-2021

Issuer: National Energy Regulatory Authority

CHAPTER I:

General dispositions

Article 1

- (1) The purpose of this Regulation is to establish rules for the acquisition and use of balancing capacity and electricity needed to balance the national electricity system in real time, as well as to settle and make payments for appropriate transactions.
- (2) The objectives of this Regulation are to establish the terms and conditions applicable to the transmission system operator and the providers of balancing and reserve services for frequency stabilization for:
- ensuring the efficient functioning of the balancing services market, increasing the balancing efficiency by using the common platforms of the European balancing markets;
 - the integration of the balancing markets and the promotion of the possibilities of realizing the exchanges of balancing services, contributing at the same time to the safety in operation of the national electric power system;
 - the efficient operation and long-term development of the electricity transmission system;
 - ensuring the acquisition of balancing services through fair, objective, transparent and market-based mechanisms, avoiding unjustified barriers to the entry of new entrants and promoting balancing market liquidity, while preventing unjustified distortions in the internal energy market electric;
 - facilitating participation in the balancing of the system of places of consumption, including energy aggregation and storage facilities, while ensuring that they compete with other balancing services on a level playing field and, if necessary, act independently when serving a single place of consumption;
 - facilitating the inclusion of renewable energy sources in the energy market and supporting the achievement of the objectives of the European Union regarding the development of energy production from renewable sources;
 - establishing the rules for congestion management, including those for settlement.

CHAPTER II:

Abbreviations and definitions

Article 2

The abbreviations used in this Regulation have the following meanings:

1. a) *ACER* - Agency for the Cooperation of Energy Regulators;
2. b) *ANRE* - National Energy Regulatory Authority;
3. c) *Terms and conditions for balancing parties* - Regulation on the terms and conditions for the parties responsible for balancing, approved by order of the President of ANRE;

4. d) *DD* - statement of availability;
5. e) *EMS - decrease* - SCADA system of the transmission and system operator (Energy Management System - Supervisory Control and Data Acquisition);
6. f) *ENTSO-E* - European network of transmission and system operators for electricity;
7. g) *ESF* - balancing service provider;
8. h) *GFR* - reserve supply group;
9. i) *ID* - settlement interval;
10. j) *OD* - distribution operator;
11. k) *OD connector* - the distribution system operator operating the programming area in which the balancing service providers and the parties responsible for balancing must comply with the balancing clauses and conditions;
12. l) *ODDPRE* - the imbalance settlement operator of the parties responsible for balancing;
13. m) *TSO* - transmission and system operator;
14. n) *ON* - balancing market;
15. o) *PI* - intraday market;
16. p) *PRE* - party responsible for balancing;
17. q) *PRE requesting* - the balancing party owning a market participant wishing to transfer its balancing responsibility to another PRE;
18. r) *PRE welcoming* - balancing party taking over responsibility for balancing a requesting PRE;
19. s) *PRE abandoned* - balancing party from which the balancing responsibilities of the requesting PRE have been transferred to another receiving PRE;
20. t) *Technical qualification procedure* - The technical qualification procedure for the provision of system services, approved by the Order of the President of ANRE no. 89/2021;
21. u) *Rules on the suspension and re-establishment of market activities* - Rules for the suspension and re-establishment of market activities and the applicable settlement rules, approved by the Order of the President of ANRE no. 128/2021;
22. v) *Regulation (EU) 2017 / 2.195* - Regulation (EU) 2017 / 2.195 Decision of 23 November 2017 establishing a guideline for balancing the electricity system;
23. w) *Regulation (EU) 2017 / 1.485* - Regulation (EU) 2017 / 1,485 of the Commission of 2 August 2017 establishing a guideline for the operation of the electricity transmission system;
24. x) *Regulation (EU) 2019/943* - Regulation (EU) 2019/943 of the European Parliament and of the Council of 5 June 2019 on the internal market in electricity (recast);
25. y) *RFP* - frequency-power adjustment area;
26. z) *countries* - replacement reserves;
27. aa) *RLE* - limited energy tanks;
28. bb) *RRF* - frequency restoration reserves;
29. cc) *RRFa* - reserves for restoring the automatically activated frequency;
30. dd) *RRFm* - manually activated frequency reset reserves;
31. ee) *RSF* - reserves for frequency stabilization;
32. ff) *SEN* - National power system;
33. gg) *eu* - European Union;
34. hh) *UFR* - reserve supply unit.

Article 3

For the purposes of this Regulation, the terms and expressions used shall have the meanings defined in:

- a) art. 2 of the Directive (EU)2019/944 of the European Parliament and of the Council of 5 June 2019 on common rules for the internal market in electricity and amending Directive 2012/27 / EU;
- b) art. 2 of Regulation (EU)2019/943 of the European Parliament and of the Council of 5 June 2019 on the internal market in electricity;

- c) art. 2 of Regulation (EU) no.543/2013 Decision of 14 June 2013 on the transmission and publication of data on the electricity markets and amending Annex I to Regulation (EC) No 1234/2007 714/2009 of the European Parliament and of the Council;
- d) art. 2 of Regulation (EU)2015 / 1,222 of the Commission of 24 July 2015 laying down guidelines on capacity allocation and congestion management;
- e) art. 2 of Regulation (EU)2016/631 of the Commission of 14 April 2016 establishing a network code on the requirements for the connection of generating installations to the network;
- f) art. 2 of Regulation (EU)2016 / 1,388 of the Commission of 17 August 2016 establishing a network code for connecting consumers;
- g) art. 2 of Regulation (EU)2016 / 1,447 of the Commission of 26 August 2016 establishing a network code for the requirements for the mains connection of high-voltage direct current systems and the generating modules of the power plant connected to direct current;
- h) art. 2 of Regulation (EU)2016 / 1.719 Commission Decision of 26 September 2016 establishing a long-term market allocation guideline;
- i) art. 3 of Regulation (EU)2017 / 1,485 of the Commission of 2 August 2017 establishing a guideline for the operation of the electricity transmission system;
- j) art. 2 of Regulation (EU)2017 / 2.195 Decision of 23 November 2017 establishing a guideline for balancing the electricity system;
- k) art. 2 of Regulation (EU)2017 / 2.196 of the Commission of 24 November 2017 establishing a network code on the state of emergency and restoration of the power system;
- l) art. 3 of the Law on electricity and natural gas no.123/2012, with subsequent amendments;
- m) art. 2 of the Proposal for all transmission and system operators in the Continental Europe synchronous area for additional properties of the Frequency Stabilization Reserve (RSF) in accordance with art. 154 para. (2) of Regulation (EU)2017 / 1,485 of the Commission of August 2, 2017 establishing a guideline on the operation of the electricity transmission system, approved by the Decision of the President of ANRE no. 153/2021 *);

*)Decisions of the President of the National Energy Regulatory Authority no. 153/2021 and no. 1,454 / 2021 were not published in the Official Gazette of Romania, Part I.

- n) art. 2 of the Proposal of all transmission and system operators performing the reserve replacement process for the modification of the implementation framework for the balancing energy exchange from the replacement reserves in accordance with art. 19 of Regulation (EU)2017 / 2.195 of the Commission of 23 November 2017 establishing a guideline on balancing the electricity system, approved by the Decision of the President of ANRE no. 1,454 / 2021 *);

*)Decisions of the President of the National Energy Regulatory Authority no. 153/2021 and no. 1,454 / 2021 were not published in the Official Gazette of Romania, Part I.

- o) art. 2 of Annex 1 to the ACER Decision no. 2/2020;
- p) art. 2 of Annex 1 to the ACER Decision no. 3/2020;
- q) art. 2 of Annex 1 to the ACER Decision no. 11/2020.

Article 4

For the purposes of this Regulation, the terms and expressions below have the following meanings:

- a) *settlement bank* - commercial bank at which an ESF / TSO has opened its account from / in which the payment obligations / collection rights entered in the settlement information notes issued by TSO are paid;
- b) *net consumption* - the energy that a consumer of electricity takes from the electricity transmission / distribution networks of SEN;
- c) *statement of availability* - the document sent by the ESF to the TSO specifying the availability of the UFR / GFR which it operates;
- d) *EP participation agreement* - the standardized convention drawn up by the TSO following a public consultation process, which sets out the mutual rights and responsibilities between the TSO and an ESF;
- e) *group of exclusive offers* - the type of economic link in which a single offer can be accepted from the list of offers that is part of the group of exclusive offers;
- f) *economic connection* - the link between the balancing energy offers of an ESF for the purpose of economic optimization, allowing the ESF to offer more flexibility, respectively efficiency in covering the costs underlying the offers and to maximize the opportunity to be activated;

- g) *multipart link* - the type of economic link in which an offer can be activated only if another offer is activated in the group of offers to which this type of link applies, not the other way around;
- h) *technical connection* - the link between the balancing energy offers of an ESF for consecutive quarters of hours or in the same quarter of an hour, necessary to avoid unrealizable activations by the UFR / GFR;
- i) *month of delivery* - the month in which the actual delivery / consumption of the balancing energy takes place;
- j) *time stamp* - information in electronic form uniquely attached to an offer certifying that it has been received by the TSO at a specific time;
- k) *information note for monthly settlement* - the information note prepared by TSO, for each ESF, in which are presented all the payment obligations, respectively the collection rights to be paid, respectively collected through the bank accounts opened by each ESF;
- it) *monthly regularization note on EP* - the monthly regularization note drawn up by the TSO for each ESF, which summarizes the ESF's transactions in the EP on each calendar month;
- m) *balancing energy supply* - the firm commitment given by an ESF to provide the balancing energy corresponding to the increase of power / reduction of power, in the conditions of acceptance by a TSO of the price requested in the common merit order / local merit order;
- n) *offer on UFR / GFR* - balancing energy offers submitted by the ESF for each UFR / GFR;
- a) *closing time of the gate for balancing energy* - when the transmission or updating of a balancing energy supply by an ESF is no longer permitted for a standard product;
- p) *order of merit* - ordering by price the price-quantity pairs from the validated balancing energy offers, established and used by TSO connector, for determining the price-quantity pairs that will be accepted for the supply of balancing energy;
- q) *common order of merit* - the order of merit consisting of the offers sent by the connecting TSOs in the IT platforms dedicated to the European balancing markets;
- r) *European platforms* - platforms for the exchange of balancing energy from the reserves for frequency restoration with manual and automatic activation set up in accordance with art. 20 and 21 of Regulation (EU)2017 / 2.195;
- s) *adjustment required* - the amount of balancing energy that TSO needs to ensure SEN balance within a given settlement interval;
- t) *responsibility for balancing* - the responsibility of each participant in the balancing market towards the TSO for maintaining the balance between the realized and contracted values of its own production, consumption and exchanges of electricity, as the case may be, and for the financial support of the possible imbalances;
- u) *reservations* - the amount of UFR / GFR power capacity made available by the ESF to the TSO for balancing energy systems, starting from the guaranteed level if a TSO has contracted balancing services with UFR / GFR in advance according to the regulations regarding their acquisition up to the level resulting from UFR / GFR program notifications;
- v) *non-functioning situation* - situation in which the IT, information and communication systems of the EP cannot be used (total or partial inability to function or other their malfunction);
- w) *transfer of balancing capacity* - the transfer of balancing capacity from an ESF that initially contracted balancing capacity to another ESF;
- x) *transaction* - the agreement concluded between two parties for the commercial transfer of electricity, in accordance with this regulation.

CHAPTER III:

EP rules

SECTION 3 1:

General rules of operation of the EP

Article 5

TSO applies the self-dispatching model to determine production and consumption programs.

Article 6

In order to be able to participate in the balancing market, an ESF must be qualified in advance.

Article 7

The TSO shall establish, following a public consultation process, the framework content of the EP Participation Convention, which shall include the reciprocal rights and responsibilities of the TSO and of each ESF. Framework content of the Convention

participation in the EP is published by TSO on its website.

Article 8

Transactions concluded on the EP establish the obligation of the respective ESF to provide the service corresponding to a certain type of standard product of balancing reserves to TSOs, in accordance with the specifications of the balancing energy supply and the dispatcher provisions issued by TSOs. Transactions are specific to a specific ID.

Article 9

(1) Balancing energy may be used for:

- a) power increase, which can be provided by increasing the production of a UFR / GFR or by reducing the consumption of a UFR / GFR;
- b) power reduction, which can be provided by reducing the production of a UFR / GFR or increasing the consumption of a UFR / GFR.

2. The balancing energy traded on the EP shall be physically delivered on the day of delivery:

- a) at the connection points where a UFR or a GFR is connected to the SEN;
- b) at the times for which the dispatcher orders were issued by the TSO, they must be located in the ID specified in the accepted offer.

Article 10

1. Until the date on which the TSO uses the European platforms, with a view to prioritizing its selection of tenders at the same price, for the application of priority dispatching shall be established, in descending order of priority discount, the following categories:

- a) UFR / GFR put into operation before July 4, 2019 and which at the date of commissioning were the subject of dispatching with priority included in the ANRE regulations in force on that date:
 - (i) UFR / GFR producing electricity from wind energy;
 - (ii) UFR / GFR producing electricity from solar energy;
 - (iii) UFR / GFR for the production of electricity in cogeneration, including on the basis of renewable energy sources, for electricity produced in high-efficiency cogeneration, within the limits of the high-efficiency electricity capacity qualified by ANRE;
 - (iv) UFR / GFR for the production of electricity from declared hydro sources with high hydraulicity. The situation of high hydraulicity is considered the situation in which, for the respective UFR / GFR, there is a danger of spillage;
- b) UFR / GFR that produce electricity from renewable energy sources, other than those provided in letter a);
- c) UFR / GFR that use renewable energy sources and / or in high efficiency cogeneration put into operation after July 4, 2019 and that have the installed power to produce electricity less than 400 kW, for which priority dispatching is applied; for the electricity produced in high-efficiency cogeneration, the priority dispatching is applied within the limits of the high-efficiency electricity capacity qualified by ANRE;
- d) UFR / GFR, other than those provided in let. a) -c), as well as those provided in let. a) and b), starting with the date from which they undergo significant changes established according to letter c).

(2) TSO shall draw up, following a public consultation process, publish on its website and apply procedures for verifying:

- a) the electricity that falls within the provisions of par. (1) lit. a) point (iii), corresponding to the updated lists of cogeneration electricity and thermal energy production capacities, with final and / or preliminary accreditation, approved by ANRE;
 - b) the situations of high hydraulicity and the afferent electricity, according to the provisions of par. (1) lit. (a) (iv);
 - c) maintaining the UFR / GFR provided in par. (1) lit. a) and b) in the categories benefiting from priority dispatching, according to the provisions of art. 12 para. (6) of Regulation (EU)2019/943.
- (3) The ESF transmits to the TSO the classification of each UFR / GFR for which it is responsible in one of the categories provided in par. (1), according to the provisions of the procedures provided in par. (2), and updates this information whenever it is changed.
- (4) TSO shall elaborate, following a public consultation process, a procedure detailing the application of the dispatching with priority based on the hierarchy provided in par. (1), in compliance with the conditions for ensuring the safe operation of the SEN, and publishes it on its own website.

Article 11

The TSO shall monitor the fulfillment by the ESF of the requirements set out in this Regulation concerning balancing terms and conditions within its programming area.

Article 12

RSF providers that are technically qualified by TSO only for RSF, according to the provisions of the technical qualification procedure for the provision of system services, approved by order of the President of ANRE, are not obliged to register as ESF at the EP. For congestion management, TSO may also activate the available capacities of class C or D production units connected to the power system, which are not part of the UFR / GFR, granting a financial compensation for the activated energy, according to the provisions of art. 95.

SECTION 3 2:

ESF qualification steps

SUBSECTION 3 2 ^ 1:

General provisions

Article 13

The qualification process of an ESF consists of two stages:

- a) the technical qualification, carried out according to the technical qualification procedure for the provision of system services approved by order of the ANRE president;
- b) registration on the EP, by signing the agreement to participate in the EP.

SUBSECTION 3 2 ^ 2:

ESF technical qualification

Article 14

Individuals / legal entities that own / manage consumption sites, power generation facilities and / or energy storage units, as well as aggregators may become ESFs.

Article 15

In order to acquire the quality of ESF, according to the provisions of art. 16 para. (1) of Regulation (EU)2017 / 2.195, it is necessary for a UFR / GFR to successfully complete the technical qualification process.

Article 16

The technical qualification process complies with the provisions of art. 159 and 162 of Regulation (EU)2017 / 1,485 and is performed in accordance with the technical qualification procedure for the provision of system services provided in art. 13 lit. a).

Article 17

Each UFR / GFR must be technically qualified for at least one standard product. The standard product types shall be determined by agreement between all TSOs participating in the European energy balancing and balancing capacity markets and approved by decision by ACER for RRFm and RRFa and by ANRE for RI.

Article 18

The data and information that the applicant transmits to TSO in order to evaluate the capacity to provide balancing services comply with the provisions of art. 158 and 161 of Regulation (EU)2017 / 1,485 and are detailed in the technical qualification procedure for the provision of system services provided in art. 13 lit. a).

SUBSECTION 3 2 ^ 3:

EP registration

Article 19

After obtaining the technical qualification, the registration on the balancing market is made by signing the agreement to participate in the EP by the natural / legal person holding the UFR / GFR.

Article 20

Each ESF is responsible for meeting commitments on the EP, in accordance with the applicable regulations and

the provisions of the EP participation agreement.

Article 21

Applicants make a written request to TSO, which includes a duly completed form, is accompanied by the relevant supporting documentation and must be signed by the applicant's legal representative.

Article 22

The content and format of the form provided in art. 21, as well as the manner of their transmission and verification are elaborated by the TSO in the procedure of registration, revocation or withdrawal of an ESF from the EP. TSO publishes the procedure on its website.

Article 23

The ESFs that have signed the EP participation agreement are registered in the EP register, which is drawn up and updated by the TSO.

Article 24

Each ESF has the right to consult the information in the EP register concerning it and to request the correction of any inaccuracies found.

Article 25

An ESF may withdraw from the EP on its own initiative by written notice, signed by an ESF legal representative. This notice must be given at least one month before the date on which the withdrawal of the ESF registration is requested.

Article 26

The TSO may revoke the registration of an ESF in any of the following cases:

- a) if the ESF no longer fulfills at any one time one or more of the conditions required for registration as an ESF;
- b) if the ESF does not comply with the provisions of the EP participation agreement;
- c) at the request of ANRE, in case the ESF does not repeatedly comply with the provisions of this chapter, facts ascertained by ANRE.

Article 27

If an ESF withdraws from the EP in accordance with the provisions of art. 25 or if the registration of an ESF is revoked by TSO according to the provisions of art. 26:

- a) The ESF shall make all payments due to TSO in accordance with the EP settlement provisions of this Regulation;
- b) TSO makes all payments to the ESF due for the period prior to the withdrawal / revocation of the ESF;
- c) The TSO cancels its registration in the EP register, informing the ESF of this cancellation.

Article 28

The procedure provided in art. 22 contains all the information necessary for the revocation or withdrawal of the ESF from the EP, detailed instructions, including the maximum terms established for the payments provided in art. 27.

SECTION 3 3:

Data and information transmitted by the ESF during the operation of the EP

SUBSECTION 3 3 ^ 1:

DD transmission

Article 29

All ESFs operating UFR / GFRs or PREs of which they are part, if mandated to do so by the ESF, must submit a DD for them to TSO.

Article 30

DD for a UFR / GFR on day D must be transmitted to TSO at the earliest 10 days before day D and

later until 4.30pm on D-1 and can be updated at any time before the affected ID.

SUBSECTION 3.3.2:

DD format and content

Article 31

DD contains at least the following information:

- a) the available power of each UFR / GFR for each ID on each day of delivery;
- b) motivations and details (including the number of the request approved by the dispatcher) regarding the availability reductions of each UFR / GFR, as a result of: any accidental shutdown or planned shutdown for maintenance, return to service before the approved deadline, agreed operating schedule with the Romanian Waters National Administration, etc.;
- c) UFR / GFR that produce electricity from wind or solar energy, respectively UFR / GFR consisting of consuming units, energy storage units or any kind of aggregation between them are exempted from providing the motivations provided in letter. b) in case of modification of DD.

SUBSECTION 3.3.3:

DD verification and acceptance

Article 32

The verification of the form and content of the DD is done automatically by the computer system of the EP, and the confirmation is sent to the issuer by the TSO in a standard format, in the same way in which it was received.

Article 33

DDs are accessible for viewing via the EP's IT system, the respective ESF and the PRE of which it is a part.

SUBSECTION 3.3.4:

Change DD during delivery day

Article 34

The ESF is responsible for informing TSOs of changes in balancing reserves for each delivery day ID.

Article 35

The ESF may change a DD, at any time on the day of delivery, for the post-change ID.

SECTION 3.4:

Monitoring the provision of balancing services

Article 36

TSO monitors how each ESF provides balancing services for each balancing service, as follows:

- a) in the stage of technical qualification for the provision of the balancing service by the ESF, TSO compares the data obtained by tests with the performance of the ESF for each reserve, defined as a standard product, according to the form expected from art. 57, art. 59 and art. 62;
- b) in the monitoring process carried out by the TSO and, as the case may be, by the connector OD, the TSO periodically evaluates the ESF performances.

Article 37

In order to monitor the provision of balancing services by a qualified ESF, the TSO shall develop and publish the procedure for monitoring compliance with the technical characteristics of standard products in the process of providing balancing services by an ESF. The procedure is subject to a public consultation process and will be published on the TSO's website.

CHAPTER IV:

Acquisition of balancing energy on PE

SECTION 4 1:

Offer on PE

Article 38

Each ESF holding a contract for the supply of balancing capacity shall transmit to the TSO the balancing energy offers related to the balancing capacity, determined in accordance with the provisions of ch. ARE YOU COMING.

Article 39

Each ESF has the right to submit to TSOs energy bids for balancing capacity that is not contracted with TSO.

Article 40

The ESF assigns balancing energy bids only to the PRE of which it is a part, in accordance with the terms and conditions for the respective PRE in the case of an aggregator taking over the role of the ESF for the GFR with measuring points in several PREs, it adjusts the net contractual position by subsequent notifications Delivery ID, according to art. 113 point II lit. It is point 2 and point 3 sub-point. (iii) of the Regulation on the clauses and conditions for the parties responsible for balancing, approved by the Order of the President of ANRE no.127/2021.

Article 41

In situations where the operational safety of the SEN requires it if the TSO identifies the need for additional balancing energy offers after the closing time of the gate for the intraday market, for a certain ID, it may send a request to the ESF to provide energy related to the capacity. unused balancing device. In such cases, the ESF may offer on the balancing market all balancing energy remaining available, in each direction, for the ID in question.

Article 42

The ESF may submit price offers on UFR / GFR for balancing energy under the following conditions: a) for each standard product type of RI, RRFm or RRFa:

(i) balancing energy supplies for increasing power;

(ii) balancing energy supplies for power reduction;

b) from one week before the day of delivery until the closing time of the gate for the balancing energy corresponding to each type of standard product, as follows:

(i) ID - 50 minutes for the standard RI product, for bids submitted for each ID;

(ii) ID - 25 minutes for standard RRFm and RRFa products.

Article 43

Offers may be modified or canceled at any time before the closing time of the gate for balancing energy. Any change sets a new balancing power bid, automatically canceling the previously validated bid for the same ID.

Article 44

After the closing time of the gate for balancing energy, the ESF shall report without undue delay to the TSO the balancing energy offers that have become unavailable, in accordance with the provisions of art. 158 para. (4) lit. b) and with those of art. 161 para. (4) lit. b) of Regulation (EU)2017 / 1,485.

Article 45

The offers are transmitted in electronic format, through the means of communication provided by TSO.

Article 46

The tender shall be deemed to have been officially submitted on entry into the EP computer system. The time of transmission is expressed by the time stamp.

Article 47

As soon as a new daily offer enters the EP system, the TSO confirms that it has received it. This confirmation contains the registration number and the time at which this daily offer entered the EP system.

Article 48

If an ESF does not receive from the TSO, within 5 minutes of the submission of a new balancing energy offer, confirmation of receipt of that offer, the ESF must contact the TSO immediately.

Article 49

TSO elaborates and publishes on its website the procedure regarding the content and the framework format of the balancing energy offers for the standard products and the way of transmitting the offers / reporting the unavailable volumes. The procedure is subject to a public consultation process.

Article 50

The prices of balancing energy offers can be positive numbers, zero or negative, with two decimals, and are expressed in lei / MWh for balancing energy offers for the standard RI product, and for balancing energy offers for standard RRFm products. and RRFa in EUR / MWh.

Article 51

Upon receipt of tenders, TSO verifies that the following condition is met, ie the quantity offered for a particular standard product in the bid of a UFR / GFR does not exceed the value for which the UFR / GFR has been technically qualified.

Article 52

TSOs may mark as unavailable for trading offers whose activation / inactivation leads to internal congestion.

Article 53

If bids whose activation may lead to internal congestion belong to more than one UFR / GFR in a particular area of the SEN, those bids shall be marked as unavailable in order of merit.

Article 54

TSOs treat all balancing energy offers received in a non-discriminatory manner. After the closing time for the balancing energy gate, all balancing energy offers for standard RRFm and RRFa products are submitted by TSOs to European platforms, in order to optimize the activation of balancing energy offers in common merit lists at European level.

Article 55

If the TSO's PE platform is used or if the European platforms do not operate for a limited period of time, the balancing energy offers for the standard RRFm and RRFa products will be activated by the TSO in order of merit at the local level. .

Article 56

Any partial or total activation of a balancing energy supply from the lists of common merit orders at European / local level constitutes a transaction / contract between the respective ESF and TSO.

Article 57

Each balancing energy supply for the standard IR product must meet the following static characteristics in Table no. 1:

Table no. 1 - Static characteristics and their values for the balancing energy supply for the standard IR product

Activation mode	Scheduled with manual activation
Preparation period	Between 0 and 30 min.
Pregnancy variation period	Between 0 and 30 min.
Full activation time	30 min.

Minimum delivery time	15 min.
Maximum duration of the delivery period	30 min.
Deactivation period	Between 0 and 30 min.
Minimum quantity	1 MW
Maximum quantity	9999 MW
Price resolution	0.01 lei / MWh

Article 58

The variable characteristics of the balancing energy supply for the standard IR product to be determined by the ESF, during the technical qualification or in the transmission of the IR supply, must include:

a) the parameters defined in table no. 2:

Table no. 2 - Parameters of the variable characteristics of the balancing energy supply for the standard IR product

price	Positive, zero or negative, in lei / MWh
Location	Romania
Divisibility	Divisible bids with an activation granularity of 1 MW are allowed. Indivisible bids representing the minimum technical strength of a UFR / GFR are permitted.
Period of validity	Defined by the ESF in compliance with the minimum and maximum delivery period
Minimum duration between a deactivation and a successive activation	The recovery period is determined by the ESF.
Technical links between offers	The technical links between the price offers will be transmitted by the ESF in the same ID and / or in consecutive IDs.
Economic links	Connections between offers are allowed, of the multipart type, and it is allowed to offer exclusive groups of offers

b) the volume of the offer;

c) supply direction: positive (power increase) / negative (power reduction) balancing energy.

Article 59

Each balancing energy offer for the standard RRFm product must comply with the following static characteristics defined in table no. 3:

Table no. 3 - Static characteristics and their values for the supply of balancing energy for the standard product of RRFm

Activation mode	Manual
Activation type	Direct or scheduled

Full activation time	12.5 min.
Minimum quantity	1 MW
The granularity of the offer	1 MW
The maximum amount	9999 MW
Minimum delivery time of the maximum quantity required	5 min.
Price resolution	0.01 Euro / MWh
Period of validity	<p>A scheduled activation can only take place at the time of the scheduled activation.</p> <p>A direct activation can take place at any time during the 15 minutes after the scheduled activation time.</p>

Article 60

The delivery of the balancing energy for the standard RRFm product from the directly activated offer also includes the following ID of the one to which the offer refers.

Article 61

The variable characteristics of the balancing energy supply for the standard RRFm product to be established by the ESF, during the technical qualification or at the transmission of the RRFm offer, shall include:

a) the parameters defined in table no. 4:

Table no. 4 - Parameters of the variable characteristics of the balancing energy supply for the standard RRFm product

price	Positive, zero or negative, in Euro / MWh
Maximum delivery time of the maximum quantity required	15 minutes for scheduled activation
	30 minutes for direct activation
Location	Romania
Divisibility	<p>Divisible bids with an activation granularity of 1 MW are allowed.</p> <p>Indivisible bids representing the minimum technical strength of a UFR / GFR are permitted.</p>
Technical links between offers	The ESF is required to provide technical links between tenders submitted in the same and / or consecutive IDs.
Economic links	Connections between offers are allowed, of the multipart type, and it is allowed to offer exclusive groups of offers.

b) the volume of the offer;

c) supply sense: positive (power increase) / negative (power reduction) balancing energy.

Article 62

Each balancing energy supply for the standard RRFa product must comply with the following static characteristics in Table no. 5:

Table no. 5 - Static characteristics and their values for the supply of balancing energy for the standard product of RRFa

Activation mode	Automatic
Full activation time	7.5 min. until December 17, 2025
	5 min. starting with December 18, 2025
Delay time	30 sec.
Deactivation time	It will not exceed the full activation time.
Minimum quantity	1 MW
The granularity of the offer	1 MW
The maximum amount	9,999 MW / Maximum activated power during full RRFa activation time
Period of validity	15 min. The first validity period starts at market time 00.00. The validity periods are consecutive and do not overlap. An offer can be activated and deactivated at any time during the validity period.
Minimum time between deactivation and successive activation	0
Price resolution	0.01 Euro / MWh

Article 63

The variable characteristics of the balancing energy supply for the standard RRFa product to be established by the ESF, during the technical qualification or at the transmission of the RRFa offer, shall include:

a) the parameters defined in table no. 6:

Table no. 6 - Parameters of the variable characteristics of the balancing energy supply for the standard RRFa product

price	Positive, zero or negative, in lei / MWh, when using the PE platform and Euro / MWh when using the European platforms.
Location	Romania

Divisibility	Only divisible offers are allowed.
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b) the volume of the offer;

c) supply direction: positive (power increase) / negative (power reduction) balancing energy;

d) the validity period to which the offer for the RRFa product refers.

SECTION 4 2:

Rules for selecting balancing energy offers

Article 64

The selection of balancing energy offers for any type of standard product is done in order of price, using the merit orders for each product and for each meaning, as follows:

- a) the bids in the ascending direction of the price are ordered for the ascending order of merit, and the selection is made starting with the bid with the lowest price, until the volume of balancing energy requested by the TSO using the European balancing platforms is covered;
- b) for the descending order of merit, the bids are ordered in descending order of the price, and the selection is made starting with the bid with the highest price, until the balancing energy volume requested by TSO covering the European balancing platforms is covered.

Article 65

The selection of energy balancing offers for standard RRFm and RRFa products is made from the common merit orders at European level, for each type of product. The optimization function of each European platform for trading standard energy balancing products makes selections based on prices and available capacity on interconnection lines.

Article 66

TSO trades the standard RI balancing energy product on the PE TSO platform until an interconnected neighboring TSO decides to use this type of product and it is possible to jointly trade the standard RI product on the dedicated European platform.

Article 67

At each delivery time D, the TSO sets the balancing power requirement by setting types for the current and next time range IDs.

Article 68

In the interval ID - 50 minutes and at the latest ID - 35 minutes TSO establishes the necessary RI, selects the offers on the PE platform of TSO and transmits the dispatcher orders to the ESF, for this type of product, always between ID - 50 minutes and ID - 32 minutes for ID, or ID and ID + 15 minutes after closing the gate for ID + 15 minute bids.

Article 69

After the closing time of the gates for balancing energy, ID - 25 minutes for standard products RRFm and RRFa, TSO evaluates and filters the offers received from the ESF and transmits the following data to the dedicated European IT platforms:

a) for the standard product RRFm:

(i) balancing energy supplies, balancing energy requirements for the scheduled activation of the RRFm product, and available capacity on the interconnection lines for that ID;

(ii) the closing time of the gate for the transmission of the data from point (i) is ID - 12 minutes;

(iii) the balancing energy requirement for the direct activation of the standard RRFm product may be transmitted at any time during the day of delivery;

(iv) the dispatch of the dispatcher orders will be made between ID - 10 minutes and ID - 7.5 minutes in case of scheduled activation of the standard RRFm product and immediately after receiving the balancing energy volumes selected by the European platform optimization algorithm in case of activation direct;

b) for the standard RRFa product:

(i) balancing energy offers received from the ESF and available capacity on interconnection lines;

(ii) the closing time of the gate for the transmission of the data from point (i) is ID - 10 minutes.

Article 70

In case of use of the PE platform or in case the European platforms do not work for a limited period, the dispatcher provisions for activating the RRFm are transmitted between ID - 15 minutes and ID - 7.5 minutes in case of scheduled activation and at any time of the day. delivery D in case of direct activation.

Article 71

In case of internal congestion, which may occur only near the ID and which require the selection of certain UFR / GFR for increase or decrease of power, TSO selects the offers marked as unavailable for the European platforms of these UFR / GFR, according to the provisions of art. 52 and 53.

SECTION 4 3:

Transactions committed on the EP

Article 72

Transactions undertaken in the EP which are concluded in accordance with the provisions of section 4.2 shall be carried out by TSO by issuing the corresponding dispatcher provisions to the respective ESF.

Article 73

Compliance with the dispatcher instructions issued by the TSO is mandatory for the ESF concerned.

Article 74

On the first calendar day following the day of delivery concerned, the TSO shall send for each day of delivery and for each UFR / GFR of each ESF the committed transaction confirmations, to the corresponding ESF.

Article 75

Each committed transaction confirmation shall contain at least the following information: a) the ESF's PE identification code;

b) the UFR or GFR PE identification code, as the case may be;

c) delivery day, delivery time interval, ID;

d) all the characteristic elements of the engaged transaction: activated volume, price, increase / decrease direction for the balancing energy selected from the offered RRFa volume;

e) all the characteristic elements of the engaged transaction: activated volume, price, increase / decrease direction for the balancing energy selected from the offered RRFm volume;

f) all the characteristic elements of the engaged transaction: activated volume, price, increase / decrease direction for the balancing energy selected from the offered IR volume.

Article 76

The price of the engaged transaction represents the marginal price established according to the ACER Decision no. 1/2020, ACER Decision no. 2/2020, ACER Decision no. 3/2020 and according to the Decision of the President of ANRE no. 1,454 / 2021 on the approval of the modification of the implementation framework of the European platform for balancing energy exchange in IR.

Article 77

Appeals against the content of the confirmed transaction transactions are only accepted in case of errors transmitted from European platforms or resulting from TSO actions.

Article 78

Any dispute concerning the content of an undertaking confirmation shall be forwarded to the TSO by the responsible ESF no later than two calendar days after the TSO has forwarded that confirmation of the undertaking.

Article 79

TSO shall inform the ESF of the acceptance or rejection of the appeal no later than two working days after

receiving the appeal. If an appeal is accepted, TSO shall send the ESF a confirmation of the corrected employee transaction.

Article 80

If, within the term provided in art. 78, an ESF does not send any appeal to the employee transaction confirmations received, they are considered accepted.

Article 81

No appeal submitted shall exempt the ESF from fulfilling its obligations under the disputed, corrected or uncorrected transactions, as the case may be.

Article 82

If the procurement of balancing services or the coordinated activation of balancing energy cannot be carried out, the procedures of last resort, developed by the TSO and published on its website, shall apply.

Article 83

The last resort procedures are used by TSO and ESF in case of non-functioning conditions, as follows:

- a) total or partial inability to operate or other malfunction of the EP system or other computer system used by the TSO for the receipt, verification and validation of offers on the EP;
- b) the total or partial incapacity of operation or other malfunction of the PE system or of another computer system used by TSO for the processing and selection of the offers on the EP, as well as for the issuance of the dispatcher's orders;
- c) interruption of the TSO communication lines for a period of less than 30 minutes;
- d) total or partial inability to operate the European platforms used by TSOs.

Article 84

Procedures of last resort may provide for the use of alternative means of communication, as well as the extension or postponement of any deadlines to be met by the TSO and the ESF, including the closing time of the EP.

Article 85

Both the TSO and each ESF shall specify in the EP participation agreement one or more contacts in the event of a malfunction, as well as the corresponding telephone numbers, e-mail and fax addresses. Both the TSO and each ESF shall inform each other of any changes to this information.

Article 86

TSO publishes the information provided in art. 12 para. (3) of Regulation (EU)2017 / 2.195, anonymously, within the time limits provided for in that Article.

CHAPTER V:

ESF settlement rules

SECTION 5 1:

General provisions

Article 87

The settlement rules in this section provide the framework for the settlement of transactions and the establishment of payment obligations and collection rights resulting from the provisions of this Regulation, between an ESF and a TSO.

Article 88

Transactions on the EP establish the obligation of the respective ESF to supply the balancing energy to the TSO, in accordance with the specifications in the offer and the dispatcher provisions issued by the TSO. Each transaction will be specific to a specific ID.

Article 89

The rules of this section create the framework for:

- a) establishing a program for determining, confirming / contesting and transmitting the necessary information for the purpose

- invoicing and settlement on EP;
- b) performing the calculations for establishing the collection rights and payment obligations related to the transactions concluded on the EP;
- c) informing the parties about their payment obligations, respectively about their collection rights;
- d) invoicing and making payments;
- e) establishing and using guarantees;
- f) measures in cases of non-fulfillment of obligations.

SECTION 5 2:

Rules on ESF settlement for balancing energy from standard products RI, RRFm, RRFa

Article 90

The balancing energy settlement is blocked for the volume of balancing energy contracted on each ID without taking into account the balancing energy volumes resulting from load variations exceeding a period of 5 minutes in the adjacent ID intervals taken into account.

Article 91

The establishment of payment obligations / collection rights on the balancing market is made on the basis of the contracted volume related to the accepted balancing energy offers in the order of merit and the marginal prices for each standard product.

Article 92

The TSO is the contracting party for each ESF, in all transactions undertaken on the EP.

Article 93

Payment for balancing energy is made as follows:

- a) the positive balancing energy (power increase) is paid by TSO to the ESF, if the price is positive;
- b) the negative balancing energy (power reduction) is paid by TSO to the ESF, if the price is negative;
- c) the positive balancing energy (power increase) is paid by the ESF to TSO, if the price is negative;
- d) the negative balancing energy (power reduction) is paid by the ESF to TSO, if the price is positive.

SECTION 5 3:

Off-market settlement rules for congestion management

Article 94

The establishment of payment obligations / collection rights for congestion management is made based on the contracted volume related to the offers accepted in the order of merit and the offer prices for the activated products.

Article 95

- (1) TSO shall grant financial compensation to market participants responsible for UFR / GFR, respectively Class C and D production units, which are not part of UFR / GFR which receive and carry out provisions to increase or decrease active power. outside the EP for the purpose of congestion management, according to the provisions of art. 12 and 13 of Regulation (EU)2019/943.
- (2) The provisions of par. (1) shall apply in situations where bids on the EP are not sufficient to ensure the safety of the SEN in areas affected by congestion. In this case, the TSO shall use the available capacities of the UFR / GFR, respectively of the production units of class C and D which are not part of the UFR / GFR, connected to SEN and able to meet its provisions, which are unconditionally available the same type of priority, by assimilating the unitary compensations with supply prices per EP, considered with a positive sign in case of power increase and with a negative sign in case of power reduction.
- (3) The deadline for the payment of the financial compensation provided in par. (1) is the deadline by which the invoices corresponding to the payment obligations on the EP must be paid, according to the provisions of this regulation.
- (4) The unit value of the financial compensation provided in par. (1) shall apply to activated electricity, shall be expressed in lei / MWh and shall be calculated as follows:
 - a) in the case of sales transactions to TSOs, expressed by provisions to increase the power produced or to reduce consumption, the unit compensation is equal to:
 - (i) the higher of the value for the next day's closing market price in that ID and the amount of the cost

average unit with fuel consumption of UFR / GFR, respectively of production units of class C and D that are not part of UFR / GFR;

(ii) the closing price for the next day of that ID for the storage facilities that are part of the UFR / GFR;

(iii) zero, for consumers who are part of the UFR / GFR;

b) in the case of purchase transactions from TSO, expressed by provisions to reduce the power produced or to increase consumption, the unit compensation is equal to:

(i) for UFR / GFR, ie non-UFR / GFR Class C and D production units of renewable energy producers benefiting from the green certificate support scheme: the value of the green certificates at which would have been entitled to each MWh delivered in networks according to the accreditation decision, valued at the price of green certificates on the spot market in the last trading session or the closing price of the market for the next day in that ID, if it is higher;

(ii) for UFR / GFR, respectively class C and D production units which are not part of UFR / GFR consisting of high efficiency cogeneration plants: unit cost resulting from the reporting of additional costs with the production of heat from their own production facilities separate from production in the high-efficiency cogeneration plants, the electricity corresponding to the operation at full power of the high-efficiency cogeneration plants, or the closing price of the next day's market in that ID, if higher;

(iii) for UFR / GFR consumers: the closing price of the market for the next day in the respective settlement period;

(iv) zero, for storage facilities that are part of the UFR / GFR and for UFR / GFR, respectively production units of class C or D that are not part of the UFR / GFR, which do not fall into the categories from point. (i) and (ii).

Article 96

(1) All market participants that have in operation UFR / GFR, respectively production units of class C or D that are not part of UFR / GFR, transmit to TSO all the information necessary to determine the unit financial compensations according to the provisions of art. 95, until the fifth day of each calendar month, to be applied in the following calendar month.

(2) In the case of UFR / GFR, respectively of the production units of class C or D that are not part of UFR / GFR, in which are generated generating units benefiting from the support scheme with green certificates accredited to receive different numbers of green certificates for each MWh, the value of the unit financial compensation taken into account for the order of dispatching outside the balancing market is determined as a weighted average number of green certificates with the quantities made by the generating groups in the month corresponding to the previous year, and the financial compensation The unit actually granted is determined on the basis of the weighted average of the quantities broken down according to the measurements on each component group, which make up the activated energy from transactions outside the EP in the month of application.

Article 97

The provisions contained in sections 6.2, 7.2 and 7.3 of the Regulation on the clauses and conditions for the parties responsible for balancing, approved by the Order of the President of the National Energy Regulatory Authority no. 127/2021, also applies to the situations provided in art. 95.

SECTION 5 4:

Monthly regularization / information notes

Article 98

For each ESF / market participant that has received activations of production units for congestion management, TSO draws up a monthly regularization note that breaks down the energy volumes contracted with TSO on PE and marginal prices set from common or local merit lists for each transaction, the energy volumes contracted for congestion management by selecting offers from the EP for this purpose and the offer price for each transaction, respectively the volumes contracted for congestion management outside the EP and the amount of compensation established according to art. 95 and 96 for each transaction, in the month of delivery, for each ID of the month of delivery, for each type of product, separately for power increase and power reduction.

Article 99

TSO sends the monthly regularization notes on the PE to the ESF / market participant who has received activations of the production units for congestion management, within 7 working days from the end of the delivery month.

Article 100

Each ESF / market participant that has received activations of production units for congestion management checks the monthly regularization notes on the EP and if it finds non-compliances with the applicable provisions sent to TSO, within 2 working days from their receipt, appeals motivated by the monthly regularization notes.

Article 101

TSO analyzes the ESF / market participant's appeal which has received activations of production units for congestion management and responds to it, motivated, within one working day of receiving the appeal, redoing the calculations and correcting the erroneous monthly regularization notes.

Article 102

TSO sends to the ESF / market participant who has received activations of the production units for congestion management corresponding to the monthly regularization note on the EP, which includes the corrections resulting from the analysis of the appeals received, within the term provided in art. 101; for the ESF / market participant that received activations of the production units for the management of congestions that did not send appeals, the monthly regularization notes sent at the initial term are considered valid.

Article 103

separately for power increase and power reduction and the value of the related unit compensation; these data are used by ODDPRE in the calculation of the quantitative imbalances of the PRE and of the costs, revenues and actual costs with balancing, according to the provisions of the Regulation on clauses and conditions for the parties responsible for balancing, approved by ANRE President's Order no.127/2021.

Article 104

In each calendar month, TSO performs the calculations in order to settle on PE / for congestion management, after sending the monthly regularization notes on PE, according to the provisions of art. 102 and 103.

Article 105

For each ESF / market participant that has received activation of production units for congestion management, TSO determines the amount of monthly collection rights by summing the values on each ID of the collection rights and separately the value of monthly payment obligations by summing the payment obligations on each ID, corresponding to the respective ESF / market participant that received activations of the production units for congestion management.

Article 106

For each ESF / market participant that has received production unit activations for congestion management, TSO shall draw up an information note for the monthly settlement, which shall contain at least the following information:

- a) the monthly situation regarding the balancing energy volume contracted by the ESF with TSO, broken down by types of balancing products, separately for power increase and power reduction, as well as the corresponding prices;
- b) the value of the monthly collection rights for balancing and of the monthly payment obligations for balancing, determined according to the provisions of art. 105;
- c) the monthly situation regarding the volume of energy for congestion management contracted with TSO, broken down by types of offer, when EP offers were selected for this purpose, separately for power increase and power reduction, as well as the corresponding prices;
- d) the monthly situation regarding the volume of energy for congestion management contracted with TSO outside the EP and the amount of compensation, separately for power increase and power reduction;

e) the value of the monthly collection rights and of the monthly payment obligations for the congestion management, determined according to the provisions of art. 105.

Article 107

TSO makes available to the ESF / market participants who have received activations of the production units for congestion management, in the dedicated IT platform, the information notes for the monthly settlement established according to the provisions of art. 106, not later than 3 working days from the transmission of the monthly regularization note on EP to the ESF / market participant that received activations of the production units for congestion management, provided in art. 103.

Article 108

The dedicated IT platform shall record and record the date on which any note prepared by TSO in accordance with the provisions of this Regulation was made available to the parties involved.

SECTION 5 5:

Invoicing of payment obligations / collection rights

Article 109

TSO issues invoices in the national currency of Romania at the exchange rate published by the National Bank of Romania for each delivery day, to each ESF including the amounts related to the payment obligations / collection rights of the respective ESF to TSO according to the information in the information note for settlement provided in art. 106.

Article 110

Each ESF issues an invoice to the TSO containing the amounts corresponding to the payment obligations of the TSO to the respective ESF, according to the information in the information note for the monthly settlement provided in art. 106.

Article 111

Invoices are issued on the first working day after the information note for the monthly settlement is made available on the dedicated computer platform.

Article 112

Invoices are issued as follows:

a) for balancing energy for power increase:

(i) the ESF will charge the TSO the collection rights for the values of the quantities of balancing energy at increasing power, corresponding to the positive prices of the transactions undertaken, established according to the information note for the monthly settlement on the EP;

(ii) TSO will charge the ESF for the amounts of balancing energy values at power increase, corresponding to the negative prices of the transactions committed, established according to the information note for the monthly settlement on the EP;

(iii) The ESF will invoice the free delivery to TSO, for the amounts of balancing energy quantities at increasing power, corresponding to the negative prices of the committed transactions, established according to the information note for the monthly settlement on the EP;

b) for balancing energy for power reduction:

(i) TSO will invoice to the ESF the payment obligations for the values of the quantities of balancing energy at power reduction, corresponding to the positive prices of the committed transactions, established according to the information note for the monthly settlement on the EP;

(ii) the ESF will charge the TSO the collection rights for the amounts of balancing energy quantities at power reduction, corresponding to the negative prices of the transactions undertaken, established according to the information note for the monthly settlement on the EP;

(iii) TSO will invoice to the ESF free delivery for the values of the quantities of balancing energy activated at power reduction, corresponding to the negative prices of the committed transactions, established according to the information note for the monthly settlement on the EP.

Article 113

The invoice related to the payment obligation of the ESF / TSO is issued and sent by e-mail, in the form of a pdf file. The date of receipt of the e-mail is considered the date of receipt of the invoice. The original invoice is sent to the ESF / TSO upon request, through the express courier service, the value of the courier service being borne by the applicant.

Article 114

The invoices will be paid by the parties concerned within 7 working days from the date of their issuance.

Article 115

If an amount invoiced by one of the parties is challenged in whole or in part by the other party, the debtor party will make the payment in full under the conditions of art. 114 and will submit within one working day from the date of publication on the EP platform the information notes provided in art. 106 an explanatory note to the creditor, including his objections. The creditor party examines the appeal received and, if it finds that there is erroneous information, recalculates and sends a correction note to all parties involved no later than 10 working days from the date on which the erroneous note was sent to the ESF and / or published by TSO.

Article 116

Payment of the invoices provided in art. 114 will be made by the ESF / TSO by any legal means of payment provided by the legislation in force. Payments shall be deemed to have been made on the date on which the corresponding amounts were debited or credited to the balancing bank account opened by TSO.

SECTION 5 6:**Making payments, enforcing guarantees and penalties for late payment on the EP****Article 117**

TSO updates, following a public consultation process, the procedures for making payments in accordance with the provisions of the section on invoicing of payment obligations / collection rights on the EP and publishes these procedures on its website.

Article 118

The procedures elaborated according to the provisions of art. 117 include payment confirmation methods and statements regarding the execution of guarantees in case of late payments.

Article 119

Each party receiving an invoice shall pay the amount contained in that invoice by the due date for payment, whether or not there is a dispute over the corresponding amounts.

Article 120

Each ESF and TSO must pay a delay penalty to the other party in any of the following cases:

- a) if the respective ESF or TSO has not paid the amounts due by the payment deadline;
- b) whether the ESF or TSO has to make a payment corresponding to the settlement of a dispute which has resulted in late payments;
- c) if the respective ESF or TSO must make a payment corresponding to the settlement of a dispute for which the amounts which are the subject of the dispute have been paid on time, but justifiably contested by the other party.

Article 121

The interest rate that is applied in all the cases provided in art. 120 for each day of delay starting with the first working day after the payment deadline is equal to the level of the delay penalty charged for non-payment of obligations to the state budget, provided that the total value of the penalties does not exceed the amount due.

Article 122

An ESF is in breach of its payment obligations in any of the following cases: a) if it fails to comply with the guarantee requirements;
b) if he does not fulfill his obligations resulting from the settlement in accordance with the provisions of this regulation until the corresponding deadlines;

c) if it goes bankrupt.

Article 123

Following a public consultation process, the TSO shall develop the procedures applicable for non-payment obligations. These include, but are not limited to: instructions for increasing the guarantee, blocking payments due to that party, or clearing payment obligations with receivables, or using the available guarantee to secure payments.

SECTION 5 7:

Appeals to the regularization notes and / or to the information notes for the monthly settlement

Article 124

If an information note for settlement or a regularization note sent or posted on the dedicated IT platform by TSO in accordance with the provisions of this Regulation is incorrect, any of the parties involved may challenge it at TSO and question any element or calculation. contained in that note.

Article 125

Any appeal will be sent by the party involved by e-mail or fax to the TSO. The notification must clearly specify the time period covered, such as the day of delivery, the ID, the date of issue of the note, the contested item, the reason for the appeal, the amount required, if any, and will be accompanied by any available evidence. comes in support of the appeal.

Article 126

Any party involved may challenge an information note for settlement or a regularization note issued by TSO in accordance with the provisions of this Regulation, within 3 working days from the date on which the contested note was sent or posted on the dedicated computer platform.

Article 127

If an involved party has not submitted any appeal in connection with an information note for settlement or a regularization note issued in accordance with the provisions of this regulation within the term provided in art. 126, the respective note is considered to have been accepted by the respective party involved.

Article 128

TSO analyzes any appeal submitted according to the provisions of art. 126, not later than one working day from its receipt.

Article 129

When verifying an information note for settlement or a disputed settlement note, the issuer may request additional information from the parties involved. If the additional information requested is not provided by the party concerned, the issuer is entitled to reject the appeal.

Article 130

The issuer will inform the parties involved of the outcome of the checks performed. If a disputed note was incorrect, the issuer will redo the calculations and send a corrected note to all parties involved.

Article 131

If TSO finds incorrect information in an information note for settlement or in a regularization note sent or posted on the dedicated computer platform in accordance with the provisions of this Regulation, it shall recalculate and send a corrected note to all parties involved as soon as possible. possible, but not later than 10 working days from the date on which the erroneous grade was transmitted to the ESF and / or published by the TSO.

Article 132

In case of non-compliance with the deadlines for issuing, contesting, verifying, correcting, sending and / or publishing the regularization notes or settlement information notes provided in this regulation, the parties involved may notify ANRE in writing within 3 working days from the date of finding these deviations.

SECTION 5 8:

Settlement forms and bank accounts

Article 133

The TSO monitors separately each category of payment obligations / collection rights in its relationship with the ESF, by setting up the balance sheets for the balancing energy contracted on the EP, for each ESF.

Article 134

Each ESF is the holder of the form for the corresponding settlement form established by the TSO according to the provisions of art. 133.

Article 135

TSO establishes the settlement sheets provided in art. 133 for the corresponding cardholder, after his registration as ESF, but not later than the date on which his registration as ESF becomes effective.

Article 136

The payment obligations and the collection rights registered by TSO in the settlement sheets established at art. 133 is based on the contractual relationship between TSO, on the one hand, and the cardholder, on the other hand, formalized by signing the EP Participation Agreement, the provisions of which reflect the provisions of this Regulation.

Article 137

Each cardholder is entitled to request information from the TSO at any time regarding the situation of any of its own records set up by the TSO. Upon registration of such a request, TSO shall provide the cardholder with the requested information within a maximum of 3 working days, information which may include the balance of the respective card (s) for the last 3 months, as well as any amounts debited or credited in a card. the reasons for these operations.

Article 138

TSO may also fulfill its obligations provided in art. 133 by adopting the necessary technical measures so that each cardholder can have direct access to all relevant information in connection with any of his own cards.

Article 139

Each participant who registers as an ESF opens a balancing bank account with a settlement bank.

Article 140

In order to fulfill its obligations under this Regulation, TSO opens a balancing bank account with a commercial bank in Romania for the receipts and payments related to the transactions concluded on the EP.

Article 141

- The account holders ensure the solvency of their own balancing bank accounts at the due dates established according to the provisions of the present regulation.

Article 142

The bank accounts provided in art. 139 and 140 are open in the national currency of Romania.

SECTION 5 9:

Guarantees for the payment of obligations on the EP

Article 143

The TSO has the right to request a guarantee before that operator is registered as an ESF; in case the ESF has not transferred its responsibility for balancing another PRE and has not taken over other participants in the PRE registered by it in accordance with the provisions of the Regulation on clauses and conditions for the parties responsible for balancing, approved by ANRE President's Order no.127/2021, TSO may accept a joint guarantee for the operator 's payment obligations as both ESF and PRE.

Article 144

The TSO shall draw up, following a public consultation process, the procedures for determining the requirements and the types of guarantees required, the procedures for carrying out and verifying the provision of guarantees and their supplementation, if any, and the procedures for using the remaining funds ESF. The level of collateral required takes into account the likelihood that the difference between the ESF's monthly payment obligations and collection entitlements to TSOs is positive and is adjusted in line with any late payment delays in previous periods. TSO publishes the procedures on its website.

CHAPTER VI:**Aggregation of consumption sites, energy storage facilities and energy production facilities power****Article 145**

The conditions for the aggregation of generating units, consuming units belonging to several places of consumption or places of consumption and production, energy storage units and / or reserve supply units are the following:

- a) generating units or consuming units or storage units of all categories (A, B, C, D), classified in accordance with the provisions of the Order of the President of ANRE no. 79/2016 for approving the classification of generating units and power plants;
- b) for a GFR consisting of several generating units, consuming units belonging to several production sites, consuming places or energy storage units and / or reserve supply units located in different network areas, in case of congestion of the network, the increase / decrease of power will be made available to the dispatcher, by indicating the component entities at which the operating point must be modified to eliminate congestion.

Article 146

The GFR must comply with all the conditions and technical qualification requirements of a GFR according to the section on the technical qualification of balancing service providers for RI, RRFm, RRFa and RSF.

Article 147

In the day-to-day operation of a GFR, TSO has the right to limit or exclude generating units, consumables with controllable consumption, storage facilities belonging to it from the provision of one or more balancing reserves, including RSF, on the basis of arguments such as the geographical distribution of GFR component entities, to ensure the operational safety of SEN.

CHAPTER VII:**Rules for acquiring and transferring capacity for balancing****SECTION 7 1:****Acquisition of capacity for balancing****Article 148**

TSOs acquire the capacity for balancing, through market mechanisms from qualified ESFs that have signed with TSOs the framework contract for the provision of capacity for balancing, in conditions of transparency, unrestricted access and economic efficiency. Following a public consultation process, the TSO draws up the framework contract for the provision of balancing capacity and publishes it on its website.

Article 149

Prior to acquiring the necessary capacity for balancing, TSO:

- a) establishes one or more acquisition periods;
- b) determine periodically the quantities of capacity required for balancing, corresponding to each type of reserve for the restoration of frequency and replacement reserves, separately for increase and decrease, for each settlement interval of the corresponding acquisition period, according to the sizing rules, as provided in art. 157 and 160 of Regulation (EU)2017 / 1,485.

Article 150

The main characteristics of a balancing capacity offer are defined in table no. 7: Table no. 7 - The main features of a balancing capacity offer

price	Positive or zero in lei / MWh
Price resolution	0.01 lei / MWh
Minimum quantity and granularity	1 MW
Maximum number of indivisible bids	It must not exceed the quantity established in art. 58 and 61.
Offer location	Romania
Settlement interval resolution	15 min.

Article 151

Each balancing capacity offer submitted by the ESF must contain: a) the volume of supply in MW;
b) the offer price in lei / MWh;
c) the minimum duration between the deactivation period and the next activation;
d) type of offer: divisible with a granularity of 1 MW or indivisible;
e) the location of the offer.

Article 152

The list of standard products for balancing capacity is defined in table no. 8:
Table no. 8 - List of standard products for balancing capacity

The standard RI product	1	2	3	4		
Period of validity	15 minutes	1 hour	4 hours	1 day		
Minimum duration between deactivation period and next activation	0 minutes					
Department	Positive or negative					
The standard product RRFm	1	2	3	4	5	6
Shelf life 15 minutes	15 minutes		1 hour		4 hours	1 day
Minimum duration between deactivation period and next activation	0	0-8 hours	0	0-8 hours	0	0

Department	Positive or negative			
The RRFa product	1	2	3	4
Period of validity	15 minutes	1 hour	4 hours	1 day
Minimum duration between deactivation period and next activation	0 minutes			
Department	Positive or negative			

Article 153

Acquisitions of balancing capacity are made through daily auctions for a maximum of one day.

Article 154

A purchase period may be limited to one day and / or settlement intervals within that period, day or night hours, peak or off-peak hours, or other types of intervals.

Article 155

The required quantities of balancing capacities shall be procured by TSOs through market mechanisms, competitive bidding throughout the procurement period, separately for increasing and decreasing power, for each category of balancing capacity and for each settlement interval in that period.

Article 156

The TSO shall publish the quantities of balancing capacity required to be purchased during that period of purchase and shall announce the details of the auction no later than one day before the day on which the auction takes place.

Article 157

Each ESF shall submit to the TSO its balancing capacity offers. Balancing capacity offers shall be submitted in aggregate for all qualified supply units / reserve supply groups for each standard product type for which the ESF has obtained a technical qualification.

Article 158

Each ESF participating in the balancing capacity acquisition process shall submit and have the right to update the balancing capacity offers before the closing time of the acquisition process.

Article 159

TSO establishes and publishes the content and the framework format of the offers, the way of their transmission and validation within a procedure elaborated by it.

Article 160

The TSO validates ESF tenders as soon as they are received and rejects tenders which do not meet the requirements for the framework format and / or those in which the capacity provided exceeds the total qualified value for an ESF for a particular type of standard product. If the tender is rejected, the TSO shall inform the ESF and state the reasons for the rejection.

Article 161

Immediately after the closing time for the procurement process, TSO allocates the balancing capacity offered in that auction on the basis of the marginal price, as follows:

- a) the offers are ordered in ascending order according to the price. Offers with the same price are sorted chronologically according to

time stamp;

- b) if the sum of the capacities offered by the ESF is less than or equal to the balancing capacity to be allocated through this tender, all tenders will be fully accepted;
- c) if the sum of the capacities offered by the ESF is higher than the balancing capacity to be allocated through this tender, the tenders are accepted in the order from letter a) until the last offer that completes the necessary balancing capacity that can be accepted in whole or in part.

Article 162

The price of the last accepted bid is the bid price, paid by the TSO to all ESF with accepted bids.

Article 163

The ESF may challenge the results of the auction only if there are strong indications of non-compliance in the tender evaluation process. The appeal will be sent within one hour from the publication of the auction result.

Article 164

The result of the analysis of the appeal will be communicated by TSO within 3 hours from the receipt of the appeal.

Article 165

Each ESF holding a contract for the provision of balancing capacity shall submit to the TSO the balancing energy offers corresponding to the volume, products and other requirements set out in the balancing capacity supply contract.

Article 166

The result of each balancing capacity tender shall be set out in the Annexes to the contracts for the supply of balancing capacity concluded between the TSO and the ESF.

Article 167

On the first calendar day following the day of delivery concerned, the TSO shall send for each day of delivery and for each UFR / GFR of each ESF the confirmations of the quantities achieved (made available to the TSO) of the total contracted capacity.

Article 168

Appeals against the contents of confirmations regarding the quantities made are only accepted in case of errors resulting from TSO actions.

Article 169

Any dispute over the content of a confirmation of the quantities made shall be forwarded to the TSO by the responsible ESF no later than one working day after the TSO has forwarded that confirmation of the quantities made.

Article 170

The TSO shall inform the ESF of the acceptance or rejection of the appeal no later than one working day after receipt of the appeal. If an appeal is accepted, the TSO shall send the ESF a confirmation of the corrected quantities on the same day.

Article 171

If, during the period provided in art. 169, an ESF does not send any appeal to the confirmations received regarding the quantities achieved, they are considered to be accepted.

Article 172

Any appeal submitted shall not relieve the ESF of the obligations arising out of the contracts concluded.

Article 173

For each ESF, the TSO draws up a monthly regularization note which includes a breakdown of the volumes of contracted capacity realized and the prices resulting from the auction, within 3 working days from the end of the delivery month.

Article 174

Each ESF which has concluded a capacity contract with TSO shall verify the monthly regularization note and, if it finds non-compliance with the applicable provisions, shall send to TSO, within one working day of its receipt, reasoned appeals against the monthly regularization note.

Article 175

TSO examines the ESF's appeal and responds to it, with reasons, within one working day of receiving the appeal, redoing the calculations and correcting the erroneous monthly regularization notes.

Article 176

For ESFs that have not submitted appeals, the monthly regularization notes sent at the initial deadline are considered valid.

Article 177

For balancing capacities contracted and unavailable to the EP, including the lack of EP bids for those capacities, the ESF will pay the TSO a specific penalty corresponding to 100% of the contract price resulting from the tender.

Article 178

Each ESF issues an invoice to the TSO containing the amounts corresponding to the quantities achieved from the contracted balancing capacities, according to the information in the regularization note provided in art. 173.

Article 179

Invoices are issued on the first working day following the provision of the adjustment note or, where applicable, according to the revised adjustment note following corrections.

Article 180

1. The TSO shall pay the amounts corresponding to the balancing capacities achieved within 5 days of receipt of the invoices from the ESF.
- (2) In case of non-fulfillment within 30 days from the due date of the obligations provided in par. (1) the buyer shall pay, in addition to the amount due, delay increases to this amount, corresponding as a percentage of the delay increase due to non-payment of obligations to the state budget, for each day of delay, until the day of payment (exclusive) . The total amount of the penalties may not exceed the amount due.

Article 181

TSO develops and publishes on its website the procedure for acquiring balancing capacity, which will be subject to a public consultation process.

SECTION 7 2:**Transfer of capacity for balancing****Article 182**

The ESF may transfer its balancing capacity obligations.

Article 183

The transfer of balancing capacity is allowed at least one hour before the start of the delivery day, with the ESF being required to inform the TSO immediately of that transfer.

Article 184

Transfer of balancing capacity is permitted if the following conditions are met:

- a) The ESF taking over the capacity provision has passed the technical qualification process in terms of capacity for balancing which is the subject of the transfer;
- b) it is expected that the transfer of capacity for balancing will not endanger safety in operation.

Article 185

If the TSO does not allow the transfer of balancing capacity, it must justify the refusal of all ESFs involved.

Article 186

The transfer of balancing capacity shall be recorded in the Annexes to the contracts for the supply of balancing capacity concluded between the TSO and the ESF which participated in the transfer.

CHAPTER VIII:**Consequences of non-compliance with the terms and conditions applicable to balancing service providers for RI, RRFm and RRFa****Article 187**

If an ESF does not comply with the technical requirements for the supply of standard products for which it has been qualified for at least two situations within one month, the TSO may decide to reduce the qualified balancing capacity of that UFR / GFR or may withdraw its ESF technical qualification for non-compliant UFR / GFR balancing reserve, in accordance with the provisions of the procedure provided in art. 37. In all cases, the TSO will consider the reasons given by the ESF and make a reasoned decision.

Article 188

If an ESF does not comply with the conditions laid down in the provisions of this Regulation on payments to the EP, the measures set out in the section on making payments, enforcing guarantees and penalties for late payment on the EP shall apply.

Article 189

If an ESF does not comply with the obligation to provide the contracted balancing capacity to the EP, the provisions of art. 187.

CHAPTER IX:**Rules for the acquisition, transfer of capacity and settlement of RSF****SECTION 9 1:****Rules and conditions for RSF providers****Article 190**

TSO acquires RSF capacity, through market mechanisms from qualified RSF suppliers that have signed with TSO the framework contract for the supply of this type of reserve, in conditions of transparency, unrestricted access and economic efficiency.

Article 191

Only RSF suppliers with a technical qualification for this type of reserve have the right to participate in the RSF capacity market, in accordance with the provisions of art. 154 of the Regulation (EU)2017 / 1,485. The qualification process for RSF is described in the technical qualification procedure for the provision of system services, approved by order of the President of ANRE.

Article 192

Transactions between the RSF provider and the TSO establish the obligation of the respective RSF provider to provide the energy corresponding to the RSF capacity earned for the respective ID.

Article 193

The energy corresponding to the gained RSF capacity is used in the SEN according to the frequency variation in the respective ID and the qualified RSF characteristics.

Article 194

The energy corresponding to the gained RSF capacity is physically delivered and monitored during the dispatching interval at the delivery points where the component entities of the RSF supplier are connected to the SEN.

Article 195

TSOs and RSF providers have the obligation to monitor ex post and / or real-time RSF, which needs to be activated and activated.

Article 196

RSF providers must ensure that it is possible to monitor the activation of RSF at the level of the providing entities, but also at the level of UFR or GFR and the real-time transmission to the TSO of the requested data / records.

Article 197

TSO develops and publishes on its website the procedure for monitoring the activation of the RSF in the current operation of the UFR / GFR, a procedure that will be subject to a public consultation process.

Article 198

In the event of an unavailability of a component entity of the RSF provider or if the UFR or GFR with technical entities with RLE must compensate for a possible lack of RSF, they will be able to modify the activation of RSF to their own available technical entities or will be able to assign unavailable capacity, in order to ensure the supply of RSF. Modifying the RSF activation must ensure continuity of RSF provision.

Article 199

The maximum RSF reserve will comply with the provisions of art. 156 para. (6) lit. a) of the Regulation 2017 / 1,485 and of art. 3 para. (10) and of art. (4) para. (4) of the Proposal for all transmission and system operators in the Continental Europe Synchronous Area for additional properties of the Frequency Stabilization Reserve (RSF) in accordance with Art. 154 para. (2) of Regulation (EU) 2017 / 1,485 of the Commission of August 2, 2017 establishing a guideline on the operation of the electricity transmission system, approved by the Decision of the President of ANRE no. 153/2021.

Article 200

If a component of the UFR or GFR becomes unavailable for this service, the transfer of the RSF may be made for the entire contracted quantity or in part with quantities at least equal to those replaced; the transfer can be made between the component entities UFR, respectively GFR within the qualified total limit.

SECTION 9 2:

Acquisition and settlement of RSF capacity

Article 201

The total RSF capacity put up for auction is determined annually at the ENTSO-E level for TSOs and corresponds to a frequency deviation of +/- 200 mHz.

Article 202

The acquisition of RSF capacity is done in a symmetrical band and is carried out through daily tenders, for a maximum contractual duration of one day.

Article 203

TSO communicates, by January 1 of each year, the minimum amount of RSF required to be purchased. The quantity is the same in all IDs and represents a minimum quantity.

Article 204

The minimum amount purchased per direction from a UFR / GFR is 1 MW corresponding to a frequency variation of 200 mHz.

Article 205

The total qualified capacity of RSF providers is published on the TSO website.

Article 206

Prior to acquiring the capacity of RSF, TSO:

- a) establishes one or more purchase periods for a delivery day;
- b) informs on the total volume of the reserve quantity to be purchased.

Article 207

TSO publishes the quantities of RSF required to be purchased during the respective procurement period and will announce the details of the auction:

- a) not more than two working days before the beginning of the procurement period in the case of tenders for one-day procurement periods;
- b) two hours before the start of the procurement period, in the case of tenders for procurement periods of one or more intervals.

Article 208

If the full required amount of RSF is not procured in the first round of bidding, TSO will take the following measures:

- a) will organize another round of auction, for uncovered IDs;
- b) in case of lack of RSF bids from which TSO can cover the RSF requirement or unavailability of a reserve that could not be replaced for one hour, TSO has the right to request bids for full RSF capacity for a new round of RSF tender to all qualified RSF providers who do not have RSF contracted on uncovered ID.

Article 209

TSO establishes and publishes the content and the framework format of the offers, the way of their transmission and validation on its website.

Article 210

Each RSF provider submits its TSO capacity offerings to TSO. RSF capacity offers will be transmitted in aggregate for all UFR / GFR.

Article 211

Each RSF provider participating in the RSF capacity acquisition process may submit and have the right to update its RSF capacity offerings before the closing time for the acquisition process.

Article 212

TSO validates the offers of the RSF providers immediately after their receipt and rejects the offers that do not meet the requirements regarding the framework format and / or those in which the offered capacity exceeds the total qualified value for the RSF providers. If the tender is rejected, the TSO shall inform the RSF provider concerned and inform it of the reasons for the rejection.

Article 213

Immediately after the closing time for the procurement process, TSO allocates the RSF capacity offered in the respective auction based on the marginal price, as follows:

- a) the offers are ordered in ascending order according to the price. Offers with the same price are sorted chronologically by time stamp;
- b) if the amount of capacity offered by the RSF providers is less than or equal to the capacity of the RSF to be allocated through this tender, all offers will be fully accepted;
- c) if the sum of the capacities offered by the RSF suppliers is higher than the RSF capacity to be allocated through this tender, the offers are accepted in the order provided in let. a) until the last offer that completes the necessary RSF capacity that can be accepted only in full, not being possible a partial acceptance. Due to the fact that from a technical point of view a high flexibility of the maximum RSF values provided by an RSF provider cannot be ensured, the total reserve may be higher than the minimum required RSF.

Article 214

The price of the last accepted bid is the closing price of the bid for each ID, paid by the TSO to all RSF providers with accepted bids.

Article 215

RSF providers may challenge the results of the auction only if there are strong indications of non-compliance in the tender evaluation process. The appeal will be sent to TSO within one hour of the publication of the auction result.

Article 216

The result of the analysis of the appeal will be communicated by TSO within 3 hours from the receipt of the appeal by TSO.

Article 217

The result of each RSF capacity allocation tender is set out in the annexes to the contracts for the provision of balancing capacity concluded between TSOs and RSF providers.

Article 218

For each RSF supplier, TSO draws up a monthly regularization note which includes a breakdown of the volumes of contracted capacity, realized and the prices resulting from the auction, within 3 working days from the end of the delivery month.

Article 219

Each RSF provider that has concluded a capacity contract with TSO verifies the monthly regularization note and, if it finds non-compliances with the applicable provisions, sends TSO, within one working day from its receipt, reasoned appeals to the monthly note of regularization.

Article 220

TSO analyzes the RSF provider's appeal and responds to it, motivated, within one working day of receiving the appeal, redoing the calculations and correcting the erroneous monthly regularization notes.

Article 221

For RSF providers who have not submitted appeals, the monthly regularization notes sent at the initial deadline are considered valid.

Article 222

For the RSF capacities contracted and unavailable for PE, the RSF provider will pay to TSO a penalty in accordance with the provisions of art. 239.

Article 223

Each RSF provider issues an invoice to TSO containing the amounts corresponding to the quantities of the realized RSF capacities, according to the information from the regularization note provided in art. 218.

Article 224

Invoices are issued on the first working day following the provision of the adjustment note or, where appropriate, the revised adjustment note following corrections.

Article 225

- (1) TSO pays the amounts related to the realized RSF capacities, within 5 days from the receipt of the invoices from the RSF suppliers.
- (2) In case of non-fulfillment within 30 days from the due date of the obligations provided in par. (1), the buyer will pay in addition to the amount due late payment increases to this amount, corresponding as a percentage of the late payment increase due to non-payment of obligations to the state budget, for each day of delay, until the day of payment (exclusive). The total amount of the penalties may not exceed the amount due.

Article 226

In case of loss of all or part of the capacity of the RSF capacity, the RSF provider will transfer the obligation to provide that capacity within one hour and will inform the TSO. If the RSF provider does not find another participant to take over this amount, then the process provided in art. 208.

Article 227

TSO develops and publishes on its website the procedure for the functioning of the capacity market for RSF, a procedure that will be subject to a public consultation process.

SECTION 9 3:

RSF capacity transfer

Article 228

RSF providers may transfer their obligations to provide RSF capacity.

Article 229

The transfer of the RSF capacity is made one day before or during the delivery day, up to one hour before the start of the delivery interval, the RSF providers having the obligation to inform the TSO immediately about the respective transfer.

Article 230

The transfer of RSF capacity is allowed if the following conditions are met:

- a) the RSF provider that takes over the obligation to provide RSF capacity is qualified for this type of reserve;
- b) it is estimated that the transfer of RSF capacity will not jeopardize operational safety.

Article 231

If the TSO does not allow the transfer of RSF capacity, it must justify the refusal of all RSF providers involved.

Article 232

The transfer of RSF capacity is recorded in the annexes to the service provision contracts concluded between TSO and the RSF providers that participated in the transfer. The payment of the transferred capacity is made at the value from the contract of the RSF provider that assigns the obligation, regardless of the obligations agreed between the assigning RSF provider and the assigning RSF provider.

SECTION 9 4:

Activation of RSF energy

Article 233

RSF activation is performed according to the frequency variation of the SEN and the technical parameters of the ESF.

Article 234

The RSF provider has the obligation to continuously supply the entire amount of RSF contracted, as long as the frequency deviation persists, but not less than 15 minutes and not more than 30 minutes, in accordance with art. 20 of the Technical Qualification Procedure.

Article 235

In accordance with art. 156 para. (13) lit. (b) of Regulation (EU)2017 / 1,485, the RSF provider with an RLE that limits their ability to supply RSF ensures the recovery of the energy tanks in the positive or negative direction as soon as possible, within 2 hours from the end of the SEN alert state.

Article 236

In the event of an accidental tripping of the UFR / GFR during the provision of the service, the RSF provider shall make every effort to communicate this information in real time to the TSO.

Article 237

The balancing energy achieved by the RSF supplier is equal to the average frequency deviation from the ID, measured at the level of the central frequency-power regulator, multiplied by the statistic of the generating unit, conditioned by the operation in the frequency stabilization setting. If the RSF provider participates in the RSF with a single generating unit, the statistic is either the statistic of the synchronous generator set, or the slope of the frequency-power dependence of the plant consisting of generating modules. If the UFR / GFR consists of an aggregation of generating units, the balancing energy provided by the RSF provider is either the sum of the energies of each generating unit component of the aggregation and which participated in the frequency stabilization, or the statistic set at aggregation, if the RSF provider has been qualified in this way. The operation in the frequency stabilization setting is detected by the binary signal (on / off) transmitted in the EMS - SCADA system and takes into account the time period in which the RSF provider provided RSF as follows:

if $I = 1$,

$$E_{RSF_reducere} = \int_0^{15 \text{ min}} k (fm - 50), \text{ pentru } fm > 50$$

$$E_{RSF_creștere} = \int_0^{15 \text{ min}} k (50 - fm), \text{ pentru } fm < 50,$$

where:

and represents the value of the signal;

$I = 1$ generating unit with operation in frequency stabilization setting; $I = 0$ the

generating unit does not work in the frequency stabilization setting; $E_{RSF_increase}$, E

RSF_expire - the energy provided in the frequency stabilization process; fm - frequency

measured at the level of the central frequency-power regulator; 50 - the value of 50 Hz,

namely the nominal frequency;

k - the statistic or frequency-power dependency factor of the RSF provider.

Article 238

The balancing energy achieved by the RSF provider is taken into account when establishing the net contractual position of the PRE, of which UFR or GFR are part.

SECTION 9 5:

Consequences in case of non-compliance with the clauses and conditions applicable to RSF providers

Article 239

For the contracted and uninsured capacities by notification, the RSF provider will pay to TSO a specific penalty, corresponding to 100% of the contract price resulting from the auction.

Article 240

If the contracted capacity is provided, but UFR / GFR does not respond to the frequency variations, the respective RSF provider will pay to TSO a specific penalty, corresponding to 100% of the contract price resulting from the capacity tender.

CHAPTER X:

SECTION 10 1:

Rules on the suspension and reinstatement of the EP and the RSF capacity market

Article 241

The rules on the suspension and restoration of market activities for the EP and the mode of action of the TSO in this case are established by the provisions of the Rules on the suspension and restoration of market activities approved by order of the President of ANRE.

SECTION 10 2:

Rules regarding the settlement of balancing capacity and balancing energy in Romania in case of suspension of market activities

Article 242

The rules on the settlement of balancing capacity and balancing energy in case of suspension of market activities and the mode of action of TSO in this case are established by the provisions of the Rules on suspension and restoration of market activities approved by order of President ANRE.

CHAPTER XI:

Final provisions

Article 243

TSO shall publish this Regulation on its website within 2 days of its publication in the

Official Gazette of Romania, Part I.

Article 244

TSO shall develop, consult publicly and publish on its website the procedures provided for in this Regulation within 6 months of the publication of this Regulation in the Official Gazette of Romania, Part I.

Article 245

Until the date of application of the Regulation, the implementation activities to be carried out, as appropriate, by the TSO, the OD and the ESF shall be as follows:

- a) re-evaluation of the necessary and available capacities for the provision of each type of balancing services reserve;
- b) the qualification of the ESF for each type of standard product and the qualification for the supply of RSF according to the provisions of the Technical Qualification Procedure;
- c) the development and implementation of new functions in the EMS - SCADA system necessary for the TSO to use the European platform for the standard RRFa product;
- d) modification of the configuration of the existing EP platform, according to the requirements of this regulation within 9 months from its publication in the Official Gazette of Romania, Part I.

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2021 Regulation on terms and conditions for balancing parties

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2021 Regulation on terms and conditions for parties responsible for balancing

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CHAPTER I:

Purpose and scope

Article 1

This Regulation shall apply to all market participants for the purpose of establishing rules for:

- a) registration as a party responsible for balancing, withdrawal / revocation of registration as a party responsible for balancing, transfer of balancing responsibility to other parties responsible for balancing, as well as establishing the consequences in case of non-compliance with the terms and conditions applicable to balancing parties;
- b) the transmission of data and information to be delivered to the imbalance settlement operator of the parties responsible for balancing in order to calculate the imbalance on each imbalance settlement interval;
- c) the determination of the imbalance generated by a party responsible for the balancing in the national electric power system in each interval of settlement of the imbalances;
- d) settlement of imbalances of the parties responsible for balancing in a way that reflects the costs of balancing the national power system, so that the parties responsible for balancing are encouraged to balance before delivery and does not aggravate the imbalance of the system.

CHAPTER II:

Abbreviations and definitions

Article 2

For the purposes of this Regulation, the following abbreviations have the following meanings:

1. a) *needles* - zone adjustment error;
2. b) *ANRE* - National Energy Regulatory Authority;
3. c) *Terms and conditions for system service providers and frequency stabilization backup providers* - Regulation on the terms and conditions for balancing service providers and for frequency stabilization reserve providers, approved by order of the ANRE President;
4. d) *Captain* - own technological consumption;
5. e) *DD* - statement of availability;
6. f) *EIC* - European Network of Transmission System Operators for Electricity Identification Code;
7. g) *EMS - SCADA* - SCADA system of the transmission and system operator (Energy Management System - Supervisory Control and Data Acquisition);
8. h) *ENTSO-E* - European Network of Transmission System Operators for Electricity;
9. i) *ESF* - balancing service provider;
10. j) *FSKAR* - dedicated European platform for settling the volume of planned energy exchanges for

stabilizing the frequency in the synchronous area of Continental Europe, ACE and the period corresponding to the ramps;

11. k) *ugh* - provider of last resort;
12. l) *GFR* - reserve supply group;
13. m) *ID* - settlement interval;
14. n) *NP* - program notification;
15. o) *ODDPRE* - the imbalance settlement operator of the parties responsible for balancing;
16. p) *OPEED* - the designated electricity market operator;
17. q) *MAN* - measuring operator;
18. r) *OMEPA* - the operator of energy measurement on the wholesale market, internal organizational structure within the transmission and system operator;
19. s) *OR* - network operator;
20. t) *TSO* - transmission and system operator;
21. u) *ON* - balancing market;
22. v) *PI* - intraday market;
23. w) *PRE* - party responsible for balancing;
24. x) *PRE - PI* - the balancing party set up by OPEED as a counterparty for transactions concluded on IP;
25. y) *PRE - PZU* - the balancing party set up by OPEED as a counterparty for day - to - day market transactions;
26. z) *DAM* - the market for the next day;
27. aa) *Supply regulations* - Regulation for the supply of electricity to final customers, approved by order of the President of ANRE;
28. bb) *Measurement rules* - The commercial rules regarding the collection, processing and transmission of the measured values of electricity, approved by order of the President of ANRE;
29. cc) *Takeover regulations* - The regulation for the takeover by the last resort suppliers of the final customers who have not ensured the supply of electricity from any other source, approved by order of the ANRE president;
30. dd) *Regulation (EU) 2017 / 2.195* - Regulation (EU) 2017 / 2.195 Decision of 23 November 2017 establishing a guideline for balancing the electricity system;
31. ee) *Regulation (EU) 2017 / 1.485* - Regulation (EU) 2017 / 1,485 of the Commission of 2 August 2017 establishing a guideline for the operation of the electricity transmission system;
32. ff) *ROPEX_DAM_Base* - price index determined for each day of the year as an arithmetic average of the closing prices of the DAM corresponding to the 24 hour intervals;
33. gg) *RSF* - reserves for frequency stabilization;
34. hh) *SB* - block exchange;
35. ii) *SEN* - national power system;
36. jj) *SN* - unintentional exchanges;
37. kk) *eu* - European Union;
38. ll) *UFR* - reserve supply unit.

Article 3

For the purposes of this Regulation, the terms and expressions used shall have the meanings defined in:

- a) art. 2 of the Directive (EU)2019/944 of the European Parliament and of the Council of 5 June 2019 on common rules for the internal market in electricity and amending Directive 2012/27 / EU;
- b) art. 2 of Regulation (EU)2019/943 of the European Parliament and of the Council of 5 June 2019 on the internal market in electricity;
- c) art. 3 of Regulation (EU)2017 / 2.195 Decision of 23 November 2017 establishing a guideline for balancing the electricity system;
- d) art. 2 of Regulation (EU)2016/631 of the Commission of 14 April 2016 establishing a network code on the requirements for the connection of generating installations to the network;

e) art. 3 of the Law on electricity and natural gas no.123/2012, with subsequent amendments.

Article 4

For the purposes of this Regulation, the terms and expressions below have the following meanings:

1. *Aggregates* - market participant involved in the aggregation, as defined in art. 2 point 43 of the Regulation (EU) 2019/943 of the European Parliament and of the Council of 5 June 2019 on the internal market in electricity;
2. *settlement bank* - bank at which a PRE / OTS has opened its bank account from / in which the payment obligations / collection rights registered in the settlement information notes issued by ODDPRE, provided in the invoices, are paid / collected;
3. *net consumption* - the energy that a consumer of electricity takes from the electricity transmission / distribution networks of SEN;
4. *own technological consumption of networks* - the difference between the electricity measured at the entrance to the network and the electricity measured at the exit of the respective network, representing the losses of electricity related to the network, as well as the electricity taken from the network but not billed due to non-registration by the measurement groups;
5. *the convention of taking responsibility for balancing* - standardized convention developed by TSO following a public consultation process, in accordance with the provisions of this Regulation, which provides for the mutual rights and responsibilities between TSO and a PRE; it is signed by TSO and the participant requesting to be registered as PRE;
6. *interval metering equipment* - measuring equipment capable of measuring as well as storing and transmitting the measured values of the quantities of active and reactive energy transported, delivered to a measuring point, in each ID;
7. *contractual delivery* - the amount of electricity that is considered to be delivered from or to a PRE under the contractual obligations entered into by the PRE market participants in accordance with legal provisions, including imports and exports, transactions concluded on notified DAM and IP and transactions concluded on PE, in an ID;
8. *measured delivery* - electricity supplies which are measured at a measuring point between the SEN and a producer or consumer, as the case may be, or at an exchange point between the electricity network of one OR and the electricity electrical networks, in an ID;
9. *delivery month* - the month in which the actual delivery / consumption of electricity takes place;
10. *PRE imbalance settlement operator* - organizational entity designated according to the law and / or regulations in force for establishing the quantitative and value imbalances of the PRE;
11. *network operator* - any natural or legal person who owns, under any title, an electrical distribution / transmission network and is responsible for the operation, maintenance and, if necessary, development of the distribution / transmission network in a given area and, where appropriate, its interconnections with other systems, as well as ensuring the long-term capacity of the distribution / transmission network to meet a reasonable level of electricity distribution / transmission demand;
12. *net contractual position* - the difference between the contractual delivery obligations of a PRE and the contractual procurement obligations of that PRE within a settlement period;
13. *measured net position* - the difference between the total net production for all electricity producers for which the PRE assumed responsibility for balancing and the total net consumption for all electricity consumers for which the PRE assumed responsibility for balancing, including the CPT of the electricity grid of an RO, if it has transferred its responsibility for balancing the CPT to that PRE, in an ID;
14. *imbalance compensation process* - agreed between TSOs, which avoids the simultaneous activation of frequency recovery reserves in opposite directions, taking into account the respective deviations of the the frequency involved;
15. *net production* - the electricity that is delivered by a production unit in the electrical transmission / distribution networks of SEN, equal to the difference between the energy produced, measured at the generator terminals, and the CPT provided from its own production;
16. *exchange point* - the physical point at which the electrical network of one OR is connected to the electrical network of another OR

or in which its delimitation has been formally agreed, through a measuring point;

17. *measuring point* - the place of connection to which the equipment is connected and all the installations used for measuring power and electricity;
18. *PRE register* - public register prepared and updated by TSO containing specific information on registered PRE;
19. *system service log* - register drawn up and updated by each OR containing specific information on registered electricity network users;
20. *responsibility for balancing* - the responsibility of each market participant towards TSO for maintaining the balance between the realized and contracted values of its own production, consumption and exchanges of electricity, as the case may be, and for the financial support of possible imbalances;
21. *unintentional exchange* - the amount of unintentionally exchanged electricity by SEN with neighboring electricity systems in the synchronous area of Continental Europe calculated by a dedicated European IT platform related to these unintentional exchanges;
22. *transaction* - an agreement concluded between two parties for the commercial transfer of electricity in accordance with the provisions of this Regulation;
23. *transaction committed on the EP* - transaction established on the EP between the TSO and an ESF, respectively another connecting TSO, for the supply of balancing energy;
24. *delivery day* - the day on which the actual delivery / consumption of the balancing energy takes place.

CHAPTER III:

Balancing responsibility for PRE

SECTION 3 1:

General principles

Article 5

The concept of responsibility for balancing and establishing PRE ensures:

- a) closing the positions related to electricity transactions on the electricity market in an orderly and fair manner;
- b) establishing before ID the electricity balance in SEN;
- c) separation of financial and physical transactions;
- d) the correct settlement of electricity transactions on the market.

Article 6

Market participants who become active in the electricity market assume financial responsibility for the imbalances they cause in the system; they strive to be balanced and / or contribute to the balancing of SEN.

Article 7

The application of the concept of balancing responsibility in this regulation aims to stimulate participants to balance before ID, by establishing financial responsibility for imbalances between net production and consumption and electricity exchanges notified under contracts, while reducing the application of penalties on market participants, within the limits set out in this Regulation.

Article 8

This chapter sets out the rules and conditions for:

- a) registration of PRE, transfer of responsibility to another PRE, withdrawal / revocation of PRE;
- b) the allocation of balancing responsibility to market participants registered as PRE;
- c) PRE rights and obligations;
- d) allocation of production places / consumption places, including CPT of a network, to PRE;
- e) the establishment and completion of the register for PRE by TSO.

SECTION 3 2:

Obligation to take responsibility for balancing, rights and limitations

Article 9

The balancing responsibility lies with the market participants for:

- a) ensuring the balance between the production measured in the measurement points related to the production sites, the notified contracted purchases / balancing energy activated on PE and the contracted electricity imports notified, on the one hand, and the consumption measured in the measurement points related to the consumption places / CPT determined under its responsibility, notified contracted sales / balancing energy activated on the EP and notified contracted electricity exports, on the other hand;
- b) assuming financial responsibility towards TSOs for all physical imbalances that occur due to the lack of equality between the net production measured in the measurement points related to the production sites, the notified contracted acquisition / balancing energy activated on PE, the notified contracted import, on the one hand, and consumption measured at the points of measurement related to the places of consumption, including CPT, under its responsibility, the notified contracted sales / balancing energy activated on the EP and the notified contracted export of electricity, on the other hand.

Article 10

The market participant assumes contractually the financial responsibility of balancing against TSO by registering as PRE or, in the case of end customers not participating in the wholesale market in its own name, by implicit transfer of this responsibility to PRE registered by the supplier / one of its suppliers .

Article 11

Electricity suppliers that purchase electricity produced and delivered to the electricity grid by prosumers who own power plants for the production of electricity from renewable sources with an installed capacity of up to 100 kW per place of consumption and conclude contracts for the sale-purchase of energy under the Order of the President of ANRE no. 90/2015 on the approval of the framework contracts for the electricity distribution service, with subsequent amendments, and for the amendment of the Framework Contract for the sale-purchase of electricity produced by prosumers holding power plants for the production of electricity from renewable sources with the power installed by the much more than 100 kW per place of consumption, approved by the Order of the President of the National Energy Regulatory Authority no. 227/2018, with subsequent amendments, are obliged to assume the financial responsibility for the payment of the imbalances generated on the electricity market by the respective prosumers.

Article 12

In order to facilitate the functioning of the electricity market, market participants are allowed to fully transfer their responsibility for balancing a PRE that has been registered with TSO only if, after the transfer, it falls within the maximum size of the PRE established according to the provisions of this regulations. A PRE that is responsible for balancing another registered market participant (s) registered as a PRE is required to use the unique method of allocating its costs / revenues to its members under this Regulation and to report to the TSO the situation of imbalances recorded by each market participant. for which he assumed responsibility for balancing, separately for each ID in the delivery month.

Article 13

During the transfer of the balancing responsibility from one participant registered as a PRE to another participant registered as a PRE, the provisions of this Regulation shall apply to the PRE, according to its size and structure resulting from the transfer.

Article 14

If a market participant is revoked as a PRE, it will be considered that he has all the responsibilities of a registered PRE, being responsible for all the related related expenses, without having the right to participate in the electricity market and considering SB with other PRE equal to zero. .

Article 15

A market participant may assume responsibility for balancing through a single PRE for all activities in the electricity sector that it carries out or may transfer responsibility for balancing a single PRE.

Article 16

I make an exception from the application of the provisions of art. 15 the situations provided in art. 25-28 and art. 138 for TSO, OD concessionaire,

OPEED, ESF, the market participant in the management of production sites or storage facilities during the trial period, which will not be part of the UFR / GFR.

Article 17

Every place of production and every place of consumption, including the CPT of an RO, is the responsibility of a PRE.

Article 18

In the case of a place of consumption and production, a storage capacity or a place of production / consumption with storage capacity, this is considered a place of production in ID where the value measured at the boundary point indicates an injection of electricity. in networks and place of consumption in ID where the measured value indicates an extraction of electricity from the networks.

Article 19

Each exchange point between the networks of two ROs is taken into account in determining the CPT of each of the two ROs, within each PRE holding responsibility for balancing for each of them.

Article 20

In the case of the consumer served simultaneously by several suppliers at one place of consumption, only one of them shall be responsible for balancing that place of consumption, referred to in this Regulation as the main supplier.

Article 21

In the case of the consumer actively participating in the market through an independent aggregator, the main supplier assumes responsibility for balancing the respective place of consumption, the responsibility for balancing the aggregator being achieved through the energy transfer between PRE in which it is registered and PRE in which the main supplier is registered. at a level which depends on its measured consumption and the reference consumption of the market in which it has participated; In situations where the consumer frequently participates in the market, so that it is not possible to achieve the consumption reference curve for previous EP markets, the reference consumption for these markets is considered to be at the default consumption value provided in the consumer supply contract.

Article 22

The transfer of the balancing responsibility of a market participant registered as PRE to another PRE is allowed in compliance with the provisions of art. 55.

Article 23

If in the period following the transfer of the balancing responsibility it is found that the resulting PRE no longer complies with the provisions of art. 55, non-compliance based on the analysis of the monthly updated values of the PRE size according to the information provided in the section for calculating the PRE size of this Regulation, TSO has the right to limit that PRE in assuming the balancing responsibility for other market participants and return to compliance with the specified limits within a maximum period of 6 months. This request is made transparent, based on an analysis described in the operational procedure for the establishment, updating and use of financial guarantees on the balancing market developed by TSO following a public consultation process.

Article 24

Exports and imports shall be allocated PRE in accordance with the program notifications of those PREs, transmitted and approved in accordance with the provisions of this Regulation.

Article 25

OPEED assumes the balancing responsibility for all commercial transactions in which it engages as a counterparty, separately for DAM and IP transactions.

Article 26

OPEED does not have the right to assume the responsibility of balancing for: a) any place of production / place of consumption, including CPT of a network; or
b) no other PRE.

Article 27

TSOs set up separate PREs for:

- a) managing the differences between the amount of electricity purchased to cover the CPT of the transmission network and the CPT achieved in each ID;
- b) the commercial operations performed as a transfer agent for the CPU in coupled operation;
- c) commercial operations performed as a transfer agent for IP in coupled operation;
- d) commercial operations performed on the market in order to supply their own places of consumption, other than CPT.

Article 28

Each concessionaire OD sets up a separate PRE to manage the differences between the amount of electricity purchased to cover the CPT of its electricity network and the CPT of that network achieved in each ID.

Article 29

Each PRE shall submit program notifications in accordance with the section on program notifications in this Regulation.

Article 30

Each PRE assumes financial responsibility to the TSO for the sum of the imbalances between production, procurement, import, consumption, sales and export for market participants, for which it has the responsibility to balance. Quantitative and financial imbalances shall be determined and settled in accordance with the provisions of this Regulation.

Article 31

Each PRE shall maintain at its own expense all communication systems necessary for the transmission of the NP, as well as for the receipt of notifications from the TSO in accordance with the provisions of this Regulation.

Article 32

Each PRE shall authorize at least one contact person to act on its behalf and to keep in touch with the TSO throughout each calendar day.

Article 33

Each PRE provides financial guarantees to the TSO to cover the risks of non-payment to the TSO of the obligations resulting from the registered imbalances, according to a procedure developed by the TSO following a public consultation process.

Article 34

In addition to the conditions set out in this Regulation, each PRE has the rights and must comply with the correlative obligations set out in the Balancing Agreement, concluded with TSO.

Article 35

The rights and obligations of a PRE provided for in the Balancing Agreement shall be transferable only under the conditions laid down in this Regulation and with the consent of the TSO.

SECTION 3 3:

Registration of market participants as PRE

Article 36

The market participant must apply in writing to the TSO for registration as a PRE. The application for pre-registration is completed according to a procedure developed by TSO following a public consultation process and published by TSO on its website.

Article 37

Each application for registration of the PRE shall contain at least the following information: a) the full name, registered office and contact details of the applicant, EIC code;

- b) the number of the license / decision confirming the supply / trading right of the applicant, as the case may be, for the activities that according to the law require the possession of a license;
- c) the names and contact details of the persons empowered to act on behalf of the applicant;

- d) the installed capacity of each production unit that the applicant operates and of each of those for which it assumes responsibility for balancing;
- e) the list of places of consumption for which the applicant assumes responsibility for balancing and their aggregate capacity.

Article 38

Within two working days from the receipt of a request for registration of a PRE, TSO: a) verifies the correctness of the information provided by the applicant;

- b) transmits to the applicant the agreement to assume the responsibility of balancing;
- c) establishes the initial financial guarantee to be provided by the applicant and informs him on the amount of the initial financial guarantee.

Article 39

In the situation where not all the information provided in art. 37, TSO requests additions, and the term provided in art. 38 is suspended until the TSO's request is fulfilled.

Article 40

TSO approves an application for registration of a PRE within a maximum of 5 working days, if the following conditions are met: a) the information submitted by the applicant does not contain, to the knowledge of TSO, any false information;

- b) the applicant holds, in the cases provided by law, a valid license / decision confirming the right of supply / trading;
- c) the applicant has completed and signed the agreement to assume the responsibility of balancing;
- d) the applicant constituted the initial financial guarantee.

Article 41

If the TSO has decided that it cannot approve a request, it shall immediately inform the applicant, giving reasons for its decision. If the request was rejected due to lack of information or for not constituting the financial guarantee, the term provided in art. 40 shall be extended by a maximum of two working days from the receipt by the TSO of the missing information or until the establishment of the requested financial guarantee, but not more than 10 working days from the receipt of the request.

Article 42

Upon approval of the request, TSO:

- a) signs the balancing agreement and sends a copy to the new PRE;
- b) enter the new PRE in the register for PRE;
- c) inform ODDPRE and all ODs as MOs on the registration of the new PRE, as well as on the date from which the new PRE is allowed to operate.

Article 43

The new PRE may exercise its rights and obligations following the approval by the TSO of the application for the establishment of the PRE and its registration in the register for the PRE.

Article 44

TSO constantly updates the information entered in the register for PRE and publishes it on its website.

SECTION 3 4:

Guarantees for payment of PRE obligations

Article 45

TSO has the right to require market participants to lodge a guarantee before that market participant is registered as a PRE; If a PRE is registered by a market participant who is registered as an ESF in accordance with the Terms and Conditions for the ESF and RSF providers, and this PRE has not assumed responsibility for balancing other market participants, TSO may accept a guarantee common position for the market participant's payment obligations as both PRE and ESF.

Article 46

- (1) The guarantee provided by a market participant registered as PRE may limit the maximum size of that PRE, determined according to the provisions of art. 55, and / or the corresponding volume of block trade, exports and imports.
- (2) The manner of application of the provisions of par. (1) must be provided in detail by the TSO in the procedure mentioned in art. 47 and aims at correlating at the level of the deposited guarantee the amount between the net sales, consumption and export of the respective PRE during the risk period, evaluated based on the information on the quantities of electricity traded according to the sale-purchase contracts concluded and taking into account the average imbalance price. for the last 3 months.
- (3) The limitation provided in par. (2) is required in case of finding significant potential imbalances and / or delays in payment followed by the use of guarantees, without these being subsequently reconstituted to the required level.

Article 47

1. The TSO shall, following a public consultation process, develop the procedure for determining the requirements and the types of guarantees required, for carrying out and verifying the constitution of the guarantees and their supplementation, if any, and for the use of the remaining funds to PRE.
2. The level of collateral requested shall take into account the likelihood that the difference between the payment obligations and the monthly receipts of the PRE at the TSO is positive and shall be adjusted in accordance with any late payment delays in previous periods.
- (3) TSO publishes on its website the procedure provided in par. (1).

SECTION 3 5:

PRE size

Article 48

Each OR must submit monthly TSOs information on the size of each PRE in its area of activity.

Article 49

No later than the 5th working day of each calendar month, each OR shall transmit to the TSO and to each PRE the following information from its own license area:

- a) the total value of the estimated annual production for the production units, for which the respective PRE assumed the responsibility of balancing;
- b) the total value of the estimated annual consumption for the electricity consumers, for which the respective PRE assumed the responsibility of balancing.

Article 50

The estimated annual productions and consumptions for the next 12 months, transmitted according to the provisions of art. 49, may be based on, but not limited to, the following information:

- a) the estimated annual quantities for the CPT, used by the respective RO to determine the network tariffs;
- b) the annual production or consumption, as the case may be, registered in the last 12 months for the respective place of production / place of consumption; or
- c) in the case of a place of production / place of consumption for which no data are available, an estimate as realistic as possible of the annual quantities, as agreed by the supplier of the place of consumption and / or the OR with the user of the electricity network; / or PRE.

Article 51

In the situation where the data transmitted by an OR according to the provisions of art. 49 are incorrect, the respective PRE can contest them to the OR within 5 working days from the date on which they were sent. If a PRE did not send any appeal within this period, then the data transmitted according to the provisions of art. 49 are considered to be confirmed by the respective PRE.

Article 52

An OR verifies any appeal received in connection with the data transmitted according to the provisions of art. 49 within 5 working days after receiving the appeal and must communicate to the respective PRE the result of the analysis. If the data was incorrect, the OR transmits the corrected data to the TSO and the respective PRE.

Article 53

TSOs and any ROs may agree to limit the monthly exchange of information between them, as required by this section, only to data that have changed from the previous month.

Article 54

In each calendar month, after the transmission by the RO of the information provided in art. 49, TSO determines the total size of each PRE by aggregating the information and communicates it to the PRE.

Article 55

The size of a PRE may not exceed 30% of the total net production injected into the SEN in the previous year and / or 30% of the total net consumption of the SEN in the previous year.

SECTION 3 6:**Withdrawal and revocation of registration as PRE****Article 56**

In the event of termination of the activity on the electricity market of a market participant, it shall inform TSO in writing of its withdrawal as PRE. TSO establishes and publishes the conditions and the framework format for such a withdrawal request, in the procedure provided in art. 36.

Article 57

Market participants registered as PRE who can no longer comply with their obligations under this Regulation must inform the TSO without delay.

Article 58

TSO may decide on its own initiative to revoke the registration as a PRE of a market participant, for any of the following reasons:

a) TSO finds that:

(i) the financial guarantees provided by PRE are less than the amount required for this PRE; and

(ii) PRE failed to increase the level of guarantees to the required amount within 9 working days from the date on which TSO requested it; and / or

(iii) PRE did not reduce the size of PRE within the term provided in point (ii), so that the financial guarantees constituted are sufficient or to comply with the provisions of the procedure provided in art. 47; and / or

(iv) the PRE did not transfer within 9 working days the balancing responsibility to another PRE, which would have increased its financial guarantees during this period up to the amount covering the level required by the TSO; or

b) TSO is informed of the bankruptcy or liquidation of the market participant; or

c) ANRE informed TSO about the expiration / withdrawal / suspension of the license / trading right of the respective market participant.

Article 59

The TSO may also revoke the registration of a PRE if the relevant market participant has not repeatedly or for a long period of time fulfilled the other obligations arising from this Regulation in the event of significant and / or frequent deviations. In this case, TSO has the right to revoke the PRE only after notifying the market participant and the other parties provided in art. 61 and only if he has not fulfilled his respective obligations within 10 working days from the notification provided in art. 60.

Article 60

10 working days before deciding whether to revoke the registration as PRE of a market participant according to the provisions of art. 58 lit. a) or art. 59, as well as in cases of withdrawal at its express request, TSO must notify the market participant of the initiation and timing of the revocation procedure.

Article 61

In the situation where the reasons for revocation subsist, after two working days from the notification provided in art. 60 TSO:

a) notifies ODDPRE, all distributors in whose networks PRE had measurement points, as well as market participants

- registered as PRE, which had the responsibility of balancing transferred to this PRE, as well as other PREs with which it had block exchanges in the last 6 months, regarding the possibility and term of revocation;
- b) publishes on its website a warning regarding the possibility of revoking the PRE, addressed to the participants in the electricity and PRE market with which this PRE had contracts / notified block exchanges.

Article 62

In the situation where the reasons for revocation have been eliminated until the fulfillment of the compliance terms provided in art. 58 lit. a) or to art. 59, TSO publishes within one day on its website an information on maintaining the market participant as PRE.

Article 63

If at the fulfillment of the terms provided in art. 58 lit. a) or to art. 59 reasons for revoking PRE remain, the next day TSO revokes PRE and:

- a) no later than 9.00, announces on its website the revocation of the market participant as PRE and sends a notification in this regard to all OD concessionaires;
- b) deletes the respective PRE from the PRE register and publishes the updated version of the PRE register;
- c) transmits to ANRE the information provided in the Takeover Regulation;
- d) requests ANRE to withdraw / suspend the license of the respective participant, if the revocation was not made for this reason, presenting all the motivation for revocation.

Article 64

In the situation where the registration as PRE of a market participant is revoked based on the provisions of art. 58 lit. a) or art. 59, the revocation shall take effect on the day following the publication of the updated version of the PRE register.

Article 65

If the reason for revocation is the one provided in art. 58 lit. b) or c), the revocation takes effect from the date on which the market participant withdraws / suspends / expires his license or goes bankrupt, if this is later than the date on which TSO became aware of this situation, or otherwise, on the date of acknowledgment; on the same date, TSO publishes the updated version of the PRE register.

Article 66

In case of withdrawal of PRE on request, registration as PRE will lose its validity after 9 working days from the request of the market participant; On the day following the day on which it received the request, TSO shall announce on its website the date on which the withdrawal of the market participant as a PRE shall take effect.

Article 67

Market participants who have transferred their balancing responsibility to a revoked PRE shall be subject to the provisions of the section on exclusion from the PRE, the related time limits starting to run from the date of notification provided in art. 61.

SECTION 3 7:

Transfer of balancing responsibility

Article 68

A requesting PRE together with the receiving PRE must request the TSO to approve the transfer of balancing responsibility and communicate the date from which the transfer is intended.

Article 69

The requesting PRE must inform all market participants with whom it has contractual exchanges of electricity about this request, as well as the ORs to whose networks the places of production / places of consumption under its responsibility are connected, specifying the identity of the receiving PRE and the date from which he wishes to make the transfer, as well as any other necessary information.

Article 70

Within two working days from the date of receipt by the TSO of the requests for the transfer of the balancing responsibility

from both the requesting PRE and the receiving PRE, TSO:

- a) informs the abandoned PRE, if any, that the requesting PRE wishes to transfer its balancing responsibility to the receiving PRE;
- b) establishes the new financial guarantees to be provided by the receiving PRE and informs the receiving PRE on the amount of the new financial guarantee;
- c) establishes the level of financial guarantees to be provided by the abandoned PRE, if any, and informs it of any changes.

Article 71

TSO approves the transfer of balancing responsibility within a maximum of two working days, if the following conditions are met:

- a) on the date on which the transfer of the balancing responsibility is applied, the receiving PRE is registered in the register for PRE provided in art. 93, as PRE with the convention of assuming the responsibility of the unsuspended balancing;
- b) The receiving PRE presents the necessary financial guarantees to transfer the balancing responsibility for the requesting PRE, communicated by TSO;
- c) Abandoned PRE, if any, confirms receipt of all transfer information;
- d) each OR to the networks to which the requesting PRE has connected consumption places / production places for which it assumes the responsibility of balancing verifies and communicates to TSO the observance of the conditions provided in art. 103 and 104;
- e) Requesting PRE, receiving PRE and, if any, abandoned PRE have provided to the RO in the areas where the requesting PRE has places of consumption / places of production all the information requested by them, necessary to allocate on the PRE and aggregate the measured values regarding the measurement points related to each.

Article 72

The change of the composition of a PRE (s) at the request of the market participants involved is recorded, on the date of approval of the request, in the register for PRE published by TSO.

Article 73

The modification of the way of aggregating the measured values of consumption / production within a PRE (s) is made after the approval by TSO, according to the provisions of art. 71, of the request for modification of the composition of the respective PRE and shall be applied by the RO starting with the day following the one in which the updated version of the register for PRE was published in which these modifications appear.

Article 74

All ROs collaborate and develop, following a public consultation process, a single procedure on how to establish, verify, confirm by the parties involved and implement the way of aggregating the measured values related to a PRE, which each RO then publishes on its own website within 3 months from the publication in the Official Gazette of Romania, Part I, of this regulation.

Article 75

If the TSO does not approve the transfer of balancing responsibility, it shall without delay inform both the requesting PRE and the receiving PRE and the abandoned PRE and give reasons for its decision. In the situation where the refusal is motivated by the lack of information or by the non-establishment of guarantees at the necessary level by the receiving PRE, the approval term provided in art. 71 will be extended by up to two working days from the receipt by the TSO of the missing information or until the establishment of the requested financial guarantee; the terms resulting from the application of the provisions of art. 68-71 cannot be extended to more than 9 working days.

Article 76

As soon as the TSO has approved the transfer of balancing responsibility, it shall:

- a) informs the requesting PRE and the receiving PRE, ODDPRE, as well as, if any, the abandoned PRE;
- b) informs all involved ROs, so that they can update their own service registers on the system with the information resulting from the transfer of the balancing responsibility, published on its own website; and
- c) enters the transfer of the balancing responsibility in the register for PRE and publishes the updated version of it on its own website.

Article 77

The transfer of the balancing responsibility takes effect starting with the calendar day following the one in which TSO published the updated version of the PRE register provided in art. 76 lit. c).

Article 78

The conditions and terms provided in art. 68-77 also applies in case the requesting PRE wishes to assume the balancing responsibility in its own name, in which case the receiving PRE is the same as the requesting PRE, respectively in the situation when the requesting PRE is PRE in its own name and wishes to transfer responsibility for balancing to another PRE, in which case the abandoned PRE is the same as the requesting PRE.

Article 79

If the TSO has not approved within 9 working days the transfer of balancing responsibility for the requesting PRE to the receiving PRE or has not approved the balancing responsibility by the requesting PRE on its own behalf, the TSO revokes the requesting PRE the day after the expiry of this period and requests ANRE activating the FUI, if applicable, and withdrawing the requesting PRE license, with all the appropriate motivations.

Article 80

Until the date of approval of the transfer, but not more than 10 working days, the balancing responsibility for the requesting PRE remains in the abandoned PRE task.

SECTION 3 8:

Exclusion from PRE

Article 81

A PRE may unilaterally waive the balancing responsibility for a market participant registered as a PRE for which it had previously assumed that responsibility, under the following conditions:

- a) PRE notifies the market participant of its decision, at least 10 working days before the date from which it intends to no longer assume the responsibility of balancing for it;
- b) PRE announces TSO at the same time about its intention, communicating all the information regarding the consumption from the places of consumption of the market participant, its purchases and contractual sales in the last month, the level of debts of the market participant to PRE, if applicable, as well as the date from which he no longer assumes the responsibility of balancing for it;
- c) PRE announces OR at which the market participant has measurement points corresponding to the places of consumption / places of production under its responsibility, ANRE, if the market participant has final customers, as well as PRE with which he had commercial exchanges notified as block exchanges in the last 6 months.

Article 82

In the period between the date of notification and the announced date of exclusion from the PRE of the market participant, which may not be less than 10 working days, PRE continues to be financially responsible for all its imbalances.

Article 83

If, within a maximum of 9 working days from the date of the exclusion notification, the excluded market participant does not submit a guarantee, as required by the section on the size of the PRE, to remain registered as its own PRE, or does not transfer its responsibility. balancing as a requesting PRE to another PRE, in compliance with the conditions provided in art. 68-77, TSO revokes the market participant as PRE, performing on the day following the expiration of this period the actions provided in art. 63.

SECTION 3 9:

Changing the PRE configuration

Article 84

A market participant registered as a PRE may change its configuration in terms of its own or consumers' places of production / places of consumption for which it assumes responsibility for balancing, compared to the previous one, under the following conditions:

- a) provides the relevant TSO information, as well as the RO to which the new production and / or consumption sites for which it assumes responsibility for balancing and / or those for which it no longer assumes responsibility for balancing are connected, at least two working days before the day starting with which he wants to be considered new

configuration;

- b) the information is confirmed by the PRE in the configuration of which the respective modifications are reflected, being verified the condition provided in art. 103, or, failing that, the amendment is duly substantiated to the RO by the PRE that requested it, based on the applicable regulations.

Article 85

The involved ORs apply the method of aggregating the measured values corresponding to the modification made, according to the procedure provided in art. 74 starting with the requested date.

Article 86

The TSO shall develop, following a public consultation process, the procedures applicable to the transfer of balancing responsibility, exclusion from the PRE, modification of the PRE configuration and revocation of a PRE. These may include prior or concomitant actions to enable participants to comply within the time limits set out in this Regulation and to reduce the risks to the functioning of the market.

Article 87

TSO publishes the procedures elaborated according to the provisions of art. 86 on its own website.

SECTION 3 10:

Convention on the assumption of responsibility for balancing

Article 88

The balancing responsibility agreement is the agreement concluded between the TSO and a market participant, which establishes the mutual rights and obligations of the TSO and, respectively, of the market participant in its capacity as PRE.

Article 89

TSO shall conclude a balancing agreement with each of the market participants who have applied for registration of a PRE in order to operate in the electricity market and who meet the requirements of this Regulation.

Article 90

The existence of a validly concluded balancing responsibility agreement is a condition for the registration of the market participant as a PRE.

Article 91

With the full transfer of balancing responsibility to another PRE, the balancing responsibility agreement signed by the market participant registered as PRE is suspended, and the suspension of the agreement will automatically terminate on the date approved by TSO for resuming the balancing responsibility in its own name, in accordance with the provisions of this Regulation.

Article 92

The balancing responsibility agreements are concluded in accordance with the framework convention, which is developed following a public consultation process by TSO and published on its website.

SECTION 3 11:

PRE register

Article 93

TSO establishes and completes the register for PRE registration.

Article 94

PREs that have been registered by TSOs are entered in the register for PRE. The PRE register shall contain, for each PRE, at least the following information:

- a) the full name, EIC code, registered office address and contact details of the market participant that established the PRE;
b) the date and registration number of the balancing liability agreement;

- c) the identification code of the PRE;
- d) the names and contact details of all the persons empowered to act on behalf of the respective market participant;
- e) the identification data of the PRE to which it has transferred the balancing responsibility, if applicable, and the date of the transfer;
- f) the identification data of the PREs for which it has assumed the responsibility of balancing, if applicable, and the date of each of these transfers;
- g) the name of the RO in the area where the PRE has consumption places / production places for which it assumes the responsibility of balancing and their list.

Article 95

Each PRE has the right to consult the PRE register and to request the correction of any inaccuracies concerning it.

Article 96

TSO provides ODDPRE and all ORs with the information contained in the PRE register.

Article 97

The TSO shall immediately notify the ODDPRE and the OR by e-mail of any changes to the PRE register.

Article 98

TSO shall keep a record of changes made to the PRE register for at least 12 months.

Article 99

The TSO shall immediately inform all PREs of the registration of a new PRE or of the transfer, exclusion or deletion of an existing PRE by posting on its website an announcement and a list of all PREs, including the updated composition of each PRE.

SECTION 3 12:**System service log****Article 100**

Each OR establishes and completes a service register on the system, integrated with the database created according to the Supply Regulation and the Measurement Rules.

Article 101

In addition to the information required by the Supply Regulation and the Measurement Rules, the system service register of each RO shall contain at least the following information for each production location of an electricity producer connected to its networks:

- a) the unique designation of the place of production / place of consumption and production;
- b) the installed capacity of the production site;
- c) the identification code of the PRE which has the responsibility of balancing for that place of production; only in the case of a place of consumption and production, a PRE for the ID in which it has the character of a place of production and another PRE for the ID in which it has the character of a place of consumption may be attached to it.

Article 102

Each network user has the right to consult the information concerning him from the service register on the system and the obligation to request the correction of any inaccuracy concerning him.

Article 103

TSO shall request the necessary information contained in the system service registers of the RO and shall verify with them that each measuring point is suitable for a place of production, a place of consumption, a place of consumption and production or a point of exchange. , and for each place of consumption, including for the CPT of a network, respectively place of production, there should be a PRE and only one, which has assumed the responsibility of balancing for it.

Article 104

In case of revocation of a PRE with the initiation of the process of taking over at FUI of some consumers, the condition provided in art. 103 is presumed fulfilled for the places of consumption in question, for the period between the date from which the current supplier no longer meets the condition of assuming financial responsibility for the payment of imbalances, resulting from the information sent to ANRE by TSO according to the takeover Regulation, and the date the notification of taking over the respective consumption places at FUI sent by ANRE to OR, the balancing responsibility being assigned to the PRE registered by the designated FUI or, if applicable, to the PRE to which it has transferred the balancing responsibility.

CHAPTER IV:**Rules for NP****SECTION 4 1:****General principles****Article 105**

The objective of the NP rules in this section is to create the framework for providing information on net volumes of electricity traded in pre-balancing markets, imports / exports, preparing the production and consumption schedule and determining the availability of balancing energy reserves needed to enable TSOs. to ensure:

- a) SEN integrity;
- b) safety and quality of electricity supply;
- c) sufficient capacity available to ensure at all times the SEN application and an appropriate reserve;
- d) managing network restrictions;
- e) determining the imbalances after the delivery day.

Article 106

The physical fulfillment of the contractual obligations requires the transmission to ODDPRE, through TSO, of the notifications regarding all the contractual exchanges between PRE, these being considered realized according to the notified values, within 10 working days from the end of the delivery month.

Article 107

The contractual exchanges of electricity carried out by one PRE with another PRE are included in the NP under the name of block exchanges.

Article 108

Each PRE has the obligation to send to the TSO NP of the respective PRE for each ID on each delivery day. OPEED also sends to the TSO a NP of the same type as a PRE for transactions concluded as a counterparty on the DAM and as a PRE for transactions concluded as a counterparty on the IP.

Article 109

The NP of a PRE contains for each ID all the information provided in the section regarding the content and format of the NP, as well as the exchange of electricity between PRE - DAM / PRE-PI and PRE Related transfer agent.

Article 110

NPs for electricity exchanges between PRE - DAM / PRE-PI and PRE Related transfer agent are transmitted by OPEED and must be limited to the interzonal capacities implicitly allocated by the mechanism for coupling the interzonal DAM and IP according to the provisions of national and European legislation in force.

Article 111

The structure and the manner of transmission of the declarations of availability and the NP are subject to the provisions of this regulation and of the Terms and Conditions for the ESF and the RSF.

Article 112

Following a public consultation process, the TSO shall draw up the necessary procedures on its website

for the application of the provisions of this chapter.

SECTION 4 2:

NP content and format

Article 113

NPs contain at least the following information:

I. the identification code of the PRE that transmitted the respective NP;

II. delivery day and separate dates for each ID on that delivery day, namely:

A) planned production / consumption for each UFR / GFR; in addition, TSO may request the planned production / consumption schedule for each UFR / GFR unit;

B) the planned production, for each production unit with an installed capacity of more than 4 MW, which is not technically qualified or for each production unit of more than 1.5 MW qualified for the frequency stabilization reserve;

C) the total planned production for all production units, other than those from letter A) and B);

D) the total consumption forecast for all electricity consumers who do not have a technical qualification;

E) block exchanges with other PREs in the national trading area, separately for each PRE with which SBs have been established, including:

1. SB of PREs in which an aggregator is registered for producers registered in other PREs participating in other markets before the respective EP and PRE;
2. SB between the PRE of an ESF that has carried out transactions on the EP with production units or electricity storage installations, and the measuring points of some components of a GFR are not in the respective PRE and the PRE in which they are located. measuring points. SBs are equal to the energy measured at increase or decrease by breakdown by the ESF after receiving the measured values, which it receives from the OM, according to the Measurement Regulation;
3. SB between PREs of suppliers of the same consumer and those related to energy transfer between PREs of a consumer's supplier and PREs of its aggregator, if these PREs are different, and the aggregator has made sales or purchase transactions in previous EP markets on consumption or the aggregator active as the ESF has made transactions on the EP on its consumption, as follows:

(i) the amount of electricity corresponding to the consumption provided by the supplier who does not assume responsibility for balancing for a place of consumption in the portfolio of several suppliers shall be considered and notified as a block exchange between the PRE of which it is part and the PRE of the main supplier ;

(ii) where the aggregator has transacted in previous PE markets, the SB corresponding to the energy transfer is equal to the difference between the consumer's measured consumption and its reference consumption for previous PE markets and is meaningful from the supplier's PRE to the aggregator's PRE , if the difference is negative, and from the aggregator's PRE to the supplier's PRE, if the difference is positive; the aggregator notifies the supplier of each consumer on the basis of whose consumption he made the transactions in each ID regarding the consumer identification data, as well as OM and OR, at the latest on the working day following the receipt of the measured consumption values provided in the Measurement Rules;

(iii) if an aggregator active as an ESF for consumption within the aggregation has transacted on the EP and the measurement points of the UFR and / or of the components of a GFR are not all in the aggregator PRE, SB with PRE a of the supplier are equal to the energy measured at increase or decrease by breakdown by the ESF after receiving the measured values that it receives from the OM, according to the provisions of the Measurement Rules, as follows:

a) having the meaning of leaving the PRE of the supplier and entering the PRE of the aggregator in the case of transactions with increasing power on the EP; and

b) meaning of entry into the PRE of the supplier and exit from the PRE of the aggregator in the case of power reduction transactions on the EP;

F) exports and imports established with other countries, separately for each border trading area.

Article 114

In addition to the information provided in art. 113, OPEED NPs contain SBs with each PRE in the national trading area corresponding to the sale / purchase transactions on DAM and separately on IP, respectively with each PRE Transfer Agent established by OTS, for the administration of cross-border transactions on these markets.

SECTION 4 3:

Transmission and cancellation of NP

Article 115

Each PRE as well as OPEED transmit OTS NP of productions, consumptions and SB for a delivery day ID until 16.30 on day D-1; they can be modified by the issuer for D-Day, as follows:

- a) no later than 50 minutes before the delivery ID, for SB regarding production / consumption, taking into account also the IP transactions;
- b) at any time before the delivery ID, for SB of the PRE, other than those provided in art. 113 point II lit. E. pt. 2 and pt. 3 subpt. (ii) and (iii).

Article 116

NP transmission can be made no earlier than 30 days before the delivery day.

Article 117

The way of transmitting the NP to the TSO is carried out according to the procedures provided in art. 112.

Article 118

The responsibility for the correctness of the NP regarding the production, respectively the consumption programmed for each UFR / GFR in the contour belongs to each ESF according to the provisions of the Clauses and conditions for the ESF and the RSF providers.

Article 119

NPs are transmitted in electronic format, through the communication channels established by TSO.

Article 120

NP is considered transmitted when entering the balancing market computer system. As soon as a new NP enters the balancing market computer system, the PRE that transmitted it will receive the acknowledgment electronically.

Article 121

The computer system of the balancing market verifies the fulfillment of the conditions of observance of the NP format, provided in the procedure elaborated by TSO and published on its own web page.

Article 122

If the computer system of the balancing market does not accept an NP, the PRE that sent it immediately receives an error message specifying the non-compliance found, and that NP is considered canceled.

SECTION 4 4:

NP validation

Article 123

The balancing market computer system automatically checks all NPs for the correctness of the content. The error is automatically transmitted to the issuer.

Article 124

The way of validating the NP in accordance with the provisions of art. 126 is proceeded by TSO according to the provisions of art. 112.

Article 125

NPs of a PRE are available for viewing by the respective PRE via the balancing market computer system.

Article 126

The balancing market information system analyzes the completeness, correctness, coherence and feasibility of each NP and their ensemble, verifying whether:

- a) there is equality of reciprocal SB between PRE on each ID;

- b) the scheduled production / consumption on each UFR / GFR falls within the DD of the UFR / GFR for the same delivery day and the same ID;
- c) the limits defined by the technical characteristics of the UFR / GFR are observed;
- d) energy exchanges with other systems (export and import) fall within the aggregate exchange capacity allocated to the respective PRE on each border and direction.

Article 127

Each PRE shall make every effort to adjust the production and / or conclusion of transactions for the sale and / or purchase of electricity, so that the sum of production, import and acquisition is equal to the sum of consumption, export and sale at the level of each ID. . An NP is considered to be in imbalance if the amount of production, imports and SBs received is not equal to the sum of consumption, exports and SBs delivered, separately for each trading area and ID, taking into account the completion of SB with those related to IP transactions, transmitted up to ID-15 minutes.

Article 128

In case of discrepancies between the reciprocal SBs of the PRE found in the last NP transmitted according to the terms provided in the section on the transmission and cancellation of program notifications, the PRE in question are automatically notified, and if within the interval for corrections, defined in the procedures 112, PRE fail to correct NP, TSO takes the following measures:

- a) in the case of an SB between OPEED and a PRE, the quantity transmitted by NP by OPEED is accepted;
- b) if the meaning provided in the NP by each of the two PREs of the SB between them is the same, the corresponding amount of SB between the two PREs is considered equal to the smaller of the two values;
- c) if the NPs of the two PREs provide SB between them in different directions or only one of the PREs provided in the NP an SB with the other, the corresponding amount of SB between the two PREs is considered zero.

Article 129

TSO is not responsible for the economic consequences of NP corrections made according to the provisions of art. 128.

Article 130

Any NP accepted in the balancing market computer system, including the one modified by TSO according to the rules in this chapter, becomes an approved NP.

Article 131

Approved NPs are firm obligations for those PREs, and may be amended only in the cases provided for in the section on the transmission and cancellation of program notifications.

Article 132

If, as a result of the changes made in accordance with the section on the transmission and cancellation of program notifications, there are inconsistencies in the reciprocal SB of the PRE, the EP IT platform brings the SB to the values in the approved NP and announces the respective PRE regarding this action.

Article 133

If a PRE did not manage to transmit SB before the term provided in art. 115 lit. b), the balancing market computer system automatically sends a message in this regard to the respective PRE and to the PRE who notified SB with it and the balancing market computer system automatically generates an implicit NP for it in that ID, with all values equal with zero, this being available for viewing in the balancing market computer system for the partner PRE.

SECTION 4 5:**NP change****Article 134**

Modification of program notifications is only allowed in the following cases:

- a) in case of selection by TSO on EP of a price-quantity pair (issuance of a dispatcher order);
- b) no later than the 10th working day of the month following the month of delivery, for SB corresponding to the energy transfer between an ESF in another PRE, in case of participation of production UFR / GFR on PE through it,

- provided in art. 113 point II lit. E point 2;
- c) no later than the 10th working day of the month following the month of delivery, for SB corresponding to the energy transfer between the supplier / suppliers and the aggregator active as ESF in another PRE, in case of consumer UFR / GFR participation on EP through provided in art. 113 point II lit. E ptt. 3 subpt. (ii);
 - d) no later than the 10th working day of the month following the month of delivery, for SB corresponding to the energy transfer between the supplier / suppliers and the aggregator in another PRE, in case of a consumer's participation in previous PE markets through it, provided the art. 113 point II lit. E ptt. 3 subpt. (iii);
 - e) in case of accidental power reductions of UFR / GFR, partial or total, announced at TSO;
 - f) in case of finding and correcting some errors of SB, according to the provisions of art. 128.

Article 135

The program notifications that have been modified according to the provisions of this section replace the program notifications previously approved according to the provisions of art. 130, applies for the day of delivery in the corresponding ID and constitutes firm obligations for the respective PRE.

CHAPTER V:**Rules for taking over the electricity delivered in the electricity networks, produced during the trial period a production capacities / electricity storage facilities****Article 136**

The period of time required to perform the tests for the commissioning of a power generation / storage facility, hereinafter referred to as *trial period*, is the time interval between the time of commissioning for the trial period and the date of obtaining the license, but not more than 24 months from the date of the first commissioning.

Article 137

The natural / legal person who puts into operation a new capacity for production / storage of electricity or which has been upgraded performs function tests for that capacity, in compliance with the provisions of the Regulation on connecting users to electricity networks of public interest, approved by order of the President of ANRE, and of the regulatory framework related to the balancing of SEN.

Article 138

For the commissioning of the capacities provided in art. 137 the following provisions apply:

- a) for the commissioning of the production capacity / storage facility, the natural / legal person shall take the necessary steps according to the regulatory framework in force for registration in TSO as a provisional PRE during the trial period, in accordance with the establishment authorization and connection notice owned;
- b) during the trial period, the natural / legal person does not send offers on PE related to this production capacity / electricity storage facilities.

Article 139

PRE provided in art. 138 notifies daily to TSO the planned production of the production capacity / electricity storage facility during the trial period, in accordance with the trial schedule approved by TSO; by derogation from the provisions of chap. III, PRE of which the production capacity / storage installation provided in art. 138 performs program notifications in imbalance, corresponding to the test program of the respective capacity.

Article 140

For the electricity produced during the trial period and delivered in SEN, the natural / legal person who puts into operation the new production capacities / electricity storage installations provided in art. 137 or which have been refurbished receives from TSO a price equal to the arithmetic mean of the ROPEX_DAM_Base indices, calculated for a period of 90 calendar days prior to the day of delivery; the price is the same for each ID of a delivery day.

Article 141

The calculation of the provisional PRE collection rights during the trial period, for the electricity produced and delivered in SEN, is performed by ODDPRE, which publishes the results on the IT platform at the same time as the information notes for the monthly settlement of imbalances.

Article 142

In the process of programming and selecting the balancing energy on PE, TSO takes into account the test programs notified according to art. 139.

CHAPTER VI:**Rules for calculating PRE imbalances****SECTION 6 1:****General provisions****Article 143**

The purpose of the imbalance calculation rules in this section is to determine how to determine the differences between:

- a) the measured values of production plus the values notified under procurement contracts, including imports; and
- b) the measured values of consumption plus the values notified according to the contracts related to sales, including exports, taking into account, in the case of PRE who have assumed the responsibility of balancing for CPT of a network, and the physical exchanges between networks.

Article 144

The notified values must correspond to the contractual commitments that the market participants have assumed before the ID or as a result of the conclusion of transactions on PE and / or outside PE with compensation for the purpose of congestion management or energy transfer related to the performed transactions. on each market at the expense of consumption, and measured values are considered the production, consumption and exchanges that took place physically during the ID.

Article 145

Imbalances are determined aggregated at the PRE level, to allow for the financial compensation of individual imbalances between PRE members, limited to forecast errors / unexpected events, reasonable deviations between measured and reported values, without affecting the obligation for market participants to forecast how much better consumption and production and to strive to cover the consumption / delivery of production by contracting.

Article 146

The imbalance of a PRE is determined on the basis of the measured net position and the net contractual position of that PRE.

Article 147

The determination of the notified net contractual position of each PRE is made on the basis of all contractual exchanges of electricity notified as SB established with other PREs, including transactions carried out through DAM and IP, import and / or export transactions, and following ESF transactions. on PE and / or for the offers selected on PE for congestion management, respectively the clearing transactions concluded by TSO outside PE for congestion management.

Article 148

The transfer of energy between the supplier of a consumer and the aggregator who trades energy in any market on behalf of the respective consumer is notified as SB between their corresponding PRE according to the provisions of chap. IV and is based on a bilateral negotiated contract or, in the event that no agreement is reached between the parties, as a dispute settlement mechanism, a contract must be concluded at the price for electricity corresponding to the respective ID, provided in the supply contract, ie the one that does not contain the equivalent value of the network and system tariffs, of the contributions / bonuses of any type, of the green certificates and of any taxes and excises applied by the supplier.

Article 149

The transfer of energy resulting from the activation on PE between an ESF with GFR consisting of production units or electricity storage facilities and their manufacturers / owners who have the units / installations in this GFR but are registered in other PRE is notified as SB between their corresponding PRE according to the provisions of chap. IV on the content and format of the program notifications in this Regulation.

Article 150

The measured net position of each PRE is determined on the basis of all measured deliveries of electricity, from or to the SEN, or between different parts of the SEN according to the measured values approved in the corresponding measuring points.

Article 151

The calculations of the PRE imbalances provided for in this chapter are performed by ODDPRE.

SECTION 6 2:**The net contractual position of a PRE****Article 152**

The following electricity exchanges are defined as contractual exchanges: a) SB with other PREs, included in the approved program notifications;

- b) the imports related to the contracts, according to the exchange schedules notified to TSO and included in the program notifications of PRE, the imports resulting from the coupling mechanism of DAM and PI notified by PRE Transfer Agent;
- c) exports related to contracts, according to the exchange schedules notified to TSO and included in the PRE program notifications, exports resulting from the coupling mechanism of DAM and IP notified by PRE Transfer Agent;
- d) the total quantities of transactions undertaken for an increase in power in the EP by an ESF;
- e) the total quantities of transactions committed for power reduction in the EP by an ESF;
- f) the total quantities of transactions committed for power increase, for congestion management by an ESF / market participant that has received activations of the production units for congestion management;
- g) the total quantities of transactions committed for power reduction, for congestion management by an ESF / market participant that has received activations of the production units for congestion management;
- h) the total quantities of balancing energy achieved in the process of stabilizing the frequency for power increase in the EP by an ESF;
- i) the total quantities of balancing energy achieved in the process of stabilizing the frequency for power reduction in the EP by an ESF.

Article 153

For each PRE, ODDPRE determines separately for each ID:

- a) net contractual position PN_{contr} of a PRE other than the provisional PRE during the trial period, with the formula:

$$up_{contr} = (SB - SB_{first}) + EX - IM + \sum_{ech} E_{red} + (\sum_{RSF} E_{red} - \sum_{cone} E_{red}) + (\sum_{RSF} E_{red} - \sum_{cone} E_{red})$$

where:

- up_{contr} represents the net contractual position of the PRE;
- $SB_{deliveries}$ represents the block exchanges that PRE has notified as sales to another PRE;
- SB_{first} represents the block exchanges that PRE has notified as purchases from another PRE;
- $\sum E_{red} / \sum red$ represents the total amounts of balancing energy employed to increase / decrease power in the EP by the ESF for which the PRE has assumed responsibility for balancing;
- $\sum E_{red} / \sum red$ represents the total amounts of energy activated in the frequency stabilization process, calculated according to chap. IX of the Terms and Conditions for the ESF and RSF providers;
- $\sum E_{red} / \sum red$ represents the total amounts of energy activated for congestion management, resulting from activation of some offers from the EP to which are added the total quantities of activated energy, resulting from the activation of some offers based on financial compensations outside the EP, according to the provisions of art. 95 and 96 of the Regulation on the clauses and conditions for the balancing service providers and the frequency stabilization reserve providers, approved by the Order of the President of ANRE no.127/2021;
- EX represents the exports included in the NP of the PRE;
- IM represents the imports included in the NP of the PRE;
- b) PN_{contr} of the provisional PRE during the trial period as being equal to the quantity of electricity produced during the trial period and delivered in SEN by the production capacity / electricity storage facility during the trial period to TSO according to the provisions of art. 140.

Article 154

For the calculation of the notified contractual net position, the total energy sold or purchased in an ID is considered to be delivered at constant power over the entire ID.

Article 155

The contracted quantities for each ID are expressed in MWh, to 3 decimal places.

SECTION 6 3:**The measured net position of a PRE****Article 156**

Measured deliveries are defined as the deliveries of electricity that have been measured at a measuring point between SEN and a manufacturer or consumer, as the case may be, at a point of exchange between a grid of an OR and the grid of another OR or between the SEN and the network of an OR / consumer / producer in another state.

Article 157

The following electricity exchanges are defined as measured deliveries:

- a) the net production, representing the electric energy that is delivered in the electric transmission / distribution networks of SEN at a production place;
- b) net consumption, representing the electricity that a consumer takes from the electricity transmission / distribution networks of SEN at a place of consumption;
- c) the exchanges between the electric networks belonging to two different network operators, used for the determination of the CPT of the electric transmission / distribution networks;
- d) exports made from SEN to other countries;
- e) imports made from other countries to SEN.

Article 158

The measured net position of a PRE, other than the PRE of an OR or PRE that has assumed the balancing responsibility for an OR, is determined as follows:

- a) the total net production at the production sites of the producers for whom the respective PRE has assumed the balancing responsibility
minus
- b) the total consumption consumed at the places of consumption of the consumers for which the respective PRE assumed the responsibility of balancing; If the consumption at one place of consumption is provided by several suppliers, included in different PREs, for the PRE that has not assumed the responsibility of balancing is considered the value zero for the measured consumption.

Article 159

Net consumption is determined on the basis of measured deliveries, considered distinct in accordance with the provisions of art. 157 lit. b), for each PRE of which the market participant is a part.

Article 160

For the calculation of measured net positions, the total energy delivered or received in an ID is considered to be delivered at a constant power over the entire ID.

Article 161

The measured deliveries for each ID are expressed in MWh, to 3 decimal places.

Article 162

The measured net position of a PRE recorded by an OR for managing the differences between the amount of electricity purchased to cover the CPT of the electricity grid and the realized CPT will be considered as net consumption, ie at the CPT level of the electricity grid in the license area of the OR, determined as the difference between the total amount of electricity entering the network in the license area at the measurement points and the total amount of electricity delivered from the network in the license area at the measurement points, based on the approved measured values for the following amounts of electricity :

- a) electricity physically received from other network operators, including, where applicable, imports, plus

- b) the net production of all production units that are connected to the electricity network of the respective OR, minus
- c) electricity physically delivered to other ROs, this including, where applicable, exports, minus
- d) the net consumption of all consumers who are connected to the electricity network of the respective RO.

Article 163

If not all measuring points in a license area are equipped with ID-level metering equipment, for determining the CPT in the electrical networks in the corresponding license area and assigning it to each ID, and for determining net consumption of consumers who are not equipped with the relevant metering equipment at the level of the ID, OR in question, as OM, use:

- a) The procedure for determining the values measured on the settlement interval of the own technological consumption in the electric distribution networks, approved by the Order of the President of ANRE no. 233/2020;
- b) the specific consumption profiles of each category of consumers, determined on the basis of a procedure elaborated by the network operator and approved by ANRE; and
- c) The procedure for determining and using the residual consumption profile, approved by the Order of the President of ANRE no. 232/2020.

Article 164

CPT of the electricity network, as well as the net consumption of consumers who are not equipped with metering equipment with resolution at ID level, determined according to the provisions of art. 162, respectively to the provisions of art. 163, are considered approved measured values.

Article 165

The measured net position of a PRE that has taken over the balancing responsibility for the administration of the CPT of an OR is determined according to art. 158, in which the consumption includes the net consumption related to the CPT of the network, determined according to art. 162 or 163, as appropriate.

SECTION 6 4:**The imbalance of a PRE****Article 166**

The imbalance of a PRE is the imbalance of that PRE in each ID and represents the balance of the individual imbalances of the market participants registered as PREs and of the participants for whom that PRE has assumed the responsibility of balancing.

Article 167

The imbalance of a PRE is determined separately for each PRE and for each ID, as the difference between the measured net position of a PRE and the net contractual position of that PRE.

SECTION 6 5:**SEN imbalance****Article 168**

SEN imbalance on each ID and In order to achieve the settlement of PRE imbalances, it is determined by ODDPRE with the following formula:

$$unSEN_i = SN_i - R_{you} / E_{Ai} + SE_i,$$

where:

- un_{senior} represents the SEN imbalance, if $Dez_{senior} > 0$ means that SEN is in surplus, and if $Dez_{senior} < 0$ means that SEN is in deficit;
- SN and represents the volume of unintentional exchanges with the interconnected continental European power system, determined according to the provisions of art. 176; for export the value of trade is considered positive, and for import the value of trade is considered negative;
- R_{you} / E_{you} represents the reserves activated in its own control energy control area; if $R_{you} / E_{you} > 0$, then represents the net increase adjustment, and if $R_{you} / E_{you} < 0$, represents net adjustment at reduction;
- it represents TSO-TSO exchanges carried out by TSOs resulting from dedicated European platforms according to the legislation

European and national rules in force for the balancing process, including exchanges resulting from bilateral contracts with interconnected external parties in the event of a breakdown; for export the value of trade is considered positive, and for import the value of trade is considered negative.

Article 169

Reserves activated in its own control energy control area are determined for each ID_{and} with the following formula:

$$R_{you} / E_{you} = q_{Delivered, and} - MCD_{and} - k_{f, and},$$

where:

- $q_{Delivered, and}$ represents the net volume of energy delivered from standard products: RI, RRFm and RRFa for system balancing and congestion management, as well as outside PE with compensation, in its own control energy control area;
- MCD_{and} represents the volume of planned energy exchanges as a result of the imbalance clearing process established on the dedicated European platform; for export the value of trade is considered positive, and for import the value of trade is considered negative;
- $k_{f, and}$ represents the volume of planned energy exchanges for frequency stabilization in the synchronous area of Continental Europe; for export the value of trade is considered positive, and for import the value of trade is considered negative, in the respective ID.

Article 170

The net volume of energy delivered in the control energy control zone is determined for each ID_{and}, by TSO, with the following formula:

$$q_{Delivered, and} = \sum q_{Delivered, i, j},$$

where:

- $\sum q_{Delivered, i, j}$ represents the algebraic sum of the net volumes delivered by each UFR / GFR, production unit (j), activated on PE or outside PE with compensation, in own energy control area, in ID_{and}; the net volume of energy delivered at the increase in power in the control area of the control energy is considered positive and the net volume of energy delivered at the power reduction in the control area of the control energy is considered negative.

Article 171

The net volume of energy delivered by a UFR / GFR, production unit activated on PE, or outside PE with compensation, in its own control energy control area is determined by TSO for each ID_{and} so:

- for each ID_{and} the sum of all contracted volumes for the respective UFR / GFR, production unit is calculated (j) for the provision of an increase or decrease in power in its own control energy control zone, marked with $\sum V_{Ci, j}$,
- if $\sum V_{Ci, j} > 0$, and
 - $\text{Min} (\sum V_{Ci, j}, M_{i, j} - N_{pi, j}) > 0$, then $q_{Delivered, i, j} = \text{Min} (\sum V_{Ci, j}, M_{i, j} - N_{pi, j})$ if
 - $\text{Min} (\sum V_{Ci, j}, M_{i, j} - N_{pi, j}) \leq 0$, then $q_{Delivered, i, j} = 0$,

where:

- $M_{i, j}$ represents the measured value for each UFR / GFR, production unit (j), for which the ESF / market participant who received activations of production units for congestion management has concluded one or more transactions engaged in ID_{and};
- $N_{pi, j}$ represents the scheduled volume (scheduled production notification) of each UFR / GFR, production unit (j), for which the ESF / market participant that received activations of production units for congestion management has concluded one or more transactions engaged in ID_{and}, respectively: c) if

- $\sum V_{Ci, j} < 0$, and
 - $\text{Max} (\sum V_{Ci, j}, M_{i, j} - N_{pi, j}) < 0$, then $q_{Delivered, i, j} = \text{Max} (\sum V_{Ci, j}, M_{i, j} - N_{pi, j})$ if > 0
 - $\text{Max} (\sum V_{Ci, j}, M_{i, j} - N_{pi, j}) \geq 0$, then $q_{Delivered, i, j} = 0$.

Article 172

SEN imbalance for publication by TSO, no later than 30 minutes after ID completion_{and}, is estimated based on the balancing energy volumes contracted in ID_{and}, taking into account the estimated value of the volume of trade

planned energy to stabilize frequency and unintentional exchanges.

Article 173

TSO determines the SEN imbalance according to the provisions of art. 168 and 172 and publish no later than 30 minutes after the end of ID_{and}, the estimated value and sign of the SEN imbalance. The obligation to publish can be fulfilled by explicitly indicating on your website a link to a website where this information is published.

Article 174

TSO transmits to ODDPRE all the values of the energy quantities provided in art. 170, within 3 days from the receipt of the measured values from OMEPA. ODDPRE determines and publishes the final value of the SEN imbalance for each ID of a delivery month within 3 working days of receiving from OMEPA the measured / summed values of electricity production and consumption for each PRE.

Article 175

If the approved measured values, established according to the provisions contained in the measurement rules, differ from the measured values, determined according to the provisions of the same measurement rules, TSO restores the calculation of determining the delivered energy quantities provided in art. 170, on each ID based on the approved measured values and transmits to ODDPRE these values of the delivered energy quantities. ODDPRE recalculates and publishes the value of the SEN imbalance for each ID of the delivery month based on the data transmitted by TSO.

SECTION 6 6:

Unintentional exchanges

Article 176

The volume of unintentional exchanges with the interconnected Continental Europe electricity system is determined the next working day after the delivery day, for each ID of this day, by the European platform dedicated to this type of exchange - FSKAR, with the following formula:

$$SN_{and} = SN_{real, i} - SN_{plan, i},$$

where:

- SN_{and} represents the volume of unintentional exchanges with the interconnected Continental Europe electricity system for ID_{and};

- $SN_{real, i}$ represents the balance established according to the bilateral settlement agreements with neighboring TSOs, in each ID_{and} of the day of delivery;

- $SN_{plan, i}$ represents the planned balance and is equal to the algebraic sum between:

(i) the volume of planned exchanges of energy from reserves to restore frequency with manual activation, volume resulting from the trading of the RRF_m product on the dedicated European platform and reported in the accounting data between TSOs and other TSOs from other countries;

(ii) the volume of planned exchanges of energy from reserves to restore the frequency with automatic activation, volume resulting from the trading of the RRF_a product on the dedicated European platform and reported in the accounting data between TSOs and other TSOs from other countries;

(iii) the volume of planned energy exchanges as a result of offsetting the imbalances set out on the dedicated European platform and reported in the accounting data between TSOs and other TSOs in other countries;

(iv) the volume of planned energy exchanges due to frequency stabilization;

(v) the volume of planned energy exchanges as a result of the period of variation of the balance according to art. 50 para. (3) lit. b) of Regulation (EU)2017 / 2.195 and art. 136 of Regulation (EU)2017 / 1,485;

(vi) the volume of planned energy exchanges as a result of bilateral or multilateral agreements not covered by the previous points.

Article 177

TSO publishes on its website the volume of energy related to unintentional exchanges and the resulting price for it in each ID of the delivery month.

Article 178

TSO transmits to ODDPRE, within 10 working days from the end of the delivery month, the data regarding the energy volume related to the unintentional exchanges and their cost / income related, resulting in each ID of the delivery month, in the Romanian national currency at the exchange rate. published by the National Bank of Romania on the day of transmission, in lei with two decimals.

Article 179

TSO transmits to ODDPRE the data regarding the energy volume and the cost / income related to the volumes of the planned exchanges provided in art. 176 points (iii) and (iv), the volume of energy related to the planned exchanges provided in art. 176 point (v), as well as of the TSO-TSO exchanges provided in art. 168 for each ID of the delivery month, within 10 working days from the end of the delivery month, in the national currency of Romania at the exchange rate published by the National Bank of Romania, for the day of transmission, in lei with two decimal places.

Article 180

TSO transmits to ODDPRE, as soon as it receives the invoice for one month of delivery from the European entity responsible for the settlement calculations, the data on the volume of energy related to unintentional exchanges / the volume of energy related to the planned exchanges provided in art. 176 points (iii), (iv) and (v), as well as the costs / revenues related to the unintended exchanges / planned exchanges provided in art. 176 points (iii) and (iv), resulting in each ID of the month of delivery, in the national currency of Romania at the exchange rate published by the National Bank of Romania, valid for the day of invoicing, values expressed in lei with two decimal places.

SECTION 6 7:**Determining the costs, respectively the revenues resulting from the SEN balancing****Article 181**

ODDPRE determines the costs, respectively the revenues from the electricity activated on the EP for SEN balancing, from the reserves for frequency restoration and from the replacement reserves.

Article 182

ODDPRE determines the costs for SEN balancing, separately for each ID_{and} from the month of delivery, with the following formula:

$$C_{EchSist, i} = (q_{Cres} * p_{Cres}) + C_{imp} \quad MCD, i + C_{SN, i} + C_{SPF, i} + C_{probe, i},$$

where:

- $C_{EchSist, i}$ represents the costs for balancing SEN in ID_{and}, used under this name and in cases where they have a negative value;
- $q_{Cres, i, j}$ represents the amount of balancing energy corresponding to the transaction committed j to provide growth power in ID, for balancing the SEN from the frequency restoration reserves and from the replacement reserves; q_{Cres} will be considered as a positive value expressed in MWh, to 3 decimal places;
- $p_{Cres, i, j}$ represents the price related to the transaction employed j to provide the increase in power in ID_{and};
- $field_{MCD, i}$ represents the costs resulting from the process of compensating for imbalances in ID_{and}, transmitted by TSO in lei with two decimals;
- $C_{SN, i}$ represents the costs of unintentional exchanges in ID_{and}, transmitted by TSO in lei with two decimals;
- $C_{SPF, i}$ represents the costs for the planned energy exchanges as a result of the frequency stabilization in the ID_{and}, transmitted by TSO in lei with two decimals;
- $C_{probe, i}$ represents the sum of the costs registered during the trial period of the production capacities / electricity storage installations provided in art. 140, for each ID_{and}.

Article 183

ODDPRE determines the revenue resulting from the SEN balancing, separately for each ID_i in the delivery month, with the following formula:

$$V_{EchSist, i} = (q_{Red} * p_{Red}) + V_{exp} \quad MCD, i + V_{SN, i} + V_{SPF},$$

where:

- $V_{EchSist, i}$ represents the revenues resulting from SEN balancing in ID_{and}, used under this name and in cases where they have a negative value;
- $q_{Red, x}$ represents the amount of balancing energy corresponding to the transaction committed x to provide the reduction power in ID_{and}, for balancing the SEN from the frequency restoration reserves and from the replacement reserves;
- $p_{Red, x}$ represents the price for the transaction committed x for providing the power reduction in ID_{and};
- $V_{exp, MCD, i}$ represents the income resulting from the process of compensating for imbalances in ID_{and}, transmitted by TSO in lei with two decimals;
- $V_{SN, i}$ represents revenues with unintentional exchanges, in ID_{and}, transmitted by TSO in lei with two decimals;
- V_{SPF} represents the revenues resulting from the planned energy exchanges as a result of the frequency stabilization in the ID_{and}.

Article 184

After determining the costs and revenues resulting from SEN balancing, ODDPRE determines the actual costs for SEN balancing, separately for each ID_i in the delivery month, with the following formula:

$$WHAT\ THE_{EchSist, i} = (q_{Cres, i} * p_{Cres, i}) - (q_{Red, x} * p_{Red, x}) + C_{imp, i, x} - V_{exp, MCD, i} + C_{SN, i} - V_{SN, i} + C_{probe, i} + C_{PSF, i} - V_{SPF, i}$$

where:

- $WHAT\ THE_{EchSist, i}$ represents the actual costs for balancing SEN in ID_{and}.

Article 185

After determining the costs / revenues resulting from the SEN balance, ODDPRE issues a monthly regularization note, containing the following information:

- a) the costs for balancing the SEN, determined according to the provisions of art. 182, separately for each ID in the delivery month;
- b) the revenues resulting from the SEN balancing, determined according to the provisions of art. 183, separately for each ID in the delivery month;
- c) the actual costs for SEN balancing in the month of delivery, resulting from the sum of the costs for SEN balancing minus the revenues for SEN balancing determined for each ID according to the provisions of art. 184.

Article 186

- (1) ODDPRE publishes on its own website the monthly regularization note determined according to the provisions of art. 185 on the basis of the measured values, not later than 3 working days from the receipt of the measured / summed values of electricity production and consumption related to each PRE established according to the Measurement Rules, and electronically sends to the TSO a notice on publication.
- (2) The dedicated IT platform shall record and record the date on which any note prepared by ODDPRE in accordance with the provisions of this Regulation was made available to the parties involved.

SECTION 6 8:

Operational determination of the only estimated imbalance price

Article 187

- (1) TSO operatively determines the single estimated imbalance price for all PRE imbalances in each ID_{and}, with the following formula:

$$P_{estimat_{un}} = [(q_{Cres, i} * p_{Cres, i}) - (q_{Red, x} * p_{Red, x})] / (q_{Cres, i} - q_{Red, x} \sum_{i, j} \sum_{i, x})$$

where:

- $q_{Cres, i, j}$, $p_{Cres, i, j}$ represents the quantity, respectively the price of the energy activated for the SEN balancing, corresponding transaction committed j to provide the increase in power in ID_{and};
- $q_{Red, x}$, $p_{Red, x}$ represents the quantity, respectively the price of the energy activated for the SEN balancing, corresponding transaction committed x to provide power reduction in ID_{and}, market participants, in ID_{and}.

- (2) For each ID_{and} in which there are activations of the balancing energy at both increase and decrease power and $|Dez_{senior}| < 0.1\% * C_{senior}$, or $4 * |Dez_{senior}| < \sum |q_{increase, i, j}| + \sum |q_{red, i, x}| + |k_{ftand}| + |SNand|$,

where:

- $C_{SEN, i}$ represents the estimated SEN consumption determined by TSO based on EMS - SCADA measurements;

- UN_{senior} represents the SEN imbalance estimated according to the provisions of art. 172 for each ID_{and};
- k_{ft} represents the estimated volume of planned energy exchanges for frequency stabilization in the synchronous area of Continental Europe;

- SN_{and} represents the estimated volume of unintentional exchanges determined on the basis of EMS - SCADA measurements.

TSO operatively determines the estimated deficit price, $P_{def, estim, i}$, and the estimated surplus price, $P_{exc, estim, i}$, with formulas next:

$$P_{def, estim, i} = PCres_{med, i};$$

$$P_{exc, estim, i} = PRed_{med, i}$$

where:

- $PCres_{med, i}$ represents the weighted average of the marginal prices for each type of balancing energy activated for power increase in ID_i;
- $PRed_{med, i}$ represents the weighted average of the marginal prices for each type of balancing energy activated for power reduction in ID_i.

- (3) The conditions provided in par. (2) is estimated based on the balancing energy volumes contracted in ID_{and}, considering the estimated value of the planned energy exchange volume to stabilize the frequency and unintended exchanges and the estimated value of consumption in ID_i.
- (4) For each ID in which no balancing energy has been selected for either power gain or power reduction, TSO shall operatively determine the single estimated imbalance price for all PRE imbalances as equal to the arithmetic mean of the lowest price. of the bids in the order of merit for power increase and the highest price, in the mode, of the bids in the order of merit for power reduction corresponding to the respective ID.

Article 188

The TSO shall publish on its website, no later than 30 minutes after the end of each ID, the value of the estimated single imbalance price based on the amounts of balancing energy in the transactions undertaken on the EP for that ID. The obligation to publish can be fulfilled by explicitly indicating on your website a link to a website where this information is published.

SECTION 6 9:

Determining the single imbalance price

Article 189

In the month following the month of delivery, ODDPRE determines the unique initial imbalance price for all PRE imbalances in each ID, as follows:

- a) if only a balancing energy has been activated in one ID for power increase, then the single initial imbalance price for all PRE imbalances in that ID will be equal to the weighted average of the marginal prices for each type of balancing energy activated for increase in power and energy amounts corresponding to the transactions undertaken;
- b) if only balancing energy for power reduction has been activated in an ID, then the single initial imbalance price for all PRE imbalances in that ID will be equal to the weighted average of the marginal prices for each type of balancing energy activated for reduction of power and energy amounts corresponding to the transactions undertaken;
- c) if a balancing energy has been activated in an ID for both power increase and power reduction, the single initial imbalance price for all PRE imbalances will be established according to the direction of the SEN imbalance as follows:
 - (i) in the event of a system failure, the single initial imbalance price for all PRE imbalances shall be equal to the weighted average of the marginal prices of each type of balancing energy activated for the increase in power and the corresponding quantities;
 - (ii) if the system was in surplus, the single initial imbalance price for all PRE imbalances shall be equal to the weighted average of the marginal prices of each type of balancing energy activated for power reduction and the corresponding quantities;
- d) if no balancing energy has been activated in an ID for either power increase or power reduction, the single initial imbalance price for all PRE imbalances shall be equal to the arithmetic mean of the lowest price of bids in the order of merit for increase in power and the highest price, in the mode, of bids in

the order of merit for power reduction corresponding to the respective ID.

Article 190

TSO submits to ODDPRE validated bids for each ID in which no balancing energy has been activated for either power increase or power reduction within 10 days of the end of the delivery month.

Article 191

For each ID of the delivery month and for each PRE, ODDPRE determines the imbalance of the respective PRE according to the provisions of art. 167.

Article 192

For each ID of the delivery month and for each PRE, ODDPRE determines the amount of the initial payment obligations / receivables corresponding to the imbalances recorded by each PRE in each ID, with the following formula:

$$DI \text{ or } OP = \text{About } X \text{ Pin}_{\text{and}} \text{ dez, i,}$$

where:

- DI or OP represents the value of the rights to be collected or of the payment obligations;
- $DezPRE_{\text{and}}$ represents the imbalance of a PRE calculated for each PRE in each ID_{and} of the delivery month according to the provisions of art. art. 167;
- $Pine tree_{\text{dez, i}}$ represents the unique initial imbalance price calculated according to the provisions of art. 189.

Article 193

When calculating the value of payment obligations / receivables, the provisions of art. 55 para. (1) of Regulation (EU)2017 / 2.195, as follows:

- a) if the single initial imbalance price is positive and the imbalance of a PRE is positive (indicating a surplus of that PRE), then that PRE receives the single initial imbalance price;
- b) if the single initial imbalance price is positive and the imbalance of a PRE is negative (indicating a deficit of that PRE), then that PRE pays the single initial imbalance price;
- c) if the single initial imbalance price is negative and the imbalance of a PRE is positive (indicating a surplus of the respective PRE), then the respective PRE pays the initial single imbalance price;
- d) if the single initial imbalance price is negative and the imbalance of a PRE is negative (indicating a deficit of that PRE), then that PRE receives the single initial imbalance price.

Article 194

For each ID_{and} from the month of delivery, ODDPRE determines the financial neutrality component of TSO with the following formula:

$$C_{\text{fin}}_{\text{neutr, i}} = (CE_{\text{EchSist, i}} + DI_{\text{and}} - OP_{\text{and}}) / DezPRE_{\text{and}},$$

where:

- $CE_{\text{EchSist, i}}$ represents the actual costs for balancing SEN in ID_{and}, calculated according to the provisions of art. 184;
- DI_{and} represents the sum of the initial collection rights of all PRE calculated in ID_{and};
- OP_{and} represents the sum of the initial payment obligations of all PRE calculated in ID_{and};
- $DezPRE_{\text{and}}$ represents the algebraic sum of the PRE imbalances with changed sign in each ID_{and} of the month of delivery.

Article 195

(1) In each ID_{and} of the month of delivery, in which one of the following conditions is verified, ODDPRE establishes a single final price of imbalance:

- a) the balancing energy was activated in both directions, with increasing and decreasing power, and
 - $|Dez_{\text{senior}}| \geq 0.1\% * C_{\text{senior}}$; and
 - $\sum q_{\text{cres}}_{i, j} + \sum |red_{i, x}| + |k_{\text{and}}| + |SN_{\text{and}}| \leq 4 * |DezSEN_{\text{and}}|$; and:
 - $|DezPRE_{\text{and}}| \geq 0.5\% * CSEN_{\text{and}}$,

where:

- C_{senior} represents the total consumption of SEN, established by ODDPRE based on the measured values;

- $/un_{senior}/$ represents the SEN imbalance calculated according to the provisions of art. 168;
 - $q_{cres_{i,j}}^{i,qred_{i,x}}$ represents the amount of energy activated for SEN balancing, corresponding to the transaction committed j / x to provide power gain / decrease in ID_{and};
 - k_{fitand} represents the volume of planned energy exchanges for frequency stabilization in the synchronous area of Continental Europe;
 - SN_{and} represents the volume of unintentional exchanges determined according to art. 176;
 - $\Sigma /DezPRE_{and}/$ represents the algebraic sum of PRE imbalances in ID_i; the positive PRE imbalance with the plus sign and the negative PRE imbalance with the minus sign are considered;
- b) the balancing energy was activated in one direction only when the power increased or decreased.

(2) In the situation provided in par. (1), ODDPRE sets in the ID range and the single final imbalance price with the following formula:

$$P_{fin_{dez,i}} = P_{dez,i}^{in the} + C_{neutr,i}^{fine},$$

where:

- $P_{dez,i}^{in the}$ represents the unique initial price of the imbalance in ID_{and}, determined according to the provisions of art. 189;
- $C_{neutr,i}^{fine}$ represents the financial neutrality component of TSO, determined according to the process described in art. 194.

(3) If in a SEN ID $P_{fin_{dez,i}} < P_{cres_{med,i}}$ and $P_{fin_{dez,i}}$ is also in deficit $P_{cres_{med,i}}$, where $P_{cres_{med,i}}$ represents the weighted average price marginal for each type of energy balancing activated for increasing power and energy amounts corresponding in ID_{and}, then the single final imbalance price will be equal to $P_{cres_{med,i}}$, according to the provisions of art. 55 para. (4) of Regulation (EU)2017 / 2.195. The costs / revenues resulting from the application of this provision shall be regularized in accordance with the provisions of section 7.3 Distribution of additional costs or revenues arising from the balancing of the system.

(4) If in a SEN ID there is a surplus and $P_{fin_{dez,i}} > P_{red_{med,i}}$, where $P_{red_{med,i}}$ represents the weighted average of marginal prices for each type of balancing energy activated for power reduction and quantities of corresponding energy in ID, then the unique final imbalance price will be equal to $P_{red_{med,i}}$, according to the terms art. 55 para. (5) of Regulation (EU)2017 / 2.195. The costs / revenues resulting from the application of this provision will be recovered in accordance with the provisions of section 7.3 Distribution of additional costs or revenues from the balancing of the system.

(5) In each ID_{and} of the delivery month in which the balancing energy was activated in both directions and the conditions from par. (1) lit. a), ODDPRE applies the method of the two imbalance prices, respectively calculates the final price of deficit, $P_{def_{in,i}}$, and the final price of surplus, $P_{exc_{in,the}}^{fin,i}$ as follows:

a) the initial deficit and surplus prices in ID are determined and with the following formulas:

$$P_{def_{in,i}} = P_{cres_{med,i}};$$

$$P_{exc_{in,the}}^{fin,i} = Fr.ed_{med,i},$$

where:

- $P_{cres_{med,i}}$ represents the weighted average of the marginal prices for each type of balancing energy activated for increase in ID power_{and};
- $P_{red_{med,i}}$ represents the weighted average of the marginal prices for each type of balancing energy activated for power reduction in ID_{and};

b) for each ID the initial collection rights of the PRE are calculated, (DI_{PRE}) and their initial payment obligations, (OP_{PRE}) by multiplying the negative imbalances of the PRE with the initial deficit price and the positive imbalances with the initial surplus price;

c) if $(OP_{PRE} - DI_{PRE}) > CE_{EchSist,i}$, then:

(i) if a SEN ID is in deficit, the financial neutrality component of the TSO shall be calculated with the following formula:

$$C1_{fin_{neutr,i}} = [(OP_{PRE,i} - DI_{PRE,i}) - WHAT_{THEchSist,i}] / DezPRE_{poz,i},$$

where:

- OP_{PRE} represents the payment obligations of the PRE;
- DI_{PRE} represents the collection rights of the PRE;
- $WHAT_{THEchSist,i}$ represents the actual costs for balancing SEN in ID_{and}, calculated according to the provisions of art. 184;
- $DezPRE_{poz,i}$ represents the sum of the positive imbalances of all PREs.

The final deficit and surplus prices are calculated using the following formulas:

$$P_{def,fin,i} = P_{med,i}^{increase} ,$$

$$P_{exc,fin,i} = P_{med,i}^{Red} + C1_{fin,neutr,i}$$

(ii) if a SEN ID is in surplus, the financial neutrality component of the TSO shall be calculated with the following formula:

$$C2_{fin,neutr,i} = [(OP_{PRE,i} - DI_{PRE,i}) - WHAT\ THE_{EchSist,i}] / DezPRE_{neg,i} ,$$

where:

- OP_{PRE} represents the payment obligations of the PRE;
- DI_{PRE} represents the collection rights of the PRE;
- $WHAT\ THE_{EchSist,i}$ represents the actual costs for balancing SEN in ID_{and}, calculated according to the provisions of art. 184;
- $DezPRE_{neg,i}$ represents the sum of the negative imbalances of all PREs. The final

deficit and surplus prices are calculated using the following formulas:

$$P_{def,fin,i} = PC_{res,med,i} - |C2_{fin,neutr,i}| ;$$

$$P_{exc,fin,i} = P_{med,i}^{Red}$$

d) if $(OP_{PRE} - DI_{PRE}) < CE_{EchSist,i}$, then the financial neutrality component of the TSO is calculated with the following formula:

$$C3_{fin,neutr,i} = [(OP_{PRE,i} - DI_{PRE,i}) - WHAT\ THE_{EchSist,i}] / (DezPRE_{poz,i} + |DezPRE_{neg,i}|) ,$$

where:

- OP_{PRE} represents the payment obligations of the PRE;
- DI_{PRE} represents the collection rights of the PRE;
- $WHAT\ THE_{EchSist,i}$ represents the actual costs for balancing SEN in ID_{and}, calculated according to the provisions of art. 184;
- $\sum DezPRE_{poz,i}$ represents the sum of the positive imbalances of all PREs;
- $\sum DezPRE_{neg,i}$ represents the sum of the negative imbalances of all PREs. The

final deficit and surplus prices are calculated using the following formulas:

$$P_{def,fin,i} = PC_{res,med,i} + |C3_{fin,neutr,i}| ;$$

$$P_{exc,fin,i} = P_{med,i}^{Red} - |C3_{fin,neutr,i}| .$$

If $C3_{fin,neutr,i} < 0$, the final deficit and surplus prices are calculated using the following formulas:

$$P_{def,fin,i} = PC_{res,med,i} - |C3_{fin,neutr,i}| ;$$

$$P_{exc,fin,i} = P_{med,i}^{Red} + |C3_{fin,neutr,i}| .$$

If $C3_{fin,neutr,i} > 0$, the final deficit and surplus prices are calculated using the following formulas:

$$P_{def,fin,i} = PC_{res,med,i} - |C3_{fin,neutr,i}| ;$$

$$P_{exc,fin,i} = P_{med,i}^{Red} + |C3_{fin,neutr,i}| .$$

Article 196

ODDPRE transmits to ANRE, on the first working day of the month after the settlement calculations based on VM / VMA have been completed, the value of costs / revenues determined according to the provisions of art. 195 para. (3) and (4), which will be regularized according to the provisions of section 7.3 Distribution of additional costs or revenues from the balancing of the system.

Article 197

ODDPRE publishes on its website a monthly regularization note, including the following information: a) the actual costs for balancing the system in the delivery month, included in the corresponding monthly regularization note, provided in art. 184;

b) the sum of the monthly settlement values corresponding to all PREs for the delivery month, resulting from the algebraic summation of the final payment obligations and the final collection rights determined according to the provisions of art. 216;

c) the additional costs or revenues from the balancing of the system in the month of delivery, determined according to the provisions of art. 221.

CHAPTER VII:

Rules for settling PRE imbalances

SECTION 7 1:

General principles

Article 198

The rules for the settlement of PRE imbalances in this Chapter provide a framework for the settlement of PRE imbalances and the establishment of payment obligations and collection rights resulting from the provisions of this Regulation, between a PRE and TSO.

Article 199

In order to facilitate an orderly, transparent and non-discriminatory settlement process, this chapter further creates the framework for:

- a) establishing a program for determining, making available to the parties and confirming / contesting the information necessary for the invoicing and settlement of PRE imbalances;
- b) performing the calculations for establishing the collection rights and the payment obligations related to the PRE imbalances;
- c) making available to the parties the information regarding their payment obligations, respectively their collection rights;
- d) invoicing and making payments;
- e) establishing and using guarantees;
- f) measures in cases of non-fulfillment of obligations.

Article 200

ODDPRE and TSO shall develop the procedures for the performance of the specific settlement functions under the responsibility of each under this Chapter following a public consultation process and shall publish them on their websites.

Article 201

Following a public consultation process, ODDPRE establishes the standard format for all information notes for the monthly settlement of imbalances and for the monthly regularization notes and publishes them on its website.

Article 202

ODDPRE is responsible for the calculation of the settlement and the issuance of information notes for the monthly settlement for the PRE.

Article 203

TSO and PRE shall pay within the time limits provided for in this Regulation the reciprocal payment obligations set out in the information notes for the monthly settlement, on the basis of their corresponding invoices.

Article 204

TSO monitors separately each category of payment obligations / collection rights in the TSO's relationship with PRE, by setting up the PRE imbalance settlement sheet, prepared for each PRE.

Article 205

Each PRE is the holder of the corresponding settlement form, drawn up by TSO according to the provisions of art. 204.

Article 206

TSO establishes the settlement form provided in art. 204 for the corresponding cardholder, after his registration as PRE, but not later than the date on which the registration becomes effective.

Article 207

The payment obligations and collection rights registered by TSO in the pre-settlement statement for PRE are based on the contractual relationship between TSO, on the one hand, and the holder of the statement, on the other hand, formalized by signing the balancing responsibility agreement. whose provisions reflect the provisions of the law and of this regulation.

Article 208

Each market participant who is registered as a PRE opens an account with a settlement bank.

Article 209

- (1) In order to fulfill its obligations according to the present chapter, TSO opens a balancing account with a settlement bank on the territory of Romania, used for the payments related to the imbalances.
- (2) The balancing account provided in par. (1) is the same as the one opened by TSO according to the provisions of the terms and conditions for the ESF and the RSF providers as a balancing bank account for the receipts and payments related to the transactions concluded on the EP.

Article 210

Account holders must ensure the solvency of their bank accounts at the due date of the invoices provided in this chapter.

Article 211

Bank accounts are opened in the national currency of Romania.

SECTION 7 2:**Settlement of PRE imbalances****Article 212**

ODDPRE performs the calculations for the settlement of PRE imbalances in each calendar month, after receiving the measured / summed values of electricity production and consumption in accordance with the provisions of the Measurement Rules.

Article 213

- (1) Once the calculations provided in art. 212, ODDPRE verifies the correctness of the settlement by verifying the closing of the electricity balance, corresponding to the volumes contracted for balancing SEN and the volumes contracted for balancing other European systems transmitted by TSO to ODDPRE according to the provisions of art. 103 of the Regulation on the clauses and conditions for the balancing service providers and the frequency stabilization reserve providers approved by the Order of the President of ANRE no. 127/2021, with PRE imbalances, with the volume of unintentional exchanges, with the volume of planned energy exchanges transmitted by TSO to ODDPRE according to the provisions of art. 179 and, respectively, art. 180, taking into account also the quantities of electricity delivered by the production capacities / electricity storage installations during the trial period. If ODDPRE finds that the balance sheet does not close above a threshold, publishes its existence on its website and requests all parties involved to verify the data so that the error is eliminated in the settlement process using the approved measured values, the energy volume of unintentional exchanges and the energy volume of planned exchanges transmitted by TSO to ODDPRE.
- (2) If the approved measured values, established according to the provisions contained in the Measuring Rules, differ from the measured values, determined according to the provisions of the same measurement rules, the verification of closing the electricity balance shall be resumed based on the approved measured values. which run from the date of receipt by ODDPRE of the approved measured values.

Article 214

For each ID of the delivery month and for each PRE, ODDPRE determines:

- a) for each IDI in which the unique final imbalance price was established according to the provisions of art. 195 para. (1), the amount of the final payment obligations / final receivables corresponding to the imbalances recorded by each PRE with the following formula:

$$DI_{and}^{fin} \text{ or } OP_{and}^{fin} = DezPRE_{and} \times P_{fin, i}$$

where:

- DI_{and}^{fin} or OP_{and}^{fin} represents the amount of the final receivables or the final payment obligations resulting for each PRE and for each IDi in the delivery month;
- $DezPRE_{and}$ represents the imbalance of a PRE calculated for each PRE in each IDi of the delivery month according to

the provisions of art. 167;

- $P_{fin, i}^{dez}$ represents the unique final imbalance price calculated according to the provisions of art. 195 para. (1) for each IDi of the delivery month;

b) for each IDi in which the final deficit and surplus prices were established according to the provisions of art. 195 para.

(5), the value of the final payment obligations / final receivables corresponding to the imbalances registered by each PRE, with the following formulas:

$D_{fin, i}^{def}$ and $O_{fin, i}^{fine}$ and $OP_{fin, i}^{fine} = DezPRE_{poz, i} \times P_{fin, i}^{exc}$, respectively

$D_{fin, i}^{def}$ and $O_{fin, i}^{fine}$ and $OP_{fin, i}^{fine} = DezPRE_{neg, i} \times P_{fin, i}^{def}$, respectively

where:

- $D_{fin, i}^{def}$ and $O_{fin, i}^{fine}$ and $OP_{fin, i}^{fine}$ represents the value of the final collection rights or final payment obligations resulting for each PRE and for each IDi in the month of delivery;

- $DezPRE_{poz, i}$, $DezPRE_{neg, i}$ represents the imbalance of a PRE calculated for each PRE in each IDi of the delivery month according to the provisions of art. 167;

- $P_{fin, i}^{exc}$, $P_{fin, i}^{def}$ represents the final deficit and surplus prices calculated according to the provisions of art. 195 para. (5) for each IDi of the delivery month.

Article 215

For the calculation of the value of the final payment obligations / of the final collection rights provided in art. 214 will take into account the provisions of art. 55 para. (1) of Regulation (EU)2017 / 2.195.

Article 216

Separately, for each month of delivery and for each PRE, ODDPRE determines the amount of the monthly receivables or monthly payment obligations corresponding to the imbalances recorded by each PRE, with the following formulas:

DLI_d and OLP_d and $OP_{fin, j}$ respectively $OLP_d = \frac{DLI_d}{n} \times OP_{fin, j}$

where:

- DLI_d represents the value of the final monthly collection rights for the imbalances of a PRE found in the total number n of IDs in the delivery month L;

- $OP_{fin, j}$ represents the final collection rights of each PRE in each IDi, determined according to the provisions of art. 214;

- OLP_d represents the value of the monthly payment obligations for the imbalances of a PRE found in the total number n of IDs in the delivery month L;

- $OP_{fin, j}$ represents the payment obligations of each PRE in each IDi, determined according to the provisions of art. 214.

Article 217

ODDPRE prepares for each PRE an information note for the monthly settlement of imbalances, which contains the following information:

a) the positive or negative imbalance of the respective PRE, for each ID from the delivery month resulting according to the provisions of art. 167;

b) the unique final imbalance price resulting for each ID from the delivery month according to the provisions of art. 195 para. (1)-(4);

c) the final deficit price, respectively the final surplus price, resulting for each ID from the delivery month according to the provisions of art. 195 para. (5);

d) the final payment obligations or the final collection rights of the respective PRE, for each ID from the delivery month, determined according to the provisions of art. 216;

e) the value of the monthly collection rights and the value of the monthly payment obligations, calculated according to the provisions of art. 216.

Article 218

ODDPRE makes available to the corresponding PRE and to the TSO the information notes for the monthly settlement of the imbalances established according to the provisions of art. 217 based on the measured values, by publishing them on the dedicated IT platform, within a maximum of 3 working days from the receipt of the measured / aggregate values of electricity production and consumption related to each PRE, established according to the Measurement Rules.

Article 219

An information note for the monthly settlement of imbalances, issued in calendar month n, contains the information entered in the settlement sheet belonging to the respective PRE, for calendar month n-1.

Article 220

The invoices are issued by TSO, respectively PRE, on the first working day following the publication on the computer platform of the information notes for the monthly settlement of imbalances, based on them, and must be paid within 5 working days from the date of issue. Payments shall be deemed to have been made on the date on which the corresponding amounts were debited or credited to the balancing bank account opened by TSO.

SECTION 7 3:**Allocation of additional costs or revenues from balancing the system****Article 221**

The cost or additional monthly income from the balancing of the system is determined by ODDPRE and is equal to the actual costs for balancing the system, calculated as the sum of the costs for balancing the system determined according to art. 184, on all IDs of the respective month, plus the sum of the values of the final monthly collection rights corresponding to the imbalances registered by each PRE determined according to art. 216, minus the amount of the monthly payment obligations corresponding to the imbalances registered by each PRE determined according to art. 216. ODDPRE calculates the amounts corresponding to the full allocation to PRE of the additional costs or revenues arising from the balancing of the system, in the month following the month of delivery.

Article 222

The additional revenue, respectively the additional cost from the balancing of the system that belongs to each PRE, except for the PRE Transfer Agent, is determined based on its contribution in each ID to the reduction of the SEN imbalance, respectively to the aggravation of the SEN imbalance. The value allocated to each PRE is determined as follows:

$$S_{and} = (Call / \sum_{i=1}^O Call) \times S_{nothing},$$

where:

- S_{and} represents the value allocated to PRE_{and}, with the exception of PRE Transfer Agent, from the additional income / cost from balancing the system;
- $S_{nothing}$ represents the additional income or the additional cost resulting in the respective month from the balancing of the system; and
- $Call$ represents the contribution to the SEN imbalance of PRE_{and}, except PRE Transfer Agent, in the month of delivery, determined as appropriate:

a) for the delivery month for which additional income is recorded from the balancing system:

$$C_{tot,i} = \sum_{t=1}^{OI} DezPRE_{poz,i}^t + \sum_{t=1}^{OI} DezPRE_{neg,i}^t,$$

where:

- $DezPRE_{neg,i}$ is the negative imbalance (in absolute value) of PRE_{and} in ID_t in which $Dez_{senior} > 0$, determined according to art. 168, and 0 (zero) in ID_t wherein $Dez_{senior} < 0$;
- $DezPRE_{poz,i}$ is the positive imbalance of PRE_{and} in ID_t in which $Dez_{senior} < 0$, determined according to art. 168 and 0 (zero) in ID_t in which $Dez_{senior} > 0$;
- OI represents the ID number of the delivery month.

b) for the delivery month for which an additional cost of balancing the system is recorded:

$$C_{tot,i} = \sum_{t=1}^{OI} DezPRE_{poz,i}^t + \sum_{t=1}^{OI} DezPRE_{neg,i}^t,$$

where:

- $DezPRE_{neg,i}$ is the negative imbalance (in absolute value) of PRE_{and} in ID_t in which $Dez_{senior} < 0$ determined according to art. 168 and 0 (zero) in ID_t in which $Dez_{senior} > 0$;
- $DezPRE_{poz,i}$ is the positive imbalance of PRE in ID_t in which $Dez_{senior} > 0$ determined according to art. 168 and 0 (zero) in ID_t

in which $Dez_{senior} < 0$;

- O represents the ID number of the delivery month;
- n represents the total number of PRE, excluding PRE Transfer Agent.

Article 223

TSO credits, in case of a positive value, or debits, in case of a negative value, the additional value distributed to a PRE at monthly level, determined by summing the contributions determined according to the provisions of art. 222, in the file for the settlement of additional revenues / costs belonging to the respective PRE.

Article 224

ODDPRE makes available to the corresponding PRE and to the TSO the information note for the settlement of the redistribution of additional costs / revenues from the balancing of the system for month n , which includes the additional value distributed to the respective PRE, determined according to the provisions of art. 222, by posting it on the dedicated computer platform, on the same day as it posted the monthly information note according to art. 218.

Article 225

An information note for the redistribution of additional revenue / cost redistribution issued in calendar month n will include:

- a) the total value of the collection rights or payment obligations, as the case may be, resulting from the redistribution of additional costs or revenues from the balancing of the system, for the calendar month $n - 1$; as well as
- b) the sum of the negative imbalances of the respective PRE found in all IDs in which the imbalance of the system was positive, in the situation in which in that month additional income was registered;
- c) the sum of the positive imbalances of the respective PRE found in all IDs in which the imbalance of the system was negative, in the situation in which in that month additional income was registered;
- d) the sum of the negative imbalances of the respective PRE found in all IDs in which the imbalance of the system was negative, in the situation in which in that month an additional cost was registered; and
- e) the sum of the positive imbalances of the respective PRE found in all IDs in which the imbalance of the system was positive, in the situation in which in that month an additional cost was registered.

Article 226

Invoices are issued on the first working day following the posting of the information note for the settlement of the redistribution of additional income / costs based on it and must be paid within a maximum of 5 working days from the date of issue. Payments shall be deemed to have been made on the date on which the corresponding amounts were debited or credited to the balancing bank account opened by TSO.

Article 227

- (1) If the approved measured values, established according to the provisions contained in the Measuring Rules, differ from the measured values, determined according to the provisions of the same rules, the process of determining and making available the monthly information, regularization and settlement and verification notes. / contestation of payment obligations / collection rights related to PRE imbalances and redistribution of additional costs or revenues per EP is resumed based on the approved measured values, respecting the same terms that run from the date of receipt by ODDPRE of the approved measured values.
- (2) The differences between the payment obligations / collection rights resulting from the application of the provisions of these settlement rules to the approved measured values, compared to their application to the measured values, are highlighted in regularization invoices in the form of payment / receivable amounts.

SECTION 7 4:

Make payments for PRE imbalances, use of guarantees and late fees

Article 228

The TSO shall, following a public consultation process, develop the procedures for making payments in accordance with the provisions of this section and shall publish them on its website.

Article 229

The procedures elaborated according to the provisions of art. 228 will include ways to confirm payments and mentions

on the use of guarantees in the event of late payments.

Article 230

Each party receiving an invoice must pay it by the due date, whether or not there is a dispute over the corresponding amounts.

Article 231

Any market participant registered as PRE as well as TSO shall pay a penalty to the other party in any of the following cases:

- a) if the market participant or TSO has not paid the amounts due by the payment deadline;
- b) if the market participant or TSO has to make a payment corresponding to the settlement of a dispute which has resulted in late payments;
- c) if the market participant or TSO must make a payment corresponding to the settlement of a dispute for which the amounts which are the subject of the dispute have been paid on time by the other party, but have been duly challenged by it.

Article 232

The interest rate that is applied in all the cases provided in art. 231, for each day of delay starting with the first day after the payment deadline, is equal to the level of the delay penalty charged for non-payment of obligations to the state budget, provided that the total value of the penalties does not exceed the amount due .

SECTION 7 5:

Appeals to the regularization notes and / or to the information notes for the monthly settlement

Article 233

Each holder of a registration form registered as a PRE is entitled to request information from the TSO at any time regarding the situation of any of its own settlement sheets set up by the TSO. Upon receipt of such a request, TSO shall provide the cardholder with the requested information within a maximum of 3 working days, information which may include the balance resulting from the respective card (s) for the last 3 months, as well as any amounts debited or credited to a card. , together with the dates and reasons for these operations.

Article 234

TSO may also fulfill its obligations provided in art. 233 by adopting the necessary technical measures so that each cardholder can have direct access to all relevant information in connection with any of his own files.

Article 235

If an information note for settlement or a regularization note provided by ODDPRE in accordance with the provisions of this chapter is incorrect, any of the parties involved may challenge ODDPRE and challenge any element or calculation contained in that note.

Article 236

Any appeal will be sent by the interested party by written notice. The notice must clearly state the time period covered, such as the day of delivery, ID, date of issue, contested item, reason for appeal, disputed value and will be accompanied by any available evidence that may support the appeal.

Article 237

1. Any party involved may challenge an information note for settlement or a regularization note issued in accordance with this Regulation within a maximum of 5 working days from the date on which the contested note was published by ODDPRE on the dedicated computer platform.
- (2) If an interested party has lodged an appeal against the measure drawn up on the basis of the measured values, which has not changed as regards it after the establishment of the approved measured values, it may not lodge a new appeal having the same object.

Article 238

If a party involved has not submitted any complaint in connection with an information note for settlement or a regularization note issued in accordance with this Regulation within the time limit provided in art. 237, it is considered that the respective note was accepted.

Article 239

ODDPRE examines any appeal received, no later than 5 working days from the date of its receipt.

Article 240

When verifying an information note for settlement or a disputed settlement note, ODDPRE may request additional information from the parties involved. If the additional information requested is not provided by the party concerned, ODDPRE is entitled to reject the appeal.

Article 241

ODDPRE shall inform the parties concerned of the outcome of the checks carried out. If a contested grade was incorrect, ODDPRE redraws the calculations and makes a corrected grade available to all parties involved.

Article 242

If the ODDPRE finds incorrect information in an information note for settlement or in a regularization note provided in accordance with this Regulation, it shall recalculate and make a corrected note available to all parties involved as soon as possible, but no later than 10 working days from the date on which the note was published by ODDPRE on the dedicated IT platform.

Article 243

In case of finding by a participant, after the terms provided in art. 237 or 242, errors in the settlement process, caused by data aggregation errors, interruptions in the operation of the computer systems of the operators involved, errors in measuring network exchanges or notifying SBs that do not comply with the transactions concluded before the closing time. The EP may request the correction of the settlement within 6 months of the publication on the dedicated IT platform of the settlement information note. To this end, the participant must request a correction from the TSO in writing, presenting the necessary arguments and evidence.

Article 244

- (1) Within 3 working days, TSO shall inform ODDPRE and the parties directly involved in the processing of erroneous information, OR, OM, PRE, TSO, as appropriate, requesting them to submit a point of view within 10 working days, and publishes the request on its website, together with the related arguments.
- (2) Within 5 working days from the receipt of the views of the parties involved, TSO, together with ODDPRE, analyzes the received documents and decides on the acceptance or rejection of the request for correction, publishing on the TSO website the decision, arguments and documents. received.
- (3) Within 5 working days from the publication of the decision on the website, any participant or market operator may submit to TSO a reasoned appeal, which will be published on the website of TSO within one day of receipt.
- (4) Within 3 working days from the date of receipt, TSO and ODDPRE analyze the appeals received and publish on the TSO website the final decision, together with its motivation.
- (5) In case of an atypical situation, TSO may request the point of view of ANRE, which will be published on the TSO website.
- (6) The correction of the settlements shall be made in January, May and September of any calendar year, taking into account all favorable decisions taken prior to those months.

Article 245

TSOs and ODDPREs are required to update and publish on their website an assessment of the amount of their own costs as a result of the settlement correction.

Article 246

In the event of non-compliance with the deadlines for issuing, contesting, verifying, correcting and posting and / or publishing the settlement notes or the settlement information notes provided for in this Regulation, the operators are obliged to

notify ANRE in writing within 3 working days from the date of finding these deviations.

CHAPTER VIII:

Final provisions

Article 247

TSO publishes this regulation on its website within two days of its publication in the Official Gazette of Romania, Part I.

Article 248

ODDPRE will develop and implement a computer application that will settle the PRE imbalances according to the provisions of this regulation within 9 months from the publication of this regulation in the Official Gazette of Romania, Part I.

Article 249

The rules on the settlement of PRE imbalances in case of suspension of market activities and the mode of action of TSO in this case are included in the rules on suspension and restoration of market activities.

Article 250

TSO shall develop, consult publicly and publish on its website the procedures provided for in this Regulation within 6 months of its publication in the Official Gazette of Romania, Part I.

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