

ANNEX

METHODOLOGY

monitoring of the wholesale electricity market

CHAPTER I

General provisions

SECTION 1

Purpose

Article 1. — This methodology for monitoring the wholesale electricity market (hereinafter referred to as the *methodology*) aims to establish how the National Energy Regulatory Authority (ANRE) monitors the functioning of the wholesale electricity market in Romania in order to assess the level of performance, efficiency, competition and transparency on the market, to prevent and deter anti-competitive practices, market abuse and other practices that may affect the safety of the national energy system.

Article 2. — The application of the methodology ensures the prerequisites for conducting the preliminary analysis stage of the suspicions of market abuse notified by ACER, the participants in the wholesale electricity market, PPAT, in accordance with the REMIT provisions or which may result from its own monitoring activity carried out by ANRE.

Art. 3. — The objectives pursued by applying this methodology are:

- a) determining the level of efficiency and competition on each component of the wholesale electricity market and identifying the elements that may lead to a decrease in wholesale market performance;
- b) increase transparency of the wholesale electricity market with direct effect promoting and ensuring the competitive environment;
- c) monitoring compliance with the regulations issued by ANRE on the organisation and functioning of the wholesale electricity market as a whole and on each of its components, subject to equal and non-discriminatory treatment to all market participants;
- d) assessing the behaviour of wholesale electricity market participants in terms of compliance with primary and secondary legislation related to electricity;
- e) identification of possible abnormal market behaviours and anti-competitive or market abuse practices, with the referral to the Competition Council, ACER or other competent bodies, where there is a suspicion of infringement of the applicable legislation in force;
- f) ensure cooperation with domestic and international bodies in the field of electricity or related fields, such as competition or financial, in order to comply with the provisions of national

primary law and applicable European regulations.

Article 4. — The objectives referred to in Article 3 shall be achieved by:

- a) establishing the obligations to report the data and information necessary for the monitoring of the market, the format, frequency of reporting and reporting deadlines, description of the data flow;
- b) establishing a uniform system of indicators used in monitoring the wholesale electricity market;
- c) updating the electricity sector-specific database with the collected data related to the wholesale electricity market necessary to carry out ANRE's activity and to provide information to other domestic and international electricity bodies;
- d) support an adequate degree of transparency on the results of the functioning of the wholesale electricity market by continuously updating the number and type of aggregated data published.

Section 2

Scope

Art. 5. — This methodology creates the methodological framework specific to the monitoring activity of the wholesale electricity market carried out by the monitoring compartment at ANRE level in collaboration with the monitoring entities at the level of OPEE and TSOs.

Art. 6. — This methodology is used by ANRE as a tool for monitoring the wholesale electricity market and sets the main benchmarks for the supervision of organised markets under the management of OPEE and TSOs, in accordance with national legislation and directly applicable European regulations.

Art. 7. — This methodology applies to OPEEs and TSOs and the following types of economic operators hereinafter referred to as *market participants which*, for the purposes of this methodology, are defined as follows:

- a) *monitored producer PAN* – licence holder for the operation of electricity generation capacities, with or without storage facilities, which has a contract with the TSO for the provision of the electricity transmission service and the system service and to which the transmission service tariff – the input component of the electricity supplied to the transmission network and the electricity distribution network applies;
- b) *aggregated entity/aggregator for electricity generation* – licensee for aggregation activity or designated participant of an aggregate electricity generating entity;

- c) *isoperator* – licence holder for the commercial operation of electricity storage facilities that are not added to an existing generation capacity and which has a contract with the TSO for the provision of the electricity transmission service and the system service, and to which the transmission service charge applies – the electricity input component (TG) for electricity delivered to the transmission grid and the electricity distribution network;
- d) *supplier* – holder of a licence for the supply of electricity, which for the purposes of this methodology does not have any generation capacity or has generation capacity not covered by subparagraph (a); for the purposes of this methodology, the category of *suppliers comprises competitive suppliers and FIUs*;
- e) *trader* – license holder for the trader's activity or foreign legal person having its registered office in another Member State of the European Union, which received from ANRE confirmation of the right to participate in the electricity markets in Romania;
- f) *Pre – Balancing Responsible Party*;
- g) *OD* – holder of the electricity distribution licence which has a concession contract for the provision of the electricity distribution service;
- h) *TSO* – the transmission system operator as a participant in the electricity markets to cover the own technological consumption of the electricity transmission network and the consumption at its demand sites;
- i) *demand-consumption aggregator* – license holder for the aggregation activity to participate in the balancing market and the system services market, with

aggregate units consisting of several demand facilities that have the technical capability to respond to dispatcher provisions.

Section 3

Definitions and abbreviations

Article 8. For the purposes of this Methodology, the terms and concepts used have the following meanings:

market abuse	conduct of the market participant, involving the use of inside information in the course of trading a wholesale product, i.e. manipulation or attempted manipulation of the energy market – a concept covered by Articles 3 and 5 of REMIT
abuse of a dominant position	anti-competitive commercial practice in which a dominant participant may engage to maintain or strengthen its position in a market prohibited by competition law
single purchaser in the electricity market	quality fulfilled by Opcom SA during the use of the centralised electricity purchase mechanism (macee), granted by the provisions of GEO No 27/2022 on measures applicable to final customers in the electricity and natural gas market during the period 1 April 202231 March 2023, as well as for amending and supplementing certain legislative acts in the field of energy, approved with amendments and additions by Law No 206/2022, as subsequently amended and supplemented.
monitoring compartment	distinct organisational entity within ANRE with responsibilities for monitoring the wholesale electricity market
abnormal market behaviour	behaviour characterised by the mismatch between a participant's trading intentions on a component of the electricity market at a given time (expressed by offers, notifications) and its previous manifestations or public data and the legislative and regulatory framework characterising that moment

monitoring entity	distinct organisational entity at the level of OPEE/TSO, responsible for monitoring the electricity markets under management
place with commensurate consumption	set of electrical installations belonging to a place of consumption, containing equipment that can be actively ordered by a demand facility manager and which have the technical capability to respond to dispatcher provisions
monitoring template	machine-readable format designed by type of market participant, market operator or transmission system operator, intended to supplement the data and information required by ANRE in order to determine the indicators required for monitoring activity
small producer	producer with only power plants with installed capacity less than or equal to 5 MW in the generation portfolio and which has not concluded a transmission contract with the TSO for the provision of the electricity transmission service – Network Introduction Component (TG)
monthly monitoring reporting	monitoring template completed on a monthly basis, individually by each market participant to which the provisions of this methodology apply, and which is uploaded to the ANRE IT platform, intended to collect data from reporting economic operators

Art. 9. — The abbreviations used in this methodology have the following meanings:

ACER	Agency for the Cooperation of Regulators in the Field Energy
ANRE	National Energy Regulatory Authority
ATC	Available interconnection capacity
CEER	European Council of Regulators in the field Energy
ENTSO-E	European Network of Transmission System Operators for Electricity
FUI	Supplier of last resort
IS	Electricity storage facility

OD	Concessional Distribution Operator
OPEE	Electricity market operator – licence holder for electricity market operators
NEMO	Electricity market operator designated by ANRE to perform tasks related to single coupling of PZU or PI; in this methodology, the reference to OPEE includes NEMOs, unless expressly stated otherwise.
TSOS	Transmission and system operator – CNTEE Transelectrica SA
PAM	Retail electricity market
PAN	Wholesale electricity market
CCP	Markets organised by bilateral contracts managed by OPEE (Opcom SA and BRM SA)
ON	Balancing market
PI	Intra-Day Market
PIP	Market closure price
PZU	The Day Ahead Market
PPAT	The person transacting on a professional basis as defined in Regulation (EU) No 1227/2011 and the REMIT Implementing Guide.
SU	Universal service

Art. 10. — The definitions, terms and expressions used have the meanings contained in:

- a) Law No 123/2012 of Electricity and Natural Gas, as subsequently amended and supplemented;
- b) Government Emergency Ordinance no. 33/2007 on organisation and functioning The National Energy Regulatory Authority, approved with amendments and additions by Law No 160/2012, as subsequently amended and supplemented;
- c) Government Emergency Ordinance No 27/2022 on applicable measures final customers in the electricity and natural gas market during the period from 1 April 2022 to 31 March 2023, as well as for amending and supplementing certain legislative acts in the field of energy, approved with amendments and additions by Law No 206/2022, as subsequently amended and supplemented;
- d) Competition Law no. 21/1996 republished as subsequently amended and supplemented;
- e) Regulation (EU) No 1227/2011 of the European Parliament and of the Council of 25 October 2011 on wholesale energy market integrity and transparency (REMIT);

- f) Commission Implementing Regulation (EU) No 1348/2014 of 17 December 2014 on data reporting, for the implementation of Article 8(2) and (6) of Regulation (EU) No 1227/2011 of the European Parliament and of the Council on wholesale energy market integrity and transparency (Regulation (EU) No 1348/2014);
- g) Commission Regulation (EU) No 543/2013 of 14 June 2013 on the submission and publication of data in electricity markets and amending Annex I to Regulation No 714/2009 of the European Parliament and of the Council (Regulation (EU) No 543/2013);
- h) Regulation (EU) 943/2019 of the European Parliament and of the Council of 5 June 2019 on the internal market for electricity;
- i) Guide to the application of Regulation (EU) No 1227/2011 of the European Parliament and of the Council of 25 October 2011 on wholesale energy market integrity and transparency – non-binding document (REMIT Implementing Guide);

CHAPTER II

Principles and responsibilities in monitoring

Article 11. — The monitoring activity of the wholesale electricity market within ANRE is carried out through the monitoring compartment and is mainly based on the collection of data and information specific to the activity carried out on the wholesale electricity market by *market participants* (as set out in Article 7 of this methodology), OPEE and TSOs.

Art. 12. — The data and information collected *from market participants* are subsequent to the moment of electricity delivery, and those collected from OPEE and TSOs are subsequent to the time of trading of energy products on wholesale electricity market components.

Art. 13. — The monitoring activity of the wholesale electricity market carried out by the monitoring compartment of ANRE focuses on the identification of mutual influences between the components of the wholesale electricity market, the analysis of the interdependence between the wholesale and retail electricity markets and the effects of the related markets on the wholesale electricity market.

Art. 14. — (1) ANRE, through the monitoring compartment, OPEE and TSOs, through the monitoring entities organised separately on the basis of their own specific procedures, continuously collaborates to streamline the monitoring activity of the wholesale electricity market as a whole.

(2) The monitoring entities within the OPEE and TSOs shall be responsible for continuously monitoring the elements specific to the electricity markets administered, within the limits of national legislation, directly applicable European legislation and the specific regulatory framework.

Art. 15. — In order to meet the monitoring obligations of ANRE, *the participants in market*, OPEE and TSOs are required to submit, in a correct, complete and timely manner, the

requested data and information on the basis of the monitoring templates set out in the Annexes to this methodology.

Article 16. In addition to the periodically requested data/information obtained on the basis of the monitoring templates, ANRE may request *market participants*, OPEE and TSOs to:

- a) clarifications in relation to the data/information obtained as a result of the periodic collection process in accordance with Article 15;
- b) other data/information on the activity on the wholesale electricity market, motivating the necessity and specifying the content, the data completion format and the reporting deadline;
- c) electronic copies of the supporting documents underlying the reporting on the monitoring templates, such as negotiated contracts for the sale and purchase of electricity and their addenda, to be sent to the dedicated e-mail address `contracte_bilaterale@anre.ro`.

Article 17. — (1) In order to fulfil the obligations of Regulation (EU) No 543/2013 with the amendments of Regulation (EU) 2019/943 of the European Parliament and of the Council of 5 June 2019 on the internal market for electricity, the monitoring compartment of ANRE shall, on an annual basis, carry out sample checks on the way in which TSOs transmit the data to the central information transparency platform managed by ENTSO for Electricity, in terms of ensuring the pace, quality and completeness of the data submitted;

(2) TSOs shall communicate to ANRE in a timely manner any malfunctions in ensuring the flow of data to the central information transparency platform managed by ENTSO for Electricity and proposals to remedy them.

Art. 18. — The monitoring activity carried out by the monitoring entities of the OPEE and TSOs relates to the monitoring of organised electricity markets under management. By virtue of this role, based on the set of indicators set out in the methodology, monitoring entities within OPEE and TSOs shall:

- a) assess the functioning of managed markets through sets of indicators established through their own internal procedures;
- b) identify instances of failures in the markets administered and their causes, cases of suspicion of abnormal market behaviour, cases of suspicion of abuse of dominant position;
- c) identify any other situations or actions that may affect competition in managed markets.

Art. 19. — Monitoring entities within the OPEE and TSOs shall take measures to carry out proactive, preventive monitoring of managed organised markets:

- a) identify any abnormal market behaviour of market participants in managed markets occurring during the bidding stage or during the trading session;
- b) where there is a suspicion that offers/trade orders do not correspond to normal bidding

behaviour, consider the situation as a matter of urgency and apply specific measures according to the rules of the respective market, its own internal procedures and applicable national and European legislation;

- c) inform ANRE as soon as possible about the events/situations that have occurred and the measures taken.

(2) The necessary measures and the conditions under which they apply, in case of suspicion of abnormal tendering behaviour, shall be detailed by their own internal procedures referred to in Article 18(a).

Art. 20. — (1) In order to identify possible breaches of Articles 3, 4 and 5 of REMIT, OPEE and TSOs shall implement specific monitoring strategies for the organised markets in administration, based on the provisions of the REMIT Application Guide and the documents adjacent to REMIT, in accordance with the degree of development of the monitoring systems (collection, storage, processing and dissemination of information) that OPEE and TSOs are required to have.

(2) Monitoring entities within OPEE and TSOs shall describe in their specific procedures the steps to fulfil their obligations under Article 15 REMIT, in line with the steps described as good practice in this area in the REMIT Implementation Guide.

(3) The OPEE and the TSOs shall ensure that the premises for the proper organisation of the activity at the level of the monitoring entities are met, including permanent access to all data resulting from the operation of markets under their competence, and the analysis systems are adapted to the requirements of market monitoring and trading behaviour of market participants in accordance with REMIT.

CHAPTER III

Data and information necessary to monitor the wholesale electricity market

SECTION 1

Ways to collect data

Art. 21. — Monitoring of the wholesale electricity market carried out by ANRE

it is mainly based on the direct collection of data/information, specific to the electricity trading activity carried out by *market participants* in all components of the wholesale electricity market.

Art. 22. — The obligation to regularly report the data/information requested by ANRE

specific monitoring templates for the purpose of substantiating the indicators defined by this methodology shall *lie with market participants*, OPEEs and TSOs.

Art. 23. — Depending on the content and relevance of the data/information as well as the analysis needs identified in the monitoring activity of the wholesale electricity market carried out by ANRE, the

process of direct collection from market participants, OPEE and TSOs shall be carried out:

- a) *daily or monthly reporting frequency*;
- b) *specific*, at the written and reasoned request of ANRE, depending on the reporting or analysis requests submitted by national and/or European institutions, the reporting/regulatory obligations of ANRE arising from the direct application of the primary legislation in the field of electricity.

Art. 24. — (1) Daily or monthly frequency data/information shall be collected through templates specific monitoring, individualised in machine-readable format on each type of *market participant*, OPEE and TSO, as follows:

a) *market participants* are required to report data on a monthly basis according to the monitoring templates by type of participant, as set out in *Annex 1*; the reporting is considered to be carried out with the upload to the ANRE IT platform of the machine-readable format of the monitoring templates specific to the type of participant and with the submission to the email address anre@anre.ro of the self-declaration (with registration number and the signature of the legal representative) certifying that the submission of the monitoring template for the reporting month was fully, correctly, specifying the date of upload to the ANRE IT platform; the monthly monitoring templates shall be published on the website www.anre.ro; the reporting deadlines for all *market participants referred to* in Article 7(a) to (i) shall be the following:

- i. for January each year, by the 15th of month L+ 2;
- ii. from February reporting each year, until the 25th of month L+ 1 for reporting month L;

b) until the 25th of the month L+ 1 for the reporting month L, OPEE and TSOs are required to submit to ANRE, through a dedicated software, the data requested on a monthly basis in machine-readable format according to the monitoring templates in *Annex no.*

c) (*OPEE*) and *Annex 3 (OTS)*, with the exception of monitoring templates which relate to the functioning of the balancing market: templates E1-E5 of *Annex 2 (OPEE)* and templates A5-A7 of *Annex 3 (OTS)* with a reporting deadline of 10 of month L+ 2 for reporting month L+ 2; the monthly monitoring templates shall be published on the website www.anre.ro;

C) on the next working day to which the reporting relates, OPEE and TSOs are obliged to submit to ANRE the requested daily data in machine-readable format according to the monitoring templates in *Annex 2 (OPEE)* and *Annex 3 (OTS)*, by means of a dedicated software;

(2) By way of derogation from paragraph 1(a) and (b), in the first year of application of this methodology, the deadline for reporting monthly data on the monitoring templates for the reporting months January to March 2023 shall be 20 working days from the date of entry into force of this methodology;

(3) The reporting format and transmission channel of data/information collected *punctually* in accordance with Article 23(b) shall be defined at the time of the request, depending on the required data structure and only to the extent that the data cannot result from the aggregation of the data/information received by ANRE in the collection process with daily or monthly reporting frequency. Depending on the complexity of the data structure, the transmission format and the deadline for transmission to ANRE may be agreed with the rapporteur. The requested data may also include results of simulations of the functioning of the managed markets, under assumptions pre-established by ANRE.

Art. 25. — (1) In the shortest possible time, after becoming active on any of the components of the wholesale electricity market, the *market participants referred to in Article 7(a)-e* are obliged to notify the monitoring department of ANRE on this fact. Following the notification, the monitoring department of ANRE creates all the conditions for *market participants* to be able to fulfil their reporting obligations under Article 24 in the month in which it became active.

(2) The monthly reporting obligation is valid only in the reporting month in which *market participants* are active.

Art. 26. — (1) Where the *market participant is a monitored producer of the NAP and at the same time* holds a licence to supply electricity, it shall report monthly data on the monitoring templates for electricity transactions and generation data, specific to producers (in *Annex 1*). In this respect, the monitoring template for electricity transactions specific to the *monitored producer PAN* allows both the reporting of the data/information related to the supply activity carried out at the power plant bars on the basis of the complementary right in the license to operate the power generation capacities and the data/information reflecting the supply activity carried out under the supply licence;

(2) *The monitored manufacturer PAN* reports monthly transaction and production data data for all power plants in the portfolio regardless of their installed capacity and, where applicable, for the storage facilities held;

(3) Whenever changes occur, the TSO shall send to ANRE raportari.piete@anre.ro the updated list of electricity producers with which it has contracts for the provision of the electricity transmission service and the system service.

Art. 27. — Where the *market participant is a supplier*, it shall report monthly data on the monitoring templates for transactions in electricity specific to *competitive suppliers* or FUI, as *applicable*(in *Annex 1*), even if it also owns power plants with installed capacity less than or equal to 5 MW. Monitoring templates for electricity transactions specific to competitive suppliers or FUIs also allow for the reporting of data/information reflecting the generation activity, if there are also electricity generation capacities in the portfolio.

Article 28. — (1) Where the *market participant is an aggregated entity/aggregator for*

electricity generation, it shall report monthly data on the monitoring templates for electricity transactions and generation data, specific to the *monitored producer PAN* (in *Annex 1*), even if it only owns power plants with installed capacity less than or equal to 5 MW and/or has an electricity supply licence issued by ANRE.

(2) Where the *market participant* is an *aggregator for demand*, it shall report the monthly data on the monitoring template for electricity transactions specific to the *monitored producer PAN* (in *Annex 1*).

Art. 29. — If the *market participant* is an *IS operator* in accordance with Article 7(c), it shall report monthly data on the monitoring templates for electricity transactions and production data, specific to the *producer monitored by the NAP* (in *Annex 1*).

Art. 30. — If the *market participant* is registered as an *PRE* for at least one more participant, it shall report the monthly data on the monitoring template intended to collect data from the *PRE* (in *Annex 1*).

Article 31. — Where the *market participant* is the *DSO*, it shall report the monthly data on the monitoring template for electricity transactions specific to the concessionary *DSO* and on the monitoring template for cumulative data on prosumers and small electricity producers connected to the electricity grids in its distribution area (in *Annex 1*). By way of derogation from the reporting deadline laid down in Article 24(1)(a), the *DSO* shall transmit the monitoring template on the aggregated data on prosumers and small electricity producers connected to the electricity grids in its distribution area by no later than the last day of month $L+1$ for reporting month L .

Art. 32. — (1) Specific monitoring templates developed on the basis of this methodology include the set of monitoring templates contained in the methodology for monitoring the retail electricity market approved by Order No 17/2023 of the President of the National Energy Regulatory Authority.

(2) *Market participants* with monthly reporting obligations on both monitoring methodologies shall submit to ANRE only one set of reporting for both markets (ANP and WAP).

Art. 33. Monitoring templates shall be reviewed annually or as appropriate to reflect the provisions of the legislative and regulatory framework in force. They shall be published on the website www.anre.ro in the dedicated sections. ANRE shall inform market participants, OPEE and TSOs on the revision of the monthly monitoring templates by publishing a notice on the website www.anre.ro.

Section 2

Indicators used in monitoring activity

Art. 34. — Monitoring the functioning of the wholesale electricity market, assessing the level of

its competition and transparency, with the identification of malfunctions and their causes, are key elements in promoting a secure, competitive and sustainable national electricity market integrated at European level. The results of the monitoring activity shall be determined objectively by the set of indicators set out in the methodology, which constitute a working tool for the monitoring compartment of ANRE, namely the monitoring entities within the OPEE and TSOs.

Art. 35. — The indicators used are considered relevant to the current degree of development of the Romanian electricity market and reflect both the requirements of the national legislation in the field and the needs for transparency and integration into the single electricity market specified in the regulations in force at European Union level.

Art. 36. — The monitoring compartment of ANRE uses in the calculation of indicators data/information collected at monthly frequency from market participants and daily and monthly frequency from OPEE and TSOs, data transmitted by other compartments of ANRE and data published at national and European level.

Art. 37. — The indicators used in the monthly report on the results of the monitoring of the electricity market prepared by the monitoring department of ANRE are detailed in its own procedure for monitoring the wholesale electricity market.

Art. 38. — Based on the set of indicators presented in the methodology, monitoring entities at the level of OPEE and TSOs shall:

- a) establish, through its own monitoring procedures, the indicators used on the efficiency of the functioning of the supervised markets, the structure/concentration of markets and the trading behaviour of market participants;
- b) follow the evolution over time of the defined indicators;
- c) make national comparisons of indicators with similar indicators on international markets, where possible;
- d) ensure that the values of the defined indicators are stored for a minimum of 5 years;
- e) publish on a monthly basis the results of the functioning of the managed markets, based on the relevant indicators defined for each of these markets.

Art. 39. — In addition to the indicators referred to in Article 38(a), the monitoring entities of OPEE and TSOs shall develop their own sets of indicators and analysis systems in order to identify and analyse situations at risk of manipulation/attempted market manipulation, of transactions suspected of being carried out on the basis of inside information, in compliance with the requirements relating to persons carrying out transactions on a professional basis contained in the REMIT Enforcement Guidelines.

A. Indicators of market structure and concentration

Art. 40. — The concentration of a market is determined by the number of existing market participants and their market shares in that market. The indicators in this category are intended to detect/appreciate the possibility of exercising market power, on the assumption that a high degree of market concentration constitutes a favourable environment for the exercise of market power. The most commonly used market concentration indicators are:

a) Market share of the largest market participant – C1 (%)

The significance of indicator C1 values is:

C1 > 20 % concentration of concern for the market;

C1 > 40 % the existence of a dominant market position;

Note: for competition analyses, the provisions of Article 6(3) of *Competition Law No 21/1996, republished*, as subsequently amended and supplemented, on the dominant position on the relevant market, as defined in the specific rules issued by the Competition Council, are applicable.

b) Sum of market shares of the three largest participants – C3 (%)

The significance of indicator C3 values is:

40 % andlt; C3 < 70 % moderate concentration of market power;

C3 >= 70 % high concentration of market power.

c) *Herfindahl-Hirschman Index – HHI*

The HHI index is calculated by summing up the squares of market shares of participants:

$$HHI(i) = \sum_{j=1}^N [Q_j(i)]^2$$

in which:

J = the market participant;

N = total number of market participants i = the time frame for which it is calculated

$Q_j(i)$ is the market share of participant j over time interval i, expressed as a percentage.

The significance of the HHI index values is:

HHI tends to 0 — perfect competition;

HHI andlt;1.000 — non-concentrated market;

1,000 <=HHI moderately concentrated market;

lt;2.000 — market with high concentration monopoly.

2,000

<=HHI<10.000 **Art. 41.** — For the calculation of the concentration

indicators, the monitoring entities of the OPEE and TSOs shall consider each market managed as the relevant market. Depending on the analysis needs, concentration indicators can also be calculated for instruments/products traded within the same market. ANRE calculates the concentration indicators for the wholesale market components and the system as a whole, in correlation with the available data.

Art. 42. — In order to determine the structure and degree of concentration on the wholesale electricity market, ANRE shall at least follow the following indicators and their evolution:

No. crt.	Indicator	Processing interval	Value type
1	Amount of electricity produced by producers monitored PAN	monthly/annual	monthly/annual
2	Amount of electricity delivered to grids by producers monitored PAN	monthly/annual	monthly/annual
3	Market shares of producers monitored by NAP according to their energy	monthly/annual	monthly/annual
4	Market shares of producers monitored by PAN according to electricity delivered to their grids	monthly/annual	monthly/annual

5	C1, C3, HHI according to electricity delivered to grids by producers monitored PAN	monthly/annual ly	monthly/annual
6	Share of electricity delivered to grids on each type of generation source in total electricity delivered to grids by producers monitored PAN	monthly/annual ly	monthly
7	Share of electricity produced from RES and delivered to grids in total electricity delivered to grids by producers monitored PAN	yearly	monthly
8	Market shares of market participants in the market for directly negotiated bilateral contracts (by quantities delivered on purchase/sale)	monthly/annual ly	monthly
9	C1, C3, HHI on the market of directly negotiated bilateral contracts (by quantities delivered at	monthly/annual ly	monthly

Art. 43. — OPEE/NEMOs shall follow, as appropriate, at least the following indicators and their evolution, in relation to the managed markets on which standardised/non-standardised products are traded, regardless of their name:

No.crt.	Indicator	Processing interval	Value type
1	Market shares of PZU participants (by bid/purchase/sale volumes)	daily/monthly/yearl y	daily/monthly
2	C1, C3, HHI on PZU (by volume bids/transactions at purchase/sale)	daily/monthly/yearl y	daily/monthly
3	Market shares of PI participants (by volumes traded, buy/sale)	daily/monthly/yearl y	daily/monthly
4	C1, C3, HHI on Pi (by volume traded, at purchase/sale)	daily/monthly/yearl y	daily/monthly
5	Market shares of CCP participants on purchase/sales segments (for the trading month on bid volumes*/traded, for the month analysed by volumes in delivery)	monthly/annually	monthly/annual
6	C1, C3, HHI on CCP segments at purchase/sale (for trading month on volumes bids*/transactiond, for the month analysed by volumes in delivery)	monthly/annually	monthly/annual

* Excludes markets with continuous trading

Art. 44. — For the determination of the degree of concentration in the managed markets and the total system, TSOs shall at least follow the following indicators:

No.crt.	Indicator	Processing interval	Value type
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1	Net power of monitored producers PAN	yearly	annual
2	C1, C3, HHI according to the net power of the monitored PAN producers	yearly	annual (finals)
3	Market shares of EP participants by type of adjustment (offered/traded)	monthly/annually	monthly/annual
4	C1, C3, HHI per PE, by type of adjustment (offered/traded)	monthly/annually	monthly/annual
5	Market shares of system services market participants	monthly/annually	monthly/annual
6	C1, C3, HHI for system services market components	monthly/annually	monthly/annual
7	Market shares of participants in the interconnector allocation market (by border and direction)	monthly/annually	monthly/annual
8	C1, C3, HHI in the interconnection capacity allocation market (by border and direction)	monthly/annually	monthly/annual

B. Efficiency/market performance indicators

Article 45. — In order to assess the functioning of the wholesale electricity market and the integration of its components, ANRE shall follow at least the following indicators and their evolution:

No.crt.	Indicator	Processing interval	Value type
1	Quantities traded in delivery on each component of the wholesale electricity market compared to domestic consumption	monthly/annually	monthly
2	Quantities traded in delivery on the wholesale electricity market as a whole compared to domestic consumption	monthly/annually	monthly
3	Weighted average prices for transactions in delivery on each component of the wholesale electricity market	monthly/annually	monthly averages
4	Average prices per PZU compared to EP prices/imbalance prices	monthly/annually	monthly averages
5	Quantities traded on export and import in delivery, with separate highlighting of quantities traded through PZU and PI	monthly/annually	monthly
6	Congestion costs relative to total balancing energy costs	monthly/annually	monthly
7	Difference between the wholesale market benchmark price (PIP on PZU) and the average supply price for final customers,	yearly	monthly averages

	ID (without the value of regulated tariffs, green certificates, cogeneration tax, excise duty and VAT)		
8	Degree of correlation between average prices weighted by quantities in delivery related to transactions concluded on bilateral directly negotiated contracts, CPC and PZU	monthly/annually	monthly averages
9	Amount of electricity to which transmission tariff components apply	monthly/annually	monthly
10	Structure of the amount of electricity delivered to grids by type of generation source	monthly/annually	monthly
11	Share of quantities traded by each producer monitored by PAN through PCC contracts and market of bilateral contracts negotiated directly from its annual electricity production	yearly	annual
12	Degree of coverage by each supplier of the consumption of final customers from the quantities traded on the CCP and the market for bilateral contracts negotiated directly	yearly	monthly
13	Fuel consumption structure in the thermoelectric power plants of the monitored PAN producers	monthly/annually	monthly
14	Difference between PIP PZU Romania and PIP PZU Hungary and PIP PZU Bulgaria	monthly/annually	schedules
15	Cross-border flows resulting from coupled PZU	monthly/annually	schedules
16	Evolution of average spot prices on other European energy exchanges	monthly/annually	schedules
17	Deficit-weighted average hourly prices, surplus, one-off price and comparison with average PIP per PZU	monthly/annually	timetables/daily/monthly

Art. 46. — In order to assess the functioning of the managed markets, OPEE/NEMOs shall at least follow the following indicators and their evolution:

No.crt.	Indicator	Processing interval	Value type
1	Market Closing Price (PIP) PZU	daily/monthly/yearly	timetables/daily/monthly
2	Volumes offered on sale/purchase, traded, average/maximum/minimum on PZU	daily/monthly/yearly	timetables/daily/monthly
3	Degree of correlation between PIP and volumes traded on PZU	monthly/annually	monthly schedules/averages per daily
4	Degree of correlation between PIP and internal consumption	monthly/annually	monthly schedules/averages per daily
5	Volatility of PIP	monthly/annually	schedules

7	ATC available on PZU, on borders and direction	monthly/annually	schedules
8	Flows on coupled PZU (by borders and directions)	daily/monthly/yearly	schedules
9	Usability of ATC available on PZU, across borders and direction	daily/monthly/yearly	schedules
10	Minimum/maximum hourly prices coupled by PZU	daily/monthly/yearly	schedules
11	Distribution of PIP hourly prices on coupled PZU	daily/monthly/yearly	schedules
12	PIP convergence on coupled PZU	daily/monthly/yearly	schedules
13	Volume of coupled transactions, daily share of transactions in domestic consumption, extreme values of daily quotas	daily/monthly/yearly	schedules
14	Average hourly spot prices and average hourly volumes traded on European markets	daily/monthly	schedules
15	Traded, average, maximum and minimum volumes per IP	daily/monthly/yearly	settlement intervals
16	Weighted average prices per IP	daily/monthly/yearly	settlement intervals
17	ATC available before PI, ATC available after IP, across borders and direction	monthly/annually	settlement intervals

Art. 47. — In order to assess the functioning of the managed markets, OPEE shall follow, at the level of the trading month, at least the following indicators and their evolution:

No.crt.	Indicator	Processing interval	Value type
1	Volumes offered on PCC for sale/purchase, by type of offer*, products, instruments	daily/monthly/yearly	monthly
2	Volumes traded on CCPs, by type of offer*, products, instruments	daily/monthly/yearly	monthly
3	Degree of correlation between trading prices on CCPs and volumes traded on CCPs	monthly/annually	monthly
4	Trading prices on contracts concluded on CCPs	daily/monthly	monthly averages
5	Volatility of trading prices on CCPs	monthly/annually	monthly

*Excludes markets with continuous trading

Art. 48. — In assessing the functioning of managed markets, TSOs shall at least follow the following indicators and their evolution:

No.crt.	Indicator	Processing interval	Value type
1	Internal consumption	daily/monthly/yearly	settlement intervals/days/months
2	Bid/traded prices per EP (by type of balancing energy)	daily/monthly/yearly	settlement/monthly intervals
3	Bid/traded volumes per EP (by type of balancing energy)	daily/monthly/yearly	settlement/monthly intervals

4	Degree of correlation between EP prices and traded volumes	monthly/annually	Settlement/monthly intervals
5	Correlation between EP/deficit/excess prices and domestic consumption	monthly/annually	settlement/monthly intervals
6	Volatility prices by deficit/surplus/single price	monthly/annually	settlement/monthly intervals
7	Prices by system service contracts (by type of reserves and participants)	monthly/annually	timetables/monthly
8	Volumes offered/traded in the system services market (by type of reserves)	monthly/annually	timetables/monthly
9	Allocated interconnection capacity (by borders and directions)	daily/monthly/yearly	timetables/averages on relevant/monthly periods
10	Prices for capacities by allocated interconnection (by borders and directions)	daily/monthly/yearly	timetables/average by relevant/monthly intervals
11	Utilisation of transfer capacity on interconnectors by destination (import/export) and borders	yearly	annual averages
12	Volatility of the price of allocated interconnectors by destination and borders	monthly/annually	timetables (relevant intervals)
13	Energy imported/exported, total and by borders (trade, technical, physical exchanges)	monthly/annually	timetables (relevant intervals)
14	Power reserve available at the peak of the system	yearly	settlement intervals
15	Capacity by production available/unavailable in the system	daily/monthly/yearly	settlement intervals/monthly averages at the top
16	Newly installed generation capacity during the reporting year	yearly	yearly
17	Decommissioned production capacity during the reporting year	yearly	yearly

Art. 49. — The following shall be constituted as elements of interest, monitored and analysed by the monitoring compartment of ANRE and the monitoring entities of OPEE and TSOs, as appropriate:

- a) unusual values of prices offered and/or traded on each of the components of the wholesale electricity market, compared to previous values, which are not justified in the context of the legislative/regulatory framework that characterises the timing of the analysis;
- b) the impact of legislative and regulatory changes on the offered/traded quantities and prices concluded on the different components of the wholesale electricity market;
- c) influence of the activity of participants in related markets on prices and quantities traded on the wholesale electricity market.

C. Indicators of behaviour of market participants

Art. 50. — 1. Monitoring entities in the OPEE and TSOs shall keep track

behaviour of participants in wholesale electricity market component markets, taking into account, where appropriate, at least:

- a) the evolution of the bidding mode of each participant in the component markets of the wholesale electricity market, identifying significant changes in the bidding mode of the participants;
- b) non-compliances notified when preparing tenders/notifications in accordance with the provisions of OPEE and TSO's own procedures;
- c) cases of unscheduled unavailability of generation groups with installed capacity exceeding 100 MW;
- d) changes in the operating schedules of the dispatchable production units;
- e) the available balancing power of the generating units in each dispatching range, in particular for secondary control and rapid tertiary adjustment compared to those contracted as system services;
- f) unbalanced notifications.

(2) The elements specified in paragraph 1 shall be the object of permanent analysis of TSOs and OPEEs, which continuously develop their own appropriate processing and analysis systems (including IT), in accordance with the degree of development of the market managed.

CHAPTER IV

SECTION 1

Monitoring results

Art. 51. The results of the monthly monitoring activity shall be subject to the public report and the internal information prepared by the monitoring department of ANRE, and to the analyses carried out by the monitoring entities of the OPEE and TSOs.

Art. 52. The way in which the results of the monitoring activity, the data/information flows and the details of the indicators used are achieved are developed by each entity responsible for this purpose through its own procedures.

Art. 53. Internal information and analyses shall be brought to the attention of the management of the institutions concerned whenever deemed necessary, in accordance with their own rules of organisation and operation and specific procedures, in order to analyse and take the necessary measures.

Art. 54. In terms of content, both analyses and briefings shall include, where appropriate:

- a) assessment of the structure and performance of managed markets, based on the analysis of established sets of indicators;
- b) identifying instances of market failures administered, with the determination of possible causes;
- c) analysing cases of suspicion of abnormal or anti-competitive market behaviour of market participants, together with information collected for the purpose of analysing the reported situation;
- d) proposed solutions to remedy irregularities and infringements found.

Art. 55. — (1) The remedies for irregularities and infringements detected may be submitted by monitoring entities within OPEE and TSOs to their management and may include proposals on:

- a) amendment of the applicable primary/secondary legislation on the functioning of the administered markets and their internal procedures in order to eliminate the causes that caused negative events/evolutions on the market;
- b) requesting additional information from market participants in managed markets and possible explanations of their market behaviour;
- c) communication to ANRE of cases of inadequate functioning of managed markets, cases likely to constitute infringements of competition law.

(2) In the case of ANRE, proposals submitted to its management may include:

- a) amendment of the applicable secondary legislation on the organisation and functioning of the different components of the electricity market;
- b) initiating control actions, in accordance with ANRE's own procedure;
- c) initiating investigative actions in accordance with REMIT, in accordance with ANRE's own procedure.

Art. 56. — For the purpose of informing ANRE, the monitoring entities within OPEE and TSOs shall prepare and submit to ANRE monitoring reports on the functioning of the administered markets, on a monthly basis, which are summary documents intended to inform ANRE on the performance of the markets and the evolutions of indicators on the administered markets, the behaviour of the participants and which may contain recommendations/proposals to eliminate the causes that led to negative events/evolutions.

Art. 57. — (1) The monitoring reports provided for in Article 56 shall be transmitted to ANRE by the last calendar day of month L+ 1 for reporting month L, in electronic format at raportari.piete@anre.ro. The monitoring report shall contain mainly the following information:

- a) indicators of structure/concentration, assessment of market functioning and behaviour, in accordance with this methodology and own procedures of the OPEE and TSOs;
- b) the situations of malfunctioning/dysfunctionality of the market identified and their causes;
- c) any suspicion of abnormal behaviour or potentially anti-competitive actions by market participants;

d) assessments of non-compliances identified during monitoring, comments on tendering mode, frequent errors of participants, defaults related to concluded transactions;

e) the actions taken by the operator to detect, analyse and possibly remedy these situations, and if the situation so requires, with the information of other national and/or European institutions;

f) proposals to amend the applicable regulatory framework.

(2) The monitoring reports referred to in paragraph 1 for the analysis of the functioning of the balancing market shall be submitted within one month of the completion of the settlement on this market, as specified in the applicable regulatory framework.

Art. 58. — The monitoring reports referred to in Article 56 shall contain public data/information and confidential. Their content and the degree of detail of the information shall be determined on the basis of their own procedures of OPEE and TSOs.

Article 59. — If circumstances so require, the monitoring entities within the OPEE and TSOs inform ANRE as soon as possible, in addition to regular monitoring reports, of:

a) changes in closing prices in managed markets, which are not justified in the context of the legislative/regulatory framework that characterises the timing of the analysis;

b) any suspicion of abnormal or anti-competitive behaviour by market participants;

c) any conduct that deviates from/infringes the regulations in force and the related procedures.

Art. 60. — The monitoring department within ANRE identifies possible cases of abnormal market behaviour, possible anti-competitive practices, suspicion of abuse of dominant position or market abuse under REMIT, based on:

a) referrals to OPEE or TSOs contained in the monthly monitoring reports sent to ANRE in accordance with Article 56 or information prepared in accordance with Article 59;

b) referrals from other natural/legal persons;

c) data/information obtained during the regular collection process from market participants or in the course of monitoring;

d) information from other sources, including the media.

Article 61. — Following the identification of infringements of the legislation in force or the framework of

applicable regulation, cases of possible abnormal market behaviour, anti-competitive practices or abuse of dominant position, the monitoring department of ANRE draws up referral notes drawn up in accordance with specific internal procedures. Cases of anti-competitive practices or abuse of dominant position are brought to the attention of the Competition Council.

Art. 62. — (1) When a possible case of market abuse under REMIT is brought to the attention of ANRE or results from the analysis of periodic monitoring reports received from OPEE or TSOs,

the monitoring compartment within ANRE shall start the preliminary analysis of those data and information, using all available results from its own monitoring activity and the data/information made available by ACER in relation to that case;

(2) ANRE may require OPEE and TSOs to request additional data, analyses and views, including trading simulations on suspected cases, under commonly agreed assumptions. Transmission to ANRE shall be made in the format, on the transmission channel and within the deadlines agreed with the OPEE and the TSOs, in order to fulfil the REMIT obligations as soon as possible, with appropriate justification;

(3) The stages of the preliminary analysis of a possible market abuse case and the envisaged principles are subject to an internal procedure developed by ANRE;

(4) If the preliminary analysis carried out by the monitoring department of ANRE shows that there are reasonable elements to suspect a breach of the provisions of Article 3 and/or Article 5 of REMIT, the monitoring department of ANRE shall draw up a substantiation note to the management of the institution, with the proposal to inform ACER of the facts identified and possibly to open an investigation by the specialised department of ANRE.

Section 2

Ensuring transparency of information

Art. 63. — (1) The monitoring department of ANRE shall draw up and publish on the website www.anre.ro the summary of the results of the monitoring activity of the wholesale electricity market, as an integral part of the monthly report on the results of the monitoring of the electricity market (hereinafter referred to as the *Monthly Report*);

(2) *Publication of the monthly report* shall be made within a maximum of 60 days from the reporting deadlines referred to in Article 24(1)(a) in conjunction with paragraph 2;

(3) Chapters dedicated to the wholesale electricity market comprise aggregated indicators characterising all components of the wholesale electricity market in terms of their operation and evolution, at the level of the analysed month or over longer periods of time, and indicators calculated by the categories of market participants monitored;

(4) *The monthly report* on the results of the electricity market monitoring for December of each year also contains annual summary data;

(5) Published indicators are aggregated data in accordance with national legislation on official statistics, while preserving the confidentiality of commercially sensitive data/information; the classification of information as commercially sensitive, the publication of which could restrict, impede or distort competition in the electricity market and/or lead to harm to market participants

and the periods of time during which that character is preserved, shall be determined on the basis of the principle that a commercial transaction and European statistical data regulations are not fully identified.

Art. 64. — For *the Monthly Report* for January of each year, the monitoring department of ANRE analyses the appropriateness of introducing new synthesis indicators that characterise the level of development of the wholesale electricity market in Romania at that time, in correlation with the indicators followed by ACER and CEER at European level.

Art. 65. — The monitoring department of ANRE contributes to the elaboration of *ANRE's Annual Report* with synthesis indicators at the level of the analysed year and developments over different time periods.

Art. 66. — The monitoring compartment of ANRE in collaboration with the monitoring entities of OPEE and TSOs ensures Romania's contribution to the *Annual Report on the results of the monitoring of the internal electricity market prepared by ACER and CEER*, based on the requests for indicators followed annually by the mentioned European institutions.

Art. 67. — Monitoring entities at the level of OPEE and TSOs shall publish on their websites monthly and/or weekly market reports, summarising the main indicators characterising the markets managed according to their own procedures.

Art. 68. — 1. OPEEs and TSOs shall publish on their websites the information on the functioning of the managed markets, in accordance with the applicable regulatory framework at national and European level in force, the frequency and format specified therein and detailed in their procedures. The obligation to publish may be fulfilled by explicitly indicating on its own website a link to a website where this information is published.

(2) The monitoring compartment of ANRE monitors compliance with the provisions on the type and format of the information published by OPEE and TSOs, the timing of their publication and the duration of their availability, in accordance with the regulations specific to each component of the wholesale electricity market and related procedures. OPEE and TSOs shall collaborate with ANRE to identify and eliminate as soon as possible possible causes that would prejudice the correct, complete and timely information of the public.

Art. 69. — In accordance with the legal provisions in force, ANRE, OPEE and TSOs shall keep professional secrecy on all data transmitted/received/analysed in the framework of the monitoring activity carried out. It is prohibited to disclose any confidential information related to cases of suspected market abuse/attempted market abuse, suspicion of abuse of a dominant position of a participant/category of participants/group of participants, under review or for which ANRE is conducting the investigation activity.

CHAPTER V

Final provisions

Art. 70. — The content of the wholesale electricity market monitoring models is published in *Annexes 1 to 3*, which are an integral part of this methodology.

Art. 71. — This methodology is applied in conjunction with the provisions of the Methodology for monitoring the retail electricity market in force.

Art. 72. — (1) In order to identify violations of the competition law ANRE may request the cooperation of the Competition Council on the basis of the cooperation protocol concluded between the two institutions. ANRE shall inform the Competition Council when, following the analyses carried out, it has reasonable grounds to suspect that any of the components of the wholesale electricity market are committed/acts that could constitute infringements of competition law.

(2) In order to monitor the functioning of the electricity markets in order to identify breaches of the specific legislation, ANRE may request the cooperation of the Financial Supervisory Authority, based on the collaboration protocol concluded between the two institutions.

Art. 73. — (1) By way of derogation from the provisions of Article 24(1)(a), until the date when ANRE will implement the new ANRE IT platform, the transmission of the data reported by market participants (set out in *Annex 1*) shall be carried out by uploading to the ANRE portal (<https://portal.anre.ro>);

(2) By way of derogation from Article 24(1)(b) and (c), until the date on which ANRE, OPEE and TSOs agree on the dedicated software used for the transmission to ANRE of daily/monthly data, the transmission of the data reported by the OPEE (referred to in *Annex 2*) and the data reported by the TSOs (set out in *Annex 3*) shall be carried out electronically at HYPERLINK "mailto:raportari.piete@anre.ro" raportari.piete@anre.ro.

Art. 74. — This methodology will be reviewed in the light of changes arising from the applicable primary legislation and the relevant European regulations. ANRE, OPEE and TSOs shall update their own internal monitoring/supervision procedures according to the provisions of this methodology.

Art. 75. Non-compliance with the provisions of this methodology entails sanctioning in accordance with the legal provisions in force in the field of electricity.

Monitoring template for data collection from competitive suppliers and traders

<i>Electricity Transaction Monitoring Model</i>		
Annex	Template name	Content description and how to fill in
A1-I	Electricity transactions on the wholesale electricity market	<p>Trading data on purchases and monthly sales on contracts for the sale-purchase of electricity concluded by the <i>competitive supplier/trader</i> with contractual partners and those traded on spot markets.</p> <p>The breakdown is carried out according to the market (markets organised at the level of market operators, the market for bilateral contracts negotiated directly, the market for import/export contracts and the centralised purchasing mechanism organised in accordance with Government Emergency Order No 27/2022 on measures applicable to final customers in the electricity and natural gas market during the period from 1 April 2022 to 31 March 2023, as well as for amending and supplementing certain legislative acts in the field of energy, approved with amendments and additions by Law No 206/2022, as amended and supplemented) and the type of the contractual partner (producers, suppliers, distribution operators, transmission operator, final customer), on each contractual partner and transaction.</p> <p>⌞ For contract-based sales/purchase transactions, the <i>competitive supplier/trader</i> fills in or selects from a predefined list (where applicable) the following data/information, at the level of the reporting month:</p> <ol style="list-style-type: none"> contract partner – selection from the list; quantity delivered (MWh, RO hours) – insert data; the average monthly price (lei/MWh) – results from the application of the calculation formula; value of quantity delivered (lei) – insertion data; characterisation of the transaction by type of delivery – selection from the list. <p>⌞ Additionally, only in the case of bilateral contracts negotiated directly, regardless of the date of their conclusion, shall be completed:</p> <ol style="list-style-type: none"> contract number – insert information; date of entry into force of the contract – insertion of information (predefined format dd/mm/yyyy); expiry date of the contract – insertion of information (predefined format dd/mm/yyyy). <p>δ. For transactions concluded through the brokering procedure (<i>sleeves</i>) on the markets allowing this type of transaction, the <i>competitive provider/trader</i> conducting the brokering will mandatory specify this in the ‘Remarks’ column;</p> <p>ε. For transactions on import/export contracts, the quantities of electricity notified to CNTEE Transelectrica SA as import/export shall be reported, without including the quantities constituting declared transit of electricity in accordance with the European regulations; the total value of the import/export contracts will not contain the value of the interconnection capacity purchased by the <i>competitive supplier/trader</i>, regardless of how it is recovered; the declared price for intra-group transactions (transfers) will be as close as possible to the actual market price.</p> <p>φ. For the sale/purchase transactions concluded on PZU and PI, the monitored producer PAN shall complete the following data/information at the level of the reporting month:</p> <ol style="list-style-type: none"> quantity delivered (MWh, RO hours) – insert data; the average monthly price (lei/MWh) – results from the application of the calculation formula; value of quantities sold/purchased (lei) – insert data; <p>Other types of data/information to be reported: quantity purchased from small producers on negotiated contracts concluded on the basis of Law No 220/2008, republished, as subsequently amended and supplemented (cumulated), the purchase of electricity from prosumers</p>

		<p>(accumulated), own-source generation where the competitive supplier owns power plants with installed power less than or equal to 5 MW (cumulated), purchase on supply contracts concluded on the retail market as final customer. If the <i>competitive supplier</i> has production units that have the technical capability to respond to dispatcher provisions, then it will report its entire activity on the energy market on the monitoring templates for the <i>producers monitored by PAN</i>.</p> <p>The values in the cells of the contract types 'Contracts supply to non-household customers supplied on a competitive basis', 'Supply contracts to competitively supplied household customers' and 'Supply contracts to SU-powered household customers' shall be updated automatically, with the completion of Annexes A2-Ia, and A2-IIa, as appropriate.</p>
A2-Ia	Average supply prices for categories of non-household final customers	<p>The template is addressed exclusively to <i>competitive suppliers</i> active on the WFP, during the reporting months in which they provided electricity to non-household customers in the portfolio.</p> <p>The data shall be filled in in relation to the non-household customer; where a customer has more than one place of consumption, the data shall be aggregated at customer level: The data also includes information on non-household customers who have concluded dynamic price supply contracts.</p> <ul style="list-style-type: none"> ⊥ Cumulative consumption of non-household final customers in each consumption tranche in the course of reporting month (MWh); ⊥ Number of non-household final customers existing at the end of the reporting month, number non-household final customers for which the supply ceased during the month (customers exits), the number of non-household final customers for which the supply started during the reporting month(s); the data shall be presented by consumption tranche; ⊥ Average electricity supply price per consumption band for consumption non-household final customers in the reporting month (lei/MWh) calculated as a monthly average of monthly consumption weighted by active electricity supply prices (the value of network services provided at regulated tariffs is included, the tax on high-efficiency cogeneration, the value of green certificates, excise duty and VAT are not included); ⊥ Component representing the value of network services provided at regulated tariffs applied to non-household final customers in each consumption band (lei/MWh); ⊥ Component representing the value of taxes (excise duty, green certificates and high-efficiency cogeneration) applicable to non-household final customers served in each consumption band relative to the consumption of customers in that tranche (lei/MWh). <p>The classification of customers in the consumption tranches (categories) defined in Regulation (EU) 2016/1952 of the European Parliament and of the Council of 26 October 2016 on European statistics on natural gas and electricity prices and repealing Directive 2008/92/EC shall be carried out on the basis of the electricity consumption achieved in the last 12 calendar months, in compliance with the provisions of <i>Annex 2(2)</i> of the methodology for monitoring the retail electricity market approved by Order of the President of the National Energy Regulatory Authority No 17/2023 and remains the same for the entire reporting year.</p> <p>Data shall be reported strictly for the reporting month as consumption month, regardless of the date of issue of the energy bills consumed or the inclusion in the bills of periods other than the reporting month, for which adjustments have been made.</p> <p>The average supply price per consumption band shall be calculated on the basis of the electricity price set out in the commercial/economic conditions in supply contracts concluded with final customers within the consumption band, irrespective of the support scheme from which those final customers may benefit at any given time.</p>
A2-Ib	Average supply prices for categories of final customers	Data on electricity supplied to non-household customers with a dynamic price contract.

	non-households who have concluded contracts at dynamic prices	<p>The template is addressed exclusively to <i>competitive suppliers</i> active on the WFP, in the reporting months in which they provided electricity to non-household customers in their portfolio with whom they concluded supply contracts at dynamic prices</p> <p>The data shall be filled in in relation to the non-household customer; if a final customer has more than one place of consumption, the data aggregates at the customer level.</p> <p>⊥ Cumulative consumption of non-household final customers in each consumption tranche in the course of reporting month (MWh);</p> <p>⊥ Number of non-household final customers existing at the end of the reporting month, number non-household final customers for which the supply ceased during the month (customers exits), the number of non-household final customers for which the supply started during the reporting month(s); the data shall be presented by consumption tranche;</p> <p>⊥ Average electricity supply price per consumption band as a result of the sale electricity to final customers in the reporting month; the average price per consumption tranche includes the value of network services provided at regulated tariffs, but does not include the tax on high-efficiency cogeneration, the value of green certificates, excise duty or VAT (lei/MWh);</p> <p>⊥ The component representing the value of network services provided at regulated tariffs applied to non-household final customers in each consumption band relative to the consumption of customers in that tranche (lei/MWh);</p> <p>⊥ Component representing the value of taxes (excise duty, green certificates and high-efficiency cogeneration) applicable to non-household final customers served in each consumption band relative to the consumption of customers in that tranche (lei/MWh).</p> <p>The classification of customers in the consumption tranches (categories) defined in Regulation (EU) 2016/1952 of the European Parliament and of the Council of 26 October 2016 on European statistics on natural gas and electricity prices and repealing Directive 2008/92/EC shall be carried out on the basis of the electricity consumption achieved in the last 12 calendar months, in compliance with the provisions of <i>Annex 2(2)</i> of the methodology for monitoring the retail electricity market approved by Order of the President of the National Energy Regulatory Authority No 17/2023 and remains the same for the entire reporting year.</p> <p>Data shall be reported strictly for the reporting month as consumption month, regardless of the date of issue of the energy bills consumed or the inclusion in the bills of periods other than the reporting month, for which adjustments have been made.</p> <p>The average supply price per consumption band shall be calculated on the basis of the electricity price set out in the commercial/economic conditions in supply contracts concluded with final customers within the consumption band, irrespective of the support scheme from which those final customers may benefit at any given time.</p>
A2-IIa	Average supply prices for categories of household customers	<p>The template is addressed exclusively to <i>competitive suppliers</i> active on the WFP, in the reporting months during which they supplied electricity to household customers in the portfolio (including vulnerable ones).</p> <p>Data on electricity supplied to household customers on the electricity supply licence shall be reported separately for customers supplied under competitive supply and universal service.</p> <p>The data shall be filled in in relation to the household customer; if a customer has more than one place of consumption, the data aggregates at the customer level.</p> <p>⊥ The cumulative consumption of household customers in each consumption tranche during the reporting month (MWh);</p> <p>⊥ Number of household customers existing at the end of the reporting month, number of customers households for which supply has ceased during the month (customers exits), number of customers</p>

		<p>households for which supply has started during the reporting month (customer entries); the data shall be presented by consumption tranche;</p> <p>⊥ Average electricity supply price per consumption band for consumption household customers in the reporting month (lei/MWh) calculated as a monthly weighted average of monthly consumption with active electricity supply prices (the value of network services provided at regulated tariffs is included, the tax on high-efficiency cogeneration, the value of green certificates, excise duty and VAT are not included);</p> <p>⊥ The component representing the value of network services provided at regulated tariffs applied to customers in each consumption tranche relative to their consumption (lei/MWh).</p> <p>The classification of customers in the consumption tranches (categories) defined in Regulation (EU) 2016/1952 of the European Parliament and of the Council of 26 October 2016 on European statistics on natural gas and electricity prices and repealing Directive 2008/92/EC shall be carried out on the basis of the electricity consumption achieved in the last 12 calendar months, in compliance with the provisions of <i>Annex 2(2)</i> of the methodology for monitoring the retail electricity market approved by Order of the President of the National Energy Regulatory Authority No 17/2023 and remains the same for the entire reporting year.</p> <p>Data shall be reported strictly for the reporting month as consumption month, regardless of the date of issue of the energy bills consumed or the inclusion in the bills of periods other than the reporting month, for which adjustments have been made.</p> <p>The average supply price per consumption band shall be calculated on the basis of the electricity price set out in the commercial/economic terms of supply contracts concluded with final customers within the consumption band, irrespective of the support scheme from which those final customers may benefit at any given time.</p>
A2-IIb	Average supply prices for vulnerable customer categories	<p>Data on electricity supplied to vulnerable household customers.</p> <p>The template is addressed exclusively to <i>competitive suppliers</i> active on the WFP, during the reporting months in which they provided electricity to vulnerable household customers.</p> <p>The data shall be filled in in relation to the household customer; if a customer has more than one place of consumption, the data aggregates at the customer level.</p> <p>⊥ The cumulative consumption of household customers in each consumption tranche during the reporting month (MWh);</p> <p>⊥ Number of household customers existing at the end of the reporting month, number of customers</p> <p>households for which the supply ceased during the month (customer exits), the number of household customers for which the supply started during the reporting month (customer entries); the data shall be presented by consumption tranche;</p> <p>⊥ Average electricity supply price per consumption band as a result of the sale electricity to final customers in the reporting month; the average price per consumption tranche includes the value of network services provided at regulated tariffs, but does not include the tax on high-efficiency cogeneration, the value of green certificates, excise duty or VAT (lei/MWh);</p> <p>⊥ Component representing the value of network services provided at regulated tariffs applied to household customers in each consumption band relative to the consumption of customers in that tranche (lei/MWh).</p> <p>⊥ Component representing the value of taxes (excise duty, green certificates and cogeneration high efficiency) applicable to household final customers served in each consumption band relative to customers in that tranche (lei/MWh).</p> <p>The assignment of customers to the consumption tranches (categories) defined in Regulation (EU) 2016/1952 of the European Parliament and of the Council of 26 October 2016 on European statistics on natural gas and electricity prices and repealing Directive 2008/92/EC shall be carried out on the basis of the electricity consumption achieved in</p>

		<p>the last 12 calendar months, in compliance with the provisions of <i>Annex No 2(2)</i> of the methodology for monitoring the retail electricity market approved by Order of the President of the National Energy Regulatory Authority no. 17/2023 and remains the same for the entire reporting year.</p> <p>Data shall be reported strictly for the reporting month as consumption month, regardless of the date of issue of the energy bills consumed or the inclusion in the bills of periods other than the reporting month for which adjustments have been made.</p> <p>The average supply price per consumption band shall be calculated on the basis of the electricity price set out in the commercial/economic conditions in supply contracts concluded with final customers within the consumption band, irrespective of the support scheme from which those final customers may benefit at any given time.</p>
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The model for monitoring the electricity consumption of consumption places in the portfolio (household and non-household)
— for competitive suppliers active on the WFP -

Annex	Template name	Content description and how to fill in
A3-I	Customer Consumption Places final non-household	<p>The data on the electricity consumed shall be completed in relation to the demand facilities powered by voltage levels.</p> <p>⊥ The cumulative consumption of consumption facilities related to non-household customers during the reporting month for each voltage level;</p> <p>⊥ Number of consumption facilities for non-household customers existing at the end of the month reporting, number of places of consumption for which supply ceased during the month (outputs), number of places of consumption for which supply began during the reporting month (places of consumption); the data shall be presented by voltage level;</p> <p>Data shall be reported strictly for the reporting month as consumption month, regardless of the date of issue of the energy bills consumed or the inclusion in the bills of periods other than the reporting month for which adjustments have been made.</p>
A3-II	Places of consumption related to household customers	<p>The data on the electricity consumed shall be completed in relation to the demand facilities powered by voltage levels.</p> <p>⊥ The cumulative consumption of consumption facilities related to household customers during the reporting month for each voltage level;</p> <p>⊥ Number of consumer places of household customers existing at the end of the month reporting, number of places of consumption for which supply ceased during the month (outputs of consumption places), number of places of consumption for which supply began during the reporting month (inputs of places of consumption); the data shall be presented by voltage level;</p> <p>Data shall be reported strictly for the reporting month as consumption month, regardless of the date of issue of the energy bills consumed or the inclusion in the bills of periods other than the reporting month for which adjustments have been made.</p>